Town Of Camp Verde
Community Development
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Memo

To: Mayor & Council; P/Z Commission; ZORC; ZTAC
From: Town Staff
Date: December 16, 2010
Re: Planning & Zoning Ordinance Update

Attached you will find Dava and Associates final draft of the Planning and Zoning Ordinance (Sent December 15, 2010) We thank Ms. Dava Hoffman and Mr. Richard Counts for their work to get us to this stage. From this point on, Town staff will perform all master editing of the ordinance, including preparation of final documents for Town adoption. We are sending you a copy of the draft now to maximize the amount of time you have to review it prior to the upcoming meetings, which begin with a public hearing of the Planning and Zoning Commission on January 13th. Please use this draft as your working copy.

Staff is currently reviewing the draft document as well, and will track any changes, recommendations, etc. identified to be presented for your consideration. Such initial comments will need to be turned into staff no later than January 3rd to enable the preparation of packets prior to the 13th. This will allow us to create a clear history as revisions are completed. We have also requested the preparation of the attached comment log to show and track comments. This will be useful in moving forward to ensure suggestions or concerns are not lost as we progress through the project. If you identify a missing item please let us know immediately so we can be sure to include it.

While the January 13th appointment is a Commission meeting, the general public is welcome and encouraged to participate. This includes the Zoning Ordinance Rewrite Committee (ZORC) and Zoning Technical Advisory Committee (ZTAC) as well. The Town Council is also encouraged to attend as an observer so they will have the opportunity to witness~~ed~~ firsthand the discussions and thought process used to formulate the Commission's formal recommendations for adoption. Many of you have tenaciously participated in the various meetings held over the past year and for that we thank you and encourage your continued involvement as we inch closer towards completion.

We have set an aggressive schedule in order to conclude this extensive project. This schedule includes the initial Commission hearing on January 13th, with January 20th set as a tentative date should conversations extend beyond the available time on the 13th.

Staff will then prepare a revised draft for additional Commission review in early February. The Commission's formal recommendation, including requested revisions to the ordinance, will then be advanced for Council consideration at their Council Hears Planning and Zoning Items meeting on February 23rd. Staff will again revise the ordinance as needed for additional Council consideration in March with possible Council final adoption in late March or early April.

Draft documents, as well as meeting notices and updates, may be found on the Town website at www.campverde.az.gov. We will continue to advance updates via memo to all ZORC and ZTAC members, Planning and Zoning Commission, Town Council, and community members who are on the interest list. In addition, we will publish hearing information in the local newspapers.

This is an aggressive schedule, one that will require a collective effort to realize. We encourage you to advance any questions or comments you have, as soon as they arise, during this process to allow for advanced staff preparation. This will hopefully enable us to maximize our time together in the remaining meetings. Please note the Community Development Department, as well as Matt Morris and Russ Martin, are available to answer any questions or comments you have. Otherwise we look forward to seeing you all on January 13th.

CAMP VERDE DEVELOPMENT GUIDANCE SYSTEM

FINAL REVIEW DRAFT DECEMBER 10, 2010

RESPONSE COMPENDIUM

RESPONSES AND DRAFT REVISIONS RESULTING FROM COMMENTS RECEIVED FROM THE PUBLIC, ZORC, ZTAC, TOWN OFFICIALS, TOWN STAFF AND TOWN MANAGER

Part One
- Response to Staff and Public Comments Received Through September 30, 2010
- Response to Town Manager Comments September 30, 2010

Part Two
- Response to Staff and Public Comments Received Through September 30, 2010
- Response to Town Manager Comments Received September 30, 2010

Part Three
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Part Six
- Response to Staff and Public Comments Received Through September 30, 2010
- Response to Town Manager Comments September 30, 2010

PART ONE. INTRODUCTION

RESPONSE TO SEPTEMBER 30, 2010 STAFF AND PUBLIC COMMENTS

The following list records the changes made in response to comments received from Town officials, staff and members of ZORC, ZTAC and the public.

PART ONE

PAGE	BY	COMMENT	RECOMMENDED DISPOSITION
2	**S**	Sec.102- A & B	Implement suggested changes (consider: the ~~use~~ regulations…) A. Applicability and Exemptions This Ordinance applies to all buildings, structures, lands, and uses over which the Town of Camp Verde has jurisdiction under the constitution and law(s) of the State of Arizona and of the United States. B. Non-conforming Uses and Structures The purpose of this section is to protect the rights of property owners who have lawfully established, and continuously maintained in a lawful manner, a use prior to the adoption of this Ordinance or prior to any amendment to this Ordinance that otherwise renders such use unlawful. A nonconforming use or structure that was recognized prior to the adoption of this Ordinance shall continue to operate under the provision of law under which the nonconforming structure or use was recognized so long as the nonconforming use or structure is not in violation of such provision of law, the adoption of this Ordinance notwithstanding. Nothing in this chapter prohibits the voluntary compliance with any future ordinance, regulation, or incentive. As herein defined, a non-conforming use is a use that was lawfully established but that no longer complies with the use regulations applicable to the zoning district in which the property is located.
19	**O**	Sec. 102-B-1 & 4 *More flexibility and definition; 1 Continuation*	… provisions hereof, subject to verification as set forth in Section 102-E-5, below, where the use or structure was lawfully established prior to and has been continued under one of the following circumstances: a. the date upon which the Yavapai County Zoning Ordinance became effective, September 20, 1970; or b. assumption of municipal zoning authority by the Town of Camp Verde upon its incorporation; or c. an amendment to zoning provisions or other development regulations to which the use or structure, thereafter, does not conform. ”However, no such use....the public”. **Section102-B-4** c. A non-conforming use may not expand, defined as including a geographic increase of the actual use, as well as an increase in volume or intensity, with the exception that a property owner may apply for a determination, pursuant to Section 102-B-5, that a minor increase may be approved based on findings that the proposed expansion will constitute an improvement to the subject property with no detriment to neighboring properties, in the following instances:

Note: **S** = “staff” refers to members of Town Community Development, Public Works Departments and/or the Town Manager’s Office; **O** = “official” refers to members of P&Z, Council, ZORC or ZTAC;
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			1) replacement of a non-conforming mobile home with a certified manufactured home that does not exceed the replaced structure's area by more than 50%; or 2) building extension of a non-conforming setback on a single-family, site-built residence that neither decreases the non-conforming setback distance nor creates any further non-conforming condition and does not increase the structure's ground floor area by more than 20% and maintains an interior side yard setback of not less than 3 feet to the property line.
5	**S**	Sec.102- B-5 b, c & d; *Notice to other interested parties?*	Implement administrative approval, wording as suggested b. Upon receipt of a complete application, the Community Development Director shall send notice of the pending request to each owner of real property, according to the Yavapai County Assessor's records, within three hundred feet of the proposed non-conforming use. c. The Director will review the evidence concerning the application as may be presented by the applicant or any other interested party. Such evidence may be either written or verbal d. The Community Development Director will render a decision and present findings through a formal written Notice of Action to applicant and any other interested parties. The decision shall be published in a local paper of general circulation, and shall be sent to each owner of real property, according to the Yavapai County Assessor's records, within three hundred feet of the proposed non-conforming use.
5	**S**	Sec 103 Definitions: Analogous	Delete and word search to replace in text with similar? OK as is or change?
6	**S**	Assisted Living Care Facility and other such facilities had nearly the same definition	Adjusted to read: **ASSISTED LIVING CARE FACILITY:** A residential care facility, including adult foster care, licensed by the State to provide supervisory care services, personal care services or directed care services on a continuing basis to a maximum of no more than ten full-time residents.
6	**S**	Building -Attached	No change
		Cluster Housing	Added under building: -**CLUSTER**: A technique in which attached or detached dwelling units are grouped relatively close together, leaving open spaces as common areas.
	9O	Cottage Industry	Revised to include in principal residence **COTTAGE INDUSTRY:** A home occupation carried out in the principal residence or in a structure separate from the principal building on the same lot.
7	**S**	Building -Detached	Adjusted to read: **-DETACHED:** A building, separated by ten feet from another building or buildings on the same lot with no connecting structures.
11	**S**	Glare	No change
		Guestroom: Conflict with roomers and boarders?	Adjusted Guestroom definition: **GUESTROOM:** Any paid or non-paid room used or intended to be used by a guest for sleeping purposes. Every 100 square feet (9.3 m2) of floor area in a dormitory shall be considered to be a guest room.
11	**S**	Inspector	Changed to: Official(s) charged with administration and enforcement of this Code.

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15	**S**	Manufactured Home	…larger in area than 400 square feet. ~~10' x 40' ( )~~
15	**S**	Mobile Home	…larger in area than 400 square feet ~~10 feet…length~~ and…
15	**O**	Nonconforming Land	**NONCONFORMING LOT OF RECORD:** A parcel created and recorded prior to Ordinance provisions with which it now conflicts.:
15	**O**	Nonconforming Structure	**NONCONFORMING STRUCTURE**: A building or structure that was in place prior to Ordinance provisions with which it now conflicts.
18	**S**	Sleeping Room	A room used for sleeping, other than a guest room, …
19	**S**	Unsafe Building or Structure	Adjusted to reflect Town Code as requested.
19	**S**	Unsafe Dwelling	Adjusted to reflect Town Code as requested.
19	**S**	Use Residential	No change

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PART 1. INTRODUCTION
Response to Town Manager September 30, 2010 Comments

o Identification/Definition of Community Dev. Dir.(CDD), Zoning Inspector/Admin, etc. as separate CDD – As appointed by Town Manager and then all other jobs as designated/delegated by CDD. (Including keeping these responsibilities as the CDD). Also a recheck of all definitions against words actually used in the rest of the code to determine if we have all the definitions we need or are there definitions we have that are not used anywhere in the code. **(1)**

Response:

The Community Development Director is the principal staff person, under the Town Manager, with Development Guidance System oversight responsibility. The Director may serve as -- or designate -- the Zoning Administrator. Inspectors may be delegated the responsibility for Code enforcement.

Several definitions (e.g., stipulations, revocable, nonconforming lot of record) have been added. Defined terms, as requested, were checked to determine that they are all used in the Code. Deleted terms include: Bus Shelter; Bus Turnout; Kiosk and Gravel Pit.

o Section 102 B 4 Why would we allow an extension of a non-conformance at all? I think this confuses the issue. However, we should allow for unlimited extension (*conforming*) into all other areas (Eg. I have a 3' encroachment into a 10' setback (can't touch unless I conform) but if I want any other expansion
o (Eg. Extend my house to the rear or other side all I want as long as it all conforms, including an extension of that wall, however it must now go back to the 10' setback) (1)

Response:

Arizona courts, and many local jurisdictions, construe the extent and duration of zoning nonconformities very liberally. Consultants proposed more strict construction of the Town's policies on nonconforming structures and uses. However, the public, ZORC and citizen process participants strongly favored permitting improvements on the many non-conforming properties in Town. Staff suggested additional flexibility and consultants responded with proposed language for discussion at the September 27, 2010 Joint Work Session. (See memorandum dated September 15, 2020 also referring to Section 102-B-1.)

There is widespread preference for allowing improvements that will improve the subject property's value and its neighborhood, in general. For example, workshop participants from ZORC, staff, Town leadership and the public suggested the addition of language to Section 102.B.4.c:

> c. A nonconforming use may not expand. Expansion is defined to include a geographic increase of the actual use, as well as an increase in volume or intensity, with the exception that a property owner may apply for a determination, pursuant to Section 102-B-5, that a minor increase may be approved based on findings that the proposed expansion will constitute an improvement to the subject property with no detriment to neighboring properties, in the following instances:
>
> 1) Replacement of a nonconforming mobile home with a certified manufactured home that does not exceed the replaced structure's area by more than 50%; or

2) Building extension of a nonconforming setback on a single-family, site-built residence that neither decreases the nonconforming setback distance nor creates any further nonconforming condition and does not increase the structure's ground floor area by more than 20% and maintains an interior side yard setback of not less than three feet to the property line.

o Section 103 Definitions:
 Single Family – should we not consider some limitation such as no more than 3 unrelated individuals. I know the economy is bad however if there is a real problem with overcrowding/parking, etc. we should have at least a way to suggest that only so many unrelated people should be living in a single family residence. (3)
Response:
The definition of "Family", as it stands, is not very restrictive:

FAMILY: One or more individuals occupying a dwelling unit and living as a single household unit.

If preferred, we could suggest adding: "Not more than four individuals not related by blood, marriage or adoption may be considered a household unit". However, the "unrelated" limitation may be subject to challenge.

 Temporary Use – Time frame definition (90 days/180/1 year) or use the building code definition by not having some timeframe as a guiding principle this one has bitten me before and we should have some concrete beginning even if it is extended by staff /council based on circumstance. Honestly would prefer Temp Use as its own section defining controls that would differ based on use (mobile home while building main home to offices during construction to Fireworks Stands) This may be particularly important as the law for fireworks changes possibly before we even have this adopted. (2)
Response:
Temporary Use is defined as:

-TEMPORARY: A use established for a fixed period of time with the intent to discontinue such use upon expiration of the time period.

Specific time frames are specified for particular types of Temporary Uses:
203.A.3.e
e. Temporary Use Permits, subject to administrative approval (See Section 601.C):
(1). Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12 month period after issuance of a building permit.
(2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.

302.B.3.b

b. Recreational vehicles shall not be used or made suitable for occupancy for longer than 10 days without obtaining a Temporary Use Permit (See Section 601.D). Temporary occupancy, for a period not to exceed 180 days, may be approved …

As recommended, a separate Temporary Use Permit (Section 601.D) designation has been created – allowing for evaluation, review and the imposition of definitive time limits and other pertinent stipulations as to the location, operation and maintenance of temporary activities.

 Height – Use of the sidewalk in the definition seems to potentially allow for a just short of 10' wall to be built then use that as the ground level to measure height from. I would prefer a straight forward existing grade (parallel to if on a slope, stepping down or up with grade) definition so we don't have artificial burming/lifts to increase the height. (2)

Response:

We have not changed the "engineering" definition; however, many communities reference "natural grade" (with certain qualifiers) to avoid the artificial stepping-up of improvements on the site.

PART TWO. ZONING CLASSIFICATIONS

RESPONSE TO SEPTEMBER 30, 2010 STAFF AND PUBLIC COMMENTS

The following list records the changes made in response to comments received from Town officials, staff and members of ZORC, ZTAC and the public.

PART TWO

PAGE	BY	COMMENT	RECOMMENDED DISPOSITION
2	O	R1L should include modular housing	Section 103 definition of modular housing adjusted **MODULAR HOUSING:** Factory-built housing that is certified as meeting the state or local building code. It does not have a mobile ID. Modular housing is considered site-built housing.
3	O/S	R1L guest quarters	203, A.2.a R1L District addition: a. Dwelling unit for one family on any one lot except that quarters for servants and/or non-paying guests may be located on the same lot with the principal structure.
3	O	Consider adding "Bed & Breakfast"	Added bed and breakfast Use Permit in R1L (sec 203.A.3.c c. Bed and Breakfast (1) limited to 4 bedrooms (2) parking facilities required under Section 403.
4	O	203B -Consider changing "cluster" to "group of dwellings" in title of R1 District to be consistent with B.3.a. wording (pg 2-4)	Section Title not changed; added "or cluster" in Section B.3.a a. A group or cluster of dwelling units (attached or detached) each having separate individual ownership and providing common services and recreation facilities under unified management.
9	O/P	Add "veterinarian clinic or hospitals for large animals" within enclosed buildings in the C-3 District	Vet clinics for larger animals added in 203.H.2.o o. Veterinary clinics and hospitals for the diagnosis and treatment of animals, including farm animals or other animals larger than 100 pounds, entirely within an enclosed building, with boarding of animals incidental to diagnosis or treatment, provided that: 1) The boarding area does not exceed 80% of the total floor area; 2) The boarding area is either completely soundproofed or is no closer than 300 feet from any contiguous parcel of property; and 3) no on-site incineration shall be permitted.
15	O	Add provision for multi-generational family housing on farms in AG District	203.O.2 a. a. Dwelling units: ~~for one family on any one lot~~. 1) Not more than two additional dwelling units may be located on any one lot expressly as the domicile(s) for persons or families related to the occupants of the principal residence by blood, marriage or adoption. 2) Such additional dwellings, upon cessation of the multi-generational, "family farm" relationship by sale or otherwise, may continue to be occupied: a) for other permitted accessory or Use Permit uses specified in the District; or b) upon land division or subdivision into separate lots, each of which shall meet the area, setback and other requirements of the District.

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15	O	Add dude ranches in AG District	Added in AG: 203.O.3.a a. AgriTourism business, intended to…camping accommodations, including dude ranches. ~~on portions of the site in excess of the 10-acre minimum area requirement.~~ Application…
18	O	CHART-add a footnote or other that spells out meanings for "s-f", "d.u." in Sec 204 B. Dev't Criteria chart (pg 2-17)	Note added to chart Abbreviations: s-f = single-family; d.u. = dwelling unit; sq.ft = square feet; bldg ht = building height
18	O	Consider agricultural uses on lots smaller than 10 acres	Added in Chart AG Agricultural/Minimum Lot Area = 217,800 sq.ft (5 acres)

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PART 2. ZONING CLASSIFICATIONS

Response to Town Manager September 30, 2010 Comments

o Section 202 - General Comment. I would prefer an auto zoning (Ag for example) into the Town's zones when someone annexes if they don't specify (usually does anyway) leaving it as the Counties may cause more issues than it solves. If they don't want our zoning classification or can't decide which one, why are they annexing/why are we annexing? **(3)**

Response:

This has been implemented.

> Lands annexed into the Town shall be assigned AG District (AG) temporary zoning designation until such time as Town zoning is adopted for the annexed area. In the event, however, that no such specific zoning redesignation has been applied for by property owner(s) within six months from the effective annexation date, the Town may initiate rezoning on the subject property consistent with the adopted Town of Camp Verde General Plan.

o Section 203 - General Comment. Do we really want to design this section in a way that requires you to look at other districts to determine what is permitted, etc. in other zones? I would prefer a straight forward list in every section with definitions in the definition section. Throughout these districts we list and then explain what we mean, couldn't we let use stand for what it means in the definition section? Stating that "Any future dwelling units built or placed…" is or should be redundant to the adoption of a building code, if we need to say this we should try and add it to section 200 B or make a C stating that "all building or placement of any type of structure within any district must be built in conformance with…". **(1)**

Response:

The requirement has been placed in the lead paragraph of Section 203, Use Districts.

> All incorporated areas of Camp Verde, subject to the provisions of this Ordinance are hereby divided into Use Districts which, together with the General Regulations/Provisions (where applicable), control the operation of uses and placement of structures. All structures built or placed on any site shall be constructed in accordance with the Town's adopted building codes and regulations; or bear a label certifying compliance with the Federal Manufactured Housing Construction and Safety Standards Act. No vehicle, including recreational vehicles, railroad cars or other structures not engineered for use as an accessory structure shall be placed on the property and used as an accessory structure. Any use or structure not specifically permitted by (or analogous to) District Provisions shall be deemed prohibited and unlawful as a principal or an accessory use or structure for the District.

If preferred, the provision may be moved to Section 200; however, it seemed appropriate to introduce following the statement establishing Districts.

o 203 B R1 District- Cluster Dwellings? – this concept is great and should probably be handled in a PUD, what grouping/density would be allowed? Seems this would need more definition specific to clustering for this to be a permitted use without further review. What is the purpose of inclusion? Seems like a multifamily loophole we may be creating (attached/detached) **(2)**

Response:
The phrase "or cluster" has been added, along with the definition

-Cluster: A technique in which attached or detached dwelling units are grouped relatively close together, leaving open spaces as common areas.

A Use Permit requirement (Section 203.B.3.a) could allow for a simplified approach pertaining to a small development; or, in larger or more complex residential developments, the applicant could be advised (by Staff) that a full PUD submittal would be advantageous.

Dwelling unit density would remain unchanged. Individual units, grouped or clustered, allow for common open space or other amenities.

- 203 D. RCU District (what does the C mean) **(1)**

Response:
Previously, the "CU" referred to Conditional Use, which is no longer appropriate. It is suggested that R-R, Residential-Rural, more accurately describes the District purpose (Section 203.D.1) "for rural, large lot residential uses".

- We are including multifamily uses in our Rural large lot zone(purpose of district)? **(3)**

Response:
The multifamily prospect has been eliminated with an express prohibition in Section 203.D.2.a:

a. All uses allowed in the R2 District, except that multiple dwelling units and apartment hotels are not permitted.

- #3 Additional Accessory uses are subject to Use Permit? What is additional mean when we allow accessory uses and structures as permitted? It also says "stipulations" (what are we referring to exactly?) **(3)**

Response:
The Use Permit option for requesting unlisted Accessory Uses could be eliminated from all Districts; however, their provision allows the possibility of accommodating unique types of ancillary activities or buildings which might be determined (with specified stipulations, if necessary) to be reasonably accessory to the principal use. This wording and Use Permit review, is suggested because an otherwise unspecified use would be questionable – and not available through variance relief (use variances prohibited) Section 602A.

Stipulations has been defined in Section 103:

STIPULATIONS: Conditions under which a property or use are required to comply established by the Town as a qualification for approval.

203 E. RS District
o Definition of "sales services" vs retail (i.e. Real estate?) (1)
Response:
This has been clarified in Section 103:

> Sales Services: May include professional services such as real estate or insurance sales.

o Contiguous lot being less restrictive shouldn't dictate need for use permit regulations, why not allow for what the adjacent district does, how about a mobile/manufactured home development process/section? (3)
Response:
This Section is intended to eliminate the need to obtain a Use Permit.

Mobile/manufactured/RV developments are covered in Section 305.

o Revival tents, etc – again need for a Temp Use section. (2)
Response:
As recommended, Temporary Use Permits are provided for in Part 6, Section D.

203 F. C1 District
o Antique sales vs retail (second hand) seems the same but one is allowed the other is not? (1)
Response:
The exception of second hand goods has been removed from Section F.2.j Retail sales.

o Banks with drive thru ability but not restaurants? (2)
Response:
Although many jurisdictions prefer not to allow drive-through services in their more-restricted, neighborhood shopping districts, these facilities may be accommodated with sufficient space and appropriate driveway/maneuvering design.

> d. Business offices, banks and similar; including drive-through.
> i. Restaurants and cafes, including drive-through. ~~except vending from openings in buildings~~.

If preferred, both drive-through exclusions could be restored, specifically adding them as options in the C2 District.

o Should we define trucks? Are we trying to limit large (26,000 pound or larger) or just "clutter" (3)
Response:
It is suggested that the truck limitation could be deleted.

o Use permit requirements confusing, simply relist what requires a use permit. This is a commercial zone, do we need to continue to "protect" residential areas from commercial through use permits, how is this going to work? (3)

Response:

Use Permit requirements would be applied only to properties contiguous to residential Districts. Retaining this exception provides an opportunity for adjacent residents to protest from, or offer suggested stipulations to mitigate, potential negative impacts on privacy and related living quality expectations.

o "a." who determines neighborhood compatibility (defined?) and what happens if they disagree (no process) (1)

Response:

Neighborhood compatibility has been removed. Section 203,F.4.a now reads:

> a. All permitted uses and structures shall be operated and maintained in good order.

o b. Auto service station with tires/washer fluid, art galleries/antique/retail sales trying to draw attention with anything out front is prohibited? (2)

Response:

Limited outdoor displays for C1 Commercial uses are permitted under 203.F.4.b:

> b. Storage of materials …all sides. Displays of merchandise are permitted during the establishment's hours of operation and shall not exceed 40 square feet in area on-site.

o c. Which more restrictive district allows this? (1)

Response:

Examples are now mentioned in Section 203.F.4.c:

> c. Intoxicating beverage sale is limited to off-site consumption only (except as is otherwise permitted under any more restrictive District, such as private clubs or religious institutions).

o 4. None of these district stipulations seem to be enforceable as written or necessary. If we want to limit outdoor storage of materials, etc. we should just say it. If we want to allow businesses to show "stuff" outside only during business hours we should say that. What do we really want here? (2)

Response:

The additions to section 203.F.4 provide limitations on area and hours of operation, as suggested.

203 G. C2 District
o Can't we define this in the definitions section by separation of light/heavy repair with or without outdoor storage. I like the specifics if we are eliminating a use permit process for these uses by being more specific here, however, again we are in a commercial zone, medium, at some point the residential nature of the neighborhood should not restrict the use of the property for its highest and best use because we have not zoned or not willing to zone properly for buffering districts. (2)
Response:
The attempt here is to list uses, with specific limitations, in the District, itself, without requiring reference to the Definitions section and cluttering it with regulatory criteria which, generally, are not appropriate in definitions.

Correct, by qualifying the permitted manner and extent of permitted use, the property owner would not have to go through the Use Permit procedure. Some uses (e.g., car sales) require a site plan or other evidence/placement to maintain orderly, safe operation and appearance of allowed business activities.

Reducing impact from more intense uses onto residential properties is a basic principle, and responsibility, of less-restrictive districts. Future rezoning demand for more dense housing or other "buffering" districts, such as office uses, could provide better transition between heavier commercial and single-family residential uses. Some communities provide for "bufferyards" to ameliorate abrupt conflicts.

o j. Similar to i. however, who exactly reviews the site plan for what and gives approval when? Definition of Landscaping minimums? (2)
Response:
Staff reviews the site plan administratively as provided in section 203.G.2.j.(1)

> (1) A site plan shall be submitted prior to the creation or expansion of outside display for consideration of approval by the Community Development Director, or designee.

This is simply to assure that the display area meets, and continues to observe, the guidelines of subsections (2) through (8). The plan should include landscape areas with a combination of ground cover, shrubbery and/or trees appropriate to the location and circumstances (i.e., provide visual and access separation without obscuring the display). See also Section 402.B.

Definition (Section 103) ["LANDSCAPE: (1) An expanse of natural scenery; (2) The addition of grasses, ground cover, trees, plants, and other natural and decorative features to land."] could be cited as language similar to the above may be added to subsection (6).

o l. We don't allow Pet Shops to build without sound proofing and in (i) require auto repair to cease at 10 pm, however, in (n.) we allow for dance halls and in (b.) bars and nightclubs without any noise restrictions or hour of operation restrictions regardless of location near residential purpose buildings.

Response:
A "District Stipulation" 203.G.4.a is suggested to address this recommendation:

> a. Any future use providing accommodations for public entertainment or assembly between the hours of ten p.m. and six a.m., including but not limited to restaurants, bars, tap rooms, night clubs, bowling alleys, pool rooms, amusement arcades, theaters, auditoriums, banquet and dance halls shall provide a sound-attenuating vestibule for public ingress/egress with no such exterior point of ingress/egress located within 200 feet of any parcel zoned or used for residential purposes.

The provision, if desired, could also be made to apply to any expansion or introduction of "entertainment or assembly" is existing establishments (so as not to create ex post facto nonconformities. Also, additional stipulations might require such measures as parking lot security, say, after midnight.

What if a multifamily was built in or adjacent after a pet shop or vet clinic was in for years without sound proofing, would the shop/vet be required to retrofit. If we want a pet shop/vet clinic to sound proof let's just require it to be done or not be done to avoid non-conforming issues/complaints. (2)
Response:
Provisions could be revised to include "future or expanded" so as to avoid nonconforming issue; or 203.G.2.l.(1) can be deleted and (2) simply added to the end of 'l' (without "provided that".

o 4. Again we are in a commercial zone, medium; refer to comment in C1 District Stipulations. Also what does (b) really mean in application any different then what we would do normally?
Response:
The sound attenuation provisions has been added as 203-G.4.a. Subsection b. could be deleted; however, it retains some of the C1 "no outdoor storage" although deleting the display restrictions.

203 H C3 District
o We finally allow for commercial to be commercial except again when adjacent to residential, why are we doing this? (Also mobile home "courts" is not called that in a couple of places, word change/consistency?) (2)
Response:
Requirements for Use Permits contiguous to Residential Districts and other restrictions have been removed from Subsection H.2.a. [i.e., (1) through (4)]

"Courts" is replaced by "parks".

o 4. One dwelling unit (any size restrictions?) built to commercial standards … can we define caretaker/manager unit and call it permitted to avoid all of this? (b) this is where your nuisance code and enforcement come in, not necessary. (c.) Again why, 204 does not seem to address this specifically, does a dash 12 mean additional dwelling units (residential use) can be in addition to a hotel and motel use depending on acreage or does this limit actual units in the hotel/motel to the density restrictions, confusing to me. (1)

Response:

We have clarified that hotels and motels are first permitted in C1 Districts. New 203.F.2.h now reads:

> h. Hotels and motels with five or more guest rooms.

As suggested, subsection 203.H.2.b is deleted.

Now subsection 203.H.4.b, the provision does provide the formula for the allowable number of transient rooms.

203 I PM District

o 2. Define appurtenant/accessory as simply an accessory use(s). Then we say in I.2.f "similar", is there a difference in requirements? Again I would prefer to see signs handled only in the sign code. If you want to build a sign you can in (almost all?) zones but defining the differences/restrictions are all in one section. (1)

Response:

The subsections containing the reference to "appurtenant" (subsections I-2.2.b substitutes "accessory"; -f is deleted).

"Similar" is intended to protect against possible loopholes, such as SRO (Single Room Occupancy) or such

> a. Residential uses are prohibited (including dwelling units, mobile/manufactured home or RV parks, rooming and boarding houses and similar).

Signs now typically refer to Section 404.

o 3. This whole section could be eliminated with only defining what can be done in each district, parking handled in a separate section and 50 feet setback for landscaping seems too much this is effectively the setback provision inside the use restrictions. (2)

Response:

Staff has prepared a matrix showing permitted uses by District.

Cross-referencing (e.g., parking, signs) may be useful for persons simply referring to a specific District classification.

The landscaped 50 feet and related layout guidelines have been deleted. However, this District is intended to present a high-tech, upscale appearance compared with M1 and M2.

203J M1 District
o 2. Similar to PM District but different, why, consistency or redundancy? And (b) Doesn't the building/fire code address this issue? (3)
Response:
M1 is meant more as a standard industrial district – in contrast with the PM.

Subsection 203.J.2.b identifies the M1 as the first District in which exposed fuel storage tanks are permitted. UL and distance requirements, although covered in other codes, add useful reference.

o 3. Again I don't believe this is necessary, however (b) suggests that BOA look at something when uncertainty exists. I think this could be eliminated. The Zoning Administrator makes the call and administrative interpretation appeals then would go to BOA, not only here but anytime. (1)
Response:
Board of Adjustment (original Subsection 203.J.3.b) has been deleted.

203 K M2 District
o CAFOs are now okay in this zone? Are the restrictions in 304 enough? (3)
Response:
This has been changed to prohibit CAFOs. They are expressly prohibited.

o 3. Code Enforcement makes the call on pollutants and "uncertainty", when and how, after plans have been made land has been purchased and they are waiting for their building permit? I don't get implementation of (b), nothing in this zone requires a use permit? (2)
Response:
Clarification is provided that Staff should provide early notice of any concerns and require "further" information and assurances" (subsection 203.K.3.a) or require a Use Permit application.

The former 3-b was deleted. As the provision now reads (e.g., new a.), a Use Permit request may be entertained if the applicant wishes to pursue the proposed use and demonstrate how concerns might be alleviated.

Where any proposed use entails processes, materials or other aspects that may be questionable as to potential impacts on community health, safety, and welfare, it is neither unreasonable to expect that the proponent would exercise due diligence in determining whether the enterprise is, or is not, acceptable in the Town; nor for local officials to act in a timely manner to prevent a potential hazard.

203 L. PUD

o To use this zoning classification we should at minimum suggest minimum offsetting public benefits, increased density means more land dedication, parks, better transit opportunities, something. (3)

Response:

Many jurisdictions require specified amenities, use mixes, increased open space (unless adjusted by council) is required as a District Stipulation (203.L.4.a).

The PUD, in and of itself, can – and should – constitute a public benefit through superior planning and improvement. Subsection 203.L.2.e alludes to some of these advantages:

> "…individual lots, and to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety, creative design, and a better environment."

o Also throughout it appears that the commission is making decisions about what is going to be allowed in the PUD, we need to be clear approval of the "new zoning regulations – PUD proposal" by the applicant is specific to the development and approved by the Town Council. We then go on to discuss permitted uses in the PUD, wouldn't the application for this zoning specify its own zoning criteria? (3)

Response:

Although development criteria (e.g., building placement modification of the regulations", subsection 203.L.2.b) may be adjusted to encourage creative economical design, it is well to enumerate the types and intensities of land use that would be considered in a PUD.

Subsection 203.L.2 adds the sentence :

> ... However, each approved PUD development plan shall be specific to that particular property as approved by Town Council.

o J. Accessory uses is a great standard for all zones and could/should be part of the definition of an accessory use/structures for the whole ordinance. (1)

Response:

This subsection (now "i") could be added in other districts; however, the regulatory language is probably not appropriate to include in the definition of Accessory Use (Section 103).

If desired, this could be placed as the second paragraph of the Section 203 introduction, explaining that placement is subject to applicable setbacks and separation distances.

203 M OS District

o 3. Change of Use, why are we doing this in this zone? A change should/could be to another permitted use, why do we get involved. What are the criteria for approval? Does the council hear an appeal? (2)

Response:

Open space preservation benefits both public and private interests. Council approval, following public hearings where affected parties can speak to the implications of a use change, is now required in Subsection 203.M.3.b. Replacing agricultural land with a water park, for example, could have various impacts ranging from traffic generation to environmental degradation.

o 4. Sign restrictions should be handled in the sign section. (1)

Response:

Throughout the Districts, reference is made to Section 404, where sign regulations are centralized.

203 N RCD District

o 2.(b) 10% is based on what issue, what are we trying to avoid with this restriction? Enforcement ? (3)

Response:

The objective in limiting the number of RV spaces is to prevent the District's "camping" purpose from being circumvented by creating a de facto RV park; the district is intended for camping-tenting experience for youth and families primarily.

o 3. Definition of maintained open space? These seem very specific to an operation and not a development code for general use. What are we trying to do here? (3)

Response:

"Maintained open space" is defined within N.3.a:

> a. Peripheral setback, consisting of 60 feet of maintained open space (for visual separation for visual separation, buffering and setback from structures, storage or activities with approved ground cover and/or other plantings which are regularly tended) shall not allow parking, maneuvering or storage.

The intent is to provide a safe, attractive, and orderly layout for the camping facility, and as a buffer from adjoining properties.

203 O AG District

o Medical Marijuana potential? (2)

Response:

Presumably, such a crop (now legalized) could be raised in the District, subject to State provisions that are predicted to be decided by December 17, 2010.

o 2. (e) 7) Temporary housing? Seasonal, worker, mobile housing what are we trying to allow or restrict? vs 3(b) in the same section below it? (2)

Response:

Subsection 203.O.2.e.7) has been deleted. As noted, temporary housing facilities for agricultural workers may be developed, subject to a Use Permit, under Subsection 203.O.3.b.

o 3. We seem to be getting very specific here, why, are there no other places this zone could be used/desired now or in the future? (2)

Response:

Agritourism businesses were encouraged by participants at Development Code workshops. Many of the particulars included in Subsection 203.O.3 were suggested by members of the public, ZORC members and Town leadership.

204 B

o "may be allowed with setback adjustments" by whom under what circumstances and to what extent? (1)

Response:

Chart changed to read:

> Historic Town Site exception Where lots were recorded prior to the Town's incorporation with less area than required above, the Community Development Director may approve reduced setbacks.

o Again same as (A) (1)

Response:

Chart changed to read:

As determined by suffix

✶ Suffix designations, in thousands of square feet (e.g., R1-12 = 12,000 sq.ft. minimum area) may indicate larger lot area required, as shown on Town of Camp Verde Zoning Map.

o (F,G, H) These are commercial zones why do we care what the size of the lot is as long as parking/setbacks/etc. are all met. Do we not want care if a 5 bedroom hotel in those districts is built if it can do it on less than 7500 square ft? 20' front setback how about redevelopment of

Main Street? All nonconforming now? (Maximum 10' back is somewhere, where? In a suffix, where are all the suffix issues identified?) (1)

Response:

We have reduced the lot size to 2,500. This size is considered an absolute minimum and is based on typical lot sizes in commercial downtowns of early Arizona communities.

The 10-ft. maximum setback requirement with reference to Sec 401 is noted in Footnote "a":

[a] 10' maximum front yard setback may apply; see Sec 401A

PART THREE. GENERAL REGULATIONS/PROVISIONS

RESPONSE TO SEPTEMBER 30, 2010 STAFF AND PUBLIC COMMENTS

The following list records the changes made in response to comments received from Town officials, staff and members of ZORC, ZTAC and the public.

PART THREE

PAGE	BY	COMMENT	RECOMMENDED DISPOSITION
2	S	301.A.2.c.1) questioned 'entrance way too long '	Not two words – changed to entranceway
4	S	302.A.2.a.2) Fire hazard: The Town will not pay for removal; but may issue citations.	~~Failing~~ Failure to…limit~~, will~~ shall…Town's ~~removing…removal;~~ issuance…sanctions.
4	S	302.A.3.b *l.*1-3 graffiti – same as above for fire hazard	~~will~~ shall result…Town's ~~removing…and/or~~
5	P	302.A.5 Suggested reorganization with 'shall' instead of 'will'	reorganized: ~~c.~~ a. The Town ~~will~~ shall notify… b. The owner…~~will~~ shall ~~a.~~ c. Unsafe…
5	O	302.B.1.a *l.*3 Clarify on-site use	personal, non-commercial ~~on-site~~ use
7	S	304 *l.*1, 4 clarify	Keeping of ~~domestic~~ farm animals *l.*4 where ~~the~~ farm animals
10	S	305.A.1&2 suggested reversing A-1 and A-2;	Decision to leave 'as is'

Note: **S** = "staff" refers to members of Town Community Development, Public Works Departments and/or the Town Manager's Office; **O** = "official" refers to members of P&Z, Council, ZORC or ZTAC;
P = "public" refers to any resident or business person of the Town

PART 3. GENERAL PROVISIONS

Response to Town Manager September 30, 2010 Comments

o 301 B. 3.(b) 2 Apply for an exception? What is the process to whom, etc.? Appeal again and again do we really want to do it this way? Did we have an issue with this in the past? (1)
Response:
"Variance" is the proper term. Board of Adjustment action is appropriate, if the required special circumstances can be shown. When commercial or industrial buildings may be more than twice the height of residences, it's commonly accepted that additional separation distances (setbacks) should be provided.

Section 302 A Nuisance Ordinance Process with absolute deadlines? (1)
Response:
"Imminent peril" constitutes cause to cease and desist. Otherwise, specific time limits for removal or correction are stated in subsections 302.A.1 through 5, after which formal enforcement procedures provided in Part Six would be invoked.

Subsection 5, Unsafe Dwelling, requires posting and fencing to prevent access or use of the premises, then:

c. Unsafe dwellings must be repaired, rehabilitated, demolished, or removed in accordance with the Town's adopted building code.

In effect, Section 302, Detrimental Property Conditions, collects and treats several common "nuisance" conditions in the Zoning Code, instead of having a free-standing Nuisance Ordinance elsewhere in the municipal code. Centralizing these regulatory concerns in the land use regulations conforms with the comprehensive Development Guidance System approach.

o 302 B (1) – Generally what are we trying to accomplish and where? We exclude 5 zones from this and then include them specifically in (c) and (d) why not say in the C and M zones outdoor storage is permitted but screening is necessary per B(5) and then state proper screening requirements for all zones even some variation could occur here. (1)
Response:
These provisions were simplified, as recommended, to reflect the intent of permitting limited outdoor storage, subject to screening and related requirements to reduce visual blight on non-industrial or –commercial properties.

Section 302.B.1 a through d now reads:

1. Materials/Equipment:
   a. A property owner or tenant may park or store construction, farming equipment or machinery outside, provided such equipment or machinery is in operable condition and is intended for personal non-commercial use.

   b. Construction materials may be stored provided they are stacked no higher than six feet and are for use on-site.

c. In C-1, C-2, C-3, M-1 and M-2 zones, "personal use" shall be construed to include those uses incidental to the permitted commercial or industrial uses of the property.

d. The outside storage of objects and materials shall be a permitted accessory use in commercial and industrial zones, screening shall be provided from non-commercial or –industrial zoned properties located within 200 feet in accordance with Subsection 302.B.5.

o 302 B 3 (b) long-term defined. Would we issue a use permit for long term RV occupancy outside of a use permit for an RV park? I would suggest we change the language to temporary dwelling permit or locating in an approved RV park. (2)

Response:

As suggested, a very limited grace period would accommodate short-time visitors – after which a Temporary Use Permit is required for up to 180 days.

3. **Mobile Homes/Recreational Vehicles:** Moveable living accommodations, other than in Mobile/Manufactured Home Parks or Recreation Vehicle Parks (See Section 305), may be placed on a lot only under the following circumstances:

   a. No mobile or manufactured homes shall be stored on any residential lot.

   b. Recreational vehicles shall not be used or made suitable for occupancy for longer than 10 days without obtaining a Temporary Use Permit (See Section 601.D). Temporary occupancy, for a period not to exceed 180 days, may be approved upon a showing of appropriate preparation for the requested duration of temporary occupancy which may include, but is not limited to:
   1) through 6) -- same as before.

o 302 B 4 (a) unlimited is too much (woodlot) I would suggest one year single residence supply or similar and not located in the front yard at all. (2)

Response:

As suggested; one year supply, to be kept in side or rear yards:

a. Firewood may be stored, not to exceed an amount reasonable for one year's on-site, personal use, in other than the front yard, stacked no higher than six feet unless against a structure.

o 302 B 5 (c) seems unnecessary. (2)

Response:

Correct. Subsection c is deleted. -- normal inspection/enforcement procedures would handle screening deficiencies.

o Sec 303 Where are Home Occupations allowed, everywhere? I would define cottage industry outside of this section if we are allowing this in every residential zone. Also could restrict

signage to identification sign only no phone # etc. this keeps with neighborhood desire and restricts advertising to nonresidential areas. (3)

Response:

Home occupations, as well as cottage industries, are permitted in all residence districts. Cottage industry defined separately (Section 103):

> **COTTAGE INDUSTRY:** A home occupation carried out in the principal residence or in a structure separate from the principal building on the same lot.

Signage is restricted to nameplate only, with cross-reference to Section 404F, Signs.

5. Signage for a home occupation is limited to identification as specified in Section 404F "Nameplate".

o Sec 304 Is this where we would be able to restrict CAFO's and are we satisfied we would with this section? (3)

Response:

Yes. Acreage computations, as applied, would require substantial property area. Moreover, a Use Permit is required (Section 304.C.1.a):

> **1. Use Permit:** A Use Permit is required for any of the following:
>
> a. Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle.

Use Permit consideration – with required public hearings – would presumably restrict CAFOs to a relatively few, remote locations if, in fact, they would be compatible anywhere in Town.

o Sec 305 It appears that you could get a Use Permit and/or go through PUD process or both somewhat confusing in A (2) then in B (1). (2)

Response:

Use Permit is required to construct or enlarge a mobile/manufactured home or RV park. (Section 305.A.2) Reference to PUD has been eliminated.

Subsection A1 provides for permits necessary for: a. placement of units of other structures; and b. constructing or enlarging the overall park.

Subsection A2 outlines the requirements for obtaining the Use Permit.

Mobile/Manufactured Home Park Standards are set forth in Section 305.B.1. These standards are also applicable to RV Parks as noted in 305.C.

C. Recreational Vehicle Park Standards: In addition to the requirements of Section 305B, the following regulations shall apply to all Recreational Vehicle Parks:

o Throughout 305 B (1) b. many of those references could be taken care of by a reference to the adopted building codes. (2)

Response:

Revisions to Section 305.B.1 also include consolidating subsections and adopting the suggested general reference to: under the currently-adopted Town Building Code.

o Do we really need to say that nonconforming is nonconforming. Do we have any parks that are not currently under a use permit? (1)

Response:

The recommendation has been implemented. Former Subsection 305D's removal should not affect any existing property; or, if any nonconforming status is alleged, the criteria and procedures pertaining to nonconforming uses or structures would control.

PART FOUR. DEVELOPMENT STANDARDS

RESPONSE TO STAFF AND PUBLIC COMMENTS THROUGH SEPTEMBER 30, 2010

The following list records the changes made in response to comments received from Town officials, staff and members of ZORC, ZTAC and the public. All page references are for the July 14, 2010, draft.

Note: **S** = "staff" refers to members of Community Development & Public Works Departments;
O = "official" refers to members of P&Z, Council, ZORC or ZTAC;
P = "public" refers to any resident or business person of the Town

The following are responses to the July 22, 2010 ZORC/ZTAC workshop comments & others shortly after.

Page	By	Comment	Response
1	S	Need clarification that any new construction requires compliance with parking, lighting, grading, drainage, signs, etc.	Revised Sec 400B 1, 2 & 3 to delineate that Sections 401, 403, 404 and 405 apply to new construction & expansions while Sec 402 pertains additionally only in specified areas
1	O	Need clarification of building remodeling, expansion applicability	Revised Sec 400B to add building criteria: "Any enlargement of useable floor area that exceeds 25% of the existing structure's floor area or exceeds 5000 sq ft shall constitute a major addition, expansion, remodeling or renovation."
1	O	In Sec 400B 2 Applicability, phrase regarding Town approvals is too vague	Deleted "where Town approvals are required" from Sec 400B 2
1, 3, 4, 8	P	Title of "Historic Town Site" is not correct for the area shown on map	Changed all references of "Historic Town Site" to "Town Center Area" throughout
4	P	Boundaries of Historic Town Site not correct	Reduced map boundaries to only include Main St area, existing multi-family & commercial zones, Town-owned parcels, and Ft Verde area
5, 13, ?	S	Change "Uniform Building Code" to "currently adopted building code"	Revised to "currently adopted building code" throughout
5	S, P	Need clarification of applicability in Sec 401B for existing agricultural uses	Revised Sec 401B 1 adding criteria of existing agricultural uses: "(i.e., those in operation as of January 1, 2002, and in which grading is only incidental and required to continue the existing operation)"
8-10	O P O	Sec 402 Appearance Standards are too restrictive; do not want the same look on every new development in Town; especially for big-box stores that want to maintain their own theme. Not too restrictive; big-box stores will comply with Town's look; doesn't cost too much for front aesthetics; it's the demographics that bring big-box stores to an area. In the General Plan it was agreed that appearance standards should apply.	Sec 402C Appearance Compatibility promotes compatibility with nearby buildings allowing various appearances in different parts of Town; it provides a method for implementing the Town's Vision for a small-town, western image and the goals of General Plan; Sec 400C Process provides authority for approval of minor modifications, and allows for appeals of Administrative reviews, and for reviews of special and/or large projects by the P&Z Commission and Council. There was no consensus to revise Sec 402 at the 7-22-10 ZORC/ZTAC Workshop. (Later, revisions were made in response to Town Manager's 9-30-10 comments.)
13-14	S	Sec 403E - need parking requirements for shooting range, pool halls, bed & breakfast lodging	Revised Sec 403E adding archery and shooting ranges, pool halls, bed & breakfast, and reorganized chart into subgroups by types of uses

20	O	Questions regarding restrictions of political signs and A-frames on Main St	Town staff provided research on right-of-way encroachment on Main St and letter from ADOT. Revised Sec 404D by added footnote: Political signs are prohibited on any State highway or right-of-way
22	S	Sec 404- need to repeat restrictions on internally illuminated sign background colors	Revised Sec 404G 2 to add same language as Sec 405D 16: "and internally illuminated advertising signs shall not have translucent backgrounds of white, cream, off-white, yellow, or other light color."
27	P	Questions regarding outdoor lighting of public athletic fields, hours permitted, and shielding in private play areas	Review and discussion of Sec 405D 6 and 11 found to achieve objectives of time limitations, types and shielding of lights

Part Four - *Note: the following reflect the comments received from Staff between September 20th and 30th*

Page	By	Comment	Response
5	S S	Sec 401B 3 & 3a- need clarification that all commercial grading requires a development grading permit with zoning, building permits or development agreement prior to issuance; The building code allows discretion of Building Official re: requirement for engineered plans.	Although this section is from the existing code, we revised Sec 401B 3 to help clarify this requirement: "Any grading on any parcel requiring an engineered grading plan under the currently adopted building code, or any grading that disturbs in excess of two acres within any one-year period, which is not mining or quarrying or agricultural use as defined in Part One, shall obtain a development grading permit." *Note: Sec B3a. requires the other permits. Sec 401 B1 stipulates this section is supplemental to the currently adopted building code.*
20 & 24	S	Sec 404D & H- needs clarification for permit requirement for temporary signs with areas greater than 7sq ft & other signs with areas greater than 12 sq. ft.	Revised Sec 404D chart "For Sale, Lease or Rent" signs in the "Comment/Add'l Regulation" column: "Permit & fees required for Temporary signs greater than 7 sq ft." Revised Sec 404H 1: "New signs exceeding twelve (12) square feet in area or exceeding eight (8) feet in height shall require a permit, as well as those specified smaller signs, i.e., Temporary Subdivision Directional and Sale/lease signs and Permanent Directional Off-Premises signs that also require permits, see Subsections D and F."
22	S	Sec 404F Directional Off-Premise signs require an off-premise sign permit – staff requires a Use Permit & sign permit even though it is a maximum of 8 sq ft.	*Note: Sec 404F for Directional off-premise signs for <u>business</u> is from existing Sec 118, VI A4 that requires an off-premise sign permit, in contrast to VI A2 which requires a Use Permit for Directional off-premise signs for <u>public service and safety facilities.</u>* It is suggested that no Use Permits should be required for any Directional off-premise sign since it is restricted to a maximum size of 8 sq ft and limited to directional information only. The chart in Sec 404F is revised to remove this discrepancy, deleting the Use Permit requirement. *Note: the Off-Premises Signs (billboards), with 64 sq ft maximum area, still require Use Permits.*

PART 4 DEVELOPMENT STANDARDS

Response to Town Manager September 30, 2010 Comments

o The introduction seems to only discuss the "Historic Town Site" maybe this is why we have a confusion over applicability to other commercial areas. We should probably recognize we have 2 different types of commercial areas/identities. **(1)**

Response: Sec 400A is revised to clarify the intended differences; see yellow highlighted areas below:

Section 400 Introduction & Purpose, Applicability and Process

A. Introduction and Purpose

In the Town of Camp Verde's General Plan, the Vision Statement notes that: "*Camp Verde will maintain its western, rural, friendly and historic atmosphere with scenic beauty while meeting the needs of its citizens by providing shopping and employment opportunities along with reasonably priced housing."* Part Four, Development Standards' purpose is to maintain "*the western/rural character of the town and its visual attractiveness*" while growth and development occur.

Retaining its historic western/rural image, the Town Center Area is the focal point of the community. There is, however, no intention or expectation for duplication of Main Street structures for new construction in other areas of Town. Rather, Part Four is intended to:

- encourage site designs and building appearances along major roadways and gateways into Camp Verde that are compatible with other buildings in the vicinity;
- and, within the Town Center Area, to encourage compatibility with historic and older buildings.
- It is also the intent of these standards to mitigate impact of non-compatible adjacent uses throughout the Town by screening, outside lighting control, safe vehicular and pedestrian access standards, and other regulatory considerations.

Development appearance that is appealing to the small-town, western/rural environment, as opposed to big-city-urban appearances, may best be achieved by:

- Placing buildings so as to visually soften the major arterial and state route corridors rather than visually expand the highway widths. This is achieved through techniques such as locating parking lots so as not to dominate frontage areas; and maintaining the low-profile (e.g. one, two or three stories), western appearance of buildings with attached front shade structures such as awnings, and by screening and buffering for enhancement.
- The small-town, western/rural identity of Camp Verde is best maintained by encouraging new non-residential construction in the Town Center Area to be oriented for pedestrians with sidewalks, awnings or other shade structures and front display windows, and with parking located behind the building and/or in street right-of-way.

o 400 B - Change of use definition (would restaurant to storage constitute a change) is it a building code use or just any general change of use (coffee shop to barber shop) that would trigger conformity requirements? How about temporary structures, firework stands? **(2)**

Response: While "change of use" is typically defined by the currently adopted building code, this section is intended for changes from residential to non-residential uses. The following are the suggested revisions for further clarification which include responses to prior staff comments:

Section 400 B. Applicability *[draft revisions 8-3-10 & 10-14-10]*

1. Sections 401, 402 A and B, 403, 404 and 405 shall apply to all new construction, and to any major addition, expansion, remodeling, or renovation of existing buildings and structures, and to any change of use and/or change of zoning designation from single-family residential to multi-family residential or to any non-residential use.

2. In addition to the Sections required above, Section 402C and D shall also apply to all new multi-family or non-residential construction and to any major addition, expansion, remodeling, and renovation of an existing building or buildings on a lot or parcel located adjacent to any major corridor such as SR-260, General Crook Trail, Finnie Flat Road, Main Street, Middle Verde/Montezuma Castle Hwy and I-17, including frontage roads, or any parcel or lot located within the Town Center Area.
3. Any enlargement of useable floor area that exceeds 25% of the existing structure's floor area or exceeds 5000 sq ft shall constitute a major addition, expansion, remodeling or renovation.
4. Exemptions from requirements of Section 402: single-family residences, temporary sales and construction offices, public utility electrical transmission structures, and buildings used in the production or raising of agricultural products are exempted (including temporary agricultural product sale stands); except that permanent buildings, structures and parcels used solely for the sale of agricultural products and high voltage reduction substations are not exempt and shall comply with Section 402 when located within the areas specified above in Sec B. 2;

Response: The regulations in Part 4 are not intended to apply to temporary structures as reflected in B 4 Exemptions which includes exempting "temporary sales and construction offices" (this is from existing Sec 124). However, it further notes that buildings and structures "used solely for the sale of agricultural products shall comply"…this was intended for permanent buildings such as wine tasting/retail stores. If there is confusion in that it could be interpreted to include temporary vegetable sale stands, we suggest adding "including temporary agricultural product sale stands" be inserted in parentheses as shown underlined above. The need to encourage agricultural product sales was strongly expressed at public workshops; other types of products were not. Suggestion: that exempting other temporary structures be discussed with Council in the future for their policy decision.

o 400 C 1.d.3 - Why are we waiting 30 days? For who? If I agree as the applicant then why can't I move forward? Do we need to allow or suggest that other Town staff may be consulted (Town Engineer, etc.) prior to approval? **(1)**

Response: Reference to other Town department review has been added in d 1).
The waiting period in d 2) below is intended to allow a customary time period (30 days) for an appeal by the applicant or others, such as adjacent property owners. This may be unnecessary, however, by revising d 2) as shown below.

Sec 400C 1 d. If minor modifications from the requirements of these regulations are requested due to physical site constraints, the Zoning Administrator shall have the authority to approve the minor modifications when deemed necessary for the orderly development of the project; examples of physical site constraints are: difficult topography, soil conditions, drainage and other existing physical features.

1) After conferring with appropriate Town departments when necessary, the Zoning Administrator shall prepare a written decision of the approval or denial stating the reasons justifying the action taken on a modification as requested;

2) An appeal of the Zoning Administrator's action on a requested modification may be filed for review by Town Council within thirty (30) days as specified in Sec 400C 2 below.

o 400 C 2 - Why are we doing "legislative review" on an administrative decision an appeal to a Quasi-judicial group is more appropriate (BOA) or designate the P&Z as an administrative appeal body and live with the results. Too many steps in an appeal, it could be upheld/reversed so many times confusing the applicant/town/citizens. **(1)**

Response: Suggest that the term in C. Process, 1. "Administrative Review" be changed to "Internal Review" to avoid confusion with statutes regarding appeals of decisions of the Zoning Administrator. Since Council expressed concerns over design/development decisions, we suggest having appeals go to the Council directly and eliminating the review by the P&Z Commission to expedite the appeal and avoid confusion, as revised in C 3 below.

We suggest that reviews of major projects maintain review by both the Commission and Council in C 2 below.

C. 2. Legislative Reviews - Any development project with potentially significant impact on surrounding properties (such as due to large development area, building size or height, high generation of traffic, or intensity of uses) may be required to obtain Legislative Review by the Planning and Zoning Commission and Town Council for decision and action after full submittal documents are received by the Zoning Administrator.

3. Internal Review Appeals

a. Internal Review decisions of the Zoning Administrator may be appealed in writing, specifying the reasons for the appeal, or for/against a requested modification, and filed in the Community Development Department;

b. Internal Review Appeals shall comply with the procedures described in Part Six of this Ordinance, for public hearings conducted by the Town Council.

o 400 D – I would simply refer to applicability and not rehash who has to submit a site plan. I would also consider a reference to town adopted standards and specification requirements as applicable to the improvement being made. **(2)**

Response: Suggested revisions:

D. All new construction, development and major expansion as specified in Sec 400 B Applicability shall submit an application, filing fees and the following documents for review and approval.

An addition to Sec 400D 1 list of Site Plan requirements:

- Notation that site improvements shall be designed in compliance with the Town of Camp Verde Engineering Design and Construction Standards.

o 400 D 2 – Why are we leaving any multifamily or nonresidential structure out of this requirement anywhere in Town? This language is confusing to some and needs clarifying that different areas will have different compatibility requirements based on their particular surroundings. I know it is said but then the pictures are all of the HTS area suggesting again that all commercial will have to be one story downtown look and this does not seem to be the intent so we could be clearer here. **(1)**

Response: We have not suggested having appearance standards applied everywhere in Town due to: much consternation expressed by Council and some members of the public at workshops about design review standards and process; Council also suspended Sec 124 Design Review Board early on; many comments were only for design standards in the Main St area; and there was only support expressed for requiring appearance standards beyond Main St at gateways and along major roadways.

For consideration of expanding appearance design requirements throughout the Town, it is suggested that this be discussed with Council, perhaps at a work session, for possible new policy direction.

We have revised Sec 400A Introduction and Purpose (see previous revision) to clarify the differences of consideration of development within the Town Center Area from those along major roads, emphasizing that there is no intention of duplicating historic buildings.
We suggest that the photographs of existing one- and two-story historic buildings be deleted from Sec 402 to avoid confusion of intent.
Please note, however, that the Camp Verde Zoning Ordinance only permits low-profile buildings, i.e., 1-3 stories; but Council could approve special height allowances as part of the PUD process.

o 401 A 1.a. Who determines undue difficulty and why then are all our setbacks more than 20 feet in our Use District Development Criteria when all buildings must be 10' from the front property line. This sure seems strange to apply for a new Hotel built on 260? Again the standards seem to be set to desires on Main Street but don't make sense in other commercial areas of Town. **(2)**
Response: To clarify who determines undue difficulty, we suggest that a revision and reference to Sec 400 C 1.d be added to Sec 401 A 1a, showing the authority of the Zoning Administrator for granting modifications

A. Building, Access and Parking Orientation

1. To sustain the western/rural small-town image of the Town of Camp Verde, the impact of major high traffic, vehicular corridors should be mitigated through the site orientation of buildings and parking areas as follows:
   a. Unless undue difficulty exists due to steep terrain or other existing natural features of the site as determined by the Zoning Administrator (see Sec 400C 1d), all buildings shall be located at or within ten feet (10') of the front property line; and,

Response: The intent of the 10-ft maximum setback requirement is to shape the form of the highway commercial areas to avoid the continuation of the "sea of asphalt" appearance of typical strip commercial development.

Where large areas are devoted to parking in front of buildings, the appearance of the major street or highway is visually expanded. This offers no incentive to the visitor to stop; instead it encourages traveling through, bypassing the commercial enterprise. Also traffic studies have shown that visually wider streets encourage higher speeds. Both of these aspects detract from potential economic gains for the business owner and the Town.

The objective is for buildings, rather than parking lots, of hotels, restaurants and retail stores (of any size) to be visually enhanced, whether located on Hwy 260 or on Main Street. New developments on highways and major streets usually have the advantage of larger lots where good access to parking areas located at the sides of prominently placed buildings is readily available. This may also promote better safety for access, which has been a discussed issue at meetings.

The 20-ft required minimum setback is from existing code regulations; the 10-ft maximum setback, however, is designated in the Notes of Sec 204 B with reference to Sec 401A.

o 402 A6 If there is no residential use at the time of construction why are we requiring screening from a zoned nonresidential area use. How long do we want to hold onto the financial assurance, seems burdensome. This would be a tracking nightmare. **(3)**
Response: The screening requirement in Sec 402 A6 is from existing code and has been typically required in most Arizona communities during the "boom" period of the past 30 years. The philosophy was to put the cost burden for screening on the new commercial businesses that could more easily afford to pay for it, rather than on the residences, existing or proposed. In

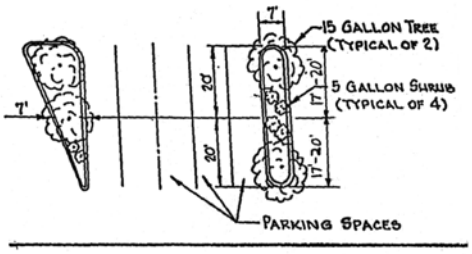
today's economic times this philosophy may change. This section was not brought up by the public or by staff. We suggest that staff provide background on how the deferral mechanism has been working, since it may well be a tracking problem. We also suggest that Council may wish to discuss this and perhaps delete it or use it as an incentive, waiving the screening requirement for targeted businesses.

o 402 B We talk about landscaping as though it is understood what qualifies for good/appropriate protective landscaping; however what qualifies for landscaping in the other areas of the code, landscaping in a parking lot or a car lot? I think we need a standard for these as well. (I like (f))! **(2)**

Response: For improved understanding, we suggest the following revisions and additions, including suggested plant and tree sizes, and a graphic representation of typical parking area islands, which can be used for any type of non-residential parking lot.

B. Protective Landscaping

1. Landscape materials are intended to provide protection through shade and screening in addition to visual softening effects to the frontages of buildings and to the hard surfaces of paved areas, and are required in the following:
2. Landscape Materials and Irrigation
   a. Materials shall include low level shrubbery (one to three feet in height), such as 5 gallon shrubs, and,
   b. Trees that are capable of providing shade, such as 15 gallon trees, at a minimum ground clearance height of 6 feet within 3 years of installation.
   c. Inorganic ground covers such as crushed rock or decomposed granite, over weed control fabrics may be used to augment, but not replace living plants, shrubs and trees.
   d. Tree and shrubbery species shall be drought tolerant and selected from the Low Water Use Drought Tolerant Plant List of the (e.g. Arizona Department of Water Resources); and
   e. Water conserving irrigation systems such as drip systems shall be installed for the maintenance of all landscaped areas.
3. Landscape in Parking and Access Areas
   a. Where parking areas abut a street on the side or rear contiguous to a residential district, there shall be a landscaped border not less than six feet in width; and,
   b. a minimum of fifteen percent of all parking lot areas shall be landscaped; calculations shall include entire area of the parking lot; and,
   c. Landscape materials shall be capable of providing shade to pedestrians along or between sidewalks and streets, and to parked vehicles and pavement within parking areas.
   d. Landscaped areas within access ways, aisles and parking areas shall be located to direct and/or separate vehicular traffic from pedestrian circulation for safety using appropriately located landscaped islands and perimeter landscaping (see example of typical landscape islands).



TYPICAL LANDSCAPE ISLAND

4. Landscape Screening
   a. Landscape materials capable of achieving opaque screening to a height of six feet (6') measured above the average elevation of the ground level within a five-foot radius of the point of measurement, may be planted or may be used in combination with walls or fences, as screening materials between non-residential activities and residential uses, as per the above regulations of Section 402 A;
   b. Landscape materials capable of achieving opaque screening to a height of three feet (3'), measured above the average elevation of the ground level within a five-foot radius of

the point of measurement, may be planted or may be used in combination with walls or fences, to screen non-residential parking areas from adjoining residential uses, as per the above regulations of Section 402 A;

5. Foundation Planting - Low level shrubberies (one to three feet in height) shall be planted at or near the foundation of the front of the principal building;

o 402 C I think this section needs more definition of applicability. Does the land along Finnie Flat between the Dollar Store and the intersection with 260 apply or just the land at the intersection, basically how far off of these corridors does this apply to? I would rather see a compatibility standard for all nonresidential structures in all zones compatible with buildings nearby, the only concern is for true redevelopment which may propose something higher more intense in use/structure that is completely appropriate but would not meet a scale standard within some of the areas in the downtown commercial zone. Again references to other nonresidential areas such as 1-17/260 area would help eliminate this one size fits all concern. **(1) (Very Important)**

Response: We have revised Sec 400B Applicability and 400D to specify that Sec 402 C applies only to parcels adjacent to major corridors and have deleted wording about "gateways" to prevent confusion. See Response comment on Sec 400 D2 for reasons that appearance compatibility standards are not proposed to cover the entire Town. We suggest that additional areas of applicability, if necessary, could be added in future amendments.

Also, please see that Sec 402 C 2 addresses the compatibility with nearby buildings, not a one-size-fits-all standard, although the reference to "western/rural small-town image" is used throughout this section since it is the Vision in the adopted General Plan. It is our understanding from public input that this image is desired throughout the community, not just in the Town Center Area. We have added an exception to C 2 which allows for special design appearance standards for redevelopment and large projects through the PUD process. Please see the following suggested revisions:

Sec 402

C. Appearance Compatibility *(italicized wording from Sec 108)*

1. Appearance standards are intended to provide compatibility of non-residential and multi-family buildings and structures with those nearby, and to maintain the western, small-town image of Camp Verde. Appearance compatibility standards, as specified in Sec 400 B Applicability, regulate development located along major corridors and within the Town Center Area.
2. Proposed buildings and structures shall be compatible with the character of non-residential buildings in the immediate vicinity (i.e., adjacent on the sides or across the street frontage, not including across I-17), and in keeping with the western/rural small-town image of Camp Verde, addressing the building features that follow; except that special design appearance features may be permitted in areas which may be planned for redevelopment and/or large-scale projects when approved as part of a Planned Unit Development (see Sec 203 L).

o 402 D I think this section needs to be carefully monitored so as not to discourage reinvestment/redevelopment. **(3)**

Response: We agree. This section is from the existing code and obviously only applies to properties which are or will be in a historic preservation district as may be specified by the State Historic Preservation Office regarding the establishing of such districts.

o 403 B 5 c. We need to build a public parking bank to assist making this easier to say in the future. Great section to allow for reinvestment. **(3)**

Response: We agree. Public parking facilities can be great incentives for reuse by new business ventures.

o 403 C 2 I think we should ensure a proper arrangement (long-term lease/easement) is in place. **(2)**

Response: We have revised C.2 to add arrangement as follows.

C. 2. Off-street parking for non-residential uses shall be located on the same lot as the use they are intended to serve, or, within 300 feet of the premises they are intended to serve, as part of a development plan with approval from the Zoning Administrator or from the Planning and Zoning Commission and the Town Council; where such off-site parking is proposed, applicant shall provide evidence of ownership or long-term lease/easement for parking use.

o 403 D 1 Drainage review and offsite issues addressed prior to issuance of any parking lot approvals. **(1)**

Response: We have revised D.1 as follows.

D. Improvement and Design Standards for Off-Street Parking

1. Required off-street parking for all uses, except for single family residential, shall comply with Sec 401 B Grading/Drainage/Detention, and shall be improved and maintained with rolled, dust-free, all-weather surfaces*;*

o 403 F 2 Do we need to say "Front" yard is restricted from off-street loading in the first sentence? **(1)**

Response: Thanks for catching the typo. Please see the following.

F. 2. Required off-street loading space shall not be permitted in any front yard, nor in any required side yard except in a non-residential district where a side yard is bordered by an alley;

o 404 Temporary definition refer to restrictions in D. Also a definition for Local is a religious rock concert in Phoenix local, how about Sedona, Payson Rodeo, Prescott Fair? **(2)**

Response: Suggest the following revisions to Sec 404C and D:

C. Definitions

"**Temporary sign**" means any sign or advertising display intended to be viewed for a temporary period of time, ordinarily until the happening of a particular event; refer to Sec 404D for regulation of Temporary Signs.

D. Temporary Signs shall be permitted in conformance with provisions specified below.

Type/ Purpose	Maximum Size/Area	Location/ Property	Maximum Time Period Allowed:	Comment/Additional Regulation
Event, Show, Election, Public Notice**	16 sq ft; max 2'x2' in Public R/W	On site, or Owner's written permission	10 days after event; in Public R/W: max 48 hrs after and max 30 days total	Public R/W *only for Local Events*** but not on street, traffic, or utility poles; must not create traffic visual obstruction

* Political signs are prohibited on any State highway right-of-way.
**Permit fees may be waived for non-commercial temporary event/election/notice sign use.
***Local Events are Town-sponsored events, approved community-wide events and others pertaining to the Town of Camp Verde.

o 404 H As with all things, allow the CDD to make a decision and appeals go elsewhere, I believe it is important to make a decision and not defer to an appeal body. I would eliminate 5 a. **(1)**

Response: Deleted H 5a from existing code (that gave optional referral by the Community Development Director to the Board of Adjustment), and revised as follows:

404 H 5. Applications for exterior wall murals shall include a sketch with colors and description of the intended picture or drawing which depicts the content of the mural.

a. The application and sketch are to be reviewed by the Community Development Director for their overall compatibility with the purpose of this Sign Section and the goal of the community to promote a rural, historical, western-oriented atmosphere.

b. If an applicant or affected property owner is not satisfied with the decision of the Director, an appeal of the decision may be filed for review by the Board of Adjustments.

PART FIVE. SUBDIVISION AND LAND DIVISION REGULATIONS

RESPONSE TO STAFF AND PUBLIC COMMENTS THROUGH SEPTEMBER 30, 2010

The following list records the changes made in response to comments received from Town officials, staff and members of ZORC, ZTAC and the public. All page references are for the August 30, 2010 Draft.

Note: **S** = "staff" refers to members of Community Development & Public Works Departments;
O = "official" refers to members of P&Z, Council, ZORC or ZTAC;
P = "public" refers to any resident or business person of the Town

Page	By	Comment	Response
10	S	Delete reference of "supplement"	Deleted "supplement" from Sec502B 1
11	S	Change Type of Surface Improvements for Level 2 and Level 3 of Table 1 Private Drive/Easement	Revised Sec 502B 2 Table 1 Private Drive/Easement Construction Standards for Level 2 (6 to 10 dwelling Units) by deleting "some" to read: "Four to six inches of abc and may require surface improvements depending on site conditions"; Level 3 (More than 10 dwelling units)- delete and " depending on analysis of data", and replace with: "depending on soils analysis and traffic volume"
12, 15	S	Refer to Planning and Zoning Fee Schedule; and Engineering Fee Schedule	Revised Sec 504A 2 by inserting "Planning and Zoning Fee Schedule"; and "Engineering Fee Schedule"
11-12	P, O	Need timeline for reviews; need timeline for complete subdivision process so subdivider knows at beginning	Flowchart with timeline to be added to Sec 503 Subdivisions- General Provisions
13	S	Replace "Community Development Director" with "Town Engineer" for additional requirements for Phase 1 Drainage Report with Concept Plan	Revised Sec 504C 1 by deleting "Community Development Director" and inserting "Town Engineer"
14	S	Change "deposit" to "submittal" in reference to review period of Concept Plan	Revised Sec 504D 1 to delete "deposit" and insert "submittal" for 15-day review period
18	S	Change Sec 505C 10 references for Traffic Impact Analysis	Revised Sec 505C 10 to read: "A traffic impact study shall be performed in accordance with the latest edition of the Town Engineering Design & Construction Standards or as required by the Town Engineer. In cases where the proposed subdivision street intersects a State or County highway, the traffic impact analysis shall be performed in accordance with that agency's requirements."
20 & other pp	S	Replace "Requirements" with "Construction Standards"	Revised Sec 508D 1 & 2 and throughout Part5 to read: "Engineering Design and Construction Standards" (EDCS)
22	S	Require 5 sets of construction drawings instead of 3	Revised Sec 506C 4 & 4a to delete "three sets" and insert "five sets" for on-site and off-site construction plans
25	S	Change "Preliminary" to "Final" in reference to site work prior to approvals and recording of plats	Revised Sec 507A: "Improvement Construction Prior to Final Plat Approval or Recordation: No subdivision site work shall be initiated unless or until the Final Plat has been approved by the Town Council and the site work is authorized by the Town Engineer with approved construction plans, except as follows:

25	S	Need to add Final Plat termination process	Revise Sec 506F 3 by adding: "3a. If the subdivider does not ask for or if the extension action is not taken, then the plat process is terminated and in order for the Final Plat to be considered again, the Preliminary Plat process must be followed."
25	S	Financial assurances need to be applicable to both on-site and off-site required improvements	Revise Sec 506F 1a, Sec 507B 2 and 507E 4c. by deleting "site" in reference to improvements
25	O P	The phrase "or site improvement" is too vague and inclusive for authorization by Town Engineer for improvements prior to Final Plat approval; Erosion control plans required by State prior to grading	Deleted "or site Improvement" in Sec 507A 2, last sentence and revised: "The Town Engineer may authorize limited rough grading or drainage improvements, after review and approval of appropriate site grading and ? erosion control plans, during the review of construction plans."
EDCS	P P	Need for special roadway cross-section to preserve historic roads, e.g., Pecan Lane Questions about "MAG Standards" rather than ASHTO rural and urban standards and construction details	A series of street cross-sections (6-8) to be included in proposed Engineering Design & Construction Standards (EDCS); EDCS are combination of MAG and ASHTO; revise terminology to "MAG Standard Details"
30	S	Check with Fire Code regarding length of dead end streets	Revised Sec508D 5a: Minor terminal streets designated to have one end permanently closed, shall be no more than six times the minimum lot width nor more than 1320 feet long, or as may be required by the local fire district; unless authorized by the Town Council by an approved petition of exception."
34	P	Question about Town's responsibility with State Real Estate Dept on recorded plats	Sec 509 B notes that substantial changes to a recorded plat would need to be filed for a Revision of Plat through the Town Subdivision process prior to being recording again
NA	O	Question about Town's control over federal land (i.e., USFS)	Town regulations apply only after federal lands become privately owned and annexed, where necessary, into the Town

PART 5. SUBDIVISION/LAND DIVISON REGULATIONS

Response to Town Manager September 30, 2010 Comments

o 501 We should have a master street plan that currently designates all streets in Town and future improvement requirements/plans. **(3)**
Response: Agree. There is a "Circulation Map" in the adopted General Plan that identifies major and minor arterials and collector streets; and Existing Roadway Functional Classification, Figure 2.10 in the Small Area Transportation Study. Suggest these be updated or used to create a current master street plan.

o 502 A 3 Do we really need this section? **(2)**
Response: This was a hold-over from the existing code and was updated to add municipal subdivision definition. Suggest 503A 3 be reduced by deleting 3a and 3b.
Suggest that the intent of 3b be relocated to Sec 505D 4. This provides some of the rational for denial of a plat. Note that the existing code did not mention the authority of the Commission to deny a Preliminary Plat. The following is the suggested revision:
Sec 505D
4. If the Commission finds that the plat does not comply with these regulations, the intent and purpose of the General Plan, or if the creation of lots has been determined to be not suitable due to such features or conditions as flooding or poor drainage, steep slopes, rock problems, sanitary deficiencies, improper access to public roadway, or other conditions likely to effect public health, safety, convenience and general welfare, the Commission may recommend denial.

o 502 B 2 Could we not refer here and throughout the document to the most recent adopted version of the Town's Engineering Design and Construction Standards throughout, every time. (Table 1 goes in these specs.) **(1)**
Response: The proposed Engineering Design and Construction Standards (EDCS) address private driveways, i.e., the connecting area between the fronting access (public street or private roadway access easement) and the garage or parking space; the private driveway is not usually an easement as it exists on the private lot or parcel. Sec 502B refers to private roadway access easements which generally are created with land divisions (lot splits) as opposed to public streets in subdivisions (Sec 503). The purpose of a roadway access easement is to provide access to a lot or parcel, and is generally considered as a private road (private roadway name signs, etc).
To avoid confusion, we suggest that any reference to "drives" in Sec 502B be deleted, so that only "private roadway access easements" are addressed in this section. Also, note that the Town Engineer requested revisions to Table 1 for clarification (see highlighted words), but did not request it to be included in the EDCS.
Revisions to Sec 502B 2b:

2b. Private roadway access easements shall adhere to the following conditions to ensure access to all property within the town:

1) Be a minimum of twenty four feet (24') in width and meet established construction standards (see Table 1 – Private Roadway Access Easement Standards), connect to an existing street or private easement, and when necessary establish a cul-de-sac or turn-around at terminus of the private access to accommodate emergency vehicles;
2) Property owners shall establish a road maintenance agreement to be recorded with each lot split or newly created parcel to ensure access to all parcel(s) within the town limits is provided as stipulated by the Town;

3) Where two or more residences are located on a private easement, the applicant is responsible for naming the access, subject to town review and approval, as well as any associated fees for signage of the private street; and

4) The Town will encourage compliance with the private easement standards and is in no way obligated to maintain or improve these private easements, since they are private property. However, when the following criteria are met, then construction or development on parcels created and recorded on or before February 26, 2005 shall be permitted:
   (a) The parcel must have a legally recorded easement; and,
   (b) Approval in writing by the Camp Verde Fire District of any private easement to ensure public safety services can be provided to any qualified lot or parcel; and,
   (c) An approved and executed road maintenance agreement for the private easement, which may include the petitioner agreeing to accept sole responsibility to maintain the private road;

Table 1- Private Roadway Access Easement Standards

Index of Potential Development	Level 1 5 or less Dwelling Units	Level 2 6 to10 Dwelling Units	Level 3 More than 10 Dwelling Units	Level 4 Commercial/Minor Manufacturing Uses
Easement Width	24 feet	32 feet	40 feet	50 feet
Number/width of travel lanes	Two 10 foot travel lanes	Two 12 foot travel lanes	Two 12 travel foot lanes & may require a turn lane	Two 12 foot travel lanes & a 10 foot turn lane
Type of Surface Improvement	Four inches of compacted aggregate base course (abc)	Four to six inches of abc and may require surface improvement depending on site conditions	Six inches of abc subbase and surface improvement such as chip-seal or asphalt depending on soils analysis and traffic volume	Soils test with engineered base and drainage study and improved surface determined by types of traffic and volume

o 503A 2 (b) what is the process? Is this separate or during the subdivision process and what are the specific requirements of the Master Development Plan and who determines its need. **(1)**

Response: Although the existing code has little description on Master Development Plans, probably due to Camp Verde's few major development projects, it is suggested that the code be augmented with the following revisions to Sec 503A 2b

2 b. Additionally, the Community Development Director or staff representative may require a **Master Development Plan** for the development of a neighborhood, community or other large land area, i.e., typically greater than 300 acres, the platting of which is expected to be undertaken in progressive stages.

1) A Master Development Plan shall be prepared in the same format described in Sec 504 Conceptual Subdivision Plan

2) A Master Development Plan shall be subject to Commission and Council approval where, as determined by the Community Development Director or staff representative, the future potential development activity has substantial impact on existing developed surrounding properties.

3) A Master Development Plan proposed for mixed uses, or requiring change of zoning classifications or increased density shall be submitted in accordance with Sec 203 L Planned Unit Development.

o 504 A 1 (b) Why differentiate? All or none, they could apply for a waiver or even at the discretion of the subdivider. **(2)**

Response: Suggest the following revision to Sec 504A 1b:

Section 504 Conceptual Subdivision Plan

A. 1. b. Development tract is a more intense or dense zoning designation than adjoining properties' zoning classification(s);

Response: the purpose of requiring a Conceptual Plan when the proposed subdivision is zoned at a higher density than adjoining properties is to have the developer consider how it can be planned to mitigate any potential impacts, e.g., potential traffic concerns emanating from placement of new streets.

Requests for waivers are typically for special conditions (e.g., steep terrain), or possibly new concepts (neo-traditional – narrow streets with alleys) where the typical subdivision lot design, construction standards, street rights-of-way widths, etc, may not be appropriate or best suited to the land.

o 504 B 15 I would suggest they identify any areas they are not complying with the standards in general and failure to identify/request may be grounds for denial. **(1)**

Response: Suggest the following addition:

Sec 504B 15. **Requested waivers** or known deviations from Section 507 Subdivision and Street Design standards. Any proposed waiver or waivers shall be identified on the Conceptual Plan and the standard or requirement from which the deviation is requested shall be noted. Failure to provide such identification for waiver may be grounds for denial of the requested waiver.

o 504 and in general. There appears to be no timeframe for determination that an application is complete before these timeframes kick in I would rather see a process in each step that refers to a timeframe to determine a complete application "appears" to be in and then start the time for review instead of submittal date. **(1)**

Response: Agree that a timeframe for determining the completeness of an application should be established and is added in the revision to Sec 504D that follows, and in Sec 505A and Sec 506A. Sec 504D is also reorganized entirely to provide more clarity.

D. Review, Approval, Denial and Appeal of Conceptual Plan

1. **Review:** Within five (5) working days from submittal of the Conceptual Plan Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plan shall be distributed to reviewing departments and agencies including other jurisdictions:

a. In accordance with A.R.S. Section 9-474 through 479, if the plat is within three (3) miles of the corporate limits of a city or town having subdivision regulations, the Community Development Director shall submit a copy of the Conceptual Plan to said community for review.

b. Upon receipt of reviewing agency comment, the Community Development Director or staff designee shall compile agency comments and respond to the applicant or agent as the proposed project relates to the following:

1) General Plan or Specific Area Plan (s)
2) Suitability of the site for development, proposed/existing and potential development opportunities and constraints
3) The improvements, design and dedication required by Section 507 and Town Engineering Design and Construction Standards
4) Zoning requirements

2. **Approval**: On or before the twentieth day after the date of acceptance of a complete Conceptual Plan Application, the Community Development Director shall conduct a formal meeting between the applicant(s), reviewing department and agency representatives and the Community Development staff. The Conceptual Plan shall be evaluated and discussed to determine whether or not it meets the purposes of these regulations and related Town Ordinances and design specifications.

a. Where deemed necessary, the Director shall make specific recommendations to be incorporated by the applicant into a revised Conceptual Plan or Preliminary Plat submittal.

b. No response from reviewing agencies within the prescribed review period shall be construed by the Community Development Director as having no objection to the continued processing of the Application.

c. At the discretion of the Community Development Director and/or the subdivider, the Conceptual Plan may be presented to the Planning and Zoning Commission to clarify policies or to provide additional guidance; such review shall be held at a regularly scheduled Commission meeting.

3. **Denial**: If the Community Development Director determines that the Conceptual Plan submittal is not consistent with the Town's General or Specific Area Plan (s) and/or determines that the proposed development does not meet Town improvement/design specifications, the Community Development Director may deny the Conceptual Plan application or request modifications to be incorporated into a revised Conceptual Plan prior to authorizing a Preliminary Plat submittal.

o 504 D 5 Too many appeals. Pick one or ask for a Planning Commission recommendation to the Town Council instead. Also how much time does an applicant have for an appeal? **(1)**

Response: Agree that there are too many appeals for this initial step, the Conceptual Plan, and suggest that the last sentence which allows the second appeal be deleted. Also agree that a time limit for appeal should be added. Revisions to Sec 504D 5 (to be designated D 4) follow:

Section 504D 4. **Appeal:** If the project subdivider objects within twenty (20) working days to a decision by the Director to deny a Conceptual Plan or recommended modification to same, the Director's decision may be appealed to the Planning and Zoning Commission. Upon receipt of a written statement of objection, the matter shall be placed on the agenda for the next available Planning and Zoning Commission meeting.

o 505 A Could we not consider a predetermined date in the referral letter for a coordinated meeting and comments are due by then if you can't attend or at the meeting comments are collected (or even due 5 days later allowing formal comments/issues identified at the meeting to be put in writing by the agency) **(1)**

Response: Agree and have revised Sec 505A 1 through 3 as shown below. Sec 505A has been entirely reorganized for further clarity.

- 505A 3 c this seems a very short time frame for notice. How about neighborhood/adjoining property notice/public notice/hearing requirements? **(1)**

Response: Agree and have increased timeframes as shown in 505A 4 below.

Note: in Arizona statutes, subdivisions are regulated differently from that of rezoning requests. There is no requirement for conducting a "Public Hearing" or Public Hearing Notice for a subdivision; rather, the only requirement is compliance with the Open Meeting laws for a public meeting. If a proposed subdivision is in conjunction with a rezoning, then Public Hearings and Notice must be provided for the rezoning request.

Revision to Sec 505A

1. After the Pre-Application meeting and general approval of the Conceptual Plan and Master Development Plan, if required, the subdivider shall submit an appropriate number of copies as determined by the Community Development Department, including one in digital form of the Preliminary Subdivision Plat, an application with fees as specified in the Planning and Zoning Fee Schedule and the Engineering Fee Schedule, and other exhibits as hereinafter specified; and shall submit a minimum of two (2) copies each of the required supplementary materials as outlined in Section 505. C and as determined by the Community Development Director.
2. Within five (5) working days from submittal of the Preliminary Plat Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plat shall be distributed to reviewing departments and agencies. Processing will not commence until all required documents are received.
3. The Preliminary Plat will be promptly circulated for review to determine if the Preliminary Plat conforms to these regulations, and to the design, conditions, and authorized changes as may be set forth and approved in the Conceptual Plan phase of the subdivision application.
    a. Copies of the Preliminary Subdivision Plat and accompanying material will be transmitted to the following agencies: Town Engineer; County Health Department or Environmental Services; Arizona Department of Transportation if it contains or abuts a state or federal highway; utility companies; Town Road Superintendent; Soil Conservation District; State or Federal land management agency if adjacent to public lands; State Fire Marshal or Camp Verde Fire District; State Department of Water Resources, and other interested or affected agencies as deemed appropriate by the Director.
    b. In accordance with A.R.S. Sections 9-474, 479, if the plat is within three (3) miles of the corporate limits of another municipality having subdivision regulations, the Community Development Director will submit a copy of the Preliminary Plat to said municipality for its review
    c. Interested agencies shall have twenty (20) working days, from the date of complete application received by the Community Development Department, to review and send comment to the Community Development Director, and may attend a meeting within five (5) working days after the agency review period that has been pre-scheduled by the Community Development Director.
    d. No reply by an agency within the time limit specified shall be construed by the Community Development Director as having no objections from that department or agency to approval of the Preliminary Plat.
4. The Community Development staff shall prepare a correlated report, including replies or comments from all departments and other agencies for a coordinated meeting between the subdivider and/or his agent and the various responding agencies for the

purpose of clarifying outstanding issues arising from subdivision plat review and to promote compliance with the content of these regulations;

a. If recommended changes, additions, or minor revisions are necessary, three (3) sets of revised prints shall be submitted and distributed for review as with the original submittal. All revised preliminary plans and/or revised accompanying material shall be received at least fifteen (15) working days prior to the Commission meeting date at which the developer desires to be heard;

b. If the proposed Preliminary Plat is in conformance, the Director shall put it on the agenda for the next scheduled Planning Commission meeting and send notice with a copy of the staff report to the subdivider by mail at least ten (10) working days prior to the Commission's public meeting of the time and place at which the matter is set for review.

o 505 B 5 How about existing "conditions" buildings, vegetation, wetlands, ditches, washes, etc.? **(1)**

Response: Suggested revisions to Sec 505B 4 to require identification of significant natural features follows.

Existing buildings and other man-made structures such as roadway ditches are included in Sec 505B 5, shown underlined.

B 4. **Existing Drainage and Natural Features** related items: Flood hazard and 100-year Floodplain areas, if any, shall be delineated on the Preliminary Plat, and building pads shall be identified within Flood hazard areas; significant natural features such as washes, wetlands, major rock outcropping and stands of trees, shall be identified.

5. **Existing Streets, Easements and Improvements:** Location, widths, ownership status and names of all existing streets and improvements therein; railroads; recorded utility or other easements or rights-of-way, including any existing facilities therein; public areas; all existing structures, with an indication of whether or not they are to remain; and Town corporation lines within or adjacent to the tract. Access road to the proposed subdivision shall be described to its intersection with a public road right-of-way.

o 505 B (6&11) Potential need for future utility easements? **(1)**

Response: Revised Sec 505B 6 to include "utility" as follows; B 11 only refers to identifying utility sources.

6. **Proposed Streets and Easements:** Location, width and names of proposed streets, alleys, drainage ways, cross-walks, utility and access easements including all connections to adjoining platted or unplatted tracts. A typical cross-section shall be depicted on the plat where applicable describing the aforementioned improvements.

o 505 C Some of this could be simply referencing sections or in whole the Standards and Specs. So as not to create inconsistent language. Also are we collecting enough to cover engineering review at this time? **(2)**

Response: Sec 505C provides general information to the subdivider about the types of plans and studies that are expected to be filed for Preliminary Plat review and processing. The proposed Engineering Design and Construction Standards provide specific design criteria for engineered construction drawings which are required with the Final Plat process. We recommend that these be kept separate since they serve different purposes, and are typical formats that subdividers are familiar with in Arizona cities, towns and counties codes.

The amount of fees needed to cover staff time for subdivision plat processing should be reviewed and recommended by the Town Engineer and Community Development Director.

- 505 D 3 This seems like an opportunity to delay due process, approve with conditions or table for more information but revision/resubmittal seems we could delay for an infinite number of revisions. **(3)**

Response: Suggested revisions to Sec 505D 4 and 6 (renumbered) in order to clarify Commission's option for continuance, setting the next hearing date, and an addition regarding moving Commission's recommendation forward to Council.

D 4. The Commission may move to continue the plat pending its revision or resubmittal process if the Commission finds that the proposed plat lots are determined to be not suitable due to such features or conditions as flooding or poor drainage, steep slopes, rock problems, sanitary deficiencies, improper access to public roadway, or other conditions likely to effect public health, safety, convenience and general welfare.

a. Such continuance shall be set to a specific date coordinated by the subdivider and Commission for a future Commission hearing of the revised plat.

b. If the plat revision remains unsatisfactory to the Commission for a recommendation of approval, the Commission may recommend denial and forward their recommendation to Council.

c. A Preliminary Plat may not be continued for more than sixty (60) days after the Commission's first hearing on the Plat.

5. The Commission may recommend denial if it finds that the plat does not comply with these regulations, the intent and purpose of the General Plan, zoning or other applicable codes.

6. Recommendations for approval or denial by the Commission shall be forwarded to the Town Council for action at the next available regular meeting. A copy of the project report and minutes setting out action of the Commission shall be filed with the Town Clerk and be transmitted to the Council, to the subdivider and/or owner and to departments or agencies as necessary.

- 506 D 3 Do we want to put into code standard dedication language to ensure timely approval of plats? **(3)**

Response: We are not sure what is intended by this comment, as Sec 506D is only about the standard notations required to be on the face of the Final Plat (for dedication of streets, easements, open space, etc; and for the certifications that plat survey and engineering were completed by appropriate professionals and approved by Town officials).

In contrast, Sec 506E is about the process of approval of the Final Plat. There are timelines required in this section for the Final Plat review by staff/agencies (20 days) and submittals for Council agenda (which are addressed in next response).

- 506 E 4 Ten(10) days seems too short to adequately review and prepare. We prepare agendas 7 days in advance already. **(1) – maybe 15?**

Response: Agree to revise Sec 506E 4 to fifteen days from ten; also, revise Sec 506E 5 to seven days from five to coincide with agenda preparation timing.

- 506 E 6 When is the planning commission going to see the Final Plat to give a recommendation? And in (c) what is the timeframe for getting this information to the subdivider? **(1)**

Response: The most common procedure for subdivision approvals is for the Preliminary Plat to be reviewed and recommended by the Commission and sent on to the Council for approval. The Council's action in approving a Pre-plat is authorization to proceed to the preparation and submittal of the Final Plat and engineering construction drawings and studies.

In essence, the Council's approval of the Pre-plat is a contract with the subdivider to continue to finalize the planned lot-street subdivision design. There is no pertinent reason to send the Final Plat through the Commission since the Council has approved the Preliminary Plat, authorizing the Final Plat to proceed. At the direction of the Town Mayor and Council to streamline and expedite procedures in this code update, the subdivision process is routed through the Commission once and Council twice.

Notes: The existing subdivision code is unclear as to the Final Plat procedure since there is no stated section in "IV. A 12. Procedures for Final Approval" about a hearing by the Commission unless there is material change from the approved Pre-plat; the only stated process is to Council in "A 13. Action by Council".

Additionally, in many cities and towns, after the staff/agencies have approved the plat, engineering drawings and studies, etc, the Final Plat is scheduled for the Council's consent agenda and not even discussed by Council. The premise behind this is the long held idea from court cases decades ago, that subdivision of land in AZ is a right of the property owner, (rather than a request as rezoning granted by the grace of the Council) as long as the subdivider complies with all subdivision and related ordinances.

Response: for comment on timeframe in Sec 506E 6c – although it is understood that the subdivider is in attendance at the Council's meeting on his subdivision, we agree that a timeline for sending the letter/report regarding a denial to the subdivider is important.
Revision to Sec 506E 6c:

> c. If the Council determines that said plat is not in conformity with the approved Preliminary Plat or if other requirements are not approved by the Council, it shall disapprove said plat specifying its reason or reasons therefore; and shall advise the subdivider in writing within ten (10) working days of such disapproval and of the reasons for such action.

Note: it is typically the Community Development Director who sends letters to the subdivider on the actions of the Commission and Council listing rationale for approval or denial, and conditions; this is usually based on the previously submitted staff report, so it can be prepared in a relatively short time.

- 507 B I would suggest a process in our Standards and Specs for release of any type of surety covering all types that we may receive. I would also suggest a 125% standard for amounts to ensure proper coverage for cost increases over the 2 plus years we may be waiting for completion. **(2)**

Response: A 10% addition to the approved cost estimate is typical in most areas of Yavapai County. It should also be noted that the AZ Dept of Real Estate requires 10% additional for surety. We suggest revising Sec 507B by adding a 10% additional requirement for all sureties and by adding a reference to the state requirements, as shown in B.5.
Revised Sec 507B:
B. Financial Assurances Required: No Final Subdivision Plat will be recorded unless one (1) or more of the following methods of assurance are submitted with the Final Plat. The amount of the assurance shall be based on the estimate of probable costs that is prepared, signed and sealed by the professional Engineer of Record, furnished with the Final Plat for all required on- and off-site improvements, and approved by the Town Engineer; an amount of 10% of the approved estimate of probable costs shall be provided in addition by the subdivider to cover

potential cost increases for any of the following assurance methods which shall be approved as to form and legality by the Town Attorney.

> 5. The subdivider shall also comply with requirements of Arizona Administrative Code, Title 4 Chapter 28 State Real Estate Department (R4-28-A1211B) regarding surety requirements.

o 507 C I would change the language from date of recording to date of anticipated improvement completion or date of recording whichever is longer. This would cover us for beyond a speculative period that normally follows actual recording. Also do we run into running out of bond time before we can vacate(2 years) possibly putting us at risk that development rights could be established in that period after 2 years until we can get the plat vacated after 3 years. **(3)**

Response: Agree that bond time should be the same as Abandonment/Revocation period in Sec 509D; revised Sec 507C 1 to three (3) years:

C. Duration and Partial Reduction of Financial Assurances

1. The duration of a performance bond or other assurance shall be for three (3) years, from the date of recording.

Note: it is not clear what the advantage would be in adding the "from anticipated improvement completion, or from date of recording, which ever is longer". It is to the subdivider's financial advantage to select the shortest completion date (e.g., 1 or 2 years) for the bond term; that means it will always be a 3-year bond, since it is the longest.

o 507 E 5 What guarantees the warranty if we have released all the surety. At least 10% should continue to be held for that warranty period. **(1)**

Response: Agree and revised Sec 507E 5 as follows:

> 5. Upon recommendation by the Town Engineer, the Council will review the roadways for acceptance into the Town System for Maintenance. Upon formal acceptance by the Town of the improvements, the surety less 10% will be released and the subdivider shall provide a two-year warranty of workmanship and materials; the remaining 10% will be released at the end of the warranty period upon completion of any required repairs.

o 508 D 5 Petition of exception? Where is this process, we have a waiver process? **(1)**

Response: The terms "waiver", "exception" and "variation" are used with the same meaning. In Sec 505 C 12 Application of Exception or Waiver, the same process "Application of Exception" is provided for all three. We suggest adding a slight revision for terminology consistency, and a reference to Sec 505 C12:

> 5. **Dead End Streets:**
> a. Minor terminal streets designated to have one end permanently closed, shall be no more than six times the minimum lot width nor more than 1320 feet long or as may be required by the local fire district, unless authorized by the Town Council by an approved Application of Exception (see Sec 505C 12).

o 508 E 2 a (2) What if the commission and council disagree? In this it appears they must both agree or it does not get approval (d) seems to have the right language for this. **(1)**

Response: The Planning Commission is an advisory body to the Council. Council's decision may over rule the Commission's recommendation.

Revised Sec 508E 2a (2) for consistency and clarification as follows:

> 2) The area of a lot shall be deemed the area shown, exclusive of any area designated for street right-of-way purposes; or any easement for access or private road purposes shown on the map unless otherwise permitted by the Town Council's approval after considering a recommendation from the Planning & Zoning Commission.

- 508 E 2 f Are we sure 8' is enough and could we again just refer to the standards and specs here? **(3)**

Response: Over the past many years, easement widths have changed, usually expanding. The language of this section requires a 16' width as a minimum. We have added the authority of the Town Engineer to set the minimum as new widths become necessary, as follows.

> **E. 2. f. Lot Easements-** Except where alleys are provided for that purpose, easements at least sixteen (16) feet in total width or as required by the Town Engineer, one-half of which is provided from each adjoining lot, shall be provided where necessary along rear lot lines for poles, wires, conduits, sanitary sewers, gas mains, water mains, or for other utilities.

- 508 F 3 (d&e) Why 70,000 square feet? **(2)**

Response: Historically in AZ a 70,000 sq ft lot was considered a 2 acre lot since statutes define a commercial acre as 35,000 sq ft. This was apparently based on the estimated area of a lot that would be dedicated to roadway use or street dedication to be subtracted from an acre lot containing 43,560 sq ft. Consequently, most early zoning codes classified lot size minimums on multiples of 35,000, e.g., R1-35 and R1-70. Some time ago, Yavapai County amended their codes to require two acres as a minimum lot size for permitting both on-site water and sewage disposal systems to ensure that there was adequate space on the lot for additional septic system leach lines (should the originals fail) and adequate spacing between wells and septic systems, leach lines and other structures, as well as the required distances from property lines specified by ADEQ. It should be noted, however, that in the Arizona Administrative Code, R18-5-404 Size of Lots, the required minimum lot size that ADEQ enforces is one acre: *"The minimum size lot approved by the Department will be governed largely by the area necessary for the safe accommodation of individual wells and/or sewage disposal systems. Where both the water supply and sewage disposal system must be developed on the same lot, the minimum size shall be at least one acre, excluding streets, alleys and other rights-of-way."*

- 508 G Why? It seems we almost encourage this. I would rather say somewhere in the purpose statement that "Town Council can consider and grant waivers or additions to any and all requirements within this section if they deem it is necessary to promote the health safety and welfare of the Town of Camp Verde." This may be granting a lot of power but would alleviate all these references to waivers, exceptions, etc. throughout. Also a blanket statement suggesting that Town Council can also deny any subdivision if it deems that it should do so to protect/promote the health safety and welfare of the Town of Camp Verde by policy written or otherwise. **(1) Goes with comments above.**

Response: We believe that the purpose of the "Special Development Subdivision" (SDS) is different from the "Application of Exception":

- The SDS section is intended for large developments (Sec 508G 1. "….in the case of a plan or program for a complete community or neighborhood unit…") in which unique design approaches are requested. This SDS is meant to encourage creative subdivision design with amenities targeted to the General Plan objectives, e.g. providing a trails network, recreation areas or preservation of significant natural features. The SDS would used by a subdivider of a major development who is not intending to change densities through rezoning the property, but may request flexibility, e.g., lot area averaging. When

rezoning is requested accompanying a special development concept, the PUD process is used.

- The intention of the SDS is in contrast to the Application for Exception (waiver/exception/ variation) which typically is used for a request to deviate from a particular standard, e.g. a reduced street section width for a large lot subdivision which generates reduced amount of traffic.

In response to a "blanket statement" on Council's authorities, we suggest that Sec 508G 2b provides the authority for Council to grant waivers, and revise it to add more authority as follows:

1) Such variations or waivers may be given, provided such relief may be granted without detriment to the public good and without impairing the intent and purposes of these regulations, and,

2) Where the Council deems it is necessary to promote the health, safety and welfare of the Town of Camp Verde.

Regarding adding a blanket statement on the Council's authority to deny a subdivision based on a general statement, "to protect/promote the health safety and welfare", we believe this may be questionable as discussed previously about the long held idea that subdivision of land in AZ is a right as long as the subdivider complies with all subdivision and related ordinances. We suggest this may best considered by the Town Attorney.

o 509 D Public Hearing notice requirements, neighbors, etc? **(2)**

Response: Revised Sec 509D to add reference to Sec 601A for public hearing procedures, as follows:

D. 7. Public hearing and notice for any revocation or abandonment of a subdivision, street right-of-way or easement shall follow the same procedures prescribed in Sec 601A.

PART SIX. ADMINISTRATION AND PROCEDURES

RESPONSE TO SEPTEMBER 30, 2010 STAFF AND PUBLIC COMMENTS

The following list records the changes made in response to comments received from Town officials, staff and members of ZORC, ZTAC and the public.

PART SIX

PAGE	BY	COMMENT	RECOMMENDED DISPOSITION
2-3	**O**	600.D & E, too vague generally	Revised to be more specific.
3	**S**	600.E.1 & 2	(deleted)
4	**S**	Sec.601.A.1.a. Extend time limit for staff review of submittal of application before Planning and Zoning Commission public hearing	Implement suggested change a. The Planning and Zoning Commission shall hold a public hearing within ~~60~~ 90 days…or other protest.
	O	602.A	Board of Adjustment criteria (Section 602.A.1.a through e) must be met to grant a variance.
	O	604.A.2.a and b too vague	Edited as below
5	**S**	Sec.604.A.2 Clarification of violation notices	Implement wording as edited. a. Verbal Warning: A verbal warning ~~is generally used when initial contact is made between~~ may be provided by the Code Enforcement Official ~~and~~ to the alleged party in violation~~. A verbal warning is usually given in very minor violations,~~ as a courtesy ~~and is not required by law.~~ when the violation is not considered immediately serious to the health, safety, or property of others, permitting 10 days to correct, or make timely arrangements to correct, the violation. b. ~~Written Warning~~ Notice of Violation: A written ~~warning~~ notice of violation is provided when: personal contact cannot be made, because access to the property is prevented, ~~or~~ the occupant is not on the premises or has ignored an earlier courtesy warning. The~~ normal~~ time frame for compliance, not to exceed an additional 30 days from the first courtesy warning or written notice of violation, ~~is ten days. Extensions of time for compliance are~~ is at the discretion of the Code Enforcement Official. ~~A written warning is a courtesy and not required by law.~~ c. Criminal Citation: A criminal citation (ARS 9-462.05A) is used when: the offense is serious and requires immediate action, ~~when~~ the alleged violator has ignored previous warnings, has refused to work with the Town toward compliance, or the violation is a repeat of a previous offense.

Note: **S** = "staff" refers to members of Town Community Development, Public Works Departments and/or the Town Manager's Office; **O** = "official" refers to members of P&Z, Council, ZORC or ZTAC;
P = "public" refers to any resident or business person of the Town

PART 6. ADMINISTRATION AND PROCEDURES

Response to Town Manager September 30, 2010 Comments

o 600 D What constitutes "no objection". What if the only hearing I can make is at the Town Council, eliminating this could create a due process violation. **(1)**

Response:

It has been clarified (Section 600.D.3) that two public hearings are scheduled; however, the Council may adopt Commission's recommendation on a consent agenda. Any person may request the matter to be removed from the consent agenda for Council to proceed with a full public hearing.

3. Upon receipt of Commission's report, the Council shall consider the recommendation on a regular Council agenda as a:
   a. public hearing item; or
   b. consent agenda item to adopt the recommendation of the Planning and Zoning Commission without holding a second public hearing provided there is no request for public hearing or other protest from any member of the public or Town Council, in which event a public hearing will be held..

o 600 E CDD or as delegated they may not be the same person. **(1)**

Response:

Delegation by the Community Development Director to a Zoning Administrator or other personnel is being provided for throughout the Code. Sections 600E and E.1 now read:

> The Board of Adjustment, established by Ordinance 89-A33 of the Town of Camp Verde, serves in a quasi-judicial capacity, hearing and deciding appeals from the decision of the Community Development Director, or designee, pursuant to (Ord. 95-A106) and ARS 9-462.06.
>
> 1. …requirement or decision made by the Community Development Director, or designee, …

o 601A 2 b We are not open on Friday? **(1)**

Response:

This has been corrected, as requested. More generic phrasing (to prevent having to amend the Ordinance if Town Schedules change. Thursday was probably workable in most instances – but we changed it to "before end the of the last business day" to account for holidays such as Thanksgiving.

> …Community Development Department before the end of the last business day of the week preceding the Council meeting at which such amendment will be considered.

o 601 A 3 Is this required in addition to a normal public hearing. This seems nice but may be a duplication of effort. **(3)**

Response:

Many municipalities are requiring this process for early participation, information exchange, and cooperative planning between the developer and neighborhood. It has been applied previously in the Town.

Reference to Use Permit applications is added in Section 601.A.3.b:

b. The applicant or an appointed representative shall conduct a neighborhood meeting designed to inform adjoining residents and property owners about the proposed zone change, specific plan application or Use Permit.

o 601 C what constitutes proper notice here or anywhere else in this code? **(1)**

Response:

Section 601.A.2.a provides for notice in accord with Arizona Revised Statutes:

a. Notice of public hearing before the Commission or Council for all amendments to the zoning ordinance text, the zoning map, Use Permits, or other requests, shall be done in accordance with the provisions of Arizona Revised Statutes 9-462.04 as they exist now or as they are amended from time to time. Such notice includes at a minimum the posting and publishing of public hearing notices as specified in the statute.

Additional notice and hearing specifications are provided for other decision-making actions, such as Board of Adjustment quasi-judicial hearings. See Section 602.C:

o 602 A Does the variance have to demonstrate all, all that apply, or only one to get an approval, clearer language to ensure proper interpretation? **(1)**

Response:

Variance approval requires a finding of all tests enumerated in Section 602.A.1.a through e:

A. Variances

1. A variance from the Planning and Zoning Ordinance shall not be granted by the Board unless and until a public hearing has been conducted pursuant to Section 602. C, and until the property owner in a written appeal and at the public hearing demonstrates and the Board finds that all criteria required by subsections a through e have been met:

a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;

b. That literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance;

c. That the alleged hardships caused by literal interpretation of the provisions of the zoning ordinance include more than personal inconvenience and financial hardship

and do not result from actions that are self-imposed or for economic gain by the applicant;

d. That granting the variance requested will not confer upon the applicant any special privilege that is denied by the zoning ordinance to other lands, structures or buildings in the same district; and

e. That granting the variance requested will not interfere or injure the rights of other properties in the same district.

o 602 C This seems vague again, we should look at standards for property posting requirements throughout and notice requirements standards, first class mail, certified, tracked mail, etc. **(1)**

Response:

Clarification has been added to Section 602.C:

C. Hearings

The Board shall fix a reasonable time for the public hearing of an appeal; and shall give public notice thereof, by both publication in a newspaper of general circulation in accordance with ARS 9-462.04 as it exists now or as it is amended from time to time, and by posting notices in conspicuous places close to the property affected, as well as due notice to the parties in interest, including first class mail notice to all owners of record of properties located within 300 feet of the subject property.

o 603 What is this for? **(3)**

Response:

Section 603 is intended to acknowledge subdivision and lot division procedures as related to comprehensive Code administration.

o 604 Needs some more specific process timeframes also consider changing specific "authorization" required of the CDD or ZA so that they don't have to sign or otherwise direct the Code Enforcement Official formally. **(1)**

Response:

Timeframes are added, "authorization" is replaced by "issuance", and other clarifications are included in Section 604.A.2:

2. For the purpose of enforcement of the provisions of this Ordinance, there is hereby created the position of Code Enforcement Official. The Director, or his designee, acting as the Zoning Administrator (ARS 9-462.05C) shall administer and enforce this Ordinance, up to and including the issuance by the Code Enforcement Official of criminal charges against violators.

   There are three types of violation notices used:

   a. Verbal Warning: A verbal warning may be provided by the Code Enforcement Official to the alleged party in violation, as a courtesy. when the violation is not considered immediately serious to the health, safety, or property of others,

permitting 10 days to correct, or make timely arrangements to correct, the violation.

b. Notice of Violation: A written notice of violation is provided when: personal contact cannot be made, because access to the property is prevented, the occupant is not on the premises or has ignored an earlier courtesy warning. The time frame for compliance, not to exceed an additional 30 days from the first courtesy warning or written notice of violation, is at the discretion of the Code Enforcement Official.

c. Criminal Citation: A criminal citation (ARS 9-462.05A) is used when: the offense is serious and requires immediate action, the alleged violator has ignored previous warnings, has refused to work with the Town toward compliance, or the violation is a repeat of a previous offense.

Town of Camp Verde

DEVELOPMENT GUIDANCE SYSTEM

FINAL REVIEW DRAFT

DECEMBER 10, 2010

Prepared by Dava & Associates Inc and Counts Planning
With:
Members of the Town Council, Planning Commission, Board of Adjustment,
Zoning Ordinance Revision Committee, Zoning Ordinance Technical Advisory Committee, Town Staff, and
With
The Residents and Business People of the Town of Camp Verde

Town of Camp Verde Development Guidance System

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CAMP VERDE

DEVELOPMENT GUIDANCE SYSTEM

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PART ONE. INTRODUCTION

Camp Verde's Development Guidance System is the Town's principal land use implementation tool. Its provisions support the future development goals established by the Town of Camp Verde General Plan. Care has been taken in revising sections of this document to assure that they are consistent with the Plan's principles and assist in encouraging its desired land use patterns. Similarly, guidelines contained in the Development Guidance System are meant to suggests ways in which individual land parcels may be developed and maintained so as to conform with quality standards that have been set by the Town.

The Municipal Code is the official, legislated source for all ordinance provisions. The Development Guidance System includes ordinances adopted by the Town Council. Together with administrative standards, rules and procedures, this collected information represents the full range of criteria considered by Town Council, Planning and Zoning Commission, Board of Adjustment and other decision-making advisory bodies responsible for determining or applying Camp Verde's development policies; as well as the practices that are observed by municipal staff in managing the various aspects of the improvement or use of property in the community. For the Development Guidance System user, there is convenience in having easy access to the many interrelated provisions that may pertain to a particular property.

Materials are arranged to transition from the more general, basic criteria for property development to the detailed specifications and/or technical standards that have been adopted to meet the Town's quality expectations.

SECTION 100 TITLE AND SCOPE

The following Parts and Sections are adopted as the regulatory portions of the Development Guidance System.

A. Title

This Ordinance shall be known and may be cited as the "Planning and Zoning Ordinance of Camp Verde".

B. Scope

In its interpretation and application, this Ordinance (unless otherwise provided) shall apply to all land within the Town of Camp Verde municipal limits and be deemed minimum requirements designed to govern the division and use of land in order to: secure public safety; provide adequate light and air; prevent overcrowding of land; facilitate adequate provision of transportation, water, drainage, sewerage, schools, parks and other public facilities; maintain and promote stable values of land and structures.

These provisions shall govern whenever they are more stringent than any other statute, ordinance, legal covenant, agreement or contract.

SECTION 101 PURPOSE

This Ordinance and related, supporting materials are intended to implement the adopted, comprehensive, long-term plan of development for the incorporated areas within the jurisdiction of Camp Verde, Arizona, the Town of Camp Verde General Plan, as provided in Title 9, A.R.S. § 9-462.01 of the Arizona Revised Statutes; in order to conserve and promote the public health, safety, convenience and general welfare, by guiding and accomplishing a coordinated and harmonious town development for future growth.

The Development Guidance System is focused on the Town's future vision, rules for preserving or enhancing its quality of life, and the means by which these aims are accomplished.

General Plan Goals/Objectives
Camp Verde's broad planning principles establish the land use policy framework for directing and preserving the Town's orderly development.

Zoning, Subdivision and Engineering Design and Construction Standards
Regulatory provisions are meant to be consistent with the adopted General Plan.

Administration and Procedures
An open, fair and equitable process is established herein to afford citizens full protection of rights to use and enjoy real property and opportunity to participate in the Town's land use decision-making.

SECTION 102 APPLICABILITY AND EXEMPTIONS

This Ordinance constitutes the exercise of municipal powers enabled by the State of Arizona for providing direction to the jurisdiction's planning and orderly development.

A. Applicability and Exemptions

This Ordinance applies to all buildings, structures, lands and uses over which the Town of Camp Verde has jurisdiction under the constitution and law(s) of the State of Arizona and of the United States.

B. Nonconforming Uses and Structures

The purpose of this section is to protect the rights of property owners who have lawfully established, and continuously maintained in a lawful manner, a use prior to the adoption of this Ordinance or prior to any amendment to this Ordinance that otherwise renders such use unlawful. A nonconforming use or structure that was recognized prior to the adoption of this Ordinance shall continue to operate under the provision of law under which the nonconforming structure or use was recognized so long as the nonconforming use or structure is not in violation of such provision of law, the adoption of this Ordinance notwithstanding. Nothing in this chapter prohibits the voluntary compliance with any future ordinance, regulation, or incentive.

As herein defined, a nonconforming use is a use that was lawfully established but that no longer complies with the use regulations applicable to the zoning district in which the property is located.

1. Continuation:

The lawful use of any building, structure, or land existing at the time of the effective date of this Ordinance may be continued, although such use does not conform with the

current provisions hereof, subject to verification as set forth in Section 102-E-5, below, where the use or structure was lawfully established prior to and has been continued under one of the following circumstances:

a. the date upon which the Yavapai County Zoning Ordinance became effective, September 20, 1970; or

b. assumption of municipal zoning authority by the Town of Camp Verde upon its incorporation; or

c. an amendment to zoning provisions or other development regulations to which the use or structure, thereafter, does not conform.

However, no such use shall be continued that constitutes a threat to the health, safety and welfare of the public.

2. Abandonment:

In the event that the nonconforming use or structure has been discontinued for a period of one year, such use shall be deemed to have been abandoned and any subsequent use shall conform with the provisions of the Town's most current ordinance.

3. Repair or Restoration:

a. Nothing in this Ordinance shall prevent the reasonable maintenance, repair, and continued use of a nonconforming structure or part thereof rendered necessary by wear and tear, deterioration or depreciation.

b. Any nonconforming structure or a conforming building containing a nonconforming use, that is damaged, or destroyed by casualty or Act of God may be restored within a twelve month period without loss of its nonconforming status.

4. Change or Modification of Nonconforming Uses or Structures

a. A nonconforming use shall not be changed to a different nonconforming use.

b. If a change in use is from an impermissible to a permissible use, but full conformance with current standards cannot be achieved, then the change may be allowed, subject to the Board of Adjustment finding that full compliance is not reasonably possible.

c. A nonconforming use may not expand. Expansion is defined to include a geographic increase of the actual use, as well as an increase in volume or intensity, with the exception that a property owner may apply for a determination, pursuant to Section 102-B-5, that a minor increase may be approved based on findings that the proposed expansion will constitute an improvement to the subject property with no detriment to neighboring properties, in the following instances:

1) Replacement of a nonconforming mobile home with a certified manufactured home that does not exceed the replaced structure's area by more than 50%; or

2) Building extension of a nonconforming setback on a single-family, site-built residence that neither decreases the nonconforming setback distance nor creates any further nonconforming condition and does not increase the structure's ground floor area by more than 20% and maintains an interior side yard setback of not less than three feet to the property line.

d. Nonconforming accessory uses, structures or appurtenant fixtures shall not be altered, reconstructed, or replaced without a valid installation permit issued by the Community Development Department that specifies compliance with the provisions of this ordinance.

1) Such uses, structures or fixtures located on a development site for which a building permit is obtained or on a parcel for which a zoning map change or Use Permit is approved, shall, likewise, be brought into compliance.

2) Owners of properties with such nonconforming accessory conditions when seeking installation permits, zoning map change or Use Permit for which full compliance cannot reasonably be achieved may seek approval from the Board of Adjustment upon findings and stipulations, as appropriate, to assure that partial compliance will constitute an improvement of the substandard conditions.

   a) nonconforming parking: Where automobile parking space is provided and maintained in connection with any existing main building or use at the time this Ordinance became effective and is insufficient to meet the requirements for the use with which it is associated, or where no such parking has been provided, then this building or structure may be expanded or enlarged only if automobile parking spaces are provided for an enlargement, extension or addition to the standards set forth in these regulations.

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

   b) nonconforming signs are not required to be brought into conformance with the provisions of this ordinance when development on a site for which a zoning map change or Use Permit is obtained does not result in an increase in the number of sign structures or more than 100 percent of the sign area on the site.

   c) nonconforming outdoor lighting shall be extinguished between 12:00a.m. and sunrise by an automatic shutoff device. No nonconforming outdoor lighting fixture shall be modified or replaced, unless the fixture thereafter conforms to the provisions of this Ordinance, except for identical bulb replacement of mercury vapor light fixtures (prohibited after January 1, 2005) in outdoor lighting systems installed prior to 1950.

e. Nonconforming and conforming uses and structures may be included on the same lot within limits of the District regulations for conforming uses and structures. Nonconforming uses or structures are not transferable to other properties or parcels not covered by original nonconforming use or structure.

5. Verification of an Existing Nonconforming Use:

The use of the premises must adapt the land for the use and employ the premises for the nonconforming purposes. The use need not be in actual operation when the land use ordinance that changes the use from legal conforming to legal nonconforming takes or took effect, but it must have been used for that purpose within the twelve month period preceding the change; however, the casual, intermittent, temporary or illegal use of land or building shall not be sufficient to establish the existence of a nonconforming use. Nothing in this paragraph shall be construed to mean that any use is exempt from regulations enacted to protect public health, safety and welfare.

a. Any property owner may apply for determination of a nonconforming use by means of the procedures listed below:

1) Application for designation as a nonconforming use shall be submitted in writing to the Community Development Department, indicating , at a minimum, the following:

a) Name, address and telephone number of the property owner

b) Address and assessor's number of the subject property

c) The nature of the nonconforming use or structure

d) Any documentation to support the request

e) An application fee as specified in the current Community Development Department Fee Schedule.

)

2) Two or more of the following shall be submitted to consider the verification of an existing nonconforming use:

a) Records of use of land or structures in the Town Community Development Department or other government agency with sufficient information to show that the use predates existing zoning;

b) Similar, credible evidence from utility companies, business or private records;

c) Affidavit(s) from individual(s) testifying that the property was and has been continuously used for a purpose that predates adoption of the zoning in question.

b. Upon receipt of a complete application, the Community Development Director shall send notice of the pending request to each owner of real property, according to the Yavapai County Assessor's records, within three hundred feet of the proposed nonconforming use.

c. The Director . will review the evidence concerning the application as may be presented by the applicant or any other interested party. Such evidence may be either written or verbal.

d. The Community Development Director will render a decision and present findings, through a formal written Notice of Action to applicant and other interested parties. The decision shall be published in a local paper of general circulation, and shall be sent to each owner of real property, according to the Yavapai County Assessor's records, within three hundred feet of the proposed nonconforming use.

e. Any person aggrieved by the decision of the Community Development Director or Hearing Officer may request an appeal to the Board of Adjustment. Appeals shall be made as prescribed in Part Six, Section 600-E. The appeal time requirements will start from the date of publication of the decision.

SECTION 103 DEFINITION OF TERMS

For the purposes of this Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The word "person" includes individuals, partnerships, corporations, clubs, and associations. The following words or terms when applied to this Ordinance shall carry full force when used interchangeably; lot, plot, parcel, or premises; used, arranged, occupied, or maintained; sold or dispensed; construct, reconstruct, erect, place, or alter (structurally or otherwise), but not the term "maintain" or any other form thereof.

DEFINED TERMS, PHRASES AND WORDS:

ABANDONMENT: The discontinuation of use for a period of one year.

ACCESSORY USE: A use of land or of a building or portion thereof customarily incidental and subordinate to and located on the same lot with the principal use.

ADJACENT: Adjoining or across a road from each other.

ADULT CARE CENTER: An establishment enrolling four or more adults where fees or other forms of compensation for the temporary care of the adults are charged, and which is licensed and approved to operate by the State.

AGRICULTURE: The production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including the breeding and grazing of any or all of such animals; or lands devoted to a soil conservation or forestry management program.

ALLEY: A passageway that has been dedicated or deeded for public use affording a secondary means of access to abutting property.

AMENDMENT: A change in the wording, context, or substance of these regulations or an addition, deletion, or a change in the zone boundaries or classifications upon the Zoning Map. Also a change in the wording, context, or other correction of a final plat.

ANALOGOUS: Similar or comparable.

ANIMALS:

- Farm/Livestock – animals, such as horses, ponies, mules, sheep, alpacas, goats, cattle; and poultry, such as chickens, ducks, geese and ostriches.

- Household – small domestic pets typically found in households, such as dogs, cats, hamsters, parakeets, parrots and tropical fish.

ANTIQUE: A collectible item, desired for its age, rarity or other unique feature.

APARTMENT: Any building or portion thereof that contains three or more dwelling units and, for the purpose of this code, includes apartment houses and apartment hotels.

APPLICANT: A person submitting an application for development.

APPLICATION FOR DEVELOPMENT: The application form and all required, accompanying documents and exhibits for development review purposes.

APPROVED PLAN: A plan, which has been granted final approval by the appropriate approving authority.

ASSISTED LIVING CARE FACILITY: A residential care facility, including adult foster care, licensed by the State to provide supervisory care services, personal care services or directed care services on a continuing basis to a maximum of no more than ten full-time residents.

AUTOMOBILE SERVICE STATION: That portion of a building where flammable or combustible liquids or gases used as motor fuels are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles.

AWNING: A roof-like cover that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

BASEMENT: A floor level below the main story of a building, wholly or partly below ground level, which may be used for habitation, household equipment or storage in compliance with the currently adopted building code.

BED AND BREAKFAST: An overnight rooming or boarding house with breakfast.

BEDROOM: A private room planned and intended for sleeping, separated from other rooms by a door, and accessible to a bathroom.

BLOCK: That property fronting on one side of a street and so bounded by other streets, canals, railroad right-of-way, un-subdivided acreage or other barriers (except alleys) of sufficient magnitude as to interrupt the continuity of development on both sides thereof.

BOARDER OR ROOMER: An individual other than a member of the family occupying the dwelling unit or part thereof who, for a consideration, is furnished sleeping accommodations and may be furnished meals or other services as part of the consideration.

BOARDING HOUSE: See *"ROOMING OR BOARDING HOUSE"*

BOARDING STABLE: A structure designed for the feeding, housing and exercising of horses not owned by the owner of the premises for a consideration.

BUFFER: Undeveloped or landscaped property used to separate the activity from surrounding properties. Required landscaping or setbacks do not qualify as buffer.

BUILDING: A structure having a roof supported by columns or walls; and any structure used or intended for supporting or sheltering any use or occupancy.

-ACCESSORY: A subordinate structure, either attached or detached from the principal or main building or use occupied or devoted to a use incidental to the principal use.

-ATTACHED: A building which has at least part of a wall in common with another building, or which is connected to another building by a roof which exceeds 6 feet opposite open ends.

-CLOSED: A structure completely enclosed by a roof, walls and doors on all sides facing the perimeter of a lot.

-**CLUSTER**: A technique in which attached or detached dwelling units are grouped relatively close together, leaving open spaces as common areas.

-COMMUNITY: A public or quasi-public building used for community activities of an educational, recreational or public services nature.

-DETACHED: A building, separated by ten feet from another building or buildings on the same lot with no connecting structures.

-FACTORY BUILT: A structure, all or a major portion of which was factory assembled for permanent attachment to a lot and constructed in compliance with A.R.S. Section 44-

1704 and certified as such by the Arizona State Registrar of Contractors, Building Codes Division.

-HEIGHT: The vertical distance above a reference datum measured to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The height of a stepped or terraced building is the maximum height of any segment of the building, or as defined in the current adopted building code. The reference datum shall be selected by either of the following, whichever yields a greater height of building:

1. The elevation of the highest adjoining sidewalk or finished ground surface within a 5-foot (1524 mm) horizontal distance of the exterior wall of the building when such a sidewalk or ground surface is not more than 10 feet (3048 mm) above lowest finished grade.

2. An elevation 10 feet (3048 mm) higher than the lowest finished grade when the sidewalk or ground surface described in Item 1 is more than 10 feet (3048 mm) above the lowest finished grade.

-**PRINCIPAL:** A building, or buildings, in which is conducted the primary use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be the principal building of the lot on which the same is situated.

CAMPGROUND: A plot of ground upon which two or more campsites are located, established, or maintained for occupancy by the general public as temporary living quarters for recreation, education, or vacation purposes.

CARPORT: A roofed structure to provide space for the parking or storage of motor vehicles and enclosed on not more than three sides.

CEMETERY: Property used for interring of the dead.

CHANGE OF USE: Any use which substantially differs from the previous use of a building or land.

CHILD CARE CENTER: A private establishment enrolling more than four children between the ages of two and five years of age and where tuition, fees, or other forms of compensation for the temporary care of the children is charged, and which is licensed or approved to operate as a child care center by the State.

CHURCH: A building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated with the church.

CLINIC: A health care establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists or social workers and where patients are not usually lodged overnight.

COMMERCIAL USE: See "*USE".*

COMMISSION: The Camp Verde Planning and Zoning Commission (See "*PLANNING COMMISSION*").

COMMUNITY DEVELOPMENT DIRECTOR: the Director of the Community Development Department for the Town of C*amp Verde or his or her designated representative; also see "ZONING ADMINISTRATOR".*

CONDITIONAL APPROVAL: An affirmative action by the Commission or the Town Council indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

CONDOMINIUM: A building or group of buildings, in which units are owned individually, and common areas and facilities are owned by all the owners on a proportional, undivided basis.

CONSIDERATION: An inducement to a contract.

CONSOLIDATION: The removal of lot lines between contiguous parcels.

CONTIGUOUS: Next to, abutting, or touching and sharing a common boundary or portion thereof.

COTTAGE INDUSTRY: A home occupation carried out in the principal residence or in a structure separate from the principal building on the same lot.

COUNCIL: Camp Verde Town Council, acting under the authority of the laws of the State of Arizona.

COURT: A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on two or more sides by walls of a building or buildings.

CUSTOM: Pertaining to work, service or assembly done to order for individual customers for their own use or convenience.

DAY CARE CENTER: See "*ADULT CARE CENTER "* OR *"CHILD CARE CENTER".*

DEVELOPMENT PROJECT: any residential, commercial, industrial or mixed use subdivision plan or individual building development or remodeling plan which is submitted to the Town for approval.

DISTRICT: Refers to an area designated as a Zoning District.

DRIVE-IN/DRIVE-THROUGH RESTAURANT: Any establishment where food or beverages are dispensed through openings in the building or by service to customers in a vehicle.

DRIVEWAY: A private access for vehicles to a parking space, garage, dwelling or other structure usually serving a single parcel.

DUDE RANCH: A vacation resort offering activities typical of western ranches (such as camping, horseback riding and other outdoor events).

DWELLING UNIT: Any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one family, or congregate residence for 10 or less persons.

-DUPLEX: A building containing two dwelling units.

-MULTIPLE: A building containing three or more dwelling units.

EASEMENT: A grant of property rights by the property owner to and/or for access or other use by the public (public easement), a corporation or another person or entity (private easement).

ELEVATION: (1) A vertical distance above or below a fixed reference level; (2) A flat scale drawing of the front, rear, or side of a building.

-FINISHED: The proposed or actual elevation of the land surface of a site after completion of all site preparation work.

ENCROACHMENT: Any obstruction in or on a delineated floodway, right-of-way or adjacent property.

ENTITLEMENT: The legal method of obtaining approvals for the right to develop property for a particular use.

EXCAVATION: Removal and/or recovery by any means whatsoever of soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof.

EXISTING USE: The use of a lot, property or structure at the time of the enactment of a zoning ordinance.

EXTENDED CARE FACILITY: See *"LONG-TERM CARE FACILITY"*

FAMILY: One or more individuals occupying a dwelling unit and living as a single household unit.

FARM, FARMLAND: A parcel of land used for agricultural purposes.

FARM STRUCTURE: Any building or structure used for agricultural purposes.

FENCE: An artificially constructed barrier of any material or combination of materials erected in such a manner as to control entrance to, enclose, screen or mark the boundaries of a property.

FILL: Sand, gravel, earth or other materials of any composition whatsoever placed or deposited in such a manner as to give solidity or bulk.

FINAL APPROVAL: The last official action taken by the Town on a development plan which has been given preliminary approval, after all conditions and requirements have been met, and the required improvements have been installed or guarantees properly posted for their installation, or approval conditioned upon the posting of such guarantees.

FLAG LOT: A lot not fronting on or abutting a public road and where access to the public road is by a narrow private right-of-way.

FLOOR AREA: The area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the useable area under the

horizontal projection of the roof or floor above; also, the sum of floor areas of stories in multi-storied buildings.

FRONTAGE: That part of a lot line which is also a public or private road right-of-way line; also see *"LOT LINE, FRONT".*

FREIGHT YARD: A facility for loading, unloading of freight for current distribution and warehousing of freight.

GARAGE

-PRIVATE: An accessory building occupied primarily by the passenger motor vehicles of the families residing on the same lot. This may include one commercial vehicle under five ton capacity. Non-commercial vehicles of persons not residing on the lot may occupy up to one half the capacity of such garage.

-PUBLIC: Any building, other than that herein defined as a private garage, used for the storage or care of motor vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.

GARBAGE: Anything discarded as worthless or useless, including but not limited to refuse matter from a kitchen.

GENERAL PLAN: A comprehensive plan prepared for development of the Town, recommended for approval by the Planning and Zoning Commission and adopted by the Town Council, and includes any part of such plan separately adopted and any amendment to such plan, or parts thereof.

GLARE: The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GOLF COURSE: A tract of land developed for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses and shelters.

GOVERNMENT AGENCY: Any agency of a governing body created by a political division or subdivision such as Federal, State, County and Town.

GRADE: The degree of rise or descent of a sloping surface; Or the average elevation of the ground within a 5-foot radius from a structure.

-FINISHED: The final elevation of the ground surface after development.

-NATURAL: The elevation of the ground surface prior to man-made alterations.

GRADING: The excavation, removal, filling, movement, storage or relocation of material (other than mining or quarrying) which has the effect of changing the existing topography of the property or as may be defined further in the currently adopted building code

GRAFFITI: Unauthorized markings that have been placed upon any property through the use of paint, ink, chalk, dye, or any other substance capable of marking property.

GROUND FLOOR: The lowest story in a building that is not more than four feet below finished grade, for more than 50% of the total perimeter, or not more than eight feet below finished grade, at any point.

GROUP CARE FACILITY: A facility or dwelling unit housing persons unrelated by blood or marriage and operating as a group family household/congregate residence.

GUESTROOM: Any paid or non-paid room used or intended to be used by a guest for sleeping purposes. Every 100 square feet (9.3 m2) of floor area in a dormitory shall be considered to be a guest room.

HEALTH CARE FACILITY: A facility or institution, whether public or private, engaged in providing services for health maintenance, diagnosis, or treatment of human disease, injury, pain, deformity or physical condition.

HEIGHT: See *"BUILDING HEIGHT"*.

HOME OCCUPATION: An occupation, profession, activity or use located within a residence, garage or accessory building in a residential district, and which use is merely incidental to the residential use and does not change the character of the neighborhood by externally detectable lighting, noise, odor, or appearance associated with the activity, and is created and operated as a sole proprietorship with no more than one non-residential employee.

HOSPITAL: A facility providing primary health services and medical or surgical care to persons, suffering from illness, disease, injury, deformity and other physical or mental conditions and including, as an integral part of the facility, related facilities such as laboratories, outpatient facilities or training facilities.

HOTEL: Any building containing multiple guest rooms intended or designed to be used, rented or hired out to be occupied for sleeping purposes by guests.

> **-APARTMENT:** A building or group of buildings containing a number of independent suite of rooms for dwelling purposes and in which at least one common dining room is provided.

HOUSEHOLD: A family living together in a single dwelling unit, with common access to and common use of, all living and eating areas and all areas and facilities for food preparation and storage within the dwelling unit.

HOUSING UNIT: A room or group of rooms used by one or more individuals living separately from others in the structure, with direct access to the outside or to a public hall and containing separate toilet and kitchen facilities.

IMPROVED LOT: A lot having an improvement on it.

IMPROVEMENT: Any made-made, immovable item or structure, which becomes part of, placed upon, or is affixed to, real estate.

INFRASTRUCTURE: Facilities and services needed to sustain industrial, residential and commercial activities.

INSPECTOR: Official(s) charged with administration and enforcement of this Code.

INSTALLED: Attached, or fixed in place, whether or not connected to the ground, a structure or a power source.

INTERMEDIATE CARE FACILITY: A facility which provides, on a regular basis, health related care and services to individuals, who do not require the level of care and treatment which a hospital or skilled nursing facility is designed to provide, but who, because of their mental or physical condition, require care and services beyond the level of room and board.

JOINT OWNERSHIP: The equal estate interest of two or more persons.

JUNK: Any old or discarded material, scrap, waste, reclaimable material or debris, whether or not stored or used in conjunction with dismantling, processing, salvaging, storage, baling, disposal or other use or disposition.

KINDERGARTEN: Same as Nursery School (See *"SCHOOL, NURSERY"*) except when operated in conjunction with a school of general instruction and having accredited instruction.

LAND: Ground, soil or earth including improvements on, above or below the surface.

-DISTURBANCE: Any activity which alters the land topography or vegetation cover or any activity involving the clearing, cutting, excavating, filling or grading of land.

-RECLAMATION: Increasing land use capability by changing the land's character or environment, usually through drainage and/or fill.

LAND USE: A description of how land is occupied or used.

-MAP: A map indicating the desired and proposed location, extent and intensity of land uses acting as a guide for future development.

LANDSCAPE: (1) An expanse of natural scenery; (2) The addition of grasses, ground cover, trees, plants, and other natural and decorative features to land.

LAUNDERETTE (OR LAUNDRY FACILITY): An establishment that provides washing and/or drying machines on the premises for rental use to the general public for household laundering purposes.

LODGER: A transient renter whose meals may or may not be supplied in the cost of the rent.

LONG-TERM CARE FACILITY: A facility or distinct part of a facility or approved nursing home, infirmary unit of a home for the aged or other health care institution which provides 24-hour medical supervision for two or more people who are not related to the operators of such facility by marriage, blood or adoption.

LOT: A parcel of land of established by plat, subdivision, or otherwise permitted by law, having its principal frontage on a dedicated street or street easement. A half-street dedicated from such parcel shall be qualification for street frontage.

-AREA: The total area within the lot lines of a lot, excluding any street rights-of-way.

-MINIMUM AREA OF: The smallest lot area established by the zoning ordinance on which a building or structure may be located in a particular district.

-COVERAGE: The portion of the lot that is covered by buildings and structures.

-DEPTH: The distance measured from the mid-point of the front and rear property lines.

-WIDTH: The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

LOT LINE: A line of record bounding a lot, which divides one lot from another lot or from a public or private street or any other public space.

-ADJUSTMENT: Any land taken from one parcel and added to another adjacent parcel without creating any new lots or parcels.

-FRONT: The lot line separating a lot from a street right-of-way. The front line of a corner lot shall be the shorter of the two street lines as originally platted, or if such are equal, the most obvious front by reason of usage by adjacent lots. The front line of a through lot shall be that line which is obviously the front by reason of usage by adjacent lots. Such a lot exceeding 188 feet in depth may be considered as having two front lines.

-REAR: The lot line opposite and most distant from the front lot line or in the case of triangular or otherwise irregularly shaped lots, a line ten feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

-SIDE: Those property lines connecting the front and rear property lines.

LOT OF RECORD: A lot which existence and dimensions are acknowledged on a plat or deed at the County Recorder's Office.

LOT TYPES:

-CORNER: A lot abutting on two or more streets at their intersection or abutting on two parts of the same street forming an interior angle of less than 135 degrees. A corner lot shall be considered to be in that block in which it fronts.

-DOUBLE FRONTAGE: A lot which extends from one street to another street, existing or proposed, except where non-vehicular access easement has been established on such lot; also see *"THROUGH LOT".*

-HILLSIDE: Any lot or portion of a lot involving a part of a hill between the summit and the toe of the slope where the terrain has a natural slope.

-INTERIOR: A lot other than a corner lot.

-KEY: An interior lot contiguous to the rear line of a corner lot and fronting on the side street of such corner lot.

-THROUGH: A lot with the front and rear lines abutting parallel streets; also see *"DOUBLE FRONTAGE LOT".*

MAINTENANCE: The repair, replacing or renovating of a part (or parts) of a structure, which has been made unusable by ordinary wear or tear, or by the weather.

MANUFACTURED HOME: A dwelling unit fabricated on a permanent chassis at an offsite manufacturing facility for installation at the building site, and bearing a label certifying it as built, or upgraded, to compliance with the Federal Manufactured Housing Construction and Safety Standards Act. It bears a mobile ID number and is larger than 400 square feet.

MANUFACTURING USE: See "*USE".*

MEMORIAL PARK CEMETERY: See "*CEMETERY".*

MINE: 1) A cavity in the earth from which minerals and ores are extracted. 2) The act of removing minerals, ores, or other natural resources.

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

MOBILE/MANUFACTURED HOME PARK: A parcel of land used (or designed) for the location of more than one Manufactured Home

MOBILE HOME: A portable dwelling unit designed and constructed to permit permanent occupancy as a residence and also to facilitate transfer from one site to another by means of a chassis with wheels and hitch or flatbed truck. Such are larger than 400 square feet and were manufactured prior to June of 1976

MODULAR HOUSING: Factory-built housing that is certified as meeting the state or local building code. It does not have a mobile ID. Modular housing is considered site-built housing.

MOTEL: See *"HOTEL".*

NET ACREAGE: The remaining ground area of a parcel after deleting all portions for proposed and existing public rights-of-way.

NEWSPAPER OF GENERAL CIRCULATION: A daily newspaper widely available and distributed in the local area (if one is published), or if no daily newspaper is published, a local weekly newspaper may be used.

NONCONFORMING USE: See "*USE".*

NONCONFORMING STRUCTURE: A building or structure that was in place prior to Ordinance provisions with which it now conflicts.

NONCONFORMING LOT OF RECORD: A parcel created and recorded prior to Ordinance provisions with which it now conflicts.

OCCUPANCY: The purpose for which a building, or part thereof, is used or intended to be used.

OUTDOOR RECREATION FACILITY: An area designed for active recreation, whether

publicly or privately owned, including but not limited to parks, baseball diamonds, soccer and football fields, golf courses, tennis courts, swimming pools, archery and shooting ranges.

PARCEL: Real property with a separate or distinct number or other designation shown on a plan recorded in the office of the County Recorder, or real property delineated on an approved survey, parcel map or subdivision plat as filed in the office of the County Recorder and abutting at least one public right-of-way or easement determined by the Community Development Director or Council to be adequate for the purpose of access.

PERMIT: A document issued by a governmental agency granting permission to perform an act or service which is regulated by the Town, County, a State agency or the Federal Government.

PERMITTED USE: See *"USE"*.

PERSON: Includes a corporation, company, partnership, firm, association or society, as well as a natural person.

PLANNED UNIT DEVELOPMENT: For purposes of these regulations, a Planned Unit Development is:

a. Land under unified control, to be planned and developed as whole;

b. In a single development operation or a definitely programmed series of development phases, including all lands and buildings;

c. For principal and accessory structures and uses substantially related to the character and purposes of the development;

d. According to comprehensive and detailed plans that include not only the locations of streets, utilities, lots, or building sites and the like but also site plans and floor plans for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses and improvements on the land as related to the buildings; and

e. With a program for provision, operation, and maintenance of such area, facilities, and improvements as will be available for common use by some or all of the occupants or visitors to the development site, but will not be provided, operated, or maintained at general public expense.

PORCH: An open, roofed, structural projection of which no portion extending into a front or side yard shall be enclosed by walls, screens, lattice or other material higher than 54 inches above the natural grade line adjacent thereto; which porch is to be used solely for ingress/egress or leisure purposes and not for occupancy as a sleeping porch or wash room.

PLANNING COMMISSION or COMMISSION: The Planning and Zoning Commission of the Town of Camp Verde.

PLANNING DEPARTMENT: The Community Development Department of Camp Verde, Arizona.

PROFESSIONAL USE: See *"USE".*

PROPERTY LINES: Those lines outlining the boundaries of properties on lots for the purpose of description in sale, lease, building development, or other separate use of property.

RECLAMATION PLAN: A document, in written words and/or illustrations, describing how land will be restored and made into suitable and useful condition for development or open space after a temporary use or activity on the land is finished or completed.

RECREATIONAL VEHICLE: A vehicular type unit primarily designed as temporary living accommodation for recreational, camping and travel use, which can be towed, hauled or driven and including but not limited to travel trailers, truck campers, camping trailers and self-propelled motor homes.

RESIDENT CAMPING: A sustained experience which provides a creative, recreational, educational or religious opportunity in group living in the out-of-doors in which campers live at a site for one or more consecutive nights, not to exceed 90 days.

RESIDENT CAMP SLEEPING UNITS: A building or group of buildings containing guest rooms or dwelling units. For density formula purposes, two (2) such guest rooms, RV's or tents may be counted as one dwelling unit. Each four (4) beds shall be counted as one guest room.

RESIDENTIAL USE: See *"USE".*

RESTAURANT: An establishment (other than a boarding house) where the public may procure meals, which are prepared therein.

REST HOME: See *"LONG TERM CARE FACILITY".*

REVOCABLE: Able to be voided or annulled by recalling, withdrawing, or reversing.

RIGHT-OF-WAY: A strip of land acquired by reservation, dedication, forced dedication, condemnation or prescription and intended to provide space for the installation and maintenance of a road, sidewalk, trail, railroad, utilities, or other similar uses.

ROOMING OR BOARDING HOUSE: A dwelling, otherwise permitted in the District in which it is situated, containing 3, 4, or 5 guest rooms and in which food may or may not be served to the occupants thereof. Any dwelling in which more than 5 rooms are occupied as guestrooms shall be deemed to be a hotel.

SALES STAND: A booth or stall for the vending of products, established by Temporary Use Permit (Section 601.d), and consistent with the regulations of the district in which it is located.

SCHOOL: A place of general instruction having accredited instruction acceptable to the educational authorities within the school district of the jurisdiction.

> **-NURSERY:** An establishment enrolling more than four preschool children and where tuition, fees, or other forms of compensation for the care and instruction of the children is charged, and which is licensed or approved to operate by the State.

SCREENING: A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.

SETBACK: The distance between the street right-of-way line or a property line and the front, rear or side line of a building or any projection thereof; and which extends across the full width or depth of a lot, and in which no building or structure shall be constructed, except as provided in this ordinance; also see "*YARD"*.

SITE PLAN: The plan for development of one or more lots showing the existing and proposed conditions of the lot including but not limited to: topography, vegetation, drainage, floodplains, waterways, utility services, landscaping, structures and signs, lighting and screening devices; and any other information that may be required in order for the approving authority to make an informed decision.

SLEEPING ROOM: A room used for sleeping, other than a guestroom, in which no cooking facilities are provided.

SPOT ZONING: Rezoning a lot or parcel of land to benefit the owner for a use that is incompatible with surrounding uses and does not conform with the adopted General Plan.

STIPULATIONS: Conditions under which a property or use are required to comply established by the Town as a qualification for approval.

STORY: That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet (1829 mm) above grade, as defined herein, for more than 50 percent of the total perimeter or is more than 12 feet (3658 mm) above grade, as defined herein, at any point, such usable or unused under-floor space shall be considered as a story. Or as defined in the current adopted building code.

> **-FIRST:** The lowest story in a building that qualifies as a story, as defined herein, except that a floor level in a building having only one floor level shall be classified as a first story, provided such floor level is not more than 4 feet (1219 mm) below grade, as defined herein, for more than 50 percent of the total perimeter, or not more than 8 feet (2438 mm) below grade, as defined herein, at any point. Or as defined in the current adopted building code.

STREET: That area, whether public or private, between right-of-way lines, dedicated, reserved or provided for roadway purposes, providing for the pedestrian and vehicular movement of people and goods and other uses not inconsistent herewith to include street, avenue, boulevard, road, lane, parkway, place, court, alley, bridge, viaduct, highway, crossing, roadway easement, intersection, and grounds now open or dedicated or hereafter opened or dedicated to the public for use as public roadways. A street includes all land within the street right-of-way whether improved or unimproved, and includes such improvements as pavement, shoulders, curbs, gutters, sidewalks, parking space and drainage structures. See Part Five, Section 501 for street classifications.

STRUCTURE: That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

TOWN: The Town of Camp Verde, Arizona, shall include the Town Council, Planning Commission and other Town officials.

UNCLAIMED PUBLICATION: Any newspapers, fliers, handbills, advertisements, signs or other papers that are in plain view; either along private or public roadways or on private or public property, that creates an unsightly atmosphere, which contributes to neighborhood deterioration and causes a public nuisance.

UNSAFE BUILDING(S) OR STRUCTURE(S): Structures or building service equipment that are or hereafter become structurally unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or that constitute a fire hazard, or are otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, or abandonment, as specified in the Town Code Section 7-2-108.1, technical codes or any other effective ordinance, are for the purpose of this section, unsafe buildings. A vacant structure that is not secured against entry shall be deemed an unsafe condition. Unsafe conditions and structures shall be taken down, removed or made safe, as the Building Official deems necessary and as provided in the Town Code. All such unsafe buildings are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in the Town Code Sections 7-2-108.2, 7-2-108.3, 7-2-108.4 and 7-2-108.5.

Parapet walls, cornices, spires, towers, tanks, statuary and other appendages or structural members which are supported by, attached to, or a part of a building and which are in a deteriorated condition or are otherwise unable to sustain the design loads which are specified in the Town Code, are hereby designated as unsafe building appendages per Section 7-2-108.1.2. All such unsafe building appendages are public nuisances and shall be abated in accordance with Section 7-2-108.1 of the Town Code.

USE: The purpose for which a building, or lot, or structure, is arranged, designed, occupied or maintained.

-ACCESSORY: A use incidental to the principal use on the same lot.

-CHARITABLE-: Property used by a nonprofit or philanthropic organization that provides a service beneficial to the general public or to a significant portion of the public for no fee or at a fee recognized as being less than that charged by profit-making organizations.

-**COMMERCIAL:** Activity carried out for pecuniary gain.

-**MANUFACTURING:** The act of transforming materials or substances into new products, either by mechanical or chemical means, including the assembling of component parts; or establishments engaged in the manufacturing of products by assembling of component parts or blending of materials.

-NONCONFORMING: A use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district. A use operated in an otherwise lawful manner that does not conform to the provisions of the District in which located.

-PERMITTED: A use that is allowed in a Zoning District by reason of being listed among the "Permitted Uses" in the District, and is subject to restrictions applicable to the District.

-PRIVATE: A use restricted to the occupants of a lot or building together with their guests, where compensation is not received and where no commercial activity is associated with the same.

-PROFESSIONAL: The rendering of services of a professional nature by: members of the professions licensed by competent authority; teachers in a school of general instruction; artists practicing the fine arts; consultants recognized by organizations of licensed professionals.

-PUBLIC: A use (or building) located on public land to serve public benefits (but not necessarily available for unrestricted public access).

-RESIDENTIAL: Shall be deemed to include single, duplex and multiple dwelling units, guest rooms, mobile/manufactured home parks, rooming and boarding houses, fraternity and sorority houses, convents, home for the aged and similar living accommodations.

-SALES SERVICES: A use intended for the sale of services (such as insurance or real estate) provided by professionals (not to include retail sales).

-TEMPORARY: A use established for a fixed period of time with the intent to discontinue such use upon expiration of the time period.

VARIANCE: A deviation from the literal requirements of a zoning district; requests for variances shall be in accord with Arizona Revised Statutes §9-462.06.G-2, and with Part Six, Section 602 of this ordinance.

VEHICLE: The result of arranging materials and parts together for conveyance over roads (whether or not self-propelled). Such is not deemed a structure in qualifying for a building permit, but as being accessory to the principal use on a lot (except in connection with vehicular rental sales agencies and mobile/manufactured home parks).

VEHICLE, MOTOR: A self-propelled device used for transportation of people or goods over land surfaces and licensed as a motor vehicle.

YARD: An open space, other than a court, unobstructed from the ground to the sky, except where specifically provided by this code, on the lot on which a building is situated.

-FRONT: A yard abutting the front lot line as defined herein.

-JUNK, SALVAGE: Any area, lot, land, parcel, building or structure or part thereof used for the storage, collection, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or three or more unregistered, inoperable motor vehicles or other type of junk.

-REAR: A yard abutting the rear lot line or rear alley.

-REQUIRED: The open space between a lot line and the buildable area within which no structure shall be located except as provided in this ordinance; also see *"SETBACK".*

-SIDE: A yard abutting a side street (exterior side yard) or a common side boundary (interior side yard) lying between required front and rear yards.

-WRECKING: An open-land area used for dismantling or demolition of motor vehicles, machinery, equipment or similar and usually storage thereof.

ZONE/ZONING DISTRICT: A specifically delineated area or district within which regulations and requirements uniformly govern the land use, placement, spacing and size of land and buildings, and in which the same zoning regulations apply throughout.

-MORE RESTRICTIVE: A district that is listed before the subject district in the following:

1) R1L, R1, R2, R-R, OS
2) PUD, RS, RCD
3) C1
4) C2
5) C3
6) PM, M1
7) M2

ZONING: The dividing of a municipality into districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings.

ZONING ADMINISTRATOR: The official responsible for enforcement of the zoning ordinance; also see "*COMMUNITY DEVELOPMENT DIRECTOR".*

ZONING MAP: A map indicating the actual location, extent and intensity of land use districts and development permitted within the Town's boundaries.

ZONING REGULATIONS/ZONING ORDINANCE: The Development Guidance System of the Town of Camp Verde, Arizona.

PART TWO. ZONING CLASSIFICATIONS

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The following sections provide for the location and distribution of various land use types and intensities which may be developed in the Town of Camp Verde. These designations are intended further to be regulated by the criteria set forth in Part Three, General Regulations/ Provisions and Part Four, Development Standards.

SECTION 200 ZONING CLASSIFICATIONS INTRODUCTION AND PURPOSE

A. Introduction and Purpose

Maintaining desired community character is made possible through measures that assure land use compatibility. Identifying appropriate locations, intensities, mixtures and standards for minimizing negative impacts on nearby property is the fundamental principle of municipal development regulation.

Part Two categorizes appropriate development, in accord with the adopted Town of Camp Verde General Plan, that is both beneficial to the owners of land and to the community's planning vision. In addition to uses permitted in each District as a matter of right, accessory structures or uses are specified, as well as types of activity that may be considered pursuant to obtaining a Use Permit from the Town.

B. Applicability.

Zoning District Classifications apply to and differentiate the type and intensity of use of all property in the Town of Camp Verde.

SECTION 201 ESTABLISHMENT OF DISTRICTS

In conformity with the Purpose and Effect of this Ordinance USE DISTRICTS are hereby established in order to classify, regulate, restrict and separate: uses of land and structures; lot dimensions and areas; yard widths and depths, percent of lot coverage and open spaces; permitted density, height and bulk of structures, and related building considerations. Any reference to a "Use" shall be deemed to include "principal and accessory uses and structures".

SECTION 202 ZONING MAP

An officially adopted map delineating the locations and boundaries of the various Use Districts within any portion of the incorporated area of the Town of Camp Verde, together with subsequent supplementary maps, shall be known collectively as the Zoning Map for Camp

Verde, Arizona, and becomes an official record, as part of this Zoning Ordinance as if the matters and information set forth by said map were fully described herein.

Lands annexed into the Town shall be assigned AG District (AG) temporary zoning designation until such time as Town zoning is adopted for the annexed area. In the event, however, that no such specific zoning redesignation has been applied for by property owner(s) within six months from the effective annexation date, the Town may initiate rezoning on the subject property consistent with the adopted Town of Camp Verde General Plan.

A. District Boundary Determination:

District boundaries on the Zoning Map are intended to follow lot lines, subdivision lines, section lines or center lines of streets, alleys, or other right-of-ways (or extensions thereof), unless otherwise referenced by specific dimensions.

1) District boundaries may be established by designation subsequent to annexation of land into the Town and may be amended as a result of rezoning approval or other Town Council action. Boundary changes are in force as of the Council action's effective date and shall be recorded on a supplemental map until such time as a comprehensive Zoning Map update is approved.

2) Uncertainty of the location of a district boundary shall be determined by the Board of Adjustment unless same can be resolved, to the satisfaction of the Inspector and persons of interest, by using the scale of the map. Where such boundary scales to within 25 feet of a common division line or a right-of-way, then it shall be deemed as following such division line or the center of the right-of-way, as the case may be.

B. Abandoned Rights-of-Way:

Where a public street or alley or other right-of-way is officially abandoned, any abutting district boundary shall be adjusted to extend to the centerline of the former right-of-way.

SECTION 203 USE DISTRICTS

All incorporated areas of Camp Verde, subject to the provisions of this Ordinance are hereby divided into Use Districts which, together with the General Regulations/Provisions (where applicable), control the operation of uses and placement of structures. All structures built or placed on any site shall be constructed in accordance with the Town's adopted building codes and regulations; or bear a label certifying compliance with the Federal Manufactured Housing Construction and Safety Standards Act. No vehicle, including recreational vehicles, railroad cars or other structures not engineered for use as an accessory structure shall be placed on the property and used as an accessory structure. Any use or structure not specifically permitted by (or analogous to) District Provisions shall be deemed prohibited and unlawful as a principal or an accessory use or structure for the District.

Use District Development Criteria (Section 204) are applicable to each respective District as minimum requirements necessary to maintain compatible parcel areas, dimensions, density, height, building bulk, setback, and related standards among the District's uses.

Use Districts and their order (from most to least restrictive) in applying the use provisions of the Ordinance are as follows:

A. R1L DISTRICT (Residential: single-family limited)

B. R1 DISTRICT (Residential: single-family and cluster units)

C. R2 DISTRICT (Residential: multiple dwelling units)

D. R-R DISTRICT (Residential-Rural)

E. RS DISTRICT (Residential and Services)

F. C1 DISTRICT (Commercial: neighborhood sales and services)

G. C2 DISTRICT (Commercial: general sales and services)

H. C3 DISTRICT (Commercial: heavy commercial)

I. PM DISTRICT (Performance Industrial)

J. MI DISTRICT (Industrial: general)

K. M2 DISTRICT (Industrial: heavy)

L. PUD DISTRICT (Planned Unit Development)

M. OS DISTRICT (Open Space resource conservation zone)

N. RCD DISTRICT (Residential Camping District)

O. AG DISTRICT (Agricultural)

A. R1L DISTRICT (Residential: single-family limited)

1. Purpose:
The R1L District is intended for site-built, single-family residential living.

2. Permitted Uses and Structures:

a. Dwelling unit for one family on any one lot except that quarters for servants and/or non-paying guests may be located on the same lot with the principal structure.
b. Religious institutions (in permanent buildings).
c. Educational institutions (including private schools, provided they offer a curriculum of general instruction comparable to similar public schools).
d. Golf courses with accessory uses such as pro shops, shelters, rest rooms (but not commercial driving ranges or miniature putting courses).
e. Keeping of farm animals, limited (See Section 304).
f. Accessory uses and structures (located on the same lot with the principal structure)

(1) Swimming pools in other than the front yard.
(2) Quarters for servants and/or non-paying guests; separate facilities for preparation of food are prohibited.
(3) Open land refreshment and recreation facilities accessory to religious or educational institutions (confined to same lot).
(4) Household pets.
(5) Fences and free standing walls.
(6) Parking facilities to meet no less than the minimum requirements as provided under Section 403.
(7) Home Occupations (See Section 303).
(8) Cottage industries.

(9) Signs (See Section 404).

3. Uses and Structures Subject to Use Permit
   a. Community parks, playgrounds or centers.
   b. Government facilities and facilities required for the provision of utilities and public services.
   c. Bed and Breakfast
      (1) limited to 4 bedrooms
      (2) parking facilities required under Section 403.
   d. Additional Accessory uses and structures may be permitted subject to stipulations.
   e. Temporary Use Permits, subject to administrative approval (See Section 601.C):
      (1). Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit.
      (2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.

B. R1 DISTRICT (Residential: single-family and cluster dwellings)

1. Purpose:
   The R1 District is intended for single-family residential living.

2. Permitted Uses and Structures:
   a. All principal and accessory uses and structures permitted in R1L District.
   b. Dwelling unit for one family on any one lot.
   c. Accessory uses and structures permitted in the R1L District and the following (located on the same lot with the principal structure):
      Roomers or boarders within the principal residence.

3. Uses and Structures Subject to Use Permit
   a. A group or cluster of dwelling units (attached or detached) each having separate individual ownership and providing common services and recreation facilities under unified management.
      1) The number of units allowed on a lot shall not exceed the District's minimum lot area density.
      2) Such allowance shall in no case exempt the requirement of maintaining yards adjacent to the exterior site boundaries.
   b. All uses and structures subject to a Use Permit in the R1L District
   c. Additional Accessory uses and structures may be permitted subject to stipulations.

C. R2 DISTRICT (Residential: multiple dwelling units)

1. Purpose:
   The R2 District is intended to provide for medium-high density residential living including single-family, manufactured housing, multiple-family and group dwelling units.

2. Permitted Uses and Structures:

   a. All principal and accessory uses and structures permitted in the R1 District.
   b. Multiple dwelling units and apartment hotels in conformity with the minimum lot area requirements per dwelling unit for the District.

c. Lots abutting an arterial highway are permitted the following uses:
1) Rooming and boarding houses.
2) Fraternity and sorority houses.
3) Orphanages and homes for aged.

d. Bed and Breakfast, with on-site parking as required in Section 403E.

e. Uses permitted with a Use Permit in the R1 District, unless otherwise noted

3. Uses and Structures Subject to Use Permit

a. Government facilities and facilities required for the provision of utilities and public services

b. Additional Accessory uses and structures may be permitted subject to stipulations.

D. R-R DISTRICT (Residential-Rural)

1. Purpose:

The R-R District is intended to provide a zoning classification for portions of the incorporated area of Camp Verde not presently characterized by urban uses, and to provide for rural, large lot residential uses.

2. Permitted Uses and Structures:

a. All uses allowed in the R2 District, except that multiple dwelling units and apartment hotels are not permitted.

b. Accessory uses and structures (located on the same lot with the principal structure).

c. Uses permitted with a Use Permit in the R1 District, unless otherwise noted.

3. Uses and Structures Subject to Use Permit

a. Government facilities and facilities required for the provision of utilities and public services.

b. Additional Accessory uses and structures may be permitted subject to stipulations.

E. RS DISTRICT (Residential and Services)

1. Purpose:

The RS District is intended to permit limited services and similar non-residential uses in addition to residential dwelling units.

2. Permitted Uses and Structures:

a. All principal and accessory uses and structures permitted in any more restrictive District.

b. Hospitals, clinics, sanitariums, nursing homes and assisted living care facilities (intermediate, extended and long-term) for the care of humans.

c. Offices wherein only professional, clerical or sales services (such as real estate or insurance) are conducted.

d. Private clubs and lodges operated solely for the benefit of bona fide members.

e. Accessory uses and structures (located on the same lot with the principal structure).

3. Uses and Structures Subject to Use Permit

a. Outdoor recreation or assembly facilities may be included, subject to a Use Permit.

b. Where the lot is contiguous on two or more sides to a less restrictive District, the requirement for securing a Use Permit is waived (unless otherwise herein provided).

1). Swimming pools located in a required front yard.

2). Personal services, not including the offering of materials or equipment for sale, within enclosed buildings (such as, but not limited to: beauty and barber, massage, photography, group instruction, tailoring and small appliance repair).
3). Mobile/manufactured home parks subject to the requirements of Section 305.
4). Nursery schools; Day Care Centers (child or adult).
5). Transmitter stations and towers for automatic transmitting.
6). Revival tents and similar temporary operations. (See Section 601.D)

4. District Stipulations: Supplementary to or supplanting General Regulations/Provisions (See Part Three).

a. Additional Accessory uses and structures may be permitted subject to stipulations.
b. On-site parking and loading shall comply with Section 403
c. Signs (See Section 404).

F. C1 DISTRICT (Commercial: Neighborhood sales and services)

1. Purpose:

The C1 District is intended to permit limited business uses, as well as residential uses, to provide convenient supporting and service needs for nearby residents.

2. Permitted Uses and Structures:

All principal and accessory uses and structures permitted in any more restrictive District, and the following within enclosed buildings:

a. Antique Sales.
b. Automotive service stations.
c. Baking and confection cooking for on-site sale only.
d. Business offices, banks and similar; including drive-through.
e. Commercial art galleries.
f. Custom service and craft shops (not exceeding 3,000 square feet of shop floor area) as follows: barber, beauty, massage, tailor and cleaning pickup; key and gun, photographic, fixit (home appliance, saw, mower, clock, radio, TV and similar); precision and musical instrument; optical.
g. Dancing, art**,** music and business schools, (prohibiting public recitals, concerts or dances).
h. Hotels and motels with five or more guest rooms.
i. Launderettes (limited to machines not exceeding 25 pounds capacity according to manufacturer's rating).
j. Restaurants and cafes, including drive-through.
k. Retail sales.

3. Uses and Structures Subject to Use Permit

a. Use Permit requirements in more restrictive Districts, unless specifically provided to the contrary, are waived (except for lots contiguous to Residential Districts).
b. Mobile/manufactured home parks subject to the requirements of Section 305.

4. District Stipulations: Supplementary to or supplanting General Regulations/Provisions (See Part Three).

a. All permitted uses and structures shall be operated and maintained in good order.
b. Storage of materials and supplies, for other than residential uses are restricted to buildings closed on all sides. Displays of merchandise are permitted during the establishment's hours of operation and shall not exceed 40 square feet in area on-site.

c. Intoxicating beverage sale is limited to off-site consumption only (except as is otherwise permitted under any more restrictive District, such as private clubs or religious institutions).
d. On-site parking and loading shall comply with Section 403.
e. Signs (See Section 404).

G. C2 DISTRICT (Commercial: General sales and services)

1. Purpose:
The C2 District is intended to permit a broader range of business uses compatible with permitted residential uses in the District and surrounding vicinity.

2. Permitted Uses and Structures:

a. All principal and accessory uses and structures permitted in any more restrictive District.
b. Bars, tap rooms and nightclubs.
c. Bowling alleys and poolrooms.
d. Commercial bath and massage.
e. Commercial parking facilities.
f. Dancing, art, music, business and trade schools (including permission for public recitals, concerts and dances).
g. Custom craft and service shops not exceeding 5,000 square feet of shop floor area.
(1) Cleaning and dyeing limited to closed unit machines with self-contained transmission and using solvents, shampoos, detergents and other agents of chlorinated solvent type and having a rating of five or under by Underwriters Laboratories Inc.
(2) Water distillation and bottling for retail sales only.
h. Frozen food lockers.
i. General repair of automobiles, light trucks, recreational vehicles, cycles, and small stationary or portable machinery entirely within enclosed buildings or attached enclosures of solid material at least six feet in height, but excluding the following:
(1) Any fabrication by means of welding, cutting, heating, bending, molding, forging, grinding, milling or machining. (Such operations are permissible as an adjunct to repair only).
(2) Vehicle frame repair or major body or fender work;
(3) Any work on vehicles outside permitted structures or enclosures, unless on the service apron of a gasoline service station;
(4) Any unscreened outside storage of parts, materials, or disabled vehicles;
(5) Any draining or dumping of oil, fuel, grease, cleaning fluids or hazardous materials on the pavement, gravel, ground, drainage system or in any other unauthorized place or method;
(6) Any hours of operation between ten p.m. and six a.m. within 200 feet of any parcel zoned or used for residential purposes;
(7) Any use or structure failing to comply with applicable local and state fire safety standards.
j. General sales of new and used automobiles, light trucks, recreational vehicles, travel trailers, mobile homes, boats, boat trailers, utility trailers, motorcycles, ATV's, bicycles and small stationary or portable machinery within enclosed buildings. Outside display of such vehicles or similar merchandise shall be permitted only when meeting the following requirements:
(1) A site plan shall be submitted prior to the creation or expansion of outside display for consideration of approval by the Community Development Director, or designee.

(2) Where an area of outside display is contiguous to or abuts a street on the side or rear and is contiguous to, a parcel or parcels zoned or used for residential purposes, a setback of the display area of at least 20 feet shall be maintained from the abutting parcels or street right-of-way.

(3) Where an area of outside display abuts a public right of way (or a private street used as if it were a public right of way), a set back of the display area shall be maintained meeting the following minimum conditions:

(a) Twenty feet from the nearest edge of pavement (or useable road surface); and

(b) Six feet from the right of way line.

(4) No outside display shall interfere with required parking or maneuvering room for employees and customers, nor with required loading areas, fire lanes to the building(s), pedestrian ways or crosswalks, nor safe sight distance for ingress and egress.

(5) Paving of display area shall meet minimum Town road standards.

(6) Landscaping of a six foot strip around the periphery of the display area shall be maintained, except where a zero setback is permitted, such as on internal lot line adjacent to a commercial zone.

(7) Lighting of the display area shall be reduced to the minimum necessary for security purposes after ten p.m.

(8) No unscreened outside storage of parts, nor vehicles or accessories not in operating and saleable condition shall take place on the premises.

k. Mortuaries (loading, unloading and automobile stacking confined to mortuary premises).

l. Pet shops within enclosed buildings not exceeding 1,500 square feet for the display and sale of household pets and other small animals (under 100 lbs.) provided that:

(1) The pet shop is either completely sound-proofed or is no closer than 300 feet from any contiguous parcel of residential property zoned or used for residential purposes.

(2) No on-site incineration shall be permitted.

m. Sales (retail and wholesale) and rentals.

n. Theaters, auditoriums, banquet and dance halls.

o. Vending for on- or off-site consumption of foods, confections, non-intoxicating drinks and other refreshments through openings in buildings (except not within 300 feet of a public or parochial grade or high school).

p. Veterinary clinics and hospitals for the diagnosis and treatment of household pets and other small animals (under 100 lbs.) entirely within an enclosed building not exceeding 3,000 square feet. Boarding of animals incidental to their diagnoses or treatment shall be permitted provided that:

(1) The boarding area is entirely within the same building as the clinic or hospital and does not exceed 50% of the total floor area;

(2) The boarding area is either completely sound-proofed or is no closer than 300 feet from any contiguous parcel of property; and

(3) No on-site incineration shall be permitted.

3. Uses and Structures Subject to Use Permit:

Additional accessory uses or structures may be permitted subject to stipulations.

4**.** District Stipulations: Supplementary or supplanting General Regulations/Provisions (See Part Three).

a. Any future use providing accommodations for public entertainment or assembly between the hours of ten p.m. and six a.m., including but not limited to restaurants, bars, tap rooms, night clubs, bowling alleys, pool rooms, amusement arcades, theaters, auditoriums, banquet and dance halls shall provide a sound-attenuating vestibule for

public ingress/egress with no such exterior point of ingress/egress located within 200 feet of any parcel zoned or used for residential purposes.

b. Storage of materials and supplies, displays (other than signs), and other non-residential uses are restricted to buildings closed on sides facing lot perimeter (except as may otherwise be permitted herein).

c. The Use District Development Criteria Chart (See Section 204) shall prevail for dwelling units, hotels and motels in the C2 District.

d. On-site parking and loading shall comply with Section 403.

e. Signs (See Section 404).

H. <u>C3 DISTRICT (Commercial: heavy commercial)</u>

1. Purpose:

The C3 District is intended to accommodate a broad range of commercial sales and service uses, excluding certain activities and operations for which Industrial District zoning (PM, M1, M2) is required.

2. Permitted Uses and Structures**:**

a. All principal and accessory uses and structures permitted in any more restrictive District (except dwelling units and mobile/manufactured home or RV parks).

b. Body and fender shops including a paint booth within closed building.

c. Bottling plants confined to closed building.

d. Cleaning and dyeing plants within closed building.

e. Commercial ballrooms, arenas, gymnasiums, rinks, pools and indoor shooting galleries.

f. Craft shops and work, storage and equipment yards in connection therewith (limited to 15,000 square feet of floor area).

g. Custom tire recapping.

h. Custom warehouses within closed building and not including animals (limited to 15,000 square feet of floor area).

i. Lumber yards (prohibiting sawmill operations).

j. Pet shops within closed building.

k. Public auction within closed building and not including livestock sales.

l. Sales facilities (retail and wholesale).

m. Small animal hospitals for diagnosis, treatment or boarding (limited to 5,000 square feet of floor area entirely within a closed building) except as provided in Section H-3-c.

n. Transportation terminal and transfer facilities within closed building.

o. Veterinary clinics and hospitals for the diagnosis and treatment of animals, including farm animals or other animals larger than 100 pounds, entirely within an enclosed building, with boarding of animals incidental to diagnosis or treatment, provided that:

1) The boarding area does not exceed 80% of the total floor area;

2) The boarding area is either completely soundproofed or is no closer than 300 feet from any contiguous parcel of property; and

3) no on-site incineration shall be permitted.

p. The following activities will be allowed if confined to a closed building: machining, tooling, assembly, molding, decorating, cleaning, equipping, repairing, servicing, printing, publishing, milling, planing, and meat packing (but not slaughter houses).

3. Uses and Structures Subject to Use Permit

a. Use Permit requirements for lots contiguous to Residential Districts remain in effect.

b. Cemeteries for human or animal internment (See Section 307).

c. Outdoor runs, pens and cages and/or larger building associated with veterinary clinics or hospitals (no less than 100 feet for small animals; 300 feet for animals over 100 pounds from any Residential District for such outdoor use), with special consideration to the neighborhood reaction to the Use Permit application considering type and number of

day and night animal guests; whether to restrict to diagnosis and treatment, or to permit boarding; the extent of outdoor activity; total lot and use area; limitations on permit duration.

d. Public stables, livestock breeding, boarding and sales.

4. District Stipulations: Supplementary to or supplanting General Regulations/Provisions (See Part Three).

a. One dwelling unit, built to commercial building standards and meeting all current building and zoning regulations, may be located within the commercial structure for a caretaker or security person employed by the primary use of the property.

b. The Use District Development Criteria Chart (See Section 204) shall prevail for determining dwelling units permitted in hotels and motels.

c. On-site parking and loading shall comply with Section 403.

d. Signs (See Section 404).

I. PM DISTRICT (Performance industrial)

1. Purpose:

The PM District is intended to promote the development and operation of certain uses(such as, but not limited to, laboratories, light manufacturing and assembly) in a limited manner to foster residential compatibility in the vicinity of such industries. Restrictions on type of structures and uses, control on height and density, prohibitions against open land uses, mitigation of such nuisances as fumes, odors, noise, glare and vibration, prohibition of general retail sales and service or other uses that cater to the general public, as well as landscaping requirements, are established to protect the use and enjoyment of nearby dwelling units; however, prohibition of residential uses in the District, itself, is intended to reserve the PM zoned land for industrial development.

2. Permitted Uses and Structures: Provided such shall meet the intent and purpose of the District.

a. All principal and accessory uses and structures permitted in any more restrictive District (except those prohibited herein under the District Stipulations).

b. In-plant restaurants as an accessory use, and including roof or landscaped patio dining facilities.

c. Manufacturing, machining, tooling, assembly, fabrication, processing, compounding, packaging, mixing, molding; equipping and decorating, glazing, repairing, servicing, cleaning, winding, printing and publishing, binding, weaving, knitting, sewing, baking, cooking, roasting, pickling, brewing, distilling, plating, polishing.

d. Motion picture productions, radio and television studios.

e. Warehouses.

3. District Stipulations: Supplementary to or supplanting General Regulations/Provisions (See Part Three).

a. Residential uses are prohibited (including dwelling units, mobile/manufactured home or RV parks, hotels, motels, rooming and boarding houses and similar).

b. General retail sales and service or other uses that cater to the public, are prohibited.

c. All uses as provided herein shall be confined to closed buildings (except parking, loading and unloading).

d. All development shall comply with the Use District Development Criteria in Section 204.B and Section 400 Development Compatibility.

e. On-site parking and loading shall comply with Section 403.

f. Signs (See Section 404).

J. M1 DISTRICT (Industrial: General)

1. Purpose:
The M1 District is intended to provide the type of industrial facilities that, while not necessarily attractive in operational appearances, are installed and operated in a manner so as not to cause inconvenience or substantial detriment to other uses in the District (or to adjacent Districts).

2. Permitted Uses and Structures:
a. All principal and accessory uses and structures permitted in any more restrictive District (except dwelling units, mobile/manufactured home or RV parks, hotels, motels, rooming and boarding houses and similar); and provided further that unless specifically provided to the contrary the following are waived:
(1) Requirements for Use Permits (except for lots contiguous to Residential Districts).
(2) Area limitations for uses and buildings.
(3) Limitations on hours of operations.
(4) Confining uses to closed (or partially closed) buildings.
(5) Limitations on animal-related uses except that Concentrated Animal Feeding Operations (CAFOs) are expressly prohibited.
b. Dispensing of gasoline and similar petroleum products from exposed storage tanks (subject to requirements of Underwriters Laboratories Inc. or similar), provided no such tank shall be located closer than 25 feet to the lot boundaries.
c. Manufacturing, machining, tooling, assembly, fabrication, welding, milling, molding, equipping, decorating, glazing, repairing, servicing, cleaning, winding, printing, publishing, pickling, brewing, distilling, salvage (but not wrecking), equipment, material and dead storage yards, plating and polishing, meat packing (no slaughtering except rabbits and poultry), animal treating, boarding, breeding and sales, warehousing (including elevators), freight yards, circuses and carnivals, race tracks, and stadiums.
d. Adult oriented businesses as defined in ARS 11-821G provided that no such adult oriented business shall operate in violation of ARS 13-1422 or other applicable law nor be within 500 feet of schools, a church or an existing adult oriented business.

3. District Stipulations: Supplementary or supplanting General Regulations/Provisions (See Part Three).
a. One dwelling unit, built to commercial building standards and meeting all current building and zoning regulations, may be located within the commercial structure for a caretaker or security person employed by the primary use of the property.
b. On-site parking and loading shall comply with Section 403.
c. Signs (See Section 404).

K. M2 DISTRICT (Industrial: Heavy)

1. Purpose:
The M2 District is intended for all types of industrial uses except hazards to health and property; with controls to prevent air and water pollution, radiation, fire and explosion dangers.

2. Permitted Uses and Structures:
a. All principal and accessory uses and structures permitted in any more restrictive District (except dwelling units, mobile/manufactured home or RV parks, hotels, motels, rooming and boarding houses and similar); and provided further that, unless specifically provided to the contrary, the following are waived:

(1) Requirements for Use Permits (except for lots contiguous to Residential Districts).
(2) Area limitations for uses and buildings.
(3) Limitations on hours of operation.
(4) Confining of uses to closed (or partially closed) buildings.
(5) Limitations on animal-related uses except that Concentrated Animal Feeding Operations (CAFOs) are expressly prohibited.

b. All other legal uses except any that may pollute the air or water, or present latent radiation, explosion, or fire danger (unless as may be modified with stipulations under a Use Permit).

3. District Stipulations: Supplementary or supplanting General Regulations/Provisions (See Part Three).

a. The Code Enforcement Officer, from a prospective developer's initial inquiry regarding establishing a use with potential for raising concerns set forth in 2b, above, shall neither encourage such development nor issue permits until such time as further information and assurances of non-hazardous operation are provided. The Town may accept an application for a Use Permit to operate in some modified manner considering alternative means to mitigate potential environmental concerns.
b. On-site parking and loading shall comply with Section 403.
c. Signs (See Section 404).

L. PUD (Planned Unit Development)

The Planned Unit Development designation allows the site planner to propose the best use and arrangement of the land, with fewer constraints than those imposed by the existing zoning. Site planners can arrange buildings in any desirable manner, eliminate setbacks to save natural features, reduce the length and width of roads, cluster without side yards, and similar design adjustments.

1. Purpose: A parcel of land planned as a single unit for residential uses rather than as an aggregate of individual lots and may also provide for various types and combinations of land uses (such as commercial centers, industrial complexes, and public or common spaces with single and multifamily housing), with increased flexibility in site regulations (such as setbacks) or land use restrictions (such as mixed residential use). The greater flexibility in locating buildings and combining residential uses make it possible to achieve economies of construction as well as preserving open space.

2. Scope: The Planned Unit Development regulations that follow shall apply generally to the initiation and regulation of all Planned Unit Development Districts. However, each approved PUD development plan shall be specific to that particular property as approved by Town Council.
a. Where there are conflicts between P.U.D. regulations and the general zoning, subdivision or other regulations, these regulations shall apply in P.U.D. Districts unless the Council shall find, in the particular case, that the provisions herein do not serve the public to a degree at least equivalent to such general zoning, subdivision or other regulations.
b. Where actions, designs or solutions are not literally in accordance with applicable P.U.D. or general regulations, but the Council makes a finding in the particular case that the public purposes are satisfied to an equivalent or greater degree, the Council may make specific modification of the regulations in the particular case (other than area or off-street parking).
c. Except as indicated above, notwithstanding procedures and requirements generally in effect, set forth herein and in guides and standards officially adopted as part of the regulations for particular classes of Planned Unit Development Districts shall apply in Planned Unit

Development Districts, to any amendments creating such districts, and to issuance of all permits therein.

d. It is intended to permit establishment of new Planned Unit Development Districts for specialized purposes where tracts suitable in location, area, and character for the uses and structures proposed are to be planned and developed on a unified basis. Suitability of tracts for the development proposed shall be determined primarily by reference to the General Plan, but due consideration shall be given to existing and prospective character of surrounding development.

e. Within P.U.D. Districts, regulations adapted to such unified planning and development are intended to accomplish purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, and to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety, creative design, and a better environment.

3. Permitted Uses and Structures

Buildings, structures, or premises within the Planned Unit Development shall be used only for the following uses:

a. Single-family dwelling, two-family, multi-family; detached, semi-detached, and attached.

b. Manufactured home parks and subdivisions in accordance with the provisions of this Ordinance and any additional requirements the Council may deem necessary to fulfill the intent of the requirements herein.

c. Home occupations or cottage industries when indicated as part of the development plan or when in accordance with the provisions of Section 303.

d. Clubs not operated primarily for commercial purposes.

e. Community facilities, such as schools, parks, and playgrounds.

f. Neighborhood retail uses and other non-residential uses limited to those enumerated in the C1 and C2 districts may be specifically and selectively authorized as to type and size only when integrated by design as an essential element of the development, and only in an area proposed to be appropriately zoned for said use and approved as provided herein.

g. Industrial uses when designed in accordance with the provisions of the PM District requirements, Section 202-I.

h. Public utility installations.

i. Accessory uses and structures; such uses and structures may be located in the front one-half of a lot, provided they are not nearer the front lot line than the main building or buildings.

4. District Stipulations

a. Unless otherwise approved by Council, the minimum of 25% of the total site area shall be dedicated or reserved as common or public open space, not including areas used for vehicular access and parking.

c. On-site parking and loading shall comply with Section 403.

d. Signs when submitted as part of the development plan or otherwise consistent with Section 404.

M. <u>OS DISTRICT</u> (Open Space Resource Conservation Zone)

1. Purpose:
   The OS District is intended to preserve scenic and recreational areas for public and/or private use.

2. Permitted Uses and Structures
   a. Agriculture and Cultivation.
   b. Flood Control Facilities.
   c. Historical Landmarks.
   d. Public or Private Parks, Golf Courses, Golf Driving Ranges.
   e. Other Outdoor Recreational Facilities.

3. Uses and Structures Subject to Use Permit
   a. Public Utility Installation and Facilities.
   b. Change of Use: Any change in the status of use shall be approved by the Town Council upon recommendation by the Planning and Zoning Commission.

4. District Stipulations:
   a. On-site parking and loading shall comply with Section 403.
   b. Signs (See Section 404).

N. <u>RCD DISTRICT</u> (Residential Camping District)

1. Purpose:
   The RCD District is intended to cover the operation of resident camps which are either private, public, religious, organizational or agency camps. Resident camps are not restricted from operating trip camps, schools, travel, outpost, over-night or day camping programs. (This District is often used for children's "outdoor experience:" summer camps.)

2. Permitted Uses and Structures:
   a. All principal and accessory uses and structures permitted in R1L.
   b. Up to 10% of all allowable units may be recreational vehicles spaces.
   c. Meeting, dining and other structures and services required to provide for residents of the camping programs.
   d. Resident camp sleeping or dorm facilities.

3. District Stipulations: Supplementary to or Supplanting General Regulations/Provisions (See Part Three)
   a. Peripheral setback, consisting of 60 feet of maintained open space (for visual separation, buffering and setback from structures, storage or activities with approved ground cover and/or other plantings which are regularly tended) shall not allow parking, maneuvering or storage.
   b. On-site parking and loading shall comply with Section 403.
   c. Signs (See Section 404).

O. AG DISTRICT (Agricultural)

1. Purpose:
   The AG District is intended to provide for the continuation and preservation of rural living quality on parcels of sufficient area to produce farm crops (and specified compatible principal or accessory uses and structures) including related agricultural business and support uses.

2. Permitted Uses and Structures
   a. Dwelling units:
   1) Not more than two additional dwelling units may be located on any one lot expressly as the domicile(s) for persons or families related to the occupants of the principal residence by blood, marriage or adoption.
   2) Such additional dwellings, upon cessation of the multi-generational, "family farm" relationship by sale or otherwise, may continue to be occupied:
      a) for other permitted accessory or Use Permit uses specified in the District; or
      b) upon land division or subdivision into separate lots, each of which shall meet the area, setback and other requirements of the District.
   b. Activities associated with the growing and sale of crops, trees, plants, vegetation, forage, grasses or other non-animal living organisms intended to be renewable and of beneficial use and recognized by the United States Department of Agriculture as a farm evidenced by a farm number.
   c. Owners of property activities not recognized by the United States Department of Agriculture as a farm evidenced by a farm number where such activities are conducted shall never under any pretext be denied or restricted their right to sell and dispose of their products subject to the following restrictions:
      1) Sales of other producers of food products may be sold only up to 40% of the total gross sales.
      2) Incidental sales of related items are allowed.
      3) Aerial application of any substance is prohibited.
      4) Processing or packaging activities, storing or loading, limited to products allowed under c. and c.1)
   d. Religious institutions in permanent buildings.
   e. Accessory uses and structures including the following:
      1) Storage and loading facilities for products.
      2) Fabrication, storage and repair of equipment used in agricultural activity.
      3) Facilities used by the public for the sale of items permitted as identified above.
      4) Household pets
      5) Fences and free standing walls

3. Uses and Structures Subject to Use Permit
   a. AgriTourism business, intended to maintain and promote the community's agricultural heritage, including facilities for community holiday or seasonal festivals, crop picking, wineries with or without vineyards, retail greenhouses for selling nursery stock and similar economic attractions, which property may provide lodging or camping accommodations, including dude ranches, Application submission, required information, procedures and review are subject to Planned Unit Development (See Section 203.L) criteria and specific showings of:
      1) Location with access to a major highway or arterial (e.g., SR260, I-17, General Crook Highway, Finney Flat Road);
      2) Multiple points of direct ingress and egress for patron safety and direct emergency vehicle access;
      3) Ample improved on-site parking for normal business activity and provision on site for special event overflow parking;

4) Adequate separation distance, limitation of hours of operation, and/or additional impact mitigation to ameliorate negative effects of lighting, noise, traffic, dust and other detrimental environmental factors on nearby residential uses or vacant residentially-zoned property.

5) Provision for patrons' health, safety and comfort such as shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, security for persons and property.

b. Facilities for the temporary housing of agricultural workers employed to work at the location for which the Use Permit is issued.

c. Schools and training facilities for the purpose of teaching agriculture.

d. Museums, displays, demonstration projects and research facilities associated with agriculture.

e. Activities otherwise restricted by 2-c. (1), (2), (3) or (4)

f. Activities associated with the raising of animals and livestock per the requirements of Section 304 of this code with the following restrictions:

1) On site sales limited to those animals produced on site or raised on the property for at least one year.

2) No processing or packaging for sale activities permitted.

g. Activities in excess of the requirements of Section 304 or the restrictions contained in f. (1) or (2).

h. Parks, playgrounds, recreation areas, government facilities and facilities required for the provision of utilities and public services.

4. District Stipulations: Supplementary to or supplanting General Regulations/Provisions (See Part Three)

a. The AG District is presumed to be compatible with all adjacent zoning districts.

b. Parking requirements are calculated on the basis of the sales area and residential dwelling units.

c. On-site parking and loading shall comply with Section 403.

d. Signs (See Section 404).

e. The Use District Development Criteria Chart (See Section 204) details minimum requirements for this District, including minimum lot area of 5 acres.

Section 204 Use District Regulatory Criteria

Use district regulations establish the specifications for building construction on parcels within each designated zone classification. Variations among the several districts differentiate the appropriate parcel sizes and structure spacing necessary to maintain compatibility of land uses, densities and intensities throughout the Town of Camp Verde.

District standards are key determinants for implementing the Town's desired rural, western atmosphere with a range of residential living options, places for commerce, employment, agriculture and open space activities. Zoning district regulations offer basic development distinctions appropriate for a small community -- without becoming unnecessarily complex.

Parcel development standards pertain to the minimum permitted lot areas and dimensions; the height, coverage, placement (including setbacks from property lines) of structures on the parcel. These criteria are further refined, where applicable, by the additional development standards covering siting arrangements, appearance compatibility, parking, signage and outdoor lighting contained in Part Four, Development Standards.

A. Suffix District Lot Area Variations

Minimum lot area requirements may be increased for reasons of density compatibility, variations in terrain or soils, drainage conditions, infrastructure capacity, and other factors relating to the size, spacing and type of structure and/or use to be placed on a lot within a portion of a given zoning district classification. In such district sub-areas, a suffix notation indicating a revised, increased minimum lot area requirement, expressed in thousands of square feet, shall be placed on the Zoning Map to acknowledge the variation in lot area standard. (Example: R1L-12 denotes a minimum 12,000 square foot lot.)

B. Use District Development Criteria

For ease in comparing Camp Verde's district regulations, required measurements for development in each land use category are illustrated in tabular form. (Please refer to footnotes).

DISTRICT	✶ MINIMUM LOT AREA (sq.ft.)	MINIMUM AREA/ DWELLING (sq.ft.)	MINIMUM WIDTH OR DEPTH (feet)	MAXIMUM BLDG HT (stories)	MAXIMUM BLDG HT (feet)	MAXIMUM LOT COVERAGE (%)	MINIMUM BETWEEN BUILDINGS (feet)	MINIMUM FRONT YARD (feet)	MINIMUM REAR YARD (feet)	MINIMUM SIDE YARD INTERIOR / EXTERIOR (feet)	
										INT	EXT
A. R1L (Residential Limited: single-family)	7,500 (or as determined by suffix)	7,500	75 (or as determined by suffix).	2	30	50	10	20	25	7	10
B. R1 (Residential: s-f & cluster units)	10,000	10,000	80	2	30	40	10	20	25	7	10
C. R2 (Residential: multiple dwelling units)	7,500 (Historic Town Site exception)	3,000	75	3	30	50	10	20 [a]	25	7	10
D. R-R (Residential: rural)	87,120 (2 acres)	87,120 (2 acres)	225	2	30	15	10	50	50	25	30
E. RS (Residential: services)	7,500	3,000	75	3	30	50	10	20 [a]	25	7	10
F. C1 (Commercial: neighborhood)	7,500 residential 2,500 commercial	2,000; 300 d.u. for hotels/motels	75	3	40 [b]	50	10	20 [a]	25 [c]	7 [c]	10
G. C2 (Commercial: general sales & services)	7,500 residential 2,500 commercial	1,000; 300 d.u. for hotels/motels	75	3	40 [b]	50	10	20 [a]	25 [c]	7 [c]	10
H. C3 (Commercial: heavy comml)	7,500 for hotels and motels 2,500 commercial	1 caretaker d.u. in the comml. structure; other residential prohibited	75	3	40 [b]	50	10	20 [a]	25 [c]	7 [c]	10
I. PM (Performance Industrial)	70,000	residential prohibited	100' wide/ 300' deep; Not to exceed 650' deep [d]	2	30	15	10	50 [a]	50	25	50 [e]
J. MI (Industrial: general)	same as Commercial Districts [f]										
K. M2 (Industrial: heavy)	same as Commercial and MI Districts										
L. PUD (Planned Unit Devt)	87,120 (2 acre site)	areas, dimensions and building locations established by site plan									
M. OS (Open Space: conservation)	as stipulated for each site										
N. RCD (Res. Camping District	25,000	25,000	130 [d]	2	30	20	20	60 peripheral	60 peripheral	10 peripheral	60
O. AG (Agricultural)	217,800 sq.ft (5 acres)	217,800 sq.ft (5 acres)	500	2	30	5	10	50	50	50	50

✶ Suffix designations, in thousands of square feet (e.g., R1-12 = 12,000 sq.ft. minimum area) may indicate larger lot area required, as shown on Town of Camp Verde Zoning Map.

Notes: Where lots were recorded prior to the Town's incorporation with less area than required above, the Community Development Director may approve reduced setbacks.

[a] 10' maximum front yard setback may apply; see Section 401A

[b] Height Exception; see Section 301.3.b

[c] 0' minimum rear and side setbacks adjacent to C1, C2, C3, M1 or M2

[d] Unless it can be shown that added depth will not block projected streets or alleys.

[e] 50' adjacent to any street, alley or residential; 25' adjacent to other district

[f] 500' between adult-oriented businesses

Abbreviations: s-f = single-family; d.u. = dwelling unit; sq.ft = square feet; bldg ht = building height

PART THREE. GENERAL REGULATIONS/PROVISIONS

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SECTION 300 GENERAL PROVISIONS INTRODUCTION AND PURPOSE, APPLICABILITY AND PROCEDURES

A. Introduction and Purpose

It is necessary to consider the community's health, safety and welfare as well as the protection of private property rights in accord with the implementation of the Town of Camp Verde General Plan and this Development Code. The purpose of General Provisions is to clarify ways that certain activities may be conducted in accord with the Town's unique character.

Part Three addresses those situations or types of land use that may require additional regulatory guidance in any District where the particular condition and/or use occurs. Supplementary criteria for developing, utilizing and maintaining property allow flexible options for the landowner or tenant in some instances. In other cases, provisions guard against practices that could be detrimental to other persons or properties.

B. Applicability

General Provisions shall apply to:

1. Property in any District in which the specified use or condition may occur; and
2. Circumstances that may require flexibility for the property owner or tenant fully to utilize the site; or
3. Mitigate deleterious conditions that impact the community or neighboring properties.

SECTION 301 EXCEPTIONS TO YARD AND HEIGHT REQUIREMENTS

A. Yards and Courts

The required setback for a structure on any property is the minimum yard allowed. No structures other than fences, free standing walls, swimming pools, signs and other structures or projections cited in this section shall be permitted in the required setback. No lot shall be divided or diminished so that the setback and lot coverage requirements cannot be met. Structures on different lots shall not share the same yard to meet setback requirements.

In calculating setbacks, through lots (fronting on two streets) shall be considered as having two front yards. No door, window or other device, when opened, extended or otherwise in operation, shall protrude beyond a lot boundary.

1. Yard Adjustments: (Where the minimum length or width requirements can be met):

a. Side Yard Deviations

1) Any residentially- zoned interior lot lacking rear access shall provide a side yard measuring no less than 9 feet to provide access to any rear parking.
2) On a reverse corner lot backing to the adjoining lot, no structure exceeding a four foot height may be located adjacent to the side street within a triangular area formed by a line connecting the street intersection with the required front setback line of the adjoining lot.

b. Nonconforming Lots – All yards:
Structures located on legal, non-conforming lots shall meet the district setback requirements notwithstanding the substandard area of the lot.

2. Encroachment Into Yards (where not in conflict with future width lines): No structure (other than fences, free standing walls or signs) shall be located so as to encroach upon or reduce any open space, yard, setback requirement, lot area or parking area as is designated under these provisions or under the provisions of the District in which it is located, except that:

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

b. Front Yard Encroachments:
1) A bay window or entranceway less than ten feet wide may project three feet into any required front yard.
2) An attached open porch, balcony or carport may project no more than 6 feet into any front yard.

c. Rear Yard Encroachments:
1) A bay window or entranceway less than ten feet wide may project three feet into any required rear yard.
2) An attached open porch, balcony or carport may project no more than 10 feet into any required rear yard (but no closer than 10 feet from any common lot boundary).
3) A detached accessory structure may be placed in a required rear yard provided it does not:
a) Encroach upon the end quarter of a through lot, or double frontage lot
b) Be nearer the side property line of the front half of any adjacent lot than the required side yard of such lot.
c) No portion of an accessory building to be used for dwelling or sleeping purposes shall be nearer any property line than is allowed for a principal building.
d) Except that none of these provisions for detached accessory buildings shall prohibit their construction in a location farther than 75 feet from any lot boundary.

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

B. Height Limits:

1. **Exceptions to Height Limits:** The district height limitations for buildings are not applicable to spires, cupolas, chimneys, flues, vents, poles, beacons or towers; nor to any bulkhead, elevator, tank (or similar) extending above a room when same occupies no more than 25 percent of such roof area. Any such structure must be so located on a lot that its length (in case of collapse) would be contained within the bounds of the lot unless based on safety engineering data that demonstrates the proposed structure would satisfy this requirement.

2. **Fences and Free Standing Walls:**
   a. The maximum height of a fence or freestanding wall is determined by measuring from the finished grade at the base of the fence or wall.

   b. Fences and freestanding walls within the required yards or setbacks shall maintain the following maximum heights:
      1) Three feet within the triangular area formed by measuring 15 feet along the boundary of roadways and drives from their intersection. This three-foot limit includes hedges and other plantings but may include open fencing above three feet to otherwise permitted height.
      2) Four feet in front yard and six feet in side or rear yards on any residentially-zoned lot (or that portion of other adjoining lots).
      3) On commercial and industrial zoned lots: eight feet.
      4) Where a fence or wall is required as a screening or other protection for residentially-zoned lots, it shall comply with the height limits for fences on residentially-zoned lots.

3. **Buildings:**

   a. No portion of any building exceeding four feet in height shall occupy the triangular area formed by measuring back 10 feet along the right-of-way lines from the intersection of two streets.

   b. Commercial/Industrial buildings may exceed the height limitation noted in Section 203 to a maximum of 50 feet, if the parcel is more than 75 feet from an existing residential development and/or platted residential subdivision.
      1) Additional setback distances are required, calculated by adding one foot for every foot of building above the maximum building height allowed, to the otherwise required setbacks.
      2) Commercial/industrial buildings on parcels closer than 75 feet to a residential development may apply for variance relief based upon topographical and/or other consideration.

4. **Approvals:**
   a. Application will be made to the Community Development Director and appeal to the Board of Adjustment.
   b. Appeal of the Board's decision may be made to the Town Council.

SECTION 302 DETRIMENTAL PROPERTY CONDITIONS

A. Nuisance and Hazards: No use or structure shall be operated or maintained in such a manner as to be an explosive or fire hazard; nor cause smoke, soot, dust, radiation, odor,

noise, vibration, heat, glare, toxic fumes or other negative impact on the community to be emitted into the atmosphere at any time to such an extent as to constitute a nuisance; contribute to neighborhood deterioration; nor divert water-carried waste or pollutants into any open water course or groundwater supply. Any such condition determined by the Town to constitute imminent peril to public health, safety or welfare shall be ceased immediately

1. **Disposing of Materials**: Trash and garbage must be kept contained prior to off-site disposal so as not to be a nuisance.

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

   b. Commercial dumpsters must be kept clean, emptied regularly, kept in good repair, and continuously covered.

   c. The Town will notify the property owner of any violations of the above and take enforcement action, if necessary.

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

   a. The property owner shall be responsible for the removal of dry grasses and weeds exceeding six inches in height AND deemed to constitute a fire hazard by the Fire Marshal or the Zoning Inspector.
      1) The Town shall, in writing, notify the property owner, providing a maximum of 30 days to remove the hazard. Notice will be made by certified mail, personal service or posting of the property.

      2) Failure to remove the fire hazard within the time limit shall result in the Town's issuance of a civil complaint which could result in monetary sanctions.

   b. The dispensing, handling, or disposal of fuels, paint thinner, or similar explosive or fire-producing materials shall comply with Underwriters Laboratories, Inc. standards or better.

   c. The Town shall notify the property owner of any violations of the above and take enforcement action, if necessary.

3. **Graffiti:** To avoid negative impact on the community, and to prevent the spread of gang activity, this nuisance must be removed immediately.

   a. The Town shall notify the owner of the property of the appearance of graffiti on their property, providing five days to remove it.

   b. Failure to remove the graffiti within the time limit shall result in the Town's issuance of a civil complaint which could result in monetary sanctions.

   c. The Town shall notify the property owner of any violations of the above and take enforcement action, if necessary.

4. **Unclaimed Publications:** Unclaimed publications include either depositing the material, or failure to clean it up from the property by removing it.

a. If the publication is subscribed to, the property owner or tenant shall be responsible for the unclaimed publications.

b. If the material is unsolicited, the publisher shall be responsible for the unclaimed publications.

c. Upon discovery of the unclaimed publications, the Town shall notify the violator, providing ten days to remove the unclaimed publications. Notification by the Town shall be made in accordance with Sec 604A 2.

d. The Town shall notify the property owner of any violations of the above and take enforcement action, if necessary, as prescribed in Sec 604.

5. Unsafe Dwelling: All dwellings or portions thereof, that are determined after inspection to be unsafe as defined in this code shall be declared public nuisances.

a. The Town shall notify the property owner of any violations of the above and take enforcement action, if necessary.

b. The owner of a dwelling that has been determined to be unsafe shall post the property as off-limits and erect a barrier around the property.

c. Unsafe dwellings must be repaired, rehabilitated, demolished, or removed in accordance with the Town's adopted building code.

B. Outside Storage: The outside storage of objects and materials shall be permitted as an accessory use where a primary use has already been established in all zoning districts provided the following conditions are met, and, where applicable, compliance with non-compatible screening requirements specified in Section 402A, is maintained:

1. Materials/Equipment:

a. A property owner or tenant may park or store construction, farming equipment or machinery outside, provided such equipment or machinery is in operable condition and is intended for personal non-commercial use.

b. Construction materials may be stored provided they are stacked no higher than six feet and are for use on-site.

c. In C-1, C-2, C-3, M-1 and M-2 zones, “personal use” shall be construed to include those uses incidental to the permitted commercial or industrial uses of the property.

d. The outside storage of objects and materials shall be a permitted accessory use in commercial and industrial zones. Screening shall be provided from non-commercial or -industrial zoned properties located within 200 feet of residential property in accordance with Subsection 302.B.5.

2. Vehicles:

a. A property owner or tenant may park or store any number of personally owned vehicles on residential property where a primary residential use has been established. All vehicles must be for personal use, have appropriate title and/or registration available, be demonstrably operable under its own power, and be parked in an orderly fashion. Vehicles which do not meet these conditions shall be considered general outside storage and shall be subject to screening standards in Section 302-B-5.

b. Auto repair on more than two vehicles at any one time is prohibited in all residential districts.

c. The offering for sale of more than two vehicles at any one time and no more than six in one year (See Title 28, Section 28-4301.1 of ARS), is prohibited in all residential districts. All vehicle titles or registrations must be available at the request of the Code Enforcement Official.

d. All boats, trailers, motor homes, travel trailers, and recreational vehicles shall be kept in good repair, neatly arranged and operable.

3. Mobile Homes/Recreational Vehicles: Moveable living accommodations, other than in Mobile/Manufactured Home Parks or Recreational Vehicle Parks (See Section 305), may be placed on a lot only under the following circumstances:

a. No mobile or manufactured homes shall be stored on any residential lot.

b. Recreational vehicles shall not be used or made suitable for occupancy for longer than 10 days without obtaining a Temporary Use Permit (See Section 601.D). Temporary occupancy, for a period not to exceed 180 days, may be approved upon a showing of appropriate preparation for the requested duration of temporary occupancy which may include, but is not limited to:

1) being hooked up to power
2) being hooked up to water
3) being hooked up to sewer or septic
4) being raised or leveled by means of jacks or blocks
5) having a mail box
6) having any attached or adjacent structure or improvement which enhances the on-site livability and/or decreases the mobility of the vehicle by removal of wheels or axles or hitches on a vehicle normally fitted with wheels and axles and/or hitches.

4. Other Outside Storage: No inoperable or unusable machinery, device, fixture or other object or item that is in disuse, or for use other than on-site shall be stored outside.

a. Firewood may be stored, not to exceed an amount reasonable for one year's on-site, personal use, in other than the front yard, stacked no higher than six feet unless against a structure.

b. A property owner or tenant may place articles of furniture outside, provided such furniture is in good repair and is weather resistant.

5. General Storage Screening Requirements: Any outside storage unable to meet the above conditions or exceptions shall not exceed the height restriction for the solid or opaque portion of a fence or wall and shall be totally screened from the view of any contiguous property, right-of-way or easement.

a. Screening shall be by means of a solid wall, fence, earth, landscaping, dense live plant material, or depression into the ground, or by any combination achieving the same effect.

b. Any outside storage not complying with all aspects of this section 302-B is hereby deemed a public nuisance and shall not enjoy any rights to continuation, restoration, exchange of uses, or expansion as if a lawful non-conforming use, and shall be abated.

SECTION 303 HOME OCCUPATIONS

Limited business use in residential premises (See, also, Cottage Industry, Section 203.A.2.f.8) is permitted as accessory use to the principal living quarters, subject to the following:

A. Allowed Business Activity: Activity incidental to the primary residential use which does not change the character of the neighborhood by detectable lighting, noise, or appearance associated with the activity.

1. Home office activities associated with employment conducted elsewhere.
2. Practicing an occupation, profession or business that can be conducted without negative impact on the residential neighborhood.
3. Personal services, such as beautician or barber; business consultation, such as financial advice, tax preparation, accounting, insurance or real estate; by appointment only.

B. Requirements for Home Occupations: Limitations on home businesses include the following:

1. Not more than one outside employee (not residing on the premises). An additional employee may be permitted, subject to Use Permit approval.
2. Neither sales (retail or wholesale) nor storage of inventory not required for on-site business practice is permitted.
3. Floor area devoted to business use is limited to 25% of the total floor area of structure(s) on the premises in which the home occupation is conducted.
4. Appropriate access and parking spaces shall be provided for business invitees and any outside employees in addition to those required for the residence (See Section 404, Parking).
5. Signage for a home occupation is limited to identification as specified in Section 404F "Nameplate".

SECTION 304 ANIMALS

Keeping of farm animals in appropriate locations and circumstances is regarded as being consistent with the Town's rural character. However, the number, size, type or manner in which animals are maintained on any parcel shall not impair the enjoyment or use of nearby properties or violate other legal restrictions to which the properties are subject. Any lot where farm animals are kept must be not less than one-half acre (21,780 sq ft.) in area.

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

1. Lots of one-half acre to one acre in area may maintain animals totaling up to 24 points as set forth below.
2. Lots of one acre or more may increase the allowable number of points by an increment of six points for each additional, contiguous quarter acre.

B. Animal Points Allowed per Acreage

The allowable type and number of animals permitted on a particular property is computed by the following allotment table:

SPECIES *(or associated types)*	**POINTS**	**SPECIES** *(or associated types)*	**POINTS**
Alpacas:	3 POINTS	Miniature horses, Ponies and Sicilian donkeys:	6 POINTS
Emus:	3 POINTS	Ostriches:	6 POINTS
Pygmy goats:	3 POINTS	Cattle:	12 POINTS
Sheep, Goats:	4 POINTS	Domestic deer:	12 POINTS
Llamas:	6 POINTS	Horses, Mules, and Donkeys	12 POINTS

1. **Prohibited Livestock:** Swine are prohibited within residential zones, unless excepted under paragraph 2c.

2. **Exceptions:**
   a. Young nursing animals are not counted.
   b. Fowl (chickens, ducks, geese, turkeys and peacocks), rabbits, and guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
   c. Swine may only be raised on property of an acre or more under the following conditions:
      1) One pet or butcher pig per parcel.
      2) Additional Swine, breeding or reproduction stock requires Use Permit approval in accordance with Section 302.C.1.
      3) All pens containing swine must meet the setback requirements for the zoning district.
      4) Additional 4-H or FFA swine will require a Temporary Youth Organization Use Permit as set forth in Section 304.C.2d below.

C. Additional Requirements for Keeping Animals

1. **Use Permit:** A Use Permit is required for any of the following:
   a. Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle.

   b. Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses or cattle. (Swine breeding is addressed in paragraph B.2.c).

2. **Temporary Youth Organization Use Permit:** The Community Development Director may issue a Temporary Use Permit allowing the following livestock under the following conditions and using reasonable discretion:

   a. Supervised youth livestock market project of one market animal conducted on property less than one-half acre, or for one swine on less than one acre, for a period specified by a start and stop date not to exceed ten months in duration.
      1) One additional market swine project will be allowed with each additional one-half acre, not to exceed 5 swine per parcel.

2) Swine will be restricted to one market swine project per youth organization member.

b. Supervised youth livestock market project that exceeds the number animals allowed according to the animal points on property greater than one-half acre in size.

c. An application for the Temporary Use Permit shall be submitted to the Community Development Director, or designee, who shall determine that the application meets the criteria set forth in this Code. There will be no charge for the Permit.

d. An application shall bear the signature of the local livestock Youth Advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.

e. If the Youth Advisor agrees in writing to accept all enforcement responsibility for his/her members, no review will be required by the Community Development Director.

1) In September the Youth Advisor must register with the Community Development Department agreeing to this commitment.

2) The Youth Advisor will provide the following documentation to the Community Development Department by December 1st.

i. A roster with the name, address and project type for all active members under their supervision.

ii. Property owner's permission to conduct livestock activity on the subject parcel.

iii. Parent's statement of responsibility.

iv. Contact information for the Youth Advisor.

3) A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the Youth Livestock Organization, the year in which the project is conducted, and number of livestock.

4) If complaints are received and compliance cannot be met, the Youth Advisor will notify the Code Enforcement Official and will support any action taken by the Town.

5) The ultimate decision on whether the activity is in compliance with the current Town Code will be made by the Community Development Director or designee.

f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 601.F.

g. The livestock market projects shall be of a limited duration specified by a start and stop date not to exceed ten months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.

h. In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.

3. Maintenance of Livestock Facilities.

a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.

b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.

c. Where the keeping of such animals becomes a nuisance, as defined in the current Town Code, the Code Enforcement Official shall have the authority to determine a reduction in the number of and/or removal of the animals as necessary to comply with the current Town Code.

d. The Code Enforcement Official has the authority to determine that removal of the animals in circumstances where they constitute a health or safety hazard to human beings is necessary to comply with the current Town Code.

SECTION 305 MOBILE/MANUFACTURED HOME PARKS (MHP)

A. Mobile/Manufactured Home Placement Procedure:

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

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

The fee for all permits shall be determined by resolution of the Town Council. Issuance of permits shall be made by the Zoning Inspector and shall be contingent upon compliance with all health laws and regulations of the State of Arizona and the County of Yavapai; and this ordinance:

Permit applications shall be received and processed according to the currently-adopted Town Building Code.

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

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

2. Use Permit Required for Constructing/Enlarging Park

a. The Use Permit process is required to construct or enlarge a mobile/manufactured home park or RV park by obtaining a recommendation from the Planning and Zoning Commission and approval from the Town Council.

b. Before a Use Permit may be issued:

1) There must be a plan for park development or enlargement approved by the Town Council.
2) The Town Council may require a performance bond from the operator of the park to assure that the park is constructed in a satisfactory manner.
3) The Town Council may require any other improvements and facilities in the interest of public safety, health and welfare. before approving the mobile/manufactured home park or RV park.
4. The Town Council may accept the proposed plan with recommended changes, or reject the plan.
5) Utility service shall not be provided to any unit or other building until approved by the Building Official.

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

1. Mobile/manufactured home parks shall be developed in accordance with the following:

a. Mobile/manufactured home parks shall provide for individual mobile/manufactured home spaces, access driveways, parking and open spaces for recreation.

b. Installation permits shall be issued only to those units that qualify under the currently-adopted Town Building Code as a:

1) Manufactured Home. (HUD label, Arizona Office of Manufactured Housing)
2) Park models for placement in RV parks.
3) Factory built building used as a dwelling unit.
4) Mobile home. (Pre 1976 must have rehab certification issued from Building Department.)

c. A current valid construction permit is required before installation or placement of an approved unit on a lot, subject to the following:

1) Permanent piers, blocks, or foundations are required.
2) Connections to utilities must be made.
3) The exterior elements shall be installed in accordance with the currently adopted Town Building Code and maintained in good condition.

a) For the purpose of this section, skirting and retaining walls shall have an eighteen-inch by twenty-four inch (18” x 24”) under floor area access.
b) Skirting shall be installed around the entire perimeter of the unit within 90 days of occupancy according to and in compliance with the Arizona Office of Manufactured Housing’s Rules and Regulations for skirting.

d. A minimum of two vehicular entrances shall be provided for each mobile/manufactured home park. One entrance may be kept closed to the general public if provision is made for emergency access.

e. All utility lines, cable TV, and electrical transmission lines shall be placed underground. Each mobile/manufactured home lot shall be provided with water, sanitary facilities, electric lines, telephone lines and fire hydrants installed by the developer in compliance with applicable Town Ordinances.

f. Refuse collection areas shall be centrally located and screened from public view.

g. Street lighting shall be provided along the park streets for the safety of pedestrians.

h. A strip of land at least twenty feet in width shall be maintained as landscaped area abutting all mobile/manufactured home park property lines.

2. Mobile/Manufactured Homes: Installation and Maintenance Standards

a. Mobile/manufactured homes shall be installed in compliance with the standards prescribed by the Arizona Department of Building and Fire Safety, Office of Manufactured Housing, for ground level installation; installation of a fully skirted mobile/manufactured home; or installation on a fully enclosed, permanent site-built foundation.

b. No mobile home may be moved into the Town of Camp Verde unless it has been completely rehabilitated pursuant to a rehabilitation permit issued by the Town. Upon completion of all rehabilitation work the owner must submit for a certificate of rehabilitation issued or approved by the Town certifying that the mobile/manufactured home was inspected on (date) by (qualified inspector named) and found to comply fully with mobile home rehabilitation standards prescribed by the Arizona Department of Manufactured Housing and Town of Camp Verde.

c. Mobile/manufactured homes shall be used as dwelling units only.
   1) No mobile/manufactured home or park model shall be placed on a property for use as an accessory structure or storage unit, nor shall be stored on the property unless zoned for such use.
   2) Permits shall be required for the installation, alteration or repair of accessory structures, additions and service equipment in a mobile/manufactured home park.
   3) If the Town Building Official finds that the work described in the permit application conforms with the Town's codes and that the fees have been paid, a permit shall be issued to the applicant.

d. All existing and new mobile/manufactured units, and all parts thereof shall be maintained in a safe and sanitary condition.
   1) All devices or safeguards (including but not limited to smoke alarms and skirting) which are required by applicable codes or by the manufactured home standards to which it was installed shall be maintained in a safe and sanitary condition.

2) The exterior elements (including, but not limited to: eaves, awnings, stairs, porches, skirting, and heating and cooling units) of the unit shall be painted and maintained in good condition.

3. **Community Use Area** shall be at least ten percent of the total area. Such land may include all land devoted to recreation and service facilities, landscaping not included in individual mobile/manufactured home spaces, and accessory parking areas. Such land shall not include recreational vehicle storage areas, private streets, boundary landscaping areas and refuse areas.

a. Mobile/manufactured home parks shall provide at least ten percent of their total area for recreation or other open space purposes.

b. Recreational vehicle storage areas:

1) if provided, shall be at the minimum ratio of 50 square feet of land for each mobile/manufactured home space and shall be a dust-free surface.

2) if no recreational vehicle storage is provided, recreational vehicles shall not be stored at mobile/manufactured home spaces.

4. **Parking Requirements:**

a. A minimum of two off-street parking spaces shall be provided for each mobile/manufactured home. The spaces and the drive shall be dust-proofed and surfaced with crushed rock or similar material.

b. Guest automobile parking shall be provided at a minimum ratio of one and one-half parking spaces for each five mobile/manufactured home spaces (See Section 404).

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

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

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

C. **Recreational Vehicle Park Standards in addition to the requirements of Section 305B.** The following regulations shall apply to all Recreational Vehicle Parks:

1. Recreational vehicle parks shall provide for individual recreational vehicle spaces, access driveways and parking.

2. Each recreational vehicle space shall be at least 1500 square feet in area, and at least thirty feet in width and have a compacted gravel surface at least ten feet in width and twenty feet in depth.

3. A strip of land at least twenty feet in width shall be maintained as a landscaped area abutting all recreational vehicle park property lines.

SECTION 306 GOLF COURSE DEVELOPMENT ENVIRONMENTAL STANDARDS

Every golf course in the Town of Camp Verde shall be developed and managed with consideration for the unique conditions of the ecosystem of which it is a part and, specifically, to ensure that no depletions to the aquifer occur from the irrigation of golf courses and to encourage the use or reuse of effluent.

A. Golf Course Water Conservation Requirements:

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

1. Applicant shall submit plans that demonstrate that the proposed project meets the standards set by the Arizona Department of Water Resource for golf courses in the Active Management Areas including limiting water usage to no more than five irrigated acres per hole times the turf water allotment presented in the water allotment table (Contact the Town of Camp Verde Community Development Department for Water Allotment information).

2. Applicant shall obtain a report from the Arizona Department of Water Resources of physical availability of water demonstrating an adequate water supply for the entire development including the golf course prior to recording the Final Plat/Final Site Plan and prior to construction of the golf course.

3. Applicant shall demonstrate that the proposed development will be of an appropriate size and scale for a given area to generate sufficient effluent or re-use water to meet the entire irrigation needs of the golf course or demonstrate that an alternative supply of effluent or other renewable source of water will be available.

4. Applicant shall submit a water balance study to demonstrate that sufficient water supply other than groundwater will be available for use on the golf course. The format and standard assumptions and criteria will be used as a guide to complete the water balance study.

    a. Applicant shall conduct a monitoring program as it pertains to surface water and groundwater quality and quantity. The monitoring program will be developed in concert with the appropriate approval authorities.

    b. The monitoring program shall evaluate the performance of the wastewater treatment plant effluent discharge quality and quantity for review and approval by the Planning and Building staff or other appropriate agencies.

B. Design and Construction Standards:

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

1. Irrigation, drainage and storm water retention systems that provide for the efficient use of water should be engineered to provide for both the short and long-term irrigation needs of the maintained turf and the un-maintained areas of the course.
    a. Storm water retention systems may require an appropriate surface water right from the Arizona Department of Water Resources.

b. The course shall be designed with strategies that are environmentally responsible, with efficient and cost-effective, sustainable maintenance in mind. The design shall incorporate resource conservation.

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

C. Water Balance Study

The applicant shall conduct a water balance study to demonstrate that the development has a sufficient supply of water other than groundwater to meet the water requirements of the golf course. The water balance demonstration criteria are listed in the "Water Balance Study/Water Allotments" brochure available from the Community Development Department.

SECTION 307 CEMETERIES

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

PART FOUR. DEVELOPMENT STANDARDS

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SECTION 400 DEVELOPMENT STANDARDS INTRODUCTION & PURPOSE, APPLICABILITY AND PROCESS

A. Introduction and Purpose

In the Town of Camp Verde's General Plan, the Vision Statement notes that: "*Camp Verde will maintain its western, rural, friendly and historic atmosphere with scenic beauty while meeting the needs of its citizens by providing shopping and employment opportunities along with reasonably priced housing."* Part Four, Development Standards' purpose is to maintain "*the western/rural character of the town and its visual attractiveness*" while growth and development occur.

Retaining its historic western/rural image, the Town Center Area is the focal point of the community. There is, however, no intention or expectation for duplication of Main Street structures for new construction in other areas of Town. Rather, Part Four is intended to:

- encourage site designs and building appearances along major roadways and gateways into Camp Verde that are compatible with other buildings in the vicinity;
- and, within the Town Center Area, to encourage compatibility with historic and older buildings.
- It is also the intent of these standards to mitigate impact of non-compatible adjacent uses throughout the Town by screening, outside lighting control, safe vehicular and pedestrian access standards, and other regulatory considerations.

Development appearance that is appealing to the small-town, western/rural environment, as opposed to big-city-urban appearances, may best be achieved by:

- Placing buildings so as to visually soften the major arterial and state route corridors rather than visually expand the highway widths. This is achieved through techniques such as locating parking lots so as not to dominate frontage areas; and maintaining the low-profile (e.g. one, two or three stories), western appearance of buildings with

attached front shade structures such as awnings, and by screening and buffering for enhancement.

- The small-town, western/rural identity of Camp Verde is best maintained by encouraging new non-residential construction in the Town Center Area to be oriented for pedestrians with sidewalks, awnings or other shade structures and front display windows, and with parking located behind the building and/or in street right-of-way.

B. Applicability and Exemptions

1. Sections 401, 402 A and B (except as exempted below in this section), and Sections 403, 404 and 405 shall apply to all new construction, and to any major addition, expansion, remodeling, or renovation of existing buildings and structures, and to any change of use and/or change of zoning designation from single-family residential to multi-family residential or to any non-residential use.
2. In addition to the Sections required above, Sections 402C and D shall also apply to all new multi-family or non-residential construction and to any major addition, expansion, remodeling, and renovation of an existing building or buildings on a lot or parcel located adjacent to any major corridor such as SR-260, General Crook Trail, Finney Flat Road, Main Street, Middle Verde Road/Montezuma Castle Hwy and I-17 including frontage roads, or any parcel or lot located within the Town Center Area.
3. Any enlargement of useable floor area that exceeds 25% of the existing structure's floor area or exceeds 5000 sq ft shall constitute a major addition, expansion, remodeling or renovation.
4. **Exemptions:** the following are exempted from requirements of Section 402: single-family residences, temporary sales and construction offices, public utility electrical transmission structures, and buildings used in the production or raising of agricultural products are exempted (including temporary agricultural product sale stands); except that permanent buildings, structures and parcels used solely for the sale of agricultural products and high voltage reduction substations are not exempt and shall comply with Section 402 when located within the areas specified above in Section B. 2.

C. Process

1. Internal Review – The intent is for expeditious one-step review by the Community Development Director when submittals are complete and in compliance with these regulations; some larger or special developments may require additional review by the Planning & Zoning Commission and Council; the Community Development Director and/or other designated official's decision may be appealed to the Planning & Zoning Commission and Council.
   a. A Pre-Application meeting is required prior to submittal of complete project plans with the Community Development Director and/or other designated official for consideration of development standards and other regulations.
   b. Submittal documents listed in subsection D must be complete and filed with the application and appropriate fees for review; the Community Development Director may request additional documents for further clarification of the proposed development elements.
   c. The Community Development Director and/or other designated officials shall review the application and project documents; upon findings that the submittals are in compliance with these and other regulations of the Town, the project plans will be approved by the Community Development Director.
   d. If minor modifications from the requirements of these regulations are requested due to physical site constraints, the Community Development Director shall have the authority to approve the minor modifications when deemed necessary for the orderly development of the project; examples of physical site constraints are: difficult topography, soil conditions, drainage and other existing physical features.

1) After conferring with appropriate Town departments when necessary, the Community Development Director shall prepare a written decision of the approval or denial stating the reasons justifying the action taken on a modification as requested;

2) An appeal of the Community Development Director's action on a requested modification may be filed for review by Town Council within thirty (30) days as specified in Sec 400C 2 below.

2. Legislative Reviews - Any development project with potentially significant impact on surrounding properties (such as due to large development area, building size or height, high generation of traffic, or intensity of uses) may be required to obtain legislative review by the Planning and Zoning Commission and Town Council for decision and action after full submittal documents are received by the Community Development Director.
3. Internal Review Appeals
   a. Internal Review decisions of the Community Development Director may be appealed in writing, specifying the reasons for the appeal, or for/against a requested modification, and filed in the Community Development Department;
   b. Appeals for decisions of the Community Development Director shall be in compliance with the procedures described in Part Six of this Ordinance for public hearings.

D. Submittals

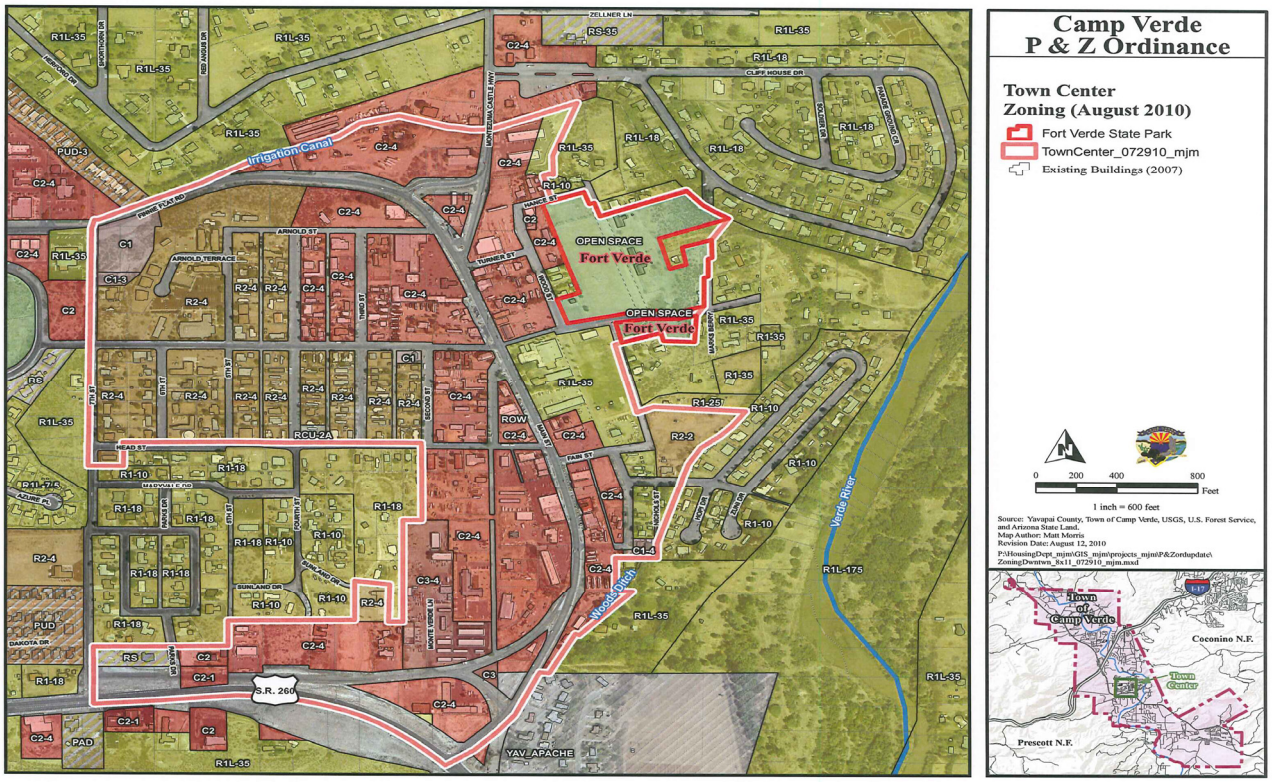
All new construction, development and major expansion, as specified in Section 400 B. Applicability and Exemptions, shall submit an application, filing fees and the following documents for review and approval.

1. Site Plan drawn to scale and fully dimensioned, including:
   - Property boundary lines
   - Adjacent streets, alleys, sidewalks or trails
   - Existing and/or proposed points of vehicular access
   - Existing major terrain features and topographic contours and proposed grading changes
   - Existing and/or proposed drainage ways and detention areas as needed
   - Existing and/or proposed easements for utility lines, drainage, ingress and egress or other
   - Locations of existing and proposed buildings, signs, light posts, fences, walls and other structures, all fully dimensioned and with dimensions between structures and to lot lines
   - Location and layout of on-site parking spaces and driveways, and loading areas and access
   - Locations, dimensions and materials planned for walkways, landscaping and other outdoor amenities
   - Locations, types and sizes of devices proposed for screening of refuse collection areas, outdoor mechanical equipment and storage, parking and loading areas
   - Locations, types and sizes of materials or structures for buffering of adjacent residential uses
   - North arrow and scale of drawing
   - Notations showing: proposed primary and accessory uses; owner/ developer's name, address and contact data; engineer, architect, planner or other preparer of the site plan
   - Notation that site improvements shall be designed in compliance with the Town of Camp Verde Engineering Design and Construction Standards.
   - Other materials as may be requested by the Community Development Director
2. Appearance Compatibility Drawings are required for non-residential and multi-family developments located adjacent to any major corridor such as SR 260, General Crook

Trail, Finney Flat Road, Main Street, Middle Verde Road/Montezuma Castle Hwy and I-17 including frontage roads, or any parcel or lot located within the Town Center Area (see Town Center Area Map). Appearance Compatibility Drawings include the following:

- Dimensioned, scaled elevations of any building facade facing a street in the Town Center Area or fronting a major corridor
- Dimensioned, scaled elevation and plan drawings of outdoor lighting structures and signs
- Dimensioned, scaled landscape and irrigation plans depicting the locations, size and type of plant and irrigation materials to be installed in the following areas:
    - Areas along or between sidewalks and streets, and within parking areas
    - Landscaping used as screening materials between non-residential and residential uses, and/or to screen non-residential parking areas from adjoining residential uses
- Descriptions of the proposed buildings/structures compatibility with the character of buildings in the vicinity (i.e., adjacent on the sides or across the street frontage, other than across I-17), and with the western/rural small-town image of Camp Verde; compatibility descriptions may be written or graphic (photographs of existing comparison buildings are recommended), and shall address the following features:
    - height, scale, proportion and profile
    - building façade patterns and architectural details
    - surface texture, materials and color

TOWN CENTER AREA MAP



SECTION 401 DEVELOPMENT SITE STANDARDS

A. Building, Access and Parking Orientation

1. To sustain the western/rural small-town image of the Town of Camp Verde, the impact of major high traffic, vehicular corridors should be mitigated through the site orientation of buildings and parking areas as follows:
   a. Unless undue difficulty exists due to steep terrain or other existing natural features of the site, as determined by the Community Development Director(see Section 400C 1d), all buildings shall be located at or within ten feet of the front property line; and,
   b. buildings shall be oriented to pedestrian access from internal circulation paths connecting to off-site pathways or trails, and to on-site parking areas; and,
   c. all ingress, egress and on-site parking and circulation shall be designed to promote both driver and pedestrian safety and convenience;
   d. on-site parking areas shall be located to the side or rear of the building; except,
   e. where difficult terrain exists, the Community Development Director has the authority to approve some minimal amount of required parking in the front of the building and modifications to the building setbacks, each not to exceed 25%.
2. The same or similar front yard setbacks for new buildings and additions to existing buildings shall be maintained as those on the same block, except that no new building or addition shall be set back solely for the purpose of locating parking in the front yards where site areas are available for parking to be located in the rear or side yards.
3. Vehicular access to parking and loading areas shall consist of a hard-surfaced, permanent driveway from the street through the side or front of the lot in compliance with driveway and access standards of the Town's Engineering Design and Construction Standards; vehicular access may be from an alley through the rear or side yard where an alley exists or is proposed;
4. The required numbers of parking and loading spaces and layout design specifics are described in Section 403 Off-Street Parking and Loading Regulations.

B. Grading/Drainage/Detention

1. These regulations are intended to supplement the requirements of the current adopted building code in regulating the grading, excavation and filling of land which is not associated with mining or quarrying, or existing agricultural uses (i.e., those in operation as of January 1, 2002, and in which grading is only incidental and required to continue the existing operation) located within the Town corporate limits.
2. Permits are required for all grading pursuant to the requirements of the current adopted building code, as may be amended by the Town, and in conformance with the further requirements of this Ordinance.
3. Any grading on any parcel requiring an engineered grading plan under the currently adopted building code, or any grading that disturbs in excess of two acres within any one-year period, which is not mining or quarrying or agricultural use as defined in Part One, shall obtain a development grading permit;
   a. In addition, the applicant is required to obtain a building permit, appropriate zoning or a development agreement associated with the project requiring grading prior to issuance of a development grading permit;
   b. The applicant may be required to post a bond or other surety, in a form and amount acceptable to the Town to ensure completion of the grading and/or reclamation of the property prior to issuance of a development grading permit;
   c. In the event the area of actual grading is within 1320 feet of any residentially zoned property, the Town reserves the right to place operational limits on said grading to protect the health, welfare and safety of the adjacent neighborhoods to include, but not be limited to hours of operation, access, dust control, light control, and noise control;

d**.** Development grading permits will expire automatically one year after issuance. Upon expiration an applicant may reapply for a new permit subject to the conditions of this ordinance, as may be amended.

4. Applications for grading permits shall be accompanied by analyses of on-site and off-site drainage, including calculations and location for on-site detention where necessary;
5. All grading, drainage and detention must comply with the Yavapai County Drainage Criteria Manual and the Town of Camp Verde Engineering Design Requirements;
6. Grading permits shall be processed in accordance with Part Six, Administration and Procedures.

SECTION 402 DEVELOPMENT COMPATIBILITY, PROTECTION AND APPEARANCE

A. Protective Screens/Buffers

1. Protective Screening is intended to be a buffer between non-compatible uses or districts and is required where a non-residential use or district abuts any residential use or district, or where a multi-family use or district abuts a single-family use or district;
   a. although screening devices are intended to protect, it may not be entirely feasible due to differences in ground elevations that may exist between adjoining or nearby properties; and,
   b. under severe terrain elevation differences or circumstances, the Community Development Director has the authority to modify the screening requirements.
2. Protective screening devices may be walls, berms, depressions, fences, vegetative matter and other similar devices designed for the purpose of providing an opaque visual barrier between two properties containing non-compatible uses as specified above, and,
   a. where a structural screening device is used, it shall be of materials, finishes and colors similar to that of the site's proposed building, or to that of other properties on the same block;
   b. where a non-residential activity is completely contained within a building and does not include outside storage, the building's walls may serve as a screening device;
   c. undeveloped or landscaped portions of a property may be used to buffer a non-residential activity from surrounding properties when the non-residential activity is located at least 200 feet from a property line adjoining a residential use or residential district and is situated on a parcel of at least ten acres in size.
3. Protective screening devices six feet in height are required to buffer non-residential activities and outdoor storage, mechanical equipment, refuse collection and loading areas;
   a. in commercial and industrial zoning districts, screening devices may be a maximum of eight feet in height;
   b. where mechanical equipment is roof-mounted, screens or parapet walls consisting of the same or compatible materials as those of the building's walls shall be installed to provide screening from the street and adjacent properties;
4. Protective screening devices six feet in height are required when parking and maneuvering areas in rear or side yards abut residential uses or districts;
   a. in commercial and industrial zoning districts, screening devices may be a maximum of eight feet in height;
   b. where portions of parking areas may be located within front yard setbacks, screening devices shall be at least three feet in height.
5. Screening along a public road may be required as part of a Town Council approved Transportation Corridor Protection Plan.
6. Screening Deferral: The owner of a property may defer installation of required screening if no residential activity or zoning district exists within 400 feet of the proposed non-residential activity per the following:

a. Post a financial assurance with the Town in a form and amount satisfactory to the Town to cover the cost of the screening.
b. Record a notice on the deed indicating the screening has been deferred, an assurance posted and that the property is subject to the screening requirements in the future.
c. Upon the establishment of a higher zoning district activity within 400 feet of the activity for which the screening has been deferred, those responsible for the deferred screening will have one year to install the screening. If at the end of one year the screening has not been installed, the Town will cash the financial assurance and have the screening installed. The Town reserves the right to collect any additional funds required for the installation of the screening.

7. Screening of an existing non-residential use shall not be required if an abutting property is rezoned in the future from a non-residential to a residential zoning district. *(Sec108 B.5)*

B. Protective Landscaping

1. Landscape materials are intended to provide protection through shade and screening in addition to visual softening effects to the frontages of buildings and to the hard surfaces of paved areas, and are required in the following.

2. Landscape Materials and Irrigation

a. Materials shall include low level shrubbery (one to three feet in height), such as 5-gallon shrubs, and,

b. Trees that are capable of providing shade, such as 15-gallon trees, at a minimum ground clearance height of six feet within three years of installation.

c. Inorganic ground covers such as crushed rock or decomposed granite, over weed control fabrics may be used to augment, but not replace living plants, shrubs and trees.

d. Tree and shrubbery species shall be drought tolerant and selected from the Low Water Use Drought Tolerant Plant List of the (e.g. Arizona Department of Water Resources); and

e. Water conserving irrigation systems such as drip systems shall be installed for the maintenance of all landscaped areas.

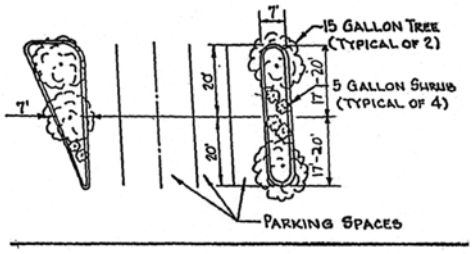
3. Landscape in Parking and Access Areas

a. Where parking areas abut a street on the side or rear contiguous to a residential district, there shall be a landscaped border not less than six feet in width; and,

b. a minimum of fifteen percent of all parking lot areas shall be landscaped; calculations shall include entire area of the parking lot; and,

c. Landscape materials shall be capable of providing shade to pedestrians along or between sidewalks and streets, and to parked vehicles and pavement within parking areas.

d. Landscaped areas within access ways, aisles and parking areas shall be located to direct and/or separate vehicular traffic from pedestrian circulation for safety using appropriately located landscaped islands and perimeter landscaping (see example of typical landscape island).



TYPICAL LANDSCAPE ISLAND

4. Landscape Screening

a. Landscape materials capable of achieving opaque screening to a height of six feet (6'), measured above the average elevation of the ground level within a five-foot radius of the point of measurement, may be planted or may be used in combination with walls or fences, as screening materials between non-residential activities and residential uses, as per the above regulations of Section 402 A;

b. Landscape materials capable of achieving opaque screening to a height of three feet measured above the average elevation of the ground level within a five-foot radius of the point of measurement, may be planted or may be used in combination with walls or

fences, to screen non-residential parking areas from adjoining residential uses, as per the above regulations of Section 402 A;

5. Foundation Planting - Low level shrubberies (one to three feet in height) shall be planted at or near the foundation of the front of the principal building;

C. Appearance Compatibility

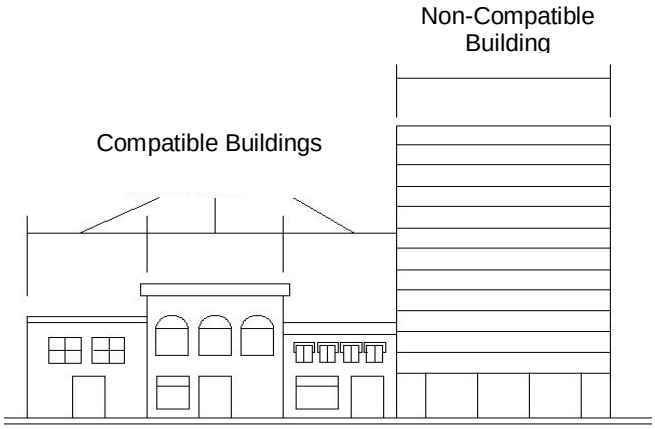
1. Appearance standards are intended to provide compatibility of non-residential and multi-family buildings and structures with those nearby, and to maintain the western, small-town image of Camp Verde. Appearance compatibility standards, as specified in Section 400 B Applicability and Exemptions, regulate development located along major corridors and within the Town Center Area.
2. Proposed buildings and structures shall be compatible with the character of non-residential buildings in the immediate vicinity (i.e., adjacent on the sides or across the street frontage, not including across I-17), and in keeping with the western/rural small-town image of Camp Verde, addressing the building features that follow; except that special design appearance features may be permitted in areas which may be planned for redevelopment and/or large-scale projects when approved as part of a Planned Unit Development (see Section 203 L).

a. Height, Scale and Proportion. For compatibility of appearance, new buildings and additions shall be similar in height, scale and proportion to that of other buildings on the same block or blocks, as described below.

1) Building Height pertains to both the vertical distance from the ground to the highest point of a building and to the number of stories in the building (primarily low profile, one, two or three stories), and shall comply with the height regulations specified in Part Two, Zoning Regulations and/or permitted exceptions in Part Three, General Regulations Section 301B; also refer to the full definition of, and methods for measuring Building Height in Section 103. (See C2 above for special design heights in Planned Unit Developments.)

2) Scale and Proportion pertain to the relative size (scale) and the ratio of building height to building width (proportion) with emphasis on pedestrian-related scale to maintain a western, small-town image.

HEIGHT, SCALE AND PROPORTION

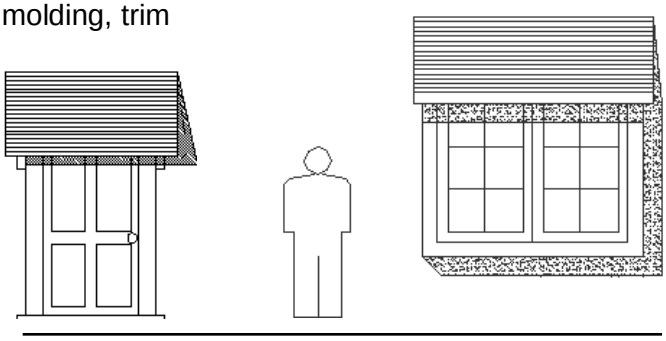


b. Building Profiles and Features**.** For consistency of a western, small-town image that the residents of Camp Verde value, new buildings and additions shall have roof profiles and architectural features similar to existing buildings on the same block or area, as follows:

1) similar roof profiles shall be maintained: where existing roof types are primarily pitched roofs, similarity in the roof type and pitch is desired; and, where roof types are flat or parapet, similar types shall be used; combinations of pitched or parapet roofs may be appropriate when height, scale and proportion are compatible; and,

2) building entries and doors shall be the focal point of the building's front with protection from weather by either being recessed or by the use of attached porches, small roofs or awnings; and,

3) where windows front on streets, they shall be designed to relate to pedestrian views on the first story, enhanced by molding, trim boards or other architectural detailing; and display windows shall have continuous awnings or canopies protecting pedestrians from weather;
4) mirrored glass and large glazed wall areas are not permitted, except that merchandise display windows in storefronts are permitted;



DOORS & WINDOWS

5) architectural enhancements such as awnings, canopies, balconies, recessed or relief bands of detailing are encouraged;
6) windows above the first floor in multi-storied non-residential buildings shall be placed so as not to overlook adjacent residential uses; and,
7) attached porches having a minimum depth of six feet and running along at least 30% of the front of the building are encouraged on multi-family residential buildings.

c. **Building Surfaces.** Intended to maintain the western, small-town character of Camp Verde, buildings shall be of exterior surface materials and coloration compatible with much of the existing stock, especially in the historic areas. The exteriors of Camp Verde buildings which relate to the western, small-town image are largely of stone, masonry, wood or stucco with colors primarily in natural, earth tones and muted shades, with occasional “old barn” reds.

1) in addition to trim and accent materials, the primary wall areas of buildings fronting streets shall be limited to no more than two different exterior materials, for example stone, wood or brick;
2) the primary wall base color shall be compatible with that of adjacent buildings on the same block; with complementing trim and accent colors; and,
3) colors that visually overpower adjacent buildings are not permitted.

D. Historic Preservation

1. Applicability: the provisions of this section will apply to any building, structure, appurtenance, right-of-way, utility, irrigation ditch, or physical improvement, which meets the following criteria:

   a. Is subject to any intentional modification requiring the approval of the Town or issuance of a Town permit; <u>and</u>

   b. Is located in a Town recognized or designated historic preservation district; or

   c. Is over 50 years old; or

   d. Has historical significance.

2. Application for Approval: Any application for activities requiring Town approval will include a statement, certified by the applicant, that the activity will not impact items identified in 1b and c. The Town reserves the right to require documentation supporting the certification including, but not limited to:
   a. History and current condition of resource
   b. Proposed activity and potential impact on resource
   c. Photographic record of resource
   d. Proposed efforts to mitigate impact on resource.
3. Review of Non-Certified Applications: Any application not certified or adequately documented per D. 2 will be subject to the Special Review Provisions of D.4, as follows.

4. Special Review Provisions**:** All applications subject to these provisions will be processed as follows:
   a. Applications, with supporting documentation, will be submitted to the Community Development Director for review.

   b. The Community Development Director, with advice from appropriate staff, consultants and Commissions, will determine if said application is consistent with the preservation of the historic heritage of the community and is approved as submitted or if mitigation pursuant to subsection 5 as follows is required.

   c. The Community Development Director will transmit the Director's determination, in writing, to the applicant and the department responsible for regulating the activity subject to review. The written determination, with any mitigation provision, will become part of the application file and will be a condition to the issuance of a permit or approval of the activity.

   d. Any application not acted on within 60 days of submission to the Community Development Director will be considered approved as submitted.
5. Mitigation Requirements**:** Mitigation requirements will bear a rational nexus and reasonable financial relationship to the activity proposed and may include, but not be limited to:
   a. Suitable construction methods to protect the resource
   b. Suitable design to protect the resource or ensure the activity is compatible with the resource
   c. Documentation, including photographic record, detailing resource
   d. Site plan approval
   e. If resource is to be destroyed or removed, option for first right of refusal acquisition by Town
6. Limitation of Section**:** Nothing in this section will be construed to require the Town to approve any permit, application or request by virtue of compliance with the provisions of this section. The Town reserves the right to use impact on historic resources as a factor in deciding to approve or disapprove any project requiring Town discretionary authority, including requests for rezoning or issuance of use permits. Nothing in this section will be construed to limit the Town authority under Federal, State or local law or limit the Town's right in the exercise of eminent domain.

SECTION 403 OFF-STREET PARKING AND LOADING

A. Purpose and Intent

1. Off-street Parking and Loading Regulations are intended to provide for the orderly design of parking areas for safety and convenience of motorists and pedestrians.
2. The maintenance of the western, small-town image of Camp Verde is encouraged through the design of parking area enhancements:
   a. by reducing frontage parking domination; and,
   b. by reducing congestion on public streets*;* and
   c. by reducing dust, gravel and other debris.

B. Applicability

1. Off-street parking is required as an Accessory Use to any Principal Uses permitted. No building permit shall be issued nor use operated other than in conformity with such parking requirements.
2. The standards for providing off-street parking shall apply at the time of the construction of any main building or when off-street parking is established.
3. These standards shall also be complied with when:
   a. an existing building is altered or enlarged by the addition of dwelling units or guest rooms, or

b. where the use is intensified by a change of occupancy, except as specified in Part One for legal non-conforming uses, or

c. by the addition of floor area, seating capacity or seats.

4. Off-street automobile parking spaces being maintained in connection with any existing main building or use shall be maintained so long as the main building or use remains; this regulation shall not require more automobile parking space than is required for a new building or use.
5. Where insufficient off-street automobile parking space is provided and maintained in connection with any existing main building or use, or where no such parking has been provided at the time this Ordinance became effective, it shall be considered a legal non-conforming use as described in Part One; and,

   a. Such building or structure may be expanded or enlarged only if automobile parking spaces are provided for an enlargement, extension or addition to the standards set forth in these regulations;

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

   c. Within the boundaries of the Downtown Parking District, described as that property located between Arnold to General Crook Trail and 4th Street to Woods Street, the parking requirements of this section will not apply to any building which existed on the effective date of this ordinance; such existing building is presumed to have sufficient parking for its existing use and for changes of use, and internal and external remodeling so long as such changes do not increase the square footage of the existing building, and shall be considered a legal non-conforming use as described in Part One.

C. Location and Sharing of Required Parking Areas

1. Residential off-street parking shall be located on the same lot as the spaces are intended to serve.
2. Off-street parking for non-residential uses shall be located on the same lot as the use they are intended to serve, or, within 300 feet of the premises they are intended to serve, as part of a development plan with approval from the Community Development Director or from the Planning and Zoning Commission and the Town Council; where such off-site parking is proposed, applicant shall provide evidence of ownership or long-term lease/ easement for parking use.
3. Off-street parking areas for non-residential and multi-family uses shall be located to the side or rear of the building; except where difficult terrain exists, in which case the Community Development Director has the authority to approve some minimal amount of required parking in the front of the building not to exceed 25%.
4. Where there is a combination of uses on a lot, the number of automobile parking spaces shall be the sum of the requirements of the various uses. If the Community Development Director determines the uses would not be operated simultaneously, the number of automobile parking spaces shall be determined by the use with the highest parking demand.
5. This Ordinance shall not be construed to prevent the joint use of parking spaces for two or more buildings or uses if the total of such spaces when used together is not less than the sum of spaces required for the various individual buildings or uses computed separately.
6. Provisions shall be made for maintenance of common service areas by a corporation, partnership, trust or other legal entity having the right to access or place a lien upon the individual lot owners for all necessary costs and/or expenses.

D. Improvement and Design Standards for Off-Street Parking

1. Required off-street parking for all uses, except for single family residential, shall comply with Section 401 B Grading/Drainage/Detention, and shall be improved and maintained with rolled, dust-free, all-weather surfaces;

2. Except for single family residential, the parking lot shall be designed so that vehicles exiting from it will not be required to back out across any sidewalk or street;
3. The curb-cut or space utilized for ingress and egress for a parking area shall not exceed 40 feet in width measured along the street frontage and shall not constitute more than 50 percent of the total frontage of the parking area;
4. Ingress and egress from parking areas shall not be located less than thirty feet from any intersection;
5. Each required parking space shall be 9' x 20'; except that parallel parking spaces (0 degree) shall each be 8'-6" x 23'.
6. Required off-street parking shall comply with the following design layout depicted and minimum dimensions indicated in the following table.

Minimum Parking Design Dimensions

Parking Angle	Curb Length	Stall Depth	Parking Aisle/ Driveway Width	
			1-Way	2-Way
0˚	23'	8'-6"	12'	20'
30˚	17'	16'-6"'	12'	20'
45˚	12'	18'-6"	13'	21'
60˚	10'	20'	18'	22'
90˚	9'	20'	24'	24'

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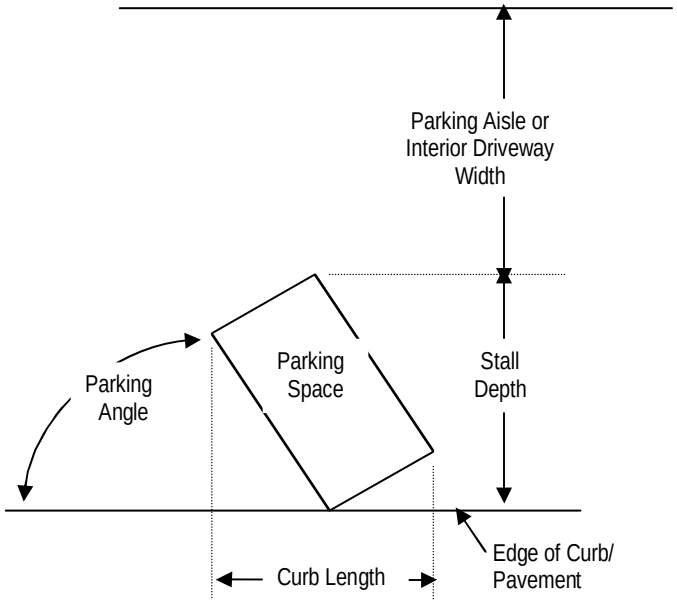


OFF-STREET PARKING DESIGN LAYOUT

7. Where handicapped accessible parking spaces are required, the number, size, type, location, aisle widths and other design features shall comply with currently adopted building code; such spaces are counted toward the required number of off-street parking spaces listed in Section 403 E.
8. Where public parking areas abut a street on the side or rear contiguous to a rural or residential district, there shall be a landscaped border not less than six feet in width.
9. A minimum of 15% of all parking lot areas shall be landscaped; landscaped islands shall be used for directing safe internal traffic circulation as appropriate.
(See Section 402B)

E. Required Off-Street Parking Spaces

1. Off-street parking spaces shall be provided for each specified use in accordance with the schedules that follow.

RESIDENTIAL/QUASI-RESIDENTIAL USE	SPACES REQUIRED
Single-Family Dwelling Units including Townhouse, Patio Home, Manufactured Home, & Duplexes	2 per dwelling unit residence
Multiple-Dwelling: Efficiency units	2 per dwelling unit
Multiple-Dwelling: One bedroom units	2 per dwelling unit
Multiple-Dwelling: Two or more bedroom units	2.3 per dwelling unit
Rooming house, B&B, fraternity/sorority, resident/club	1 per sleeping room or 1 per bed, whichever is greater
Mobile/manufactured home parks	2 per mobile/manufactured home
Elderly housing developments	1.5 per dwelling unit
Resident assisted living or group home: for elderly, disabled or handicapped	0.5 per room or bed plus 1 per employee/shift
Non-resident day care, children or adults	1 per 6 clients
Churches, Places of Religious Worship	1 per 4 fixed seats or 1 per 50 sq ft of seating/assembly area
COMMERCIAL FOOD, BEVERAGE & LODGING:	SPACES REQUIRED
Restaurants, bars	1 per 50 sq ft of public floor area plus 1 per employee
Drive-in food or drink places with on-site consumption	1 per 50 sq ft of public floor area plus 1 per employee
Drive-through food or drink places	1 per 50 sq ft of public floor area plus 1 per employee; plus 5 stacking spaces per window
Hotel, motels, and similar lodging	1 per guestroom or suite plus 1 per 2 employees
RETAIL & GENERAL BUSINESS:	SPACES REQUIRED
Retail stores (except where otherwise specified)	1 per 200 sq ft of useable public floor area
Shopping centers	Requirements for all uses elsewhere specified under unified control; plus 1 per 200 sq ft of remaining useable floor area
Furniture & appliance stores, household equipment	1 per 800 sq ft of useable floor area
Barber shops, beauty shops, personal care shops	2 per service chair
Self-service laundries & dry cleaners	1 per 3 washing machines
Carwash	1 per employee, plus 1 per bay plus 3 stacking spaces per bay
Gas service stations, convenience markets	1 per gas pump plus 2 per service bay plus 1 per 200sq ft convenience sales area; plus 2 stacking spaces per pump
New, Used Car, Recreation Vehicle sales/lease lots	1 per 200sq ft office area, plus 1 per each 1000sq ft sales-display area
Motor vehicle, large machinery/equipment sales	1 per 800 sq ft of machinery sales floor area
Bus depots	1 per 150 sq ft of waiting room space
Open-air business	1 per 500 sq ft of sales area for first 2000 sq ft, plus 1 per each additional 2000 sq ft
Business & medical offices and services:	1 per employee plus 1 per 200 sq ft of floor area
Banks and drive-through banks	1 per employee plus 1 per 200 sq ft of floor area; plus 3 stacking spaces per teller window
Wholesales, discount stores	1 per employee plus 1 per 1000 sq ft of floor area
RECREATION & ENTERTAINMENT:	SPACES REQUIRED
Archery or shooting ranges	1 per station or lane plus 1 per 2 employees
Bowling alleys	4 per lane plus 1 per five seats plus 1 per 2 employees
Billiard parlors, pool halls and similar recreation	1 per 2 billiard/pool table plus 1 per 2 employees
Gymnasiums, health studios	1 per 400 sq ft of useable floor area plus 1 per 2 employees
Private clubs or public tennis, golf and similar uses	1 per 2-member family or individuals, or 2 per court & 4 per hole; plus 1 per employee, plus 1 per 200 sq ft of useable enclosed building area
Skating rinks, dance halls, dance studios	1 per 3 persons of max capacity permitted by fire regulations
Theaters, auditoriums, areas, indoor/outdoor stadiums, amusement parks, tracks & similar	1 per 5 seats
OTHER BUSINESS & INDUSTRIAL USES:	SPACES REQUIRED
Mortuaries, funeral homes	1 per 4 permanent seats or 1 per 50 sq ft of seating/assembly area, which ever is greater plus 1 per employee plus 1 per commercial funeral vehicle
Hospitals, clinics	2 per bed
Schools, higher learning	10 per classroom
Any business not specified herein:	1 per employee plus 1 per 200 sq ft of floor area
All types manufacturing, industrial and warehousing	1 per 500 sq ft of gross floor area or 1 per employee, whichever is greater plus 1 per company vehicle

2. In calculating the total number of required parking spaces:

   a. "area" shall mean the area capable of being devoted to the specified use and does not include such spaces as kitchen, restrooms, hallways, etc; and,

   b. fractional amounts are to be rounded to the nearest whole number (1/2 shall be rounded to the next highest number); and,

   c. the term "seat" shall also include each 30 inches of bench seating when individual seats are not provided.
3. In the event of mixed uses, the total requirement for off-street parking spaces is the sum of the requirements of the various uses computed separately.

F. Off-Street Loading Requirements

1. In addition to, and separate from required off-street parking spaces, for every building or part thereof which is occupied by a non-residential Use receiving or distributing materials or merchandise there shall be provided and maintained on the same premises as the building or use, adequate off-street loading space meeting the minimum requirements hereafter specified.

2. Required off-street loading space shall not be permitted in any front yard, nor in any required side yard except in a non-residential district where a side yard is bordered by an alley;

   a. Off-street loading space may occupy all or any part of a required rear yard, except as otherwise provided herein, and may be partially or entirely enclosed within a building;

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

3. Every required off-street loading space shall have a minimum width of 12 feet, a minimum length of 25 feet, except where off-street loading involves the use of vehicles in excess of 25 feet, then the minimum length shall be 55 feet and a minimum height of fourteen 14 feet, exclusive of access aisles and maneuvering space.

4. Required Loading Spaces shall be provided in accordance with the schedule below.

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

SECTION 404 SIGNS

A. Purpose and Intent

1. The purpose of the Signs section is to provide fair, comprehensive, and enforceable regulations that will foster a good visual environment for Camp Verde, enhancing it as a place to live and do business. The intent of the Signs section is to improve the effectiveness of signs by preventing their over concentration, improper placement, excessive height, area and bulk, and by limiting their illumination and animation.

2. Sign regulations protect property values; provide an improved visual environment for citizens and visitors; promote and aid the tourist industry; protect the general public from damage and injury which may be caused by faulty and uncontrolled construction of signs; protect motorists and pedestrians from possible injury caused by the distractions or obstructions of improperly situated signs; and promote the public safety, welfare, convenience, and enjoyment of travel and the free flow of traffic within the Town.

B. Applicability, Exemptions and Prohibitions

1. The regulations of the Signs section apply to all signs located or maintained within the Town of Camp Verde, except for signs which are deemed nonconforming signs per Part One and except for the following exemptions.

2. Exemptions from sign regulations:

a. signs within the interior of buildings, including inside of window areas.

b. signs directing or pertaining to traffic, parking or loading and street names, or providing warning or safety instructions (e.g. stop engines, no smoking, utility easement/hazard location).

c. signs not more than two square feet in area for entry, exit or street address purposes, and nameplates as defined in Subsection C. and regulated in Subsection F.

d. governmental signs, symbols, flags (under 30 ft in height and not used for business advertising purposes), and official notices.

e. temporary decorations for national and state holidays, and A-frame signs which temporarily advertise Town sponsored events or approved community–wide events.

f. vehicular signage lettered or attached with magnetic devices on a motor vehicle used for business, but not "advertising vehicle" as defined in subsection C. Definitions and prohibited in subsection B.3; or to signage on licensed taxicabs or transit buses which carry passengers for a fare.

g. Memorial plaques and building cornerstones when cut or carved into masonry surface or when made of noncombustible material and made an integral part of the building or structure.

h. Commemorative symbols, plaques and historical tablets.

i. Some temporary signs as specified by and in compliance with regulations of Subsection D.

3. Prohibitions: it is unlawful for any person to erect or place any sign prohibited by this section, or for any person to maintain, keep, or allow to remain, on property owned or occupied by him, any sign prohibited in the Town of Camp Verde as follows:

a. Unlawful to park a vehicle for the purpose of advertising; such vehicle is termed an "advertising vehicle" as defined in Subsection C. Definitions.

b. Signs located within, on or projecting over any public right-of-way except for businesses immediately adjacent and fronting the right-of-way of Main Street from Arnold Street to General Crook Trail.

c. Signs located on a roof or those that do not create a parapet or a parapet wall as defined in Subsection C.

d. Any sign which interferes with or confuses traffic or represents a traffic hazard, and those which imitate or resemble official traffic or government signs or signals.

e. Signs with flashing or intermittent illumination and those illuminated of such brilliance or position as to blind or dazzle the vision of travelers. (This does not include Christmas lights, during the Xmas season: November 1 - January 15).

f. An animated sign or a sign that is moving, rotating, or audible in any manner.

g. Automatic changing signs unless they promote the time and temperature. Only such signs shall change at intervals of three seconds or more.

h. No sign shall be painted on or affixed to any natural object in its natural location such as a boulder, tree or cliff face.

i. Abandoned, dangerous, or defective signs.

j. Signs erected, placed, constructed, or maintained in violation of this ordinance.
k. Signs which are misleading, erroneous, or provide false information and advertising, words or pictures which are obscene or indecent.
l. A-Frame signs located within the Town Limits, except as permitted above in Subsection B. 2. e. for temporary advertising of Town-sponsored events or approved community–wide events, and except as permitted on Main Street from Arnold Street to General Crook Trail, as per Subsection G.
m. Any signs not maintained in a safe and attractive manner, including the replacement of defective parts, painting, repainting, cleaning and other maintenance necessities.

C. Definitions

The following sign-related words, terms, and phrases, shall have the following meanings when used in this section:
"**A-Frame sign"** describes a portable sign, also referred to as a "sandwich board" sign, comprised of two separate panels or faces typically joined at the top with a hinge and widened at the bottom to form a shape similar to the letter "A".
"**Abandoned sign**" means a sign which no longer correctly advertises an ongoing business, a bona fide lessor or owner, an available product, or activity conducted which no longer correctly directs any person to a location where the advertised goods or services are available. A sign shall be deemed abandoned after 120 days.
"**Advertising vehicle**" means a vehicle or trailer parked on private or public property so as to be visible from a public right-of–way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity. This is not applicable to any form of vehicular signage lettered on a motor vehicle or attached with magnetic devices or to licensed taxicabs or transit buses which carry passengers for a fare.
"**Aggregate signage**" shall be the total allowable wall signage calculated plus free-standing or monument signs.
"**Alter**" or "**alteration**" means the changing in structural components or decrease or increase in size, height or location. It shall also mean any change in content, including the business and/or product advertised. It shall also mean any change in advertising content if such change causes the sign to change in classification from an on-premise sign to an off-premise sign or vice versa.
"**Animated sign**" means any sign which includes action or motion. This shall include the movement of any light used in connection with any sign such as blinking, traveling, flaring, or changing degree of intensity of any light movement other than burning continuously.
"**Balloon**" means an inflatable device greater than thirty-six inches in diameter.
"**Banner**" means any sign of lightweight fabric, plastic, paper or other light pliable material.
"**Building directory sign**" means a sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupancy of the person.
"**Building face**" or "**wall**" means the area of a building in one plane or elevation.
"**Building frontage**" means the linear length of a building face.
"**Canopy**" or "**marquee**" means a permanent roof-like shelter extending from part or all of a building face and constructed of some durable material such as metal, wood, glass, plastic, or canvas.
"**Canopy sign**" or "**marquee sign**" means any sign attached to or constructed in or on a canopy or marquee.
"**Changing sign** (automatic,)" means an electronically or electrically controlled public service time and temperature sign, message center or reader board, where different

copy changes are shown on the same lamp bank. Such changes shall occur at intervals of three seconds or more.

"**Commercial Center/Mall**" means a group of three or more commercial operations planned and designed for the site on which it is built, functioning as a unit, with off-street parking as an integral part of the unit. The site may or may not be under common ownership.

"**Construction**" means the placement or attachment of sign-related materials (e.g. posts, poles, brackets, standards, bolts, screws, lumber, concrete, block, footings, and/or paint) on the ground or on an existing building or other structure.

"**Copy**" means the wording and graphics on a sign surface.

"**Flag**" means any sign with or without lettering or symbols, of lightweight fabric, plastic, paper or other light pliable material that is mounted to a pole.

"**Free-standing sign**" means a sign erected on a free-standing frame, supported by one or more uprights, mast or pole, set in a fixed position in the ground and not attached to any building.

"**Freeway sign**" means a free-standing sign directing attention to a restaurant, lodging facility, vehicle fuel sales business offered upon the same premises as those upon which the sign is located. Freeway signs are allowed in accordance with the freeway sign criteria as noted.

"**Frontage**" means the length of the property line of any one premise along a public right-of-way on which it borders.

"**Grade**" means the average elevation of the ground within a radius of five feet from the center point of the sign.

"**Ground clearance**," means the distance from the adjacent grade to the bottom surface of the sign.

"**Height of sign**" means the vertical distance measured from the adjacent grade, which permits the greatest height to the highest point of the sign.

"**Indirectly illuminated sign**," means any sign which reflects light from a different source directed upon it.

"**Lot**" means any legally created lot, parcel, tract or land, shown on a plat of record or recorded by metes and bounds.

"**Lot, corner or corner lot**" means a lot situated at the intersection of two or more streets having an angle of intersection not more than one hundred thirty-five degrees.

"**Maintenance**" or "**maintain**" means the replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner.

"**Menu board**" means a permanently mounted structure displaying the bill of fare for a drive-in or drive-thru business. Such signs are not for the purpose of business identification or advertising and are intended for view of customers who are currently on the premises. Maximum letter height for all copy of such signs is limited to two inches.

"**Monument sign**" means a sign which is mounted on a base at ground level.

"**Mural**" means a drawing or painting affixed either directly or indirectly on a building or land which depicts a scene or picture. Such picture or drawing shall not be for the primary purpose of conveying information which identifies or advertises a product, place, activity, person, institution, or business. A mural may contain a sign so long as the primary function or purpose of the mural is not a sign. Any portion of a mural that is a sign is subject to the requirements of this Section for that portion only. A mural is subject to the permitting procedures.

"**Nameplate**" means a non-electric sign identifying only the name and/or address of the occupants of the residence on which the sign is located.

"**Nonconforming sign**" - see Part One, Section 102.

"**Off-premise sign**" means a sign advertising a business, place, activity, goods, services, products, which directs persons to a different location from where the sign is located.

"**On-premise sign**" means any sign identifying or advertising a business, person, activity, goods, products, or services located on the premises where the sign is installed.
"**Parapet**" or "**parapet wall**" means the extension of a false front or wall above a roofline.
"**Pennant**" means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended form a rope, wire or string, usually in series, designed to move in the wind.
"**Portable sign**" means any sign not permanently attached to the ground or a building.
"**Premises**" means any piece of improved or unimproved real estate.
"**Projecting signs**" means a sign, other than a wall sign, which is attached to and projects from a structure or building face.
"**Public place**" means any and all dedicated streets, sidewalks, boulevards, alleys, or other public ways, and any and all public parks, squares, spaces, grounds, and buildings.
"**Real estate/property for sale, rent or lease sign**" means any sign pertaining to the sale, lease or rental of land or buildings.
"**Reconstruction, substantial**" means improvement or repair valued in excess of 50% of the current value of a sign. Reconstruction does not include merely repainting or changing the copy of the sign if the use, size and location remain the same.
"**Roof sign**" means any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.
"**Sign**" means any identification, description, illustration or device illuminated or non-illuminated which is visible from any public place or is located on private property and exposed to the public and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise, or any emblem, painting, banner, pennant, placard or temporary sign designed to advertise, identify or convey information with the exception of window displays and flags of any nation, government, or non-commercial organizations. For the purpose of removal, signs shall also include all sign structures.
"**Sign area**" means the area of the largest single face of the sign within a continuous line that would form a rectangle or square shape, including any frame that forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled, as described below for the number of Sign Faces:

One: If a sign has copy on one side only, or if the interior angle between the two sign faces or sides is 45 degrees OR LESS, the sign shall be considered double faced, and the sign area will be the area of one face only.

Two: If the angle between the two sign faces is greater than 45 degrees, it shall be considered two faces, and the area will be the sum of the areas of both faces; and, if two sign faces are attached to a structure with a thickness exceeding 36 inches or the two faces are separated by a distance exceeding 36 inches, then the sign area will be the area of both faces.

Multi-faced: If a sign contains more than two sides, the area shall be the sum of the area of the largest side plus the areas of any other sides whose interior angle with any other side exceeds 45 degrees.

"**Sign Directional**" means any sign which is designed solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed and which contains no advertising copy.
"**Sign Directory**" means any sign listing the names, use or location of the business or activities conducted within a building or group of buildings and placed on the property to which or on which the public directed.
"**Sign structure**" means any structure which supports, has supported or is capable of supporting a sign, including decorative cover.
"**Subdivision directional sign**" means a sign limited to directional messages or direction instructions for new subdivisions and may be on or off premise and such signs

shall be made of any heavy duty, weather-resistant material including laminated paper, plastic, metal or wood.

"**Temporary sign**" means any sign or advertising display intended to be viewed for a temporary period of time, ordinarily until the happening of a particular event; Sec 404D.

"**Under-canopy sign**" or "**under-marquee sign**" means a sign suspended below the ceiling or roof of a canopy or marquee.

"Wall sign means a sign mounted flat against or painted on the wall of a building with the face in a parallel plane to the plane of the building wall.

"**Window sign**" means a sign installed inside a window for the purpose of viewing from outside the premises. This term does not include merchandise located in a window.

D. Temporary Signs shall be permitted in conformance with provisions specified below.

REQUIREMENTS FOR PERMITTED TEMPORARY SIGNS				
Type/ Purpose	Maximum Size/Area	Location/ Property	Maximum Time Period Allowed:	Comment/Additional Regulation
Event, Show, Election, Public Notice*	16 sq ft; max 2'x2' in Public R/W	On-site, or with Owner's written permission	10 days after event; in Public R/W: max 48 hrs after and max 30 days total	Public R/W ** only for Local Events,*** but not on street, traffic, or utility poles; must not create traffic visual obstruction
For Sale, Lease or Rent	7 sq ft; max 32 sq ft per 500' street frontage;	On-site for sale, lease, rent;	10 days after close of escrow or lease;	Permit & Fees required for Temporary signs greater than 7 sq ft;
Open House	max 3 signs @ 7 sq ft, two sided, no illumination	on/off-site with owner's written permission	only when sales person in home being advertised	Not in Public R/W
Opening New Subdivision	32 sq ft to 100 sq ft per Final Plat; 1 sign per exterior street	On-site, min 5'setback from R/W	3 years from date of permit issuance	Not permitted in Public R/W; Permit & Fees required
Opening New Multi-Family, Commercial, Industrial	32 sq ft; 1 add'l sign per exterior street under same ownership	On-site, min 5'setback from R/W	1 year from installation or certificate of occupancy, whichever occurs first	Not permitted in Public R/W; Permit & Fees required
Buildings under Construction	32 sq ft; max 16 sq ft in single-family residential	On building under construction	_____	Permit & Fees required
Directional for New Subdivision	1.5 sq ft, 3ft hgt per sign; max 30 signs 20' apart; 40' from other signs; 5 max per 500' same street	On/off-site w/in 3mi radius with Owner's written permission	3 years from date of permit issuance	Not permitted in Public R/W; Permit & Fees required
Garage/Yard Sales	_____	With Owner's written permission	Duration of sale; immediate removal after	Not permitted in Public R/W; phone number required on signs
Balloons	1 balloon, in new condition, per business	On-site	Max:14 days - no permit; 15-60 days max per year with required permit	Not permitted in Public R/W; Balloon & lines not metallic or electric conductor material

*Permit fees may be waived for non-commercial temporary event/election/notice sign use.
**Political signs are prohibited on any State highway right-of-way.
***Local Events are Town-sponsored events, approved community-wide events and others pertaining to the Town of Camp Verde.

E. Banners, Flags and Pennants

The temporary use of banners, flags and pennants shall be permitted in accordance with provisions specified below.

REQUIREMENTS FOR PERMITTED BANNERS, FLAGS & PENNANTS				
Type/ Purpose	Maximum Size/Area	Location Private Property	Maximum Time Period Allowed:	Comment/Additional Regulation
Banners in Commercial & Multi-Family Zoning Districts	2 per business @ max 40 sq ft	On-site, not above roof line, attached to building, wall or fence	No permit: 30 days or less; Permit required: more than 30 days; maintained in like new condition	Banners allowed in addition to wall signs, free-standing and monument signs
Flags for attention to new subdivisions	18 sq ft max; 24ft max hgt; 6ft min clearance	On-site; max 50 flags on or behind property line.	3 years from date permit issuance; maintained in like new condition	Permit required; flags and pennants shall not be used concurrently; government flag exceeding 30' hgt subject to Dept approval
Flags for Multi-Family and Commercial		On-site; 1 per 20' street frontage, max: 20 flags on or behind property line.	_____	
Pennants for Multi-Family & Commercial	4 linear ft per 1 ft lot frontage to max of 1000ft	On-site;	Max 30 days annually; maintained in like new condition	Permit required; flags and pennants shall not be used concurrently;

F. Permanent Signs

Permanent signs permitted by Zoning District shall comply with provisions in the following tables.

REGULATIONS FOR PERMITTED PERMANENT SIGNS				
Type/Purpose Description or Use	Max Area & Height	# of Free standing Or Wall-mounted	Illumination	Comment/additional regulation
RESIDENTIAL DISTRICTS				
Nameplate name, title address, occupation,	A: 4 sq ft H: 8 ft	1 per dwelling	1 bulb @ 150W max	On-site signs only
Identification: community buildings, educational, religious, medical/health, charitable institutions, public utilities, airports, cemeteries, recreational use areas	A: 32 sq ft H:__ Single or double- faced	1 per use; 2 permitted for parcels fronting on more than 1 public street	__	On-site signs only
Building Directory	A: 8 sq ft H: __	1 per 5000 sq ft of building area	__	On-site signs only
Entrance Identification: to subdivisions, multi-family dwelling complexes, mobile home/manufactured home or RV parks, and ranches	A: 32 sq ft; up to 100 sq ft per sign with Final Plat H:20 ft	2 permitted per entry @ 1 each side of entry street for sole, exclusive purpose of identifying entrance; may also be monument type	__	5 ft min setback from property line; no part in or over public right-of-way; signs shall not interfere with or confuse traffic
Optional Subdivision Comprehensive Sign Plan	Total square footage in Comp Sign Plan shall not exceed total cumulative square footage permitted in this Section	Required application & report inclusive: fully dimensioned layout of subdivision depicting all permanent & temporary signs locations and the surrounding uses; purpose of the signage & why the comprehensive sign plan option was chosen; length of use by sign type; renderings and elevations of each existing and proposed sign demonstrating the project theme, colors, materials, and sign dimensions; square footage comparison of signage allowed by existing regulations and that proposed by the Comprehensive Sign Plan; Comprehensive Sign Plan to be filed with process of Part 6 Administration and Procedures		

REGULATIONS FOR PERMITTED PERMANENT SIGNS				
Type/Purpose Description or Use	Max Area & Height	# Freestanding Or Wall-mounted	Illumination	Comment/additional regulation
ALL ZONING DISTRICTS Special Purpose Permanent Signs				
Directional – on-premise; no advertising copy permitted	A: 4 sq ft H: 8 ft Single or double-faced	Max: 2 per entrance/exit to or from parking area	__	Permitted in addition to aggregate area limits per Zoning District
Directional – off-premise for business located away from arterial highway	A: 8 sq ft H: 8 ft Single or double- faced	Max 3 signs per business; locate at hwy or intersection of access road; limited to 1 standard within 60ft of each intersection corner	Non-illuminated	Only generic arrows or words giving direction & business i.d. symbol or logo; permit required
On-premise Menu Board	A: 32sq ft/ face H: __	2 per site @ 1 double-faced or 2 single-faced	__	
Directional/Informational – off-premise for public service or safety facilities eg hospitals, clinics, fire/police	__	__	__	Permit required
Off-Premises Sign - copy shall be limited to identifying the business or facility benefiting and directions to locate that business or facility	A: 64 sq ft/face H: 15 ft -free-standing sign; H: 5ft – monument sign	Property owner's written permission required; shall be setback min of 5 ft from property line; no part in or overhanging public right-of-way;	__	Permitted by Use Permit -max: 3 years; total allowable signage for any one property shall not be exceeded by the installation of the off-premise sign

G. Permanent Commercial and Industrial Signs

Additional to the specifications in the table of Regulations for Permitted Permanent Signs, all business/commercial/industrial signs within the Commercial and Industrial Zoning Districts shall comply with following:

1. Any free-standing or projecting sign within twenty feet of a street right-of-way shall be so constructed as to allow clear and ample visual lines for driveways and alleys to adjoining traffic lanes.
2. Any lighted sign must abide by the regulations of Section 405 Outdoor Lighting; and all illuminated signs shall be turned off by 10:00pm or when the business closes, whichever is later; and internally illuminated advertising signs shall not have translucent backgrounds of white, cream, off-white, yellow, or other light color.
3. The sign shall be located on the property to which it pertains.
4. Signs shall not be located within, on, or projecting over any public right-of-way.
5. Signs which are not permitted in a residential zone shall not be placed closer than 20 feet to any residentially zoned lot.
6. On a corner lot in any zoning district, no sign or other obstruction to vision more than three feet in height shall be placed or maintained within the triangular area bounded on two sides by front lot lines, and on the third side by a straight line connecting points on said lot lines (or their projections) each of which points is thirty feet from the point of intersection of said lot lines.
7. All signs and sign structures shall be designed and constructed in accordance with the requirements of the current Uniform Sign Code
8. It is unlawful for any person to erect or place any sign not permitted or allowed by this section, or for any person to maintain, keep, or allow to remain, on property owned or occupied by him, any sign not permitted or allowed by this Section, except those which are deemed non-conforming signs per this ordinance.

REGULATIONS FOR PERMITTED PERMANENT SIGNS IN COMMERCIAL & INDUSTRIAL ZONES				
Type/Purpose Description or Use	Max Area & Height	# Free standing Or Monument	Illumination	Comment/Additional Regulation
Business Sign: identifying on-site business, products, services	A: 64 sq ft H: 20 ft	1 per business	Shall comply with Sec 405 Outdoor Lighting	All signs shall be setback minimum of 5 ft from property line; and not create an obstruction to vision or interference with traffic
- In Shopping Center	A: +16 sq ft/ business to total max: 200 sq ft	Max: 2 per shopping center if 2 entrances 500 ft apart		
- Building Pad Signs	A: 64 sq ft H: 20 ft	1 per Pad additional		
Menu Boards	A: 32sq ft/ face H: __	2 faces per site @ 1 double-faced or 2 single-faced	Shall comply with Sec 405 Outdoor Lighting	
Freeway Interchange Signs- for Restaurant, Fuel Sales or Lodging uses only	A: 300 sq ft max of 2 faces H: 20 ft to 50 ft max	1 per property AND business regardless of # of businesses; Min lot size: 0.65 acre	Shall comply with Sec 405 Outdoor Lighting	Shall be installed on-site and within a circle with a 2000 ft radius measured from the center point of the bisecting road/highway with the I-17 Freeway except when the north and south bound lanes of I-17 are separated by a distance of 800 ft or greater, measured from edge of pavement to edge of pavement, the sign area shall be measured from the center point of each overpass
Wall Signs	A: 1 ½ sq ft per 1 linear ft building frontage per business OR: 1 sq ft per 1 linear ft property frontage; 32 sq ft min to 200 sq ft max per business		Shall comply with Sec 405 Outdoor Lighting	Permitted in addition to free-standing or monument signs; shall not extend above roofline unless attached to, or is, a parapet wall; max sign area allowed is not transferable between buildings or occupancies
Main Street Projecting Signs	A: 12 sq ft; Projecting 6 ft max H: 10 ft ground clearance Max: 1 sign per business		No internally illuminated signs	Permitted only for, and may project over public right-of-way, any business fronting Main St from Arnold St to General Crook Trail; subject to Indemnity Agreement to release Town from liability arising from sign placement; and subject to compliance with Sec 402 Development Standards and Western appearance review
Main Street A-Frame Signs	Max: 2 ft wide X 3 ft high Max: 1 sign per business; Permitted during regular business hours			
Canopy/Marquee -Attached Sign	A: 1 sq ft/ 1 linear ft of canopy		___	Canopy/marquee sign area is calculated as part of allowable total Wall Sign area; max sign area allowed is not transferable between buildings or occupancies; shall not overhang public right-of-way
-Under-Canopy Sign	A: 8 sq ft H: 8ft ground clearance			
Optional Comprehensive Sign Plan	Total sign square footage shall not exceed the cumulative total square footage otherwise allowed; sq footage of any one sign type shall not exceed sq footage permitted for same by more than 50%		Required application & report inclusive: fully dimensioned site plan depicting all proposed & existing signs & bldg locations and sq footages; and surrounding uses; lot size with lineal frontages of bldgs & property; purpose of the signage and why the comprehensive sign plan option was chosen; length of use by sign type; renderings, elevations & materials of each existing & proposed sign; to be filed in compliance with process of Part 6 Administration & Procedures	

H. Sign Permit, Application and Fee

1. "New signs exceeding 12 square feet in area or exceeding eight feet in height shall require a permit, as well as those specified smaller signs, i.e. Temporary Subdivision Directional and Sale/lease signs and Permanent Directional Off-Premises signs that also require permits, see Subsections D and F."
2. It is unlawful for any person to erect, add to, alter, repaint so that the copy is changed, or to change the panels on any sign, or for any person to allow any sign on property owned or occupied by him to be erected, added to, altered or repainted so that the copy is changed, prior to obtaining a sign permit, and an electrical permit if necessary, for on-site or off-premises signs from the Community Development Director except as exempted in Section B.2.
3. The Community Development Director may require the submittal of plans or other pertinent information where in his opinion such information is necessary to insure compliance with this Section.
4. Sign permit applications shall be made at the Community Development Department on the appropriate form(s) and shall contain at minimum, the following information:
   a. Assessor's parcel number identifying the property.
   b. Street address or legal description of the property and dimensions thereof.
   c. Description of the original copy to be placed on signs(s).
   d. Type of sign(s) including methods of support, (free-standing or otherwise) and illumination.
   e. Estimated true value of the sign(s) and associated structural supports.
   f. Dimensions of the sign and number of panel(s) as well as bottom and top heights above grade.
   g. A (signed) plot plan showing the following:
      (1) Shape and dimensions of lot boundaries.
      (2) Location of rights-of-way easements on the parcel.
      (3) Driveways and parking areas, if any.
      (4) Location, dimensions, and heights of existing and proposed signs, and if free-standing or wall-mounted.
      (5) North designation.
   h. A sketch or elevation view (with dimensions and approximate original copy) of the sign face(s).
   i. Such other information as the Community Development Department may require for the purpose of determining whether the application complies with the requirements of this Section and of the current Uniform Sign Code.
   j. Name, address, phone number of property owner/applicant.
   k. Signature of applicant or property owner.
5. Applications for exterior wall murals shall include a sketch with colors and description of the intended picture or drawing which depicts the content of the mural.
   a. The application and sketch are to be reviewed by the Community Development Director for their overall compatibility with the purpose of this Sign Section and the goal of the community to promote a rural, historical, western-oriented atmosphere.
   b. If an applicant or affected property owner is not satisfied with the decision of the Director, an appeal of the decision may be filed for review by the Board of Adjustments.
6. The Town Council by resolution shall adopt and/or amend fees to implement the provisions of this section; the sign permit fee shall be double in the event that the erection, relocation, or installation of any sign occurs prior to the issuance of a sign permit.

SECTION 405 OUTDOOR LIGHTING

A. Purpose and Intent

1. The purpose of this section is to afford every citizen of Camp Verde the flexibility to engage in the pursuit of safe, inexpensive lighting practices for the purpose of commerce and private use without being impeded upon or impeding upon other citizens desiring a more pristine night-time environment free from light pollution, waste, trespass, or clutter while providing night-time safety, security and productivity.

2. The intent is to provide for adequate night-time safety and utility without excessive glare or light pollution, but common lighting practices can also interfere with other legitimate public concerns. Principles among these concerns are:

   a. the degradation of the night-time visual environment by production of unsightly and dangerous glare,

   b. unnecessary waste of energy and resources in the production of too much light or wasted light,

   c. interference in the use or enjoyment of property which is not intended to be illuminated at night, and

   d. the loss of the often-neglected scenic view of the heavens due to increased urban sky-glow.

3. The intent is also to recognize that the topography and atmospheric conditions in northern Arizona are uniquely suited for government, military, commercial, and private astronomical observation in the area, and that unnecessary or excessive uses of outdoor night-time lighting have an adverse impact on astronomical observation, even at relatively distant observatories.

4. Accordingly, it is the intent of this Section to encourage lighting practices and systems which will minimize light pollution, glare, light trespass, and conserve energy while maintaining night-time safety, utility, security and productivity.

B. Applicability, Exemptions and Prohibitions

1. The requirements of A.R.S., Title 49, Chapter 7, Light Pollution, § 49-1101 et seq., are hereby incorporated by reference.

2. In the event of conflict between the regulations set forth in this Section and any other regulations applicable to the same area, the more stringent limitation or requirement shall govern.

3. The provisions of this Section are not intended to prevent the use of any design, material or method of installation or operation not specifically prescribed by this Section, provided any such alternate has been approved by the Community Development Director, and that such proposed alternate:

   a. provides at least equivalence to the applicable specific requirements of this Section; and

   b. is otherwise satisfactory and complies with the intent of this Section.

4. <u>Preferred Source</u>- due to their high-energy efficiency, long life and spectral characteristics, low-pressure sodium (LPS) lamps are the preferred illumination source throughout the Town; their use is encouraged for outdoor illumination whenever possible.

C. Definitions

As used in this Section, unless the context clearly indicates otherwise, certain words and phrases shall mean the following:

1. **Class 1 Lighting** means all outdoor lighting used for but not limited to outdoor sales or eating areas, assembly or repair areas, advertising and other signs, recreational facilities and other similar applications where true color rendition is important.

2. **Class 2 Lighting** means all outdoor lighting used for but not limited to illumination for walkways, roadways, equipment yards, parking lots and outdoor security where general illumination of the grounds is the primary concern.

3**. Class 3 Lighting** means any outdoor lighting used for decorative effects, including but not limited to architectural illumination, flag monument lighting, and illumination of trees, bushes, etc.

4. **Direct Illumination** means illumination resulting from light emitted directly from a lamp, luminary or reflector, not light diffused through translucent signs or reflected from other surfaces such as the ground or building faces.

5. **Fully Shielded Fixture** means that fixtures are shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

6. Light Trespass is spill light falling over property lines that illuminates adjacent grounds or buildings in an objectionable manner.

7. **Lumen** is the unit used to measure the actual amount of visible light, which is produced by a lamp as defined by the manufacturer.

8. **Luminary** means the complete lighting assembly, less the support assembly.

9 **Multi-class Lighting** means any outdoor lighting used for more than one purpose, such as security and decoration, when those purposes fall under the definitions for two or more lighting classes as defined for Class 1, 2 and 3 Lighting above.

10. **Motion Sensing Security Lighting** means a fixture designed, and properly adjusted, to illuminate an area around a residence or other building by means of switching on a lamp when motion is detected inside the area or perimeter, and switching the lamp off when the detected motion ceases.

11. **Neon Lighting** means lighting using luminous gas filled tubes often formed into text, symbols or decorative elements. Neon Lighting includes tubes with typical diameters of 10 to 20 millimeters filled with neon, argon, xenon, or other gasses and producing various colors of light. Not included are replaceable T-8 (one inch diameter) and T-12 (one and one-half inch diameter) or PL ("compact") fluorescent tubes.

12. **Opaque** means only that the material must not transmit light from the internal illumination source: the color of such opaque backgrounds is not restricted.

13. **Outdoor Light Fixtures** means all outdoor illuminating devices, reflective surfaces, lamps and other devices, either permanently installed or portable, which are used for illumination or advertisement. Such devices shall include, but are not limited to, search, spot and floodlights for:

a. buildings and structures
b. recreational areas
c. parking lot lighting
d. landscape and architectural lighting
e. billboards and other signs (advertising or other)
f. street lighting
g. product display area lighting
h. building overhangs and open canopies
i. security lighting

14. **Security Lighting** is lighting designed to illuminate a property or grounds for the purpose of visual security. This includes fully shielded lighting designed to be left on during night-time hours as well as motion sensing lighting fixtures.

15. **Temporary Lighting** means lighting that does not conform to the provisions of this Section and is intended for uses which by their nature are of limited duration.

16. **Total Outdoor Light Output** means the maximum total amount of light, measured in lumens, from all outdoor light fixtures on a property. For lamp types that vary in their output as they age (such as high pressure sodium and metal halide), the initial output, as defined by the manufacturer, is the value to be considered.

17. **Translucent** means light is transmitted from the internal illumination source.

18. **Unshielded Fixture** means a fixture that allows light to be emitted above the horizontal directly from the lamp or indirectly from the fixture or a reflector.

19. **Watt** is the unit used to measure the electrical power consumption (not the light output) of a lamp.

D. Lighting Requirements

1. Outdoor floodlighting by flood light projection above the horizontal is prohibited except for lamps specifically exempted under sections D.11 and D.18 and properly adjusted motion sensing security lighting fixtures as defined in subsection C.10.
2. All light fixtures which are required to be shielded shall be installed in such a manner that the shielding complies with the definition of fully shielded fixtures.
3. All light fixtures, including security lighting, except street lamps, shall be aimed or shielded so that the direct illumination shall be confined to the property boundaries of the source. Particular care is to be taken to assure that the direct illumination does not fall onto or across any public or private street or road. Motion sensing lighting fixtures shall be properly adjusted, according to the manufacturer's instructions, to turn off when detected motion ceases.
4. No new mercury vapor light fixtures, nor replacement equipment other than bulbs, shall be sold or installed for use as outdoor lighting within the Town of Camp Verde after the effective date of this Code, and the use of mercury vapor light fixtures for outdoor lighting is prohibited after January 1, 2005. The provisions of this section shall not apply to outdoor light systems erected prior to 1950.
5. Search lights, laser source lights, strobe or flashing lights, motion or illusion lights or any similar high-intensity light shall not be permitted, except in emergencies by police and fire personnel at their direction or as permitted in Subsection G-1.
6. Class 1 lighting, including but not limited to, sales, service, commercial, assembly, repair, maintenance, and industrial areas, may only continue in operation until 10:00 p.m., or for as long as the area is in active use. This provision is not applicable to fixtures lawfully installed or implemented prior to the adoption of the Code.
7. Class 2 lighting used for areas intended for all night use (e.g. apartment parking lots and walkways), shall have no time restrictions.
8. Class 3 lighting, except for flagpole lighting, must be extinguished after 10:00 p.m. or when the business closes, whichever is later, except that low-wattage holiday decorations may remain on all night.
9. Multi-class lighting, except for security lights, must conform to the time limitations of the most-strict class.
10. Except as permitted in subsections D.11, D.12 and D.13, total outdoor light output, excluding streetlights used for illumination of public rights-of-way, of any development project shall not exceed 100,000 lumens per net acre, averaged over the entire property. No more than 5,500 lumens per net acre may be accounted for by lamps in unshielded fixtures as permitted in subsection D.18.
11. Lighting, in all cases, for all outdoor athletic fields, courts, tracks or ranges shall be considered Class 1 (Color Rendition). Lighting allowed in this subsection shall be subject to approval of staff. When the proposed lumens per acre exceeds the limits of subsection D.10, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). The installation shall also limit off-site spill (off the parcel containing the sports facility) to a maximum of 0.5 fc at any location on any non-residential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device. Every such lighting system design shall be certified by an Arizona registered engineer as conforming to all applicable restrictions of this Section.

All events shall be scheduled so as to complete all activity by 10:00 p.m. Illumination of the playing field, court, track or range shall be permitted after 10:00 p.m. only to conclude a scheduled event that was unable to conclude before 10:00 p.m. due to unusual circumstances. Fully shielded lighting shall be required for fields designed for amateur,

recreational or non-professional sports activity. For professional level sports facilities where fully shielded fixtures are not utilized, acceptable luminaries shall include those which:

a. Are provided with internal or external glare control louvers, or both, and installed so as to minimize up-light and offsite light trespass as required in subsection C.6 above, and;

b. Are installed and maintained with aiming angles that permit no greater than two percent of the light emitted by each fixture to project above the horizontal.

12. Lighting for Outdoor Display Lots shall be considered Class 1 (Color Rendition), and shall conform to the lumens per acre limits of subsection D.10 except as follows:

    a. All such lighting shall utilize fully shielded luminaries that are installed in a fashion that maintains the fully-shielded characteristics. When the proposed lumens per acre exceed the limits of Subsection D.10, the installation shall be designed to achieve no greater than the minimum illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA). The installation shall also limit off-site spill (off the parcel containing the display lot) to a maximum of 0.5 fc at any location on any non-residential property, and 0.05 fc at any location on any residential property, as measurable from any orientation of the measuring device. Every such lighting system design shall be certified by an Arizona registered engineer as conforming to all applicable restrictions of this Section. Outdoor Display Lot lighting exceeding the lumens per acre cap of Subsection D.10 shall be turned off at 10:00 p.m. or within thirty minutes after closing of the business or activity whichever is later. Lighting in the Outdoor Display Lot after this time shall be limited to Class 2 lighting, and shall conform to all restrictions of this Section applicable for this class, including the lumens per acre caps in Subsection D.10.

    b. Lighting allowed in this Subsection shall be subject to approval of the Community Development Director.

13. Lighting for Service Station or similar canopies shall be considered Class 1 lighting. All luminaries shall be flush with the lower surface of canopies and utilize flat glass or plastic covers. The total light output used for illuminating service station canopies, defined as the sum of under-canopy initial bare-lamp outputs in lumens, shall not exceed 40 lumens per square foot of canopy. All lighting mounted under the canopy, except internally illuminated signs, shall be included in the total. Fifty percent of the lumen output of all lamps mounted within or under a canopy, except internally illuminated signs, is included in the lumen caps in Subsection D.10.
14. Lighting used for all externally illuminated signs shall conform to all restrictions of this Section, shall be fully shielded, and shall be turned off at 10:00 p.m. or when the business closes, whichever is later.
15. All site lighting not directly associated with the special uses as permitted in Subsections C.10, D.11, D.12, and D.13 shall conform to all lighting standards described in this Section.
16. When outdoor internally illuminated advertising signs are constructed with a translucent background, the background shall not be white, cream, off-white, yellow, or other light color. Lamps used for internal illumination of such signs shall not be included in the lumens per net acre limit set in Subsection D.10. All illuminated signs shall be turned off at 10:00 p.m. or when the business closes, whichever is later.
17. All outdoor neon lighting shall be fully shielded and shall be turned off at 10:00 p.m. or when the business closes, whichever is later.
18. The requirements for lamp source and shielding of light emissions for outdoor light fixtures are as follows:

<u>Shielding/Use Code:</u>
A = allowed, unshielded
F = allowed, fully shielded

LAMP TYPE	SHIELDING
Class 1, 2 and 3 lighting:	
All lamp types above 2050 lumens	F (See Note 1)
All types below 2050 lumens	A (See Note 2)
All neon tube lighting	F
Lamps in Motion Sensing Security Lights (C.10)	A (See D.3)

Note 1. Examples of lamp types of 2050 lumens and below (the acceptability of a particular light is decided by its lumen output, not wattage. Check manufacturer's specifications):

a. 100 Watt Standard Incandescent and less
b. 100 Watt Midbreak Tungsten-Halogen (quartz) and less
c. 25 Watt T-12 Cool White Fluorescent and less
d. 18 Watt Low Pressure Sodium and less

Note 2. Lights shall be shielded whenever feasible to minimize light spilled into the night sky or adjacent properties. Unshielded lights (all types) are limited to a maximum of 5,500 lumens per net acre (see Subsection D.10). Residential parcels and Development Projects containing one net acre or less are allowed 5,500 lumens of unshielded light (all Classes).

E. PARKING LOT LIGHTING STANDARDS

Lighting Standards (poles) shall be sized in such a manner that the top of any luminary does not exceed 24 feet above adjacent grade, unless otherwise approved by the Community Development Director for new projects.

F. AIRPORT LIGHTING

Airport lighting, which is required for the safe and efficient movement of aircraft during flight, take-off, landing and taxiing, is exempt from the provisions of this Code. Lighting used for illumination of aircraft loading, unloading, and servicing areas is exempt from the lumens per net acre limits of Subsection D.10, although it must conform to all other requirements of this Code. All other outdoor lighting at airport facilities shall comply with the provisions of this Code.

G. TEMPORARY LIGHTING PERMITS

1. The Community Development Director may grant a permit for temporary lighting if he or she finds all of the following:

a. The purpose for which the lighting is proposed is not intended to extend beyond 30 days;
b. The proposed lighting is designed in such a manner as to minimize light pollution as much as is feasible;
c. The proposed lighting will comply with the general intent of this Section; and
d. The permit will be in the public interest.

2. The Community Development Director shall rule on the application within five business days from the date of submission of the request and notify the applicant in writing of his or her decision. The Community Development Director may grant one renewal of the permit for an additional 30 days if he or she finds that, because of an unanticipated change in circumstances, a renewal would be in the public interest. The Community Development Director is not authorized to grant more than one temporary permit and one renewal for the same property within one calendar year.

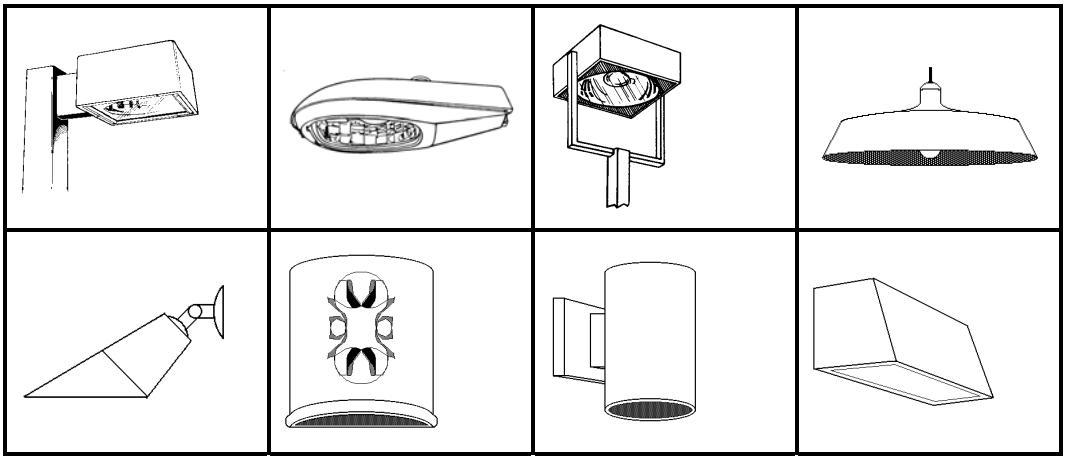
H. Additional Information:

1. Shielding:

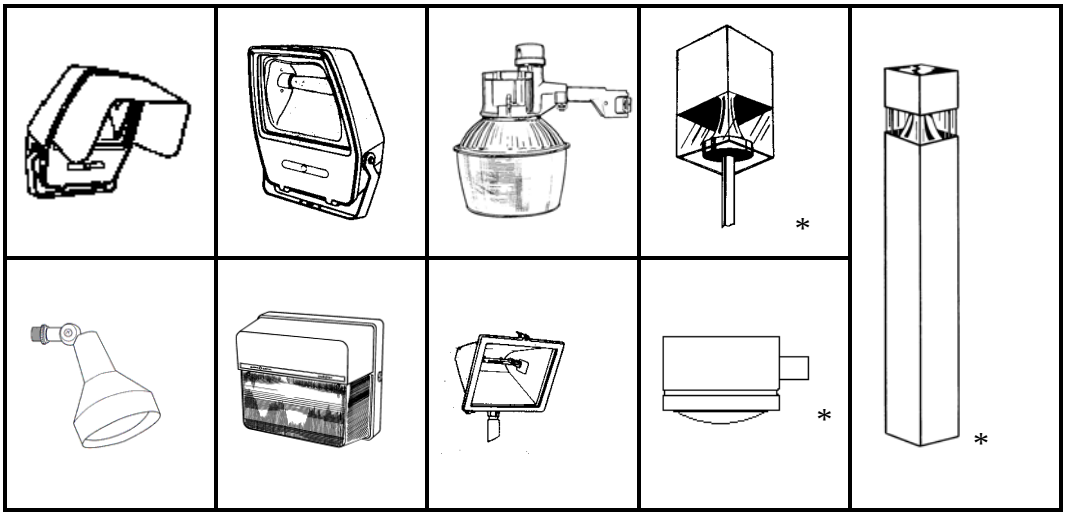
A practical working way to determine if a fixture or tube is fully shielded: if the lamp or tube, any reflective surface, or lens cover (clear or prismatic) is visible when viewed from

above or directly from the side, or from any angle around the fixture or tube, the fixture or tube is not fully shielded.

Examples of fixtures that are Fully Shielded (Note: to be fully shielded these fixtures must be closed on top and mounted such that the bottom opening is horizontal):



Examples of fixtures that are NOT Fully Shielded:



* Note: even though the lamp in these fixtures is shielded from direct view when viewed from the side or above, reflective surfaces and/or lens covers are directly visible from the side.

Note for luminous (neon) tubes: when such lighting is installed under or behind a roof overhang, if the roof-line or eave is not horizontal the tubing may be visible from above when viewed from the side and therefore be unshielded.

2. Typical Lumen Outputs for Outdoor Lighting

Lamp Type	Lumen Output (Initial)
Low Pressure Sodium (LPS):	
18 Watt	1800
35 Watt	4800
55 Watt	8000
90 Watt	13500
135 Watt	22500
180 Watt	33000
High Pressure Sodium (HPS):	
35 Watt Clear	2250
50 Watt Clear	4000
70 Watt Clear	6300
100 Watt Clear	9500
150 Watt Clear	16000
200 Watt Clear	22000
250 Watt Clear	29000
400 Watt Clear	50000
1000 Watt Clear	140000
Metal Halide (MH) (Example Sylvania 'Metalarc' series):	
100 Watt	8000
175 Watt	14000
250 Watt	16000
400 Watt	36000
1000 Watt	84000
Fluorescent (Standard Cool-White, 1.5-inch tubes):	
21 Watt F24T12/CW	1190
30 Watt F36T12/CW	2050
36 Watt F42T12/CW	2450
39 Watt F48T12/CW	3000
50 Watt F60T12/CW	3700
52 Watt F64T12/CW	3900
55 Watt F72T12/CW	4600
70 Watt F84T12/CW	5400
75 Watt F96T12/CW	6300
Incandescent Lights:	
15 Watt Standard	120
25 Watt Standard	210
40 Watt Standard	490
60 Watt Standard	855
75 Watt Standard	1180
100 Watt Standard	1750
150 Watt Standard	2800
200 Watt Standard	3850
Tungsten Halogen (Quartz):	
75 Watt	1400
100Watt	1800
150 Watt	2800
250 Watt	5000
500 Watt	10100

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SECTION 500 SUBDIVISION AND LAND DIVISION REGULATION INTRODUCTION

A. Introduction and Purpose

1. These regulations shall be known, cited, and referred to as the "Town of Camp Verde Subdivision and Land Division Regulations" pursuant to powers and jurisdictions vested through Arizona Revised Statutes, Section 09-463 and other applicable laws, statutes, orders, and regulations of the State of Arizona and Town of Camp Verde.

2. The purpose of these regulations is to provide for the orderly growth and harmonious development of the Town; to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, power, drainage, protection against flood, storm water retention/detention, sanitary sewerage, improved streets and other access; and other health and safety requirements; to consider adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal description; and to provide practical procedures for the achievement of this purpose.

B. Scope and Applicability

1. The Camp Verde Town Council does hereby exercise the power and authority to review and approve or disapprove, based upon recommendation of the Camp Verde Planning and Zoning Commission, plats for subdivision of land within the Town of Camp Verde.

2. These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within Camp Verde. No land shall be subdivided within the Town of Camp Verde until the subdivider or his agent complies with these regulations and obtains approval of the Preliminary Plat by the Planning and Zoning Commission and Town Council, with subsequent approval of the Final Plat by the Town Council.
a. In addition, no land shall be subdivided until the approved plat is filed with and recorded by the Yavapai County Recorder's Office.
b. No changes, erasures, modifications or revisions shall be made in the Final Plat after approval of the plat has been given by Town Council.

SECTION 501 SUBDIVISION/LAND DIVISION DEFINITION OF TERMS

For purposes of these regulations certain words, terms and phrases are herby defined. Words in present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "structure" includes the word "building"; the word "shall" is mandatory and not directory; and the word "may" is permissive. Certain words and phrases in these regulations shall have special meaning as defined herein, unless the context otherwise requires.

Abandoned, (Abandonment and Revocation): Lots, streets, public ways, easements, or rights-of-way are considered abandoned when the Town Council by proper action and public hearings abrogates all rights to said lots, streets, public ways, easements, or rights-of-way; see Section 509.

Access: A way or means of approach providing ingress and egress

- **Primary Access**- Principal route, path or avenue whether under private or public ownership, used for ingress and egress to a development or subdivision.
- **Secondary Access**- Subordinate or alternate route, path or avenue whether under private or public ownership, used for ingress and egress to a development or subdivision.
- **Emergency Access**- Subordinate or alternate route, path or avenue whether under private or public ownership, designated for use by emergency service personnel and vehicles in crisis events to access a development or subdivision.

Alley: A public, dedicated right-of-way used primarily as a service or secondary means of ingress and egress to the service side of abutting property.

Amended Plat Map/Plat Correction: see Section 509.

Approval, Preliminary: Unconditional or conditional approval of the Preliminary Plat by the Commission or Town Council as evidenced in their resolutions, constituting authorization to proceed with final engineering plans and final plat preparation.

Approval, Final: Unconditional or conditional approval of the Final Plat by the Town Council, as evidenced by certification on the Plat by the Mayor and other required signatures constituting authorization to record a plat.

Arterial Street: See Street

As-Built Plans: Original construction plans prepared after the fact by the engineer of record and in such a manner as to accurately identify and depict the location of in-place improvements.

Assurance: A guarantee that the specified improvements and services will be accomplished. This must be in the form of a financial guarantee, including but not limited

to, a subdivision bond, an irrevocable letter of credit, a certificate of deposit or a certified check for construction of improvements. Utility service assurances may be provided by letter from water, sewer, and other appropriate utility companies to guarantee improvements.

Block: An area of land within a subdivision that is entirely bounded on all sides by streets and/or exterior boundary or boundaries of a subdivision.

Certificate: A formal written statement intended as an authentication of the fact asserted and set forth, under seal of a notary or registered professional.

Certificate of Assured Water Supply: Response from the Arizona Department of Water Resources in the form of a "certificate of assured water supply" pursuant to ARS 45-567.

Circulation Plan: That portion of the General Plan adopted by the Council and ratified by the Town of Camp Verde which designates and defines the physical street system including major arterial, arterial, collector, other streets and circulation paths or routes.

Collector Street: See Street

Common Element: All portions of a condominium other than the units.

Construction Plan: The maps or drawings showing the specific location and design of improvements to be installed in accordance with these regulations.

Covenants: Shall mean a privately prepared recorded document designed to govern the use of parcels within a subdivision.

Dedication: Dedication is the giving and acceptance of fee title or an easement of property to a public agency or private utility company for a public or semi-public use as indicated.

Deed Restrictions and Protective Covenants: A written contractual agreement between two or more individuals or parties setting forth rules, regulations and expectations pertaining to the use of subdivided or unsubdivided property.

Design: The conception, planning, execution or creating of a scheme in which means are laid down for the construction or implementation of improvements, including location, alignment, grade, width, drainage, materials and all other criteria that lead to the preparation of the final improvement product.

Developer: See subdivider.

Drainage: The system or facilities by which surface water runoff is removed from streets and property both within and outside a subdivision. Can also refer to the actual run-off of flood water.

- **Drainage, local:** Water which accumulates as a result of local storms and flows over land not included in a delineated floodplain. This shall include sheet flow and such flow as may be concentrated in local drainage systems with or without defined channels, excluding delineated floodplains.
- **Drainage, One hundred (100) Year Storm (Peak Discharge):** Local drainage resulting from a storm which has a one percent (1%) chance of occurring annually, based upon a Design Storm within a defined area.
- **Drainage, Off-site:** The storm surface waters emanating from lands outside the limits of the proposed subdivision and draining through the site of the proposed development.

Easement: A grant by a property owner of the use of an area of land for a specific purpose or purposes, by the general public, corporation, or a certain person or persons.

- **Drainage Easement**- An area designated and used for conveyance of storm run-off in which nothing can be placed which will impede, divert or cause the run-off to have an adverse affect on adjoining property.
- **Non-Vehicular Access** – A restriction prohibiting vehicular access from a street or between adjoining parcels.

Egress: Means the movement of traffic from abutting properties to the street and the movement from minor streets to major streets.

Engineer: A person who, by reason of special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering as attested by his registration as a professional engineer.

- **Engineer of Record:** A professional engineer registered in the State of Arizona and employed by the owner or developer to design and/or monitor or certify improvements.
- **Engineer, Registered Professional:** An engineer registered in the State of Arizona.

Exception: A permitted deviation from the subdivision regulations, permitted only through hearings by the Commission and Town Council.

Flood: A general and temporary overflow of water onto normally dry areas.

- **Flood, Regulatory**- The one hundred (100) year flood as determined by criteria established by the Arizona Department of Water Resources as promulgated by Arizona Revised Statutes.
- **One-Hundred (100) Year Flood**- A flood that has a one percent (1%) chance of occurring annually based upon the criteria established by the Arizona Department of Water Resources.

Floodplain:

- **Floodplain, Delineated**- That area delineated and mapped as a floodplain by FEMA and/or by the Board of Directors of the Yavapai County Flood Control District.
- **Floodplain, Regulatory**- That portion of the natural watercourse that would be inundated by the regulatory flood and which land use is regulated by the Yavapai County Flood Control District Floodplain Regulations.
- **Floodway**- A channel of a river or other watercourse and the adjacent land areas necessary in order to discharge the one-hundred (100) year flood without cumulatively increasing the water surface elevation more than one (1) foot over that defined in the Regulatory Floodplain.
- **Flood Control District-** the Yavapai County Agency charged with administering the Yavapai County Flood Control Ordinance and responsible for reviewing development plans and subdivision proposals in relation to floodway, floodplain and flood hazard areas.

Half-Street: A street having only a portion, usually one-half, of its required right-of-way width dedicated for public use.

Hillside: A part of a hill between the summit and the toe of the slope.

Improvements: Any works designed and/or executed for the purpose of enhancing the value of the property and may include subdivisions, streets with or without curb or gutters, street lights, sidewalks, pedestrian walkways, water mains, sanitary and storm

sewers, drainage facilities, grading and earthwork, landscaping, or other community facilities of like nature.

- **On-site Improvements**- Any works or improvements as described above undertaken or installed at the location and within the parcel being developed.
- **Off-site Improvements**- Any works or improvements as described above undertaken or installed beyond the location and not within the parcel being developed.

Ingress: Means the movement of traffic from the street to the abutting property and the movement from major streets to minor streets.

Land: Any area suitable or usable for some purpose or being held in an undeveloped or unused state, which land is capable of being located, surveyed, staked and described by a legal description.

Land Surveyor: A person who by reason of his knowledge of the mathematical and physical sciences, principles of land surveying and evidence gathering acquired by professional education or practical experience, or both, is qualified to practice land surveying as attested by his registration as a land surveyor.

Legal Description: A description delineating the location of real property in such a way as to distinguish it from all other pieces of real property and may include description by tract, block and parcel number, or by subdivision and parcel number, or by metes and bounds.

LOT: A parcel of land established by plat, subdivision, or otherwise permitted by law, having its principal frontage on a dedicated street or street easement.

Minor Street: See Street

N.G.S.: National Geodetic Survey (formerly, United States Coast and Geodetic Survey).

Non-Residential Subdivision: The division of a tract of land into parcels for occupancy by non-residential uses and/or structures whether for sale or for building development for leasing and/or renting.

Parcel: A separate or distinct part or portion of land other than a lot. For the purpose of these regulations the term parcel shall refer to metes and bounds property and shall not have the same meaning as assessor parcel which is used for tax assessment purposes.

Plan:

- **Conceptual Plan:** An informal plan indicating relevant existing features of a tract and its surroundings and the general layout of a proposed development.
- **Master Development Plan**- A preliminary master plan for the development of a community or other large land area, the platting of which is expected to be undertaken in progressive stages. A Master Development Plan generally identifies design features including but not limited to roads or rights-of-way, lot layout or configurations, topographical features, contemplated development phases/time schedules and relationships to surrounding properties submitted in support of a design concept in preparation for future development/subdivision activity. A Master Development Plan may be subject to Commission and Council approval.
- **Specific Area Plan**- A planning document adopted by the Town Council as a supplement to the Camp Verde General Plan involving a specific area or region of the Town, as authorized in ARS 9-461.08.
- **Engineering Plans**- Plans, profiles, cross-sections and other required details for the construction of public or private improvements, prepared by a registered professional

engineer in accordance with the approved preliminary plat and in compliance with standards of design and construction or policies approved by the Town Council.

Plat: A map of a subdivision.

- **Preliminary Plat**- A preliminary map, including supporting data, indicating a proposed subdivision development and inherent design, prepared in accordance with these regulations.
- **Final Plat**- A map of all or part of a subdivision providing substantial conformance to an approved preliminary plat, prepared in accordance with these regulations and approved by the Council prior to recordation.
- **Recorded Plat**- A final plat bearing all of the certificates of approval required in Article 4.05 of these regulations and duly recorded in the Yavapai County Recorder's Office.

Public Improvement: Any drainage channel, roadway, parkway, sidewalk, pedestrian-way, water system, sewer system, tree, lawn, off-street parking area, lot improvement, or other facility for which the Town or special district may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which Town or special district responsibility is established.

- **Public Street or Roadway:** All street or road classifications dedicated and accepted by the Town of Camp Verde including local streets, cul-de-sacs, frontage streets/ roads, and hillside streets/roads.
- **Public Sites:** Any parcel of land set aside for schools, parks, playgrounds, fire stations, public buildings, or other public purpose.

Public Utility: Private or municipal facility for distribution to the public of various services such as power, heat, light, water, television, telephone, sewage removal, communications, etc.

Radial: A line forming right angles with the tangent of any given arc.

Replat: see Section 509.

Reviewing Agencies: Federal, state, county, town, emergency or public service, or private agency consulted for specific comment or response regarding jurisdictional requirements that may affect a subdivision or development proposal as described herein.

Revision of Plat: see Section 509.

Right-of-Way: The entire dedicated tract or strip of land that is to be used by the public for circulation and service. (The length and width of a right-of-way shall be sufficient to provide adequate accommodations for all the physical features to be included in said right-of-way.)

Sidewalk: That paved portion of the right-of-way between the curb lines or lateral lines of the roadbed and the boundary line of said right-of-way designed and intended for the movement of and use of pedestrian traffic.

Statement of Water Adequacy: Response from the Arizona Department of Water Resources in the form of water "adequacy" either for that subdivision or for the water company (private or public) which will serve the subdivision pursuant to A.R.S. 45-108.

Engineering Design and Construction Standards: The detailed precise written presentation of rules, principles, measures and particulars relating to improvement works as recommended by the Town Engineer and adopted by the Town Council.

Storm Sewer: A channel or conduit, open or closed, necessary, useful, or convenient for the collection and carrying of surface waters to a drainage course.

Street or Road: That area, whether public or private, between right-of-way lines, dedicated, reserved or provided for roadway purposes, providing for the pedestrian and vehicular movement of people and goods and other uses not inconsistent herewith to include street, avenue, boulevard, road, lane, parkway, place, court, alley, bridge, viaduct, highway, crossing, roadway easement, intersection, and grounds now open or dedicated or hereafter opened or dedicated to the public for use as public roadways. A street includes all land within the street right-of-way whether improved or unimproved, and may include such improvements as pavement, shoulders, curbs, gutters, sidewalks, pathways, parking spaces, drainage structures and utilities.

- **Arterial Street:** A street or road with the principal function to serve as a part of a major network for through traffic flow, separate from local traffic, to and from areas of principal traffic generation, of adequate design, capacity and construction to provide for the safe and rapid distribution and collection of through traffic and to provide limited ingress and egress to and from collector and local streets. There may be restrictions for parking and loading or unloading on arterial streets.
- **Collector Street:** A street or road that serves local traffic movement within an area and traffic between major arterials and local streets and provides a means of ingress and egress to local streets and abutting property; also serves to connect adjacent neighborhoods and includes the principal entrance street into residential neighborhoods. There may also be provisions for parking and loading or unloading on collector streets.
- **Minor, Local or Residential Street:** A street or road used primarily for direct access and egress to residential, commercial, and industrial areas and having major service functions of loading, unloading, and direct access and egress to abutting property, and being controlled in such fashion as to discourage through traffic and to maintain relatively slow speeds. There may also be provisions for parking on minor streets.
- **Frontage or Service Street or Road:** A minor street or road which is often parallel to and constructed in close proximity to a major arterial street and provides a means of direct ingress and egress to abutting property.
- **Private Street or Road:** A street within a subdivision which has not been dedicated for public use and is reserved for the use of lot owners within the subdivision.
- **Cul-de-Sac Street**: A street or road having a traffic outlet on one end only and having at the other end facilities for the turning around of vehicular traffic.
- **Dead-end Street:** A street or road having a traffic outlet on one end only and terminated at the other end by undeveloped property. A dead-end street shall have temporary provisions for the turning around of vehicular traffic.
- **Stub Street:** A short dead-end street or road, no more than one lot deep in length, formed at the boundaries of a subdivision to provide future access to abutting property.

Subdivider: Any person or legal entity who causes land to be divided into a sub-division for himself or for others; files the application and initiates proceedings for the subdivision of land in accordance with the provisions of this Ordinance; and said subdivider need not be the person or persons holding title by deed to land or holding title as vendees under land contract or holding any other title of record if authorized duly as agents; not including any Professional Engineers, Licensed Surveyors, Attorneys, Planners or other professionals engaged to perform work for others pursuant to the requirements of law.

Subdivision: Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or any such property, the boundaries of which have been

fixed by a recorded plat, which is divided into more than two parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.
"Subdivision" does not include the following:

- The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
- The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
- The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

Surety: Anything acceptable to the Council deposited as a pledge for the guarantee of construction or completing of subdivision improvements that the Council could, if necessary, convert to a usable medium for construction of said improvements in case of default of agreement.

Topography: The delineation of the vertical and horizontal positions on the earth's surface, of the natural and artificial features of a given locality, and the configuration of the terrain.

Tract: A piece of land which may be divided into parcels and lots, and/or is set apart as a separate and distinct parcel for specific purpose in conjunction with an approved subdivision.

Traffic Impact Study or Analysis: A report or study performed by a registered professional engineer or professionally qualified consultant evaluating the potential consequences of vehicular, pedestrian or other traffic volumes and movements and resulting consequences to infrastructure and/or public health, safety and welfare.

U.S.C. & G.G.: see N.G.S.

U.S.C.S.: United States Cadastral Survey

U.S.G.S.: United States Geological Survey

Yavapai County Environmental Services Department: Yavapai County agency responsible for reviewing sanitary and water supply facilities or other public or private infrastructural improvements by delegation agreement with the Arizona Department of Environmental Quality.

SECTION 502 LAND DIVISIONS AND ACCESS/EASEMENTS

A. **Land Division** may result in new roadways, additional homes and the need for Town services. It is important for the public welfare that land division has proper guidance and control. In no way is it intended by this subsection to prohibit the division of land as authorized by Arizona State Law and the Town's subdivision regulations that pertain to the creation of four or more lots, parcels or tracts of land, or to the creation of two or more lots, parcels or tracts where a new street is involved. Any lot or parcel established within the Town limits will be subject to review by the Community Development Department and may require a land division permit, lot line adjustment or subdivision plat as described herein.

1. **Land Division:** Any parcel or tract of land containing 2.5 acres or less split into two or three separate lots, tracts or parcels of land, creating no more than three parcels, lots or tracts in total, and where no new street is involved, must have a Land Division Permit approved by the Community Development Department.
   a. This approval will ensure the newly created lots or parcels:
      1.) Comply with applicable zoning regulations;
      2.) Are not creating land-locked parcels;
      3.) Do not constitute a subdivision; and
      4.) Ensure access is provided to all newly created parcels.
   b. A minor land division permit is required if property is split by:
      1.) Recording a contract of sale;
      2.) Recording a deed of conveyance; and/or
      3.) Requesting a split of a tax assessor parcel.
   c. Upon receipt of a complete Land Division Permit application, the Director shall respond to the permit request within ten working days. A denial can be based on any one of the following:
      1). The parcels resulting from the division do not conform to size, width/depth requirements and other zoning regulations;
      2). A parcel or adjacent property becomes landlocked and does not have legal access; and/or
      3). The division of land would result in a subdivision as defined by the subdivision regulations.
   d. The application shall include:
      1). A legal description of the property;
      2). A comprehensive list of all property owner(s) and buyer(s), as well as any other parties of interest to the land division;
      3). A description of how the newly created parcels will be accessed, including any of the following:
         a) A recorded easement or a proposed easement to be recorded when the lot is split; or
         b) Fronts onto a dedicated right-of-way or street.
      4). A map, drawn to scale, showing the following:
         a) Existing and proposed property lines;
         b) Access and utility easements;
         c) Dimensions and the location of existing structures along with a brief description of use (i.e., residence or type of use for accessory structure).
      5). Any fee(s) for filing a Minor Land Division Permit application shall be listed in the Town Fee Schedule.

2. **Lot Line Adjustment:** Land taken from one or more parcels that is added to an adjacent parcel without creating any additional parcels and which complies with this subsection. A lot line adjustment shall not be considered a land division or lot split when under the terms of the subsection provided that the proposed adjustment does not:
   a. Create any new lot;
   b. Cause any existing lot to become substandard in size or shape;
   c. Make substandard the setbacks of existing development on the affected property; and/or
   d. Impair any existing required access, easement or public improvement.

3. **Subdivision Plat Approval:** The subdivision of land into four or more lots, or into two or more lots where a new street is involved shall be contingent upon the recording of an approved subdivision plat, in accordance with the regulations of

Subdivisions in Section 503 through Section 509 and other provisions of this ordinance.

B. ACCESS AND EASEMENT STANDARDS

1. **Frontage Access Requirement:** Any lots established requesting a building permit shall front onto a publicly dedicated street or a private easement recorded for access or ingress/egress purposes. This regulation ensures access to any and all lots within the town. Streets are regulated by Section 508 D of this ordinance and by the currently adopted Engineering Design & Construction Standards.
   a. A private easement shall be attached to the deed of any parcel granting access to cross private property to provide ingress/egress to another private property.
   b. Newly created lots or parcels are required to obtain an approved Land Division permit as noted in Section 502 A to ensure access to all parcel(s) within the town.

2. **Right-of-Way or Easement(s) Widths and Standards:** New street right-of-way widths shall correspond with standards established in Section 503 and shall be designed in compliance with Engineering Design & Construction Standards supplement to this ordinance.
   a. The Director or designee will determine the ingress/egress or access needs for any newly created lot or parcel resulting from a land division or lot split application based on the following:
      1) Existing roadway alignments;
      2) Topographical conditions;
      3) Adjacent property ownership and uses; and
      4) Other pertinent factors that would affect future growth and development in the immediate area.
   b. Private roadway access easements shall adhere to the following conditions to ensure access to all property within the town:
      1) Be a minimum of 24 feet in width and meet established construction standards (see Table 1 – Private Roadway Access Easement Standards), connect to an existing street or private easement, and when necessary establish a cul-de-sac or turn-around at terminus of the private access to accommodate emergency vehicles;
      2) Property owners shall establish a road maintenance agreement to be recorded with each lot split or newly created parcel to ensure access to all parcel(s) within the town limits is provided as stipulated by the Town;
      3) Where two or more residences are located on a private easement, the applicant is responsible for naming the access, subject to town review and approval, as well as any associated fees for signage of the private street; and
      4) The Town will encourage compliance with the private easement standards and is in no way obligated to maintain or improve these private easements, since they are private property. However, when the following criteria are met, then construction or development on parcels created and recorded on or before February 26, 2005 shall be permitted:
         (a) The parcel must have a legally recorded easement; and,

(b) Approval in writing by the Camp Verde Fire District of any private easement to ensure public safety services can be provided to any qualified lot or parcel; and,

(c) An approved and executed road maintenance agreement for the private easement, which may include the petitioner agreeing to accept sole responsibility to maintain the private road;

Table 1- Private Roadway Access Easement Standards

Index of Potential Development	Level 1 5 or less Dwelling Units	Level 2 6 to10 Dwelling Units	Level 3 More than 10 Dwelling Units	Level 4 Commercial/Minor Manufacturing Uses
Easement Width	24 feet	32 feet	40 feet	50 feet
Number/width of travel lanes	Two 10 foot travel lanes	Two 12 foot travel lanes	Two 12 travel foot lanes & may require a turn lane	Two 12 foot travel lanes & a 10 foot turn lane
Type of Surface Improvement	Four inches of compacted aggregate base course (abc)	Four to six inches of abc and may require surface improvement depending on site conditions	Six inches of abc subbase and surface improvement such as chip-seal or asphalt depending on soils analysis and traffic volume	Soils test with engineered base and drainage study and improved surface determined by types of traffic and volume

3. **Easement Setback Requirements**: Shall be the lines from which setbacks for structures (other than signs, fences and free-standing walls) shall be measured to comply with the District requirements, and no structure shall be located or extended nearer to the lot boundary than the setback from this dedicated right-of-way or the boundary of the public/private access easement to avoid future problems as development occurs adjacent to these access or ingress/egress easements.

SECTION 503 SUBDIVISIONS – GENERAL PROVISIONS

A. Subdivision Approvals Required

Town Approval Required: Until a final subdivision plat, engineering drawings and engineering plans have been approved or a specific development plan in association with an approved preliminary plat of a subdivision has been approved in accordance with these regulations, no person shall subdivide a parcel of land as defined by the Arizona Real Estate Department and A.R.S. Section 32-2101 or file a record of survey, map, or plat for record, and/or sell any part of said subdivision or proceed with grading, construction or site preparation without previous approval of the Town Council of the Town of Camp Verde, AZ as set forth under these regulations.

B. Procedures and Anticipated Timeline

1. A series of four steps for subdivision procedures is described in subsection 503A.3 and in Sections 504, 505 and 506. Flowchart graphics and process timeline are provided to summarize the procedure for convenience.

2. The following Typical Process Timeline is a summary of the anticipated time to process the various steps of a proposed subdivision through the Town of Camp Verde. It does <u>not</u> include time needed for a subdivider, subdivider's engineer, surveyor or other professional to provide required plats, surveys, studies and drawings, nor does it include time process requirements for rezoning. Subdividers should refer to Part Five, Sections

503 through 509 of the Development Guidance System for complete procedure and document information.

SUBDIVISION STEPS - TYPICAL PROCESS TIMELINE SUMMARY

STEP 1 PRE-APPLICATION MEETING- Section 503
Subdivider's appointment with Community Development Director and staff
Add time for Subdivider to provide Conceptual Plan for Step 2

STEP 2 CONCEPTUAL PLAN - Section 504

Submittal/review for Conceptual Plan Application Completeness	5 work days
Plans Distribution & Agencies/Depts Reviews & Meeting with Applicant; (see Sec 504D for decisions/appeals)	20 work days
Conceptual Plan Total Estimated Time:	+/- 1.25 months

Add time for Subdivider to provide Preliminary Plat & studies for Step 3

STEP 3 PRELIMINARY PLAT - Section 505

Submittal/review for Preliminary Plat Application Completeness	5 work days
Plats Distribution & Agencies/Depts Reviews & Meeting with Applicant*	20 work days
Planning Commission Hearing- report/agenda/hearing	+/- 30 days
Town Council Hearing- report/agenda/hearing	+/- 30 days
Preliminary Plat Total Estimated Time:	3-3.5 months

*Note: revisions to Pre-plat may delay hearings schedule
Add time for Subdivider to provide Final Plat & Engineering Drawings/Studies for Step 4

STEP 4 FINAL PLAT - Section 506 and Section 508

Submittal/review for Final Plat Application Completeness	5 work days
Plats/plans Distribution & Agencies/Depts Reviews	20 work days
Plans Acceptances & Execution of Plat *	15 work days
Town Council Hearing- report/agenda/hearing	+/- 30 days
Final Plat Total Estimated Time:	+/- 3 months

*Note: revisions to Final Plat and/or engineered drawings/studies may delay hearing schedule

Not including time for subdivider's preparation of, or revisions to, plans, plats and engineering drawings/studies, the Total Estimated Processing Time is +/- 8 months

Note: after approval of a Final Subdivision Plat by Town Council, the subdivider has up to 24 months for the recordation of the Plat which is subject to providing required financial assurances; see Section 507.

C. Pre-Application Meeting Required: Prior to or while a subdivision is in the conceptual planning state, the subdivider shall meet with the Community Development Director, or designated staff representative, and with members of the Town staff as deemed appropriate to determine conformity to the Town's adopted General Plan's Vision and Elements, to the Zoning Regulations and Zoning Map, and to the provisions of these regulations and requirements for the design and installation of public improvements as required.

1. The Community Development Director or staff representative shall inform the subdivider of the procedures and submittals which may be required, including Conceptual Plan, Preliminary Subdivision Plat and Final Subdivision Plat that are described in the sections that follow.

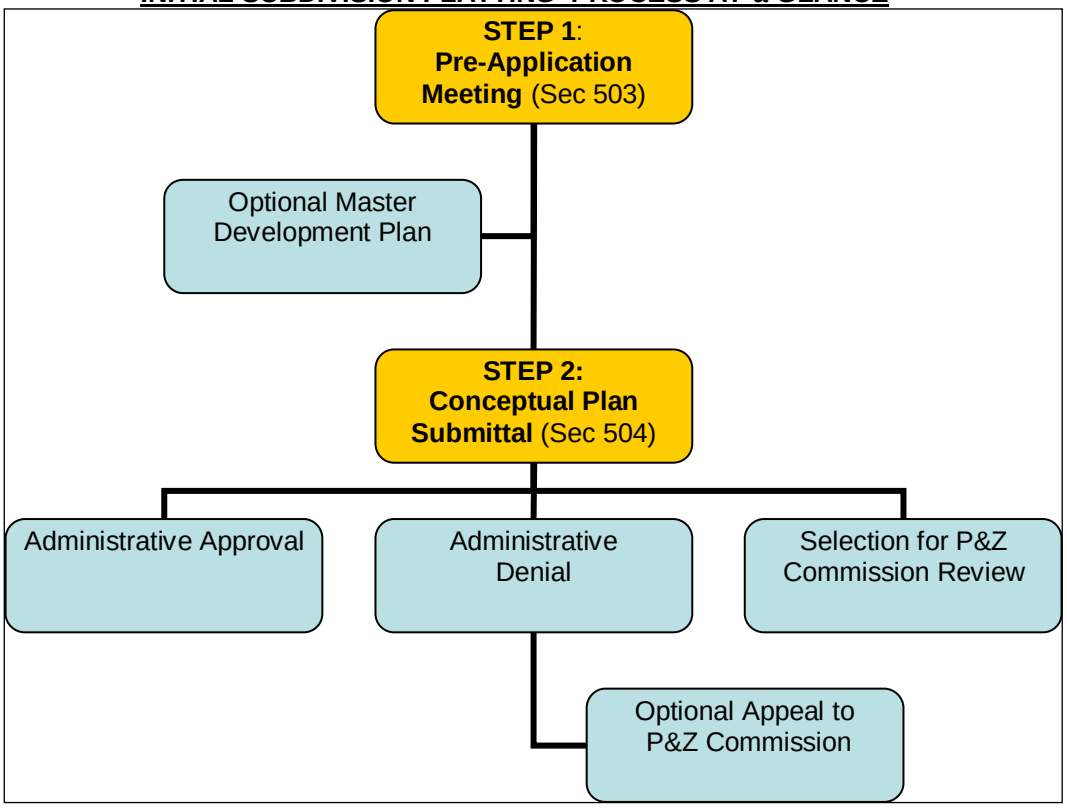
2. Additionally, the Community Development Director or staff representative may require a **Master Development Plan** for the development of a neighborhood, community or other large land area, i.e., typically 300 acres or greater, the platting of which is expected to be undertaken in progressive stages.

a. A Master Development Plan shall be prepared in the same format described in Sec 504 Conceptual Subdivision Plan

b. A Master Development Plan shall be subject to Commission and Council approval where, as determined by the Community Development Director or staff representative, the future potential development activity has substantial impact on existing developed surrounding properties.

c. A Master Development Plan proposed for mixed uses, or requiring change of zoning classifications or increased density shall be submitted in accordance with Sec 203 L Planned Unit Development.

INITIAL SUBDIVISION PLATTING PROCESS AT-a-GLANCE



SECTION 504 CONCEPTUAL SUBDIVISION PLAN

A. Purpose

The purpose of the Conceptual Plan is to determine the feasibility of the proposed development and the capacity of the land to support such development. To avoid unnecessary and costly revisions, the subdivider shall as specified by these regulations submit a Conceptual Plan of the proposed development after the Pre-Application meeting with the Community Development Director or designated staff representative.

1. A Conceptual Plan Submittal shall be required as a precursor to a Preliminary Plat under the following circumstances:
   a. Area to be subdivided is greater than 100 acres in size and/or comprises an entire neighborhood;
   b. Development tract is a more intense or dense zoning designation than adjoining properties' zoning classification(s);
   c. Project development to occur in multiple phases;
   d. Difficult development constraints, such as topography, limited or difficult access, limited existing or available utilities, location within FEMA Flood Plain or encumbered by numerous washes or arroyos exhibiting unique drainage constraints, sewer not available, or effluent disposal opportunities are limited or constrained.
2. An appropriate number of Conceptual Plan copies as determined by the Community Development Department including one in digital form, and an application with fees as specified in the Planning and Zoning Fee Schedule shall be submitted by the subdivider.
3. The Conceptual Plan shall be circulated to and reviewed by Town and related reviewing agencies to discover development opportunities or apparent constraints prior to accepting a Preliminary Subdivision Plat submittal.

B. Conceptual Plan Submittal Requirements

1. **Vicinity Map**
2. **Title-** the name of development and "Conceptual Plan"
3. **Location** by Section, Township and Range (G&SRB&M)
4. **Reference** of approximate distances to section and/or quarter corners
5. **Boundaries** of development clearly identified
6. **North arrow**
7. **Scales** (both graphic and equivalent inch to feet) using standard engineering intervals; not to exceed 1" = 200'; 1" = 100' is preferred. Sheet size: no smaller than 24" X 36", no larger than 42" on a side.
8. **Date** of preparation plus date of any amendments since original submittal.
9. **Names,** addresses, phone numbers and notation of relationship to development for landowners, subdivider/development agents, engineers, surveyors, land planners, landscape architects, architects, hydrologists or others responsible for design (include registration numbers).
10. **Topography** by contours relating to USGS survey datum (shown on the same map as proposed development) including benchmark used. Base information must be sufficient in order to review. Topography shall be depicted 300' beyond project boundary.
11. **Proposed land uses** and densities by area as well as ownership patterns surrounding land uses and zoning within 300'.
12. **Traffic/Circulation Concept Plan** (may be graphic and/or narrative) depicting proposed vehicular, pedestrian and recreational stock traffic (access, continuity, traffic flow capacities, secondary emergency access threshold, etc.) Traffic concept plan to include:

a. Overall area map where necessary showing existing and proposed roads and their classification (arterial, collector, residential street) within ½ mile of project boundaries. Scale not to exceed 1" = 2,000'

b. Identification of legal primary and secondary access opportunities, as well as existing or proposed street right-of-way widths.

c. In narrative form, identify general traffic impacts to adjacent property and existing roads, as well as high traffic generation points on site.

d. Identification of existing or proposed trail networks and open space features affected by or intended to be implemented as part of future subdivision design.

13. **Drainage Concept Plan** illustrating and discussing in narrative form the proposed methods of handling storm drainage and floodplains that affect property.

a. Depict general pre and post-development drainage patterns and flow direction (s).

b. Identify potential detention facilities, where necessary.

14. **Notes/chart** to identify on the Conceptual Plan Map the following:

a. Total acreage, acreage for each use and each phase

b. Number units/lots for each type of use and phase

c. Average area per lot/unit proposed

d. Percent open space, if any, exclusive of rights-of-way, roadways, building envelopes, and parking areas

e. Water source (if new source indicate potential well field and storage tank on Conceptual Plan)

f. Method of refuse removal

g. Sewer service provider and type, if available

h. Fire District

I. Proposed utilities available and provider

j. Identify site conditions, i.e., rock outcroppings, major drainage features, etc.

15. **Requested waivers** or known deviations from Section 507 Subdivision and Street Design standards. Any proposed waiver or waivers shall be identified on the Conceptual Plan and the standard or requirement from which the deviation is requested shall be noted. Failure to provide such identification for waiver shall be grounds for denial.

C. Additional Requirements –

If requested by the Town Engineer, further information on drainage may be required in conjunction with the Conceptual Plan. The subdivider shall submit a **Phase 1 Drainage Report** prepared by a registered Arizona Professional Engineer, consistent with the Yavapai County Flood Control District and Yavapai County Drainage Criteria Manual (refer to Camp Verde Engineering Design & Construction Standards).

D. Review, Approval, Denial and Appeal of Conceptual Plan

1. **Review:** Within five working days from submittal of the Conceptual Plan Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plan shall be distributed to reviewing departments and agencies including other jurisdictions:

a. In accordance with A.R.S. Section 9-474 through 479, if the plat is within three miles of the corporate limits of a city or town having subdivision regulations, the Community Development Director shall submit a copy of the Conceptual Plan to said community for review.

b. Upon receipt of reviewing agency comment, the Community Development Director or staff designee shall compile agency comments and respond to the applicant or agent as the proposed project relates to the following:

1) General Plan or Specific Area Plan (s)

2) Zoning requirements

3) Suitability of the site for development, proposed/existing and potential development opportunities and constraints

4) The improvements, design and dedication required by Section 507 and Town Engineering Design and Construction Standards

2. **Approval**: On or before the twentieth day after the date of acceptance of a complete Conceptual Plan Application, the Community Development Director shall conduct a formal meeting between the applicant(s), reviewing department and agency representatives and the Community Development staff. The Conceptual Plan shall be evaluated and discussed to determine whether or not it meets the purposes of these regulations and related Town Ordinances and design specifications.

a. Where deemed necessary, the Director shall make specific recommendations to be incorporated by the applicant into a revised Conceptual Plan or Preliminary Plat submittal.

b. No response from reviewing agencies within the prescribed review period shall be construed by the Community Development Director as having no objection to the continued processing of the Application.

c. At the discretion of the Community Development Director and/or the subdivider, the Conceptual Plan may be presented to the Planning and Zoning Commission to clarify policies or to provide additional guidance; such review shall be held at a regularly scheduled Commission meeting

3. **Denial**: If the Community Development Director determines that the Conceptual Plan submittal is not consistent with the Town's General or Specific Area Plan(s) and/or determines that the proposed development does not meet Town improvement/design specifications, the Community Development Director may deny the Conceptual Plan application or request modifications to be incorporated into a revised Conceptual Plan prior to authorizing a Preliminary Plat submittal.

4. **Appeal:** If the project subdivider objects within 20 working days to a decision by the Director to deny a Conceptual Plan or recommended modification to same, the Director's decision may be appealed to the Planning and Zoning Commission. Upon receipt of a written statement of objection, the matter shall be placed on the agenda for the next available Planning and Zoning Commission meeting.

SECTION 505 PRELIMINARY SUBDIVISION PLAT

A. Purpose and Initial Review

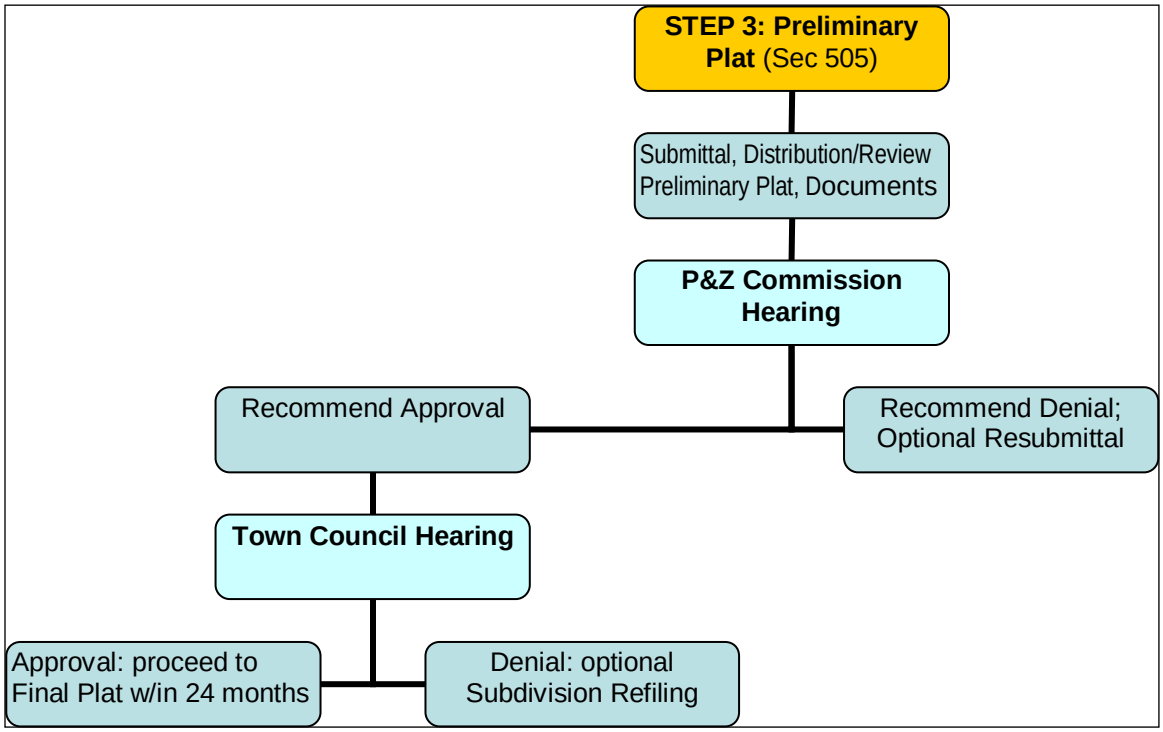
The purpose of the Preliminary Subdivision Plat is to provide more detail for determining specific capacities and preliminary design for the proposed subdivision. The Preliminary Plat process is a major step, as its approval by the Planning Commission and Town Council constitutes authorization to proceed in preparation with the Final Subdivision Plat, to be accompanied by engineering construction plans and specifications for public improvements. Approval of the Preliminary Plat does not guarantee approval or acceptance of the Final Plat.

1. After the Pre-Application meeting and general approval of the Conceptual Plan and Master Development Plan, if required, the subdivider shall submit an appropriate number of copies as determined by the Community Development Department, including one in digital form of the Preliminary Subdivision Plat, an application with fees as specified in the Planning and Zoning Fee Schedule and the Engineering Fee Schedule, and other exhibits as hereinafter specified; and shall submit a minimum of two copies each of the required supplementary materials as outlined in Section 505. C and as determined by the Community Development Director.

2. Within five working days from submittal of the Preliminary Plat Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plat shall be distributed to reviewing

departments and agencies. Processing will not commence until all required documents are received.

PRELIMINARY SUBDIVISION PLATTING PROCESS AT-a-GLANCE



3. The Preliminary Plat will be promptly circulated for review to determine if the Preliminary Plat conforms to these regulations, and to the design, conditions, and authorized changes as may be set forth and approved in the Conceptual Plan phase of the subdivision application.

a. Copies of the Preliminary Subdivision Plat and accompanying material will be transmitted to the following agencies: Town Engineer; County Health Department or Environmental Services; Arizona Department of Transportation if it contains or abuts a state or federal highway; utility companies; Town Road Superintendent; Soil Conservation District; State or Federal land management agency if adjacent to public lands; State Fire Marshal or Camp Verde Fire District; State Department of Water Resources, and other interested or affected agencies as deemed appropriate by the Director.

b. In accordance with A.R.S. Sections 9-474, 479, if the plat is within three miles of the corporate limits of another municipality having subdivision regulations, the Community Development Director will submit a copy of the Preliminary Plat to said municipality for its review.

c. Interested agencies shall have 20 working days, from the date of complete application received by the Community Development Department, to review and send comment to the Community Development Director, and may attend a meeting within five working days after the agency review period that has been pre-scheduled by the Community Development Director.

d. No reply by an agency within the time limit specified shall be construed by the Community Development Director as having no objections from that department or agency to approval of the Preliminary Plat.

4. The Community Development staff shall prepare a correlated report, including replies or comments from all departments and other agencies for a coordinated meeting

between the subdivider and/or his agent and the various responding agencies for the purpose of clarifying outstanding issues arising from subdivision plat review and to promote compliance with the content of these regulations;

a. If recommended changes, additions, or minor revisions are necessary, three sets of revised prints shall be submitted and distributed for review as with the original submittal. All revised preliminary plans and/or revised accompanying material shall be received at least 15 working days prior to the Commission meeting date at which the developer desires to be heard;

b. If the proposed Preliminary Plat is in conformance, the Director shall put it on the agenda for the next scheduled Planning Commission meeting and send notice with a copy of the staff report to the subdivider by mail at least ten working days prior to the Commission's public meeting of the time and place at which the matter is set for review.

B. Preliminary Subdivision Plat Submittal Requirements

1. **Information Required:** The Preliminary Subdivision Plat shall be prepared to contain the information required in Section 504 B. Conceptual Plan Submittal Requirements and the additional Preliminary Plat and supplementary requirements that follow in this Section. Engineering plans submitted in support of the Preliminary Plat shall be prepared under the direction of a Professional Engineer.

2. **Title:** The title shall include "Preliminary Plat" and the proposed name of subdivision.

3. **Topography:** A depiction of contours relating to USGS survey datum, or other datum approved in writing by the Town Engineer, shall be shown on the same map as the proposed subdivision layout. Location and elevation of the benchmark used should also be shown on the plat. Acceptable contour interval; grades up to 5%, two feet; 5% to 15% grades, five feet; grades over 15%, ten feet. Source and date of topography shall be noted on the Preliminary Plat. Datum basis shall be noted. Whenever practical, elevations should be based on N.G.S. datum. At least one permanent benchmark shall be included as part of the Preliminary Plat. Regular U.S.G.S. topographic maps, enlargements or similarities of same will not be acceptable as the source of topography.

4. **Existing Drainage and Natural Features**: Flood hazard and 100-year Floodplain areas, if any, shall be delineated on the Preliminary Plat, and building pads shall be identified within flood hazard areas; significant natural features such as washes, wetlands, major rock outcropping and stands of trees, shall be identified.

5. **Existing Streets, Easements and Improvements:** Location, widths, ownership status and names of all existing streets and improvements therein; railroads; recorded utility or other easements or rights-of-way, including any existing facilities therein; public areas; all existing structures, with an indication of whether or not they are to remain; and Town corporation lines within or adjacent to the tract. Access road to the proposed subdivision shall be described to its intersection with a public road right-of-way.

6. **Proposed Streets and Easements:** Location, width and names of proposed streets, alleys, drainage ways, cross-walks, utility and access easements including all connections to adjoining platted or unplatted tracts. A typical cross-section shall be depicted on the plat where applicable describing the aforementioned improvements.

7. **Adjacent Lands:** Name, book and page numbers of any recorded subdivisions within or having a common boundary with the tract, or notation "unsubdivided" where appropriate.

8. **Lot Layout:** Including minimum building setback lines related to all streets; typical lot dimensions (scaled); dimensions of all corner lots and lots on curvilinear sections of street; each lot numbered individually and total number of lots shown.

9. **Public Land Use:** Designation of all land to be dedicated or reserved for public or semi-public use, with use indicated.

10. **Zoning:** The plat shall designate existing zoning classifications and land uses, present district boundary lines and status of any pending zoning change. If the plat includes land for which any multi-family, commercial or industrial use is proposed, such areas shall be clearly designated.

11. **Utility Resources:** Reference by note to all sources of proposed electricity, gas, telephone service, solid waste disposal, police and emergency service agencies.

12. **Sewage Disposal:** A statement as to the type of facilities proposed shall appear on the Preliminary Plat.

a. It shall be the responsibility of the subdivider to furnish the Yavapai County Environmental Services Department such evidence as that Department may require for its satisfaction as to the design and operation of sanitary sewage facilities proposed.

b. Where the proposed sewage disposal system will be by individual lot septic tanks, the result of the percolation tests and test boring logs as required by the County Environmental Services Department shall be submitted with the preliminary plat.

c. Where alternate systems are contemplated necessary supporting information to the County Environmental Services Departments' specifications shall be provided for review and approval in concert with Preliminary Plat evaluation.

13. **Water Supply:** A statement as to the type of facilities proposed shall appear on the Preliminary Plat. It shall be the responsibility of the subdivider to furnish the Yavapai County Environmental Services Department such evidence as that Department may require for its satisfaction as to the facilities for supplying domestic water.

C. Additional Preliminary Plat Submittal Requirements

1. The following material shall accompany the submission of all preliminary plats. If this data is not included on the preliminary plat, then a minimum of two (2) copies each are required.

a. Supplemental submittals at this stage, such as grading, drainage or road plans, should be preliminary plans, not construction plans. They are the type of plans needed to evaluate the viability of the preliminary plat and allow the reviewing agencies to make reasonable decisions. The plans may generally be prepared using scaled distances and elevations taken from the topographic map used for the Preliminary Plat. When possible, they should be at the same scale as the preliminary plat.

b. All supplemental submittals must be consistent with each other and the Preliminary Plat.

2. **Preliminary Title Report:** A policy of title insurance issued by a title insurance company within the preceding thirty (30) days to the owner of the land, covering the land within the proposed subdivision and showing all record owners, liens, and encumbrances shall be submitted. The preliminary title report shall contain Schedule "B" indicating the status of legal access to the proposed subdivision.

3. **Preliminary Draft Deed Restrictions or Protective Covenants**: Restrictions or covenants shall be incorporated in the final plat submittal, including provisions for use and maintenance of commonly-owned facilities, if any.

4. **Utility Service Letters:** A statement regarding availability of utilities and the direction and distance thereto and preliminary letters of serviceability shall be submitted in conjunction with the application.

5. **Street Names:** A list of the proposed street names.

6. **Preliminary Grading Plan:** A preliminary grading plan shall be required when cuts or fills will exceed 5' in height or will extend outside of the normal street right-of-way. The preliminary grading plan shall be in sufficient detail to convey the extent of grading activities such that their impact can be evaluated by the reviewing agencies.

a. The Preliminary Grading Plan shall include existing and finish grade contours and limits of cut and fill areas.

b. Driveway and building locations shall be shown when topographic or other constraints will require specific locations or site grading.

c. A geotechnical report shall accompany the grading plan to support the slope stability assumptions of the grading plan.

d. The Preliminary Grading Plan may be shown on the Preliminary Road Plans if all of the grading will be related directly to the roads and in compliance with the following requirements for Preliminary Road Plans.

7. **Preliminary Road Plans:** Grades shall be given to the nearest whole percent grade. A profile sheet coinciding with the roads as shown on the Preliminary Plat or separate plan and profile sheets shall be prepared at a scale sufficient to allow evaluation of the proposed roads. Proposed drainage structures within the right-of-way shall be shown on the preliminary road plans. The reviewing agency's interests in these parts are:

a. height, stability and slope of cut fills,

b. affected drainage patterns,

c. potential roadway geometric problems,

d. impacts of the roads on adjacent lots, property and access,

e. relationship of drainage to roadways, and,

f. other items that may be specific to the roads in the specific subdivision.

8. **Preliminary Utility Plans:** A Preliminary Utility Plan shall be prepared to illustrate the proposed location of utilities and verify that the necessary easements and right-of-way are proposed on the Preliminary Plat. It is recognized that final utility locations are decided by the individual utilities, but the objective of the Preliminary Utility Plan shall be to encourage cooperation in planning by the various utilities.

9. **Preliminary Drainage Plans:** The Preliminary Drainage Plan shall be part of a Phase II Drainage Report in accordance with the requirements of the Yavapai County Flood Control District and Yavapai County Drainage Criteria Manual (refer to Camp Verde Engineering Design & Construction Standards).

10. **Traffic Impact Analysis:** A traffic impact study shall be performed in accordance with the latest edition of the Town Engineering Design & Construction Standards or as required by the Town Engineer. In cases where the proposed subdivision streets intersect a State or County highway, the traffic impact analysis shall be performed in accordance with that agency's requirements."

a. Generally the following criteria are considered when determining if a traffic impact study is warranted:

1) Significant changes in land uses are proposed or higher density zoning is sought.

2) Town arterial highway access is requested or the existing location of access to the property is changed.

3) The proposed increased activity or intensity of development will significantly impact vehicular or pedestrian traffic on County roads.

4) A total of 100 or more vehicular trips during an A.M. or P.M. peak hour will be generated by the proposed development.

b. The traffic study shall by funded by the subdivider or property owner and upon submittal to the Planning and Zoning Department will be transmitted to and reviewed by the Town Engineer's office. Copies will be made available to other governmental agencies which may be affected by increased traffic.

c. The subdivider shall be required to provide financial assurances or complete the installation of any improvements determined necessary to maintain or improve traffic operations and traffic safety functions in direct proportion to the impact caused by the proposed development.

11. **Development Schedule:** The subdivider may submit a proposed development schedule for progressive phases of the subdivision's development to be approved with the Preliminary Plat

12. **Application of Exception or Waiver:** Any requested exception, waiver or variation from these regulations or approved construction standards such as roads, flood control, etc. shall be in the form of an Application of Exception specifying each requested waiver or variation and associated justification.

a. The Application shall be a request for an exception to a circumstance actually delineated on the preliminary plat, subsequent final plat or other plans as submitted. Requests shall not be in the abstract but shall include the specific reason for each and every exception requested.

b. The Community Development Department Staff shall accept the application for each and any exception, as herein described, and initiate or continue the processing of a subdivision plan as long as the plan complies with all other requirements.

D. Preliminary Subdivision Plat Review and Actions by Planning Commission

1. The Commission shall review, hear or consider all evidence relating to said Preliminary Subdivision Plat.

2. The Commission may review an Application for Exception simultaneously with the Preliminary Plat consideration, or, the Commission may hear the Application for Exception separately at the subdivider's request or as recommended by the Community Development Director. The Commission may recommend that the Town Council authorize exceptions to any of the requirements in these regulations, if the Commission finds the following facts with respect thereto:

a.) There are special circumstances or conditions affecting said property, and

b.) That the granting of the exception will not be detrimental to the public safety, health and welfare or injurious to other property in the area in which said property is situated, and

c.) That it will not have the effect of nullifying the intent and purpose of the Town's General Plan or these regulations.

3. If satisfied that all objectives of these regulations have been met, the Commission may recommend approval or conditional approval of a Preliminary Plat, with or without exceptions, to the Town Council.

4. The Commission may move to continue the plat pending its revision or resubmittal process if the Commission finds that the proposed plat lots are determined to be not suitable due to such features or conditions as flooding or poor drainage, steep slopes, rock problems, sanitary deficiencies, improper access to public roadway, or other conditions likely to effect public health, safety, convenience and general welfare.

a. Such continuance shall be set to a specific date coordinated by the subdivider and Commission for a future Commission hearing of the revised plat.

b. If the plat revision remains unsatisfactory to the Commission for a recommendation of approval, the Commission may recommend denial and forward their recommendation to Council.

c. A Preliminary Plat may not be continued for more than sixty (60) days after the Commission's first hearing on the Plat.

5. The Commission may recommend denial if it finds that the plat does not comply with these regulations, the intent and purpose of the General Plan, zoning or other applicable codes.

6. Recommendations for approval or denial by the Commission shall be forwarded to the Town Council for action at the next available regular meeting. A copy of the project report and minutes setting out action of the Commission shall be filed with the Town

Clerk and be transmitted to the Council, to the subdivider and/or owner and to departments or agencies as necessary.

E. Preliminary Subdivision Plat Review and Actions by the Town Council

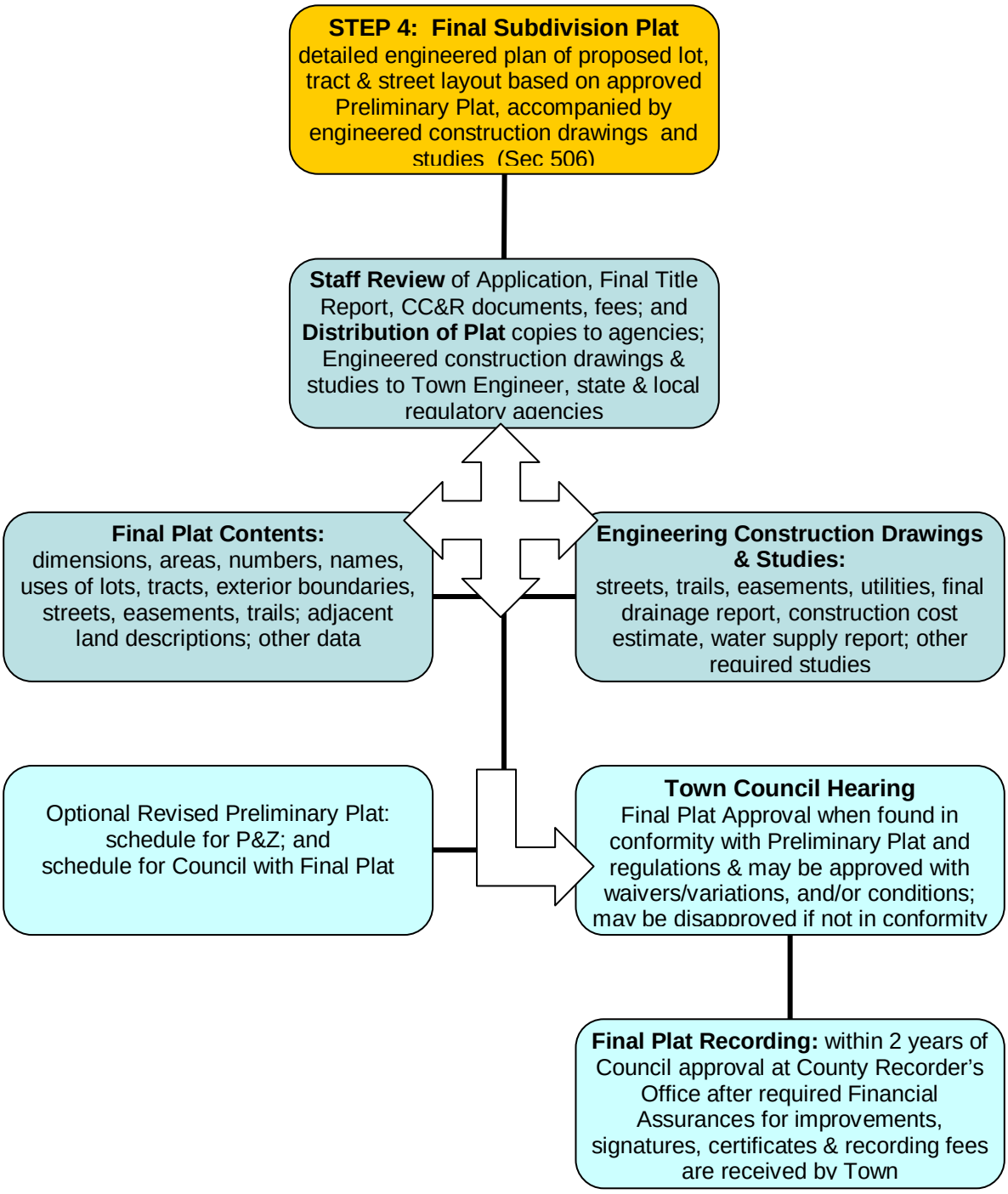
1. Upon receipt of the report and recommendation by the Commission, the Council at its next succeeding regular meeting or special meeting shall approve, conditionally approve, with or without exceptions, or reject the Preliminary Subdivision Plat application.
2. If the Council determines that said Preliminary Plat is not in conformity with these regulations or associated design criteria or if other requirements are not approved by the Council, it shall disapprove said plat specifying its reason or reasons therefore; and shall advise the subdivider in writing of such disapproval and of the reasons for such disapproval. If an application is rejected by the Town Council, the new filing of a subdivision application for the same parcel(s) or any part thereof, shall follow the aforementioned procedures and shall be subject to the required fees.
3. Preliminary Plat approval is based upon the following terms:
    a. The basic conditions under which the Preliminary Plat is granted will not be changed prior to expiration date of the approval.
    b. Approval is valid for a period of twenty-four (24) months from date of Council action, unless an extended period is requested and approved by Council.
    c. Prior to the expiration of the approval period, the subdivider may request by written application for the Commission and subsequent Council approval, extensions in one year increments; such approvals may be granted, if in the opinion of the Commission and Council, there is no change in conditions within or adjoining the Preliminary Plat that would warrant a revision to its original design.
4. The Council approval of the Preliminary Plat shall specify that minimum Town standards for required improvements shall be designed prior to approval of the Final Plat; and if any other improvements are required at this time by the Council, they shall be so specified at the time of approval of the Preliminary Plat.

SECTION 506 FINAL SUBDIVISION PLAT

A. Purpose and Initial Review

1. The purpose of the Final Subdivision Plat is to provide complete details and engineering design for compliance with these regulations and for construction of improvements that meet or exceed the Town standards.
2. The Final Subdivision Plat process includes submittal of complete engineering design drawings for construction and studies to assure lot development with appropriate grading and drainage, streets, water, sanitation, utilities and other necessities. After review by the Town Engineer and other designated staff, the Final Plat is presented to the Town Council for approval; the Final Plat is subsequently recorded with the County Recorder. This process also includes the approval of the construction plans and assurances, inspection (s) and release of assurances for the required site improvements.
3. Within five working days from submittal of the Preliminary Plat Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plat shall be distributed to reviewing departments and agencies. Processing will not commence until all required documents are received.

FINAL SUBDIVISION PLATTING PROCESS AT-a-GLANCE



B. Final Plat Submittal Requirements

1. **Final Plat Filing, Timing and Compliance:** Within two years of the approval date of the Preliminary Subdivision Plat, or within an approved time period extension, the Final Plat shall be submitted and prepared:

a. in substantial conformance to the approved Preliminary Subdivision Plat, with only minor authorized changes allowed and with any stipulations attached thereto; and,

b. in accordance with these regulations, any other applicable Town ordinance or regulation, State or Federal Laws; and,

c. the Final Plat shall be certified by a Registered Land Surveyor licensed in the State of Arizona; and,

d. engineering plans submitted in support of the Final Plat shall be prepared under the direction of a Professional Engineer, registered in the State of Arizona.

2. **Progressive Units Option:** For any approved Preliminary Subdivision Plat, the Final Plat may be submitted for approval progressively in units, each processed as a separate Final Plat. Upon recording of a Final Plat for the first Unit of an approved Preliminary Plat, subsequent Final Plat Units may be prepared where the subdivider is proceeding in accordance with the development schedule approved with the Preliminary Plat and/or where there have been no material changes to these regulations, Town improvement standards or adjoining land-uses that warrant a review and possible redesign of the Preliminary Plat.

3. **Copies, Application and Fees:** The subdivider shall submit an appropriate number of copies as determined by the Community Development Department, including one in digital form, of the Final Subdivision Plat, an application with fees as specified in the Planning and Zoning Fee Schedule, the specified number of copies of engineering construction drawings and other studies and documents as hereinafter required. Processing will not commence until all required documents are received.

4. **Information Required:** The Final Subdivision Plat shall be prepared to contain the information required in Section 505 B. Preliminary Plat Submittal Requirements, updated as necessary to a Final Plat, and the additional Final Plat and supplementary requirements that follow in this Section.

5. **Title** shall include “Final Plat” and the proposed name of subdivision;

6. **Boundary lines** of tracts, lot and parcel lines, easement lines, street centerlines, and section lines, all showing accurate bearings and dimensions with dimensions expressed (rounded) in feet and decimals thereof to the hundredth; the licensed surveyor who certifies the boundary survey on the plat shall also submit the mathematical calculations of each boundary, lot and tract closure; the calculations shall contain enough data in order to follow and recalculate the method used to determine closure.

7. **Areas:** The total area of the subdivision and the area of each lot to the nearest hundredth of an acre if greater than one acre; or showing the area in square feet if less than one acre; such area data may be shown on the Final Plat or on a memorandum in support of the plat;

8. **Streets and Easements:** Width of streets, width of easements and indication of their purpose, angle, radius, tangent, and length of all curves; easements shall be clearly dimensioned, labeled, and identified, and, if already of record, properly referenced to the record. If any easement is not definitely located of record, a statement of such easement shall appear on the title sheet;

9. **Monuments:** Location and description of existing or found monuments, such as section corners and subdivision boundary corners, elevation of benchmarks for a condominium development, existing rights-of-way and easements, if any; corners of the subdivision shall be noted, and monuments found or set shall be indicated and described; two corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners or suitable monuments acceptable to the Town Engineer.

a. The legend shall specify the type of monuments used;

b. The final plat shall indicate if the lot corner monuments have been or are to be set. If the lot corners are set, this should be included in the surveyor's certificate. If they are not set, an estimate and assurances must be provided.

c. Monuments shall be either a steel pin or pipe at least 18 inches in length and set in a reasonable permanent manner for all points of reference on the outside boundary, at each lot corner and/or at all points of curvature or tangency of the subdivision.

10. **Subdivision and Public Use Boundaries:** The boundary of the subdivision shall be indicated by a heavy line, recognizable as a border clearly showing the boundary of the subdivision and all of the property being offered for dedication for public use and/or as easements; such boundaries shall not interfere with the legibility of figures or other data;

11. **Adjacent Land:** Where there are contiguous development, the name of the subdivision with reference of record, street right-of-way lines, street names, street width, easements shall be clearly dimensioned, labeled, and identified, if any; and if unsubdivided so note.

12. **Excepted Parcel:** Any excepted parcel(s) within the plat boundary shall be accurately depicted by bearings and distances on the plat, and indicated as "not a part".

13. **Lot, Block and Street Layout:** Each lot shall be numbered as per the approved Preliminary Plat and each block may be numbered or lettered. Each street shall be named and any private streets permitted shall be so designated. Label and identify all lots, parcels, tracts, excepted parcels, etc. for intended use, ownership, or maintenance.

14. **Drainage:** The limits of any 100-year floodplain identified using the standards set forth by the Arizona Department of Water Resources Requirement for Floodplain Delineation in Riverine Environments, together with the base flood elevation, shall be illustrated in the Final Plat.

a. The regulatory elevation for the most critical location within each lot shall be shown on each lot that is impacted by the floodplain. A note shall also be placed on the plat indicating that "Floodplain limits, base flood elevations and regulatory elevations may be revised by subsequent studies approved by the Yavapai County Flood Control District."

b. Final Plats shall also show all drainage easements in conformance with the approved Preliminary Plat with the associated dedication language. The actual dedication language should be related to the type of drainage facility and method of maintenance.

C. Additional Final Plat Submittal Requirements

Simultaneously with the submittal of the appropriate number of copies of Final Subdivision Plat, the subdivider shall also file therewith the following accompanying documents:

1. **Title Report:** Two copies of an updated title report or a policy of title insurance issued by a title insurance company within the preceding 30 working days to the owner of the land, covering the land within the subdivision and showing all record owners, liens, and encumbrances. The title report shall evidence that there is legal/permanent access to the proposed subdivision.

2. **Deed Restrictions:** A copy of any covenants, conditions and restrictions (CC & R's) to be recorded; a notation and space for reference to the recorded deed restrictions shall be placed on the Final Plat.

3. **Final Drainage Report:** A final or Phase 3 Drainage Report shall be submitted in conjunction with final construction plans in accordance with the requirements of the Flood Control District. The purpose of the Phase 3 Drainage Report is to update the concepts, provide all information not previously provided and to present the design details for the drainage facilities discussed in the Phase 2 Drainage Report.

4. **Engineered Design/Construction Plans:** A minimum of five sets of prints of the construction plans of all improvements required and prepared in accordance with Town Ordinances, Flood Control District Regulations, Arizona Department of Environmental

Quality Standards, applicable to the Town's delegation agreement and any/all other construction standards or specifications as adopted by the Town Council and in force and effect.

a. In addition to the construction plans, five sets of the plans for all off-site improvements to be constructed will be required. The plans will show such details as required by the Town's Engineering Design & Construction Standards, and will show land ownership, existing or proposed right-of-way limits, and other features affecting the establishment and construction of such required off-site improvements.

5. **Construction Cost Estimate:** A cost estimate for constructing the required site and off-site improvements, signed and sealed by a Professional Engineer who is registered in the State of Arizona. The cost estimate and method/type of assurance shall be approved by the Town Engineer and/or Town Attorney prior to approval of the final plat.

a. The actual assurance must be executed and presented to the Town of Camp Verde before the Final Subdivision Plat is recorded. (See Section 508 regarding assurances).

6. **Maintenance Provisions:** If private roadways or common facilities are proposed in the development, then provisions for perpetual maintenance shall be provided for in the Property or Home Owners Association, or other legal entity organizational Articles of Incorporation; such provisions must be acceptable to the Town of Camp Verde, and shall be submitted with the Final Subdivision Plat.

D. Final Plat Ratification, Dedication and Certifications

The following Certifications, Acknowledgements, Dedications, Acceptances, and all others now or hereafter required shall appear on the Final Plat. Such certificates may be combined when appropriate.

1. **Certification/Ratification by Interested Parties:** A certification or ratification signed and acknowledged by all parties having any record title interest in the land subdivided consenting to the preparation and recordation of said Plat. Certain rights-of-ways, easements, or other interests may be acknowledged by appropriate endorsements on the Plat.

2. **Certification of Dedication for Public Use Parcels:** A certification signed and acknowledged as above offering for dedication to the public all parcels intended for public use, including, but not limited to streets, alleys, rights-of-way, school or park sites, and any other public areas depicted on the Final Plat.

3. **Dedication and Acknowledgement of Private Streets and Facilities:** A dedication of the use and maintenance of private streets, recreational facilities, common open space, drainage easements and similar amenities to the Property Owners Association. An acknowledgement that private streets may only be taken over by the Town for maintenance if such streets are constructed or brought up to current Town Engineering Design & Construction Standards (including surfacing, right-of-way widths and other standards) for public street usage, at the owners or Property Owners Association expense.

4. **Land Surveyor's and Engineer's Certifications:** Certificates for execution by the land surveyor and professional engineer of record as follows:

a. The Final Plat shall contain the name and registration number of the Registered Land Surveyor (RLS) with certification, signed, sealed and dated, that the survey of the premises (property) described and platted was made under direction and supervision of the RLS and are accurately represented on the plat; and that the plat is in substantial conformance to the approved Preliminary Plat; and that this Final Plat is correct and accurate as shown.

b. The Final Plat shall contain the name and registration number of the registered Professional Engineer (PE) who is responsible for the engineering that is necessary in preparation of the proposed subdivision.

5. **Certification and Acknowledgement by Town Officials:** A certification for execution to be signed and dated by the Town Engineer and the Community Development Director that the plat has been checked for conformance to the approved Preliminary Plat and to any special conditions attached thereto, and to the requirements of the Camp Verde Subdivision Regulations, and to any other applicable regulations, and that the plat appears to comply with all requirements within the jurisdiction of evaluation.

6. **Certification of Town Council Approval:** A certification by the Town Clerk to be signed and dated acknowledging that the Town Council approved the Final Plat on the day, month and year specified, and accepted on behalf of the public all parcels or tracts of land offered for dedication for public use in conformity with the terms of the offer of dedication.

7. **Certification of Assurance:** A certification, signed and dated by the Mayor of the Town of Camp Verde, and attested to by the Town Clerk that satisfactory Assurance in the form specified (performance bond), (trust agreement), (unconditional bank guarantee), (other method) has been provided from the subdivider in the amount approved by the Town Engineer which is the full amount necessary to guarantee the installation of all required improvements (streets), (water), (sewer), (other) in this subdivision; and that utility services (electric), (phone), (other) have been assured by letter from the appropriate utility companies.

8. **Statement on Water Adequacy:** A reference that this subdivision is not within a designated Active Water Management Area and that a statement concerning water adequacy has been received from the Arizona Department of Water Resources (pursuant to A.R.S. 45-108) declaring the water resources are (adequate or inadequate) for this subdivision.

E. Final Subdivision Plat Review and Actions by the Town Council

1. Each Town department and/or agency that has received a copy of the Final Plat and applicable supporting plans and documents shall determine and reply, within 20 working days from the date of complete application received by the Community Development Department, as to whether or not the material is acceptable. Failure of any department or agency to reply within the time specified will be interpreted by the Community Development Director as no objection to the plat as submitted.

2. The Community Development Director shall inform the subdivider that changes or additions are necessary, or, that the original tracing may be submitted, as follows:

a. If significant changes or additions are necessary, such as design variation from the approved preliminary plat, two sets of revised prints shall be submitted as a new Final Plat submittal;

b. If the changes are “minor authorized” changes, then, the Final Plat may be presented to the Town Council; Minor Authorized Changes may include adjustment, variation, and reduction of lots, lot lines, easements or statements contained in preliminary plat if they are found by the Community Development Director to be consistent with the intent and design of the approved preliminary plat.

c. If the change is material, a “Revised” Preliminary Plat will be required for consideration by the Planning & Zoning Commission and Town Council. Adding lots, streets or creating exceptions to the Town’s Subdivision regulations are material changes which will require a “Revised” Preliminary Plat.

3. When a Final Plat, construction plans and all required supporting documents are found acceptable to the Town Engineer and Community Development Director, County Floodplain District Administrator, and County Environmental Services Director, the subdivider upon notice thereof shall deposit with the Community Development Department two reproducible sets of the Final Plat completely executed by:

a. All parties required to sign or endorse the same for the purpose of passing a good and sufficient title to the public right-of-ways, easements, and parcels offered for dedication and to join in the subdivision of said property;

Note: This does not imply acceptance of the street into the Town Road System for maintenance; formal acceptance for maintenance is contingent upon Council's approval of the plat, its recordation, and street construction to Town standards with acceptance by the Town Engineer.

b. The Registered Land Surveyor preparing the plat and Professional Engineer and /or any and all other parties required to execute certificates thereon, other than the required Town officials' signatures.

4. In addition, all finalized and signed plats and accompanying data, agreements and other papers or documents necessary to the acceptance of this plat shall be deposited with the Community Development Director at least 15 working days prior to the regular Council meeting at which the applicant desires to be heard.

5. When all appropriate provisions of these regulations have been met, all of the specified accompanying material shall be transmitted by the Community Development Director at least seven working days to the Town Clerk for action by the Council at the next regular meeting following the filing of the plat, or at any other meeting the Council may so designate.

6. The Council shall consider said Final Plat, the recommendations from the Planning Commission on the Preliminary Plat, and from the Community Development Director and Town Engineer on the Final Plat, the offers of dedication, and the agreements and guarantees for improvements.

a. If the Council determines that the plat is in conformity with these requirements and other pertinent statutes and of any requirements duly made relating thereto, and the plat conforms to the approved Preliminary Plat, it shall approve the Final Plat.

b. The Council may grant waivers or variations from these regulations upon recommendations of the Commission or on its own initiative; and may require conditions as will, in its judgment, secure substantially the objectives of these regulations.

c. If the Council determines that said plat is not in conformity with the approved Preliminary Plat or if other requirements are not approved by the Council, it shall disapprove said plat specifying its reason or reasons therefore; and shall advise the subdivider in writing within ten working days of such disapproval and of the reasons for such action.

F. Plat Recording

1. It is the responsibility of the subdivider after Council approval of a Final Plat to provide all required materials and demonstrate that all conditions of plat approval have been met and to present such to the Community Development Director for recording of the plat in the office of the County Recorder;

a. Such materials shall include financial assurances for all required site improvements in an amount accepted by the Town Engineer, and,

0b. Filing fees sufficient for recording of the complete plat and deed restrictions.

2. The Community Development Director shall obtain the necessary signatures from Town officials and cause the Final Plat to be recorded upon finding that:

a. The Final Plat is properly executed for recording; and,

b. The materials evidencing that all of the stipulations of Council approval have been received by the Town and are satisfied; and,

c. The necessary recording fees are filed with the Town.

3. At the end of two years after Council's approval of the Final Plat, if the conditions of approval have not been satisfied and the plat is not presented or found acceptable for recording, the Final Plat shall be referred to the Town Council for action to consider

granting an extension of time if requested by the subdivider. If the subdivider does not ask for or if the extension action is not taken, then the plat process is terminated and in order for the Final Plat to be considered again, the Preliminary Plat process must be followed.

SECTION 507 CONSTRUCTION AND FINANCIAL ASSURANCES

A. Improvement Construction Prior to Final Plat Approval or Recordation: No subdivision site work shall be initiated unless or until the Final Plat has been approved by the Town Council and the site work is authorized by the Town Engineer with approved construction plans, except as follows.

1. Prior to Final Plat Approval - If the owner or subdivider elects to construct limited site improvements prior to Final Plat approval, the Preliminary Plat must be approved and the subdivider shall cause the construction plans to be prepared by a Professional Engineer. These plans shall be submitted to the Town Engineer for review and approval prior to initiating site construction. The Town Engineer may authorize limited rough grading or drainage improvements, after review and approval of appropriate site grading and erosion control plans, during the review of construction plans.
2. Prior to Final Plat Recordation - If the subdivider chooses to construct the required improvements prior to the recording of the Final Plat, he shall submit the construction plans, inspection reports, test reports and material certifications to the Town Engineer for approval. A certificate by the Engineer of Record on the as-built plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein and/or the approved construction plans, must be reviewed and acceptable to the Town Engineer, prior to recordation of the Final Plat.

B. Financial Assurances Required: No Final Subdivision Plat will be recorded unless one or more of the following methods of assurance are submitted with the Final Plat. The amount of the assurance shall be based on the estimate of probable costs that is prepared, signed and sealed by the professional Engineer of Record, furnished with the Final Plat for all required on- and off-site improvements, and approved by the Town Engineer; an amount of 10% of the approved estimate of probable costs shall be provided in addition by the subdivider to cover potential cost increases for any of the following assurance methods which shall be approved as to form and legality by the Town Attorney.

1. **Performance Bond** - The subdivider shall file with the Town of Camp Verde a bond executed by a surety company holding a license to do business in the State of Arizona, and acceptable to the Town of Camp Verde, in an amount equal to the approved estimate of probable cost of the improvements required by these regulations, and within the time for completion of improvements as estimated by the Engineer of Record and approved by the Town Engineer.
2. **Trust Agreement -** The subdivider shall place on deposit in a bank or trust company in t0he name of the Town, and approved by the Town Attorney, in a trust account a sum of money equal to the estimated cost of all site improvements required by these regulations. The cost and time of completion shall be approved by the Town Engineer. Periodic withdrawals may be made from the trust account for a progressive payment of installation cost. The amounts of such withdrawals shall be based upon progress work estimates and approved by the Town Engineer. All such withdrawals shall be approved by the Trustee.
3. **Unconditional Guarantee-** The subdivider shall file with the Town a letter, signed and notarized by the principal officer of financial institution acceptable to the Town, agreeing to pay the Town on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the subdivider or developer is responsible under these regulations. The guaranteed payment sum shall be determined

from the estimated costs and scheduling as approved by the Town Engineer. The letter shall state the name of the subdivision and shall list the improvements for which the subdivider or developer is required to provide together with a schedule for completion.

4. **Other Methods -** Other methods of assurance for completion of improvements may be used providing the Council approves such methods after receiving a recommendation by the Planning and Zoning Commission. The Town Council's decision to approve of any "other methods" shall be provided in written form to the subdivider.

5. The subdivider shall also comply with requirements of Arizona Administrative Code, Title 4 Chapter 28 State Real Estate Department (R4-28-A1211B) regarding surety requirements.

C. Duration and Partial Reduction of Financial Assurances

1. The duration of a performance bond or other assurance shall be for three years, from the date of recording. Extension of time in one year increments may be granted by the Town Council by showing just cause. The assurance (surety) shall remain in force and effect until it is released by the Town Council or has been authorized for partial release as provided for herein.

2. The Town Engineer, upon receipt of a certification from the Engineer or Record, may authorize a reduction of the assurance for the work completed in accordance with the approved cost estimate and construction plans. Ten percent of the estimated cost of completed improvements will be retained to insure sufficient funds remain for completion of the site improvements, final inspections and preparation of final "as-built" plans.

D. Default

1. In the event that the subdivider defaults or fails or neglects to satisfactorily install the required improvements within the time agreed upon for performance, the Town Council may declare the bond, or other assurance forfeited, and the Town may make or cause the required improvements to be made, using the trust funds or proceeds of the collection of the bond or other assurance to defray the expense thereof.

2. In addition, the Community Development Director shall notify the State Real Estate Commissioner of the default.

E. Improvement Inspection and Surety Release

1. The subdivider, using the services of an Arizona registered Professional Engineer and plans as approved by the Town Engineer, shall be responsible for the quality of all materials and workmanship.

2. At the completion of the work, or not less than thirty (30) days prior to the release date of the bond or other assurance, the Engineer of Record shall make an inspection of the improvements, and shall submit to the Town Engineer a set of 'as-built' construction plans if complete or a report on the status of improvements if only partially complete.

3. The Town Engineer will review the as-built plans and/or report and notify the subdivider of any noncompliance with the approved construction plans or with these regulations. If the Town Engineer determines that compliance has been made, he will then submit a report to the Town Council, setting forth the conditions of such facilities.

4. A certificate signed and sealed by the Engineer of Record on the as-built plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein must by approved by the Town Engineer and presented to the Town Council prior to the surety release.

a. If all conditions are found to be satisfactory and the improvements comply with the Town Standards, the Town Council shall release the guarantee.

b. If the condition of materials or workmanship shows unusual depreciation or does not comply with Town Standards, the Town Engineer may present this information to the Council who may declare the subdivider in default.

c. The Engineer of Record's certification: *"In my professional opinion, the construction of (the specific site improvements required for approval) has been completed in substantial conformance with the construction plans and specifications including changes and addendums. My professional opinion is based, in part, upon the completion of certain tests and measurements and/or the review of the results of such tests and measurements completed by others. The rendering of this opinion in no way relieves any other party from meeting requirements imposed by contract, plans, specifications or commonly accepted industry standards."*

5. Upon recommendation by the Tow0n Engineer, the Council will review the roadways for acceptance into the Town System for Maintenance. Upon formal acceptance by the Town of the improvements, the surety less ten percent will be released and the subdivider shall provide a two-year warranty of workmanship and materials; the remaining ten percent will be released at the end of the warranty period upon completion of any required repairs.

SECTION 508 SUBDIVISION DESIGN

A. Purpose & General Provisions

1. **Purpose**: subdivision design provides for consideration of many facets of land development including suitability, natural features, aesthetics/views, street circulation/coordination, sewer and water facilities, utility services, drainage, terrain slopes, emergency access, lot/block design and public use areas.

2. **General Requirements:** subdivision design and these regulations shall insure that appropriate provisions are made for the harmonious development of the Town by requiring:

a. The continuation and alignment of streets within subdivisions with existing or planned streets, roadways, highways, pathways and with the adopted General Plan of the Town.

b. The coordination of population density with traffic volume for ease of circulation and reduced con0gestion, creating conditions favorable to public health, safety, and convenience.

c. Adequate spaces for public use (such as for parks, schools, recreational areas, public safety facilities, etc.).

d. Compliance with these regulations and the Town Engineering Design & Construction Standards, specifications and details;

1) The Town Engineering Design & Construction Standards are a set of standards on each item as described herein that are separate from this ordinance, developed in coordination with the Yavapai County Flood Control District, state and local standard engineering practices and other regional regulations, accepted by the Town Engineer and approved by the Council.

2) These Engineering Design & Construction Standards may be revised in response to changing circumstances, requirements or technological improvements justifying such changes.

3. **Adequate Property, Access and Public Use Reservation:**

a. Portions of any contiguous property within the ownership of the subdivider shall not be excluded from within the boundaries of a subdivision when needed or required for any traffic, drainage, or flood control facility pertinent to said subdivision

b. Adequate primary, secondary and emergency access, if necessary, shall be provided from an existing dedicated public road to land being subdivided.

Approval of such access shall be a condition of the plat by the Commission and Council.

c. Consideration shall be given to the requirements for public land and open spaces as specified in the General Plan during the design and layout of the subdivision; the Planning Commission and the Town Council may require certain lands to be dedicated or reserved for public purposes in conformance with the General Plan as specified in these regulations and state statutes.

4. **Responsibilities:**

a. The design of those elements of a subdivision involving structural matters, and design and building of roads, drainage provisions, water supply and sewage disposal shall be made by a professional eng0ineer registered in the State of Arizona and qualified to specify the standards for such design.

b. It is the responsibility of the subdivider to comply with these regulations;

1) If, at any time in the processing of the subdivision plat or construction of improvements it is determined that non-compliance with these regulations or with the approved subdivision plat has occurred, notification of same will be transmitted to the subdivider;

2) When compliance is determined, processing or construction may proceed from the date of compliance as authorized by the Community Development Director.

B. Land Suitability and Features

1. In all subdivisions, due regard shall be demonstrated for all natural features such as trees, watercourses, historical and archeological sites and similar community assets which, if preserved, will add attractiveness and value to the property and community.

2. A subdivision shall not be recommended for approval by the Commission if, from adequate investigation, it is determined that said land is not suitable for the kind or type of development proposed as submitted. The investigation shall include but not be limited to such factors as flooding, fire hazards, surface drainage constraints, steep slopes, rock formations or design features determined to be harmful to the safety, welfare, and general health of the future residents. The subdivider may provide corrections or appeal to the Town Council.

3. The subdivider shall give consideration to preserving natural features in the design and layout of the subdivision; lots and buildings shall be oriented to make advantageous use of any views, natural vistas and solar access considerations where appropriate.

C. Watercourses

1.In the event that the subdivision is traversed by or is contiguous to lakes, streams, or other bodies of water, the subdivider shall provide an easement or right-of-way for storm drainage substantially conforming with the line or path of such natural watercourse, channel, stream or creek, or provide and acceptable realignment of said watercourse.

2. Subdividers shall be required to comply with the rules and regulations of the Yavapai County Flood Control District, with the processing of the Preliminary and Final Plat submittals.

D. Streets, General Design

1. **Arrangement and Circulation:**

a. The arrangement, character, extent, grade, width, and location of all roadways or streets shall conform to these regulations, Town Engineering Design and Construction Standards specifications and details, any adopted transportation plan, adopted General Plan of the Town or Specific Area Plan affecting said street locations.

b. Where such is not shown on the adopted General Plan, adopted transportation plan or preliminary plans, the arrangement of streets shall provide for

continuation or appropriate projection of existing major streets in surrounding areas. All center lines shall be continuations of the center lines of existing streets and highways in contiguous territory. In cases where straight continuations are not physically possible, such center lines may be continued by curves.

c. Each subdivision design shall provide for adequate traffic circulation that incorporates the adopted Town roadway functional classification system to handle the projected traffic volumes on the roadways.

d. Local and residential streets shall be designed to provide proper circulation of local traffic; curvilinear street patterns are encouraged.

e. Half roads or partial width rights-of-way will only be approved as partial arterial roads along a section line where no alternative design exists, or where said partial rights-of-way would require the dedication of additional contiguous rights-of-way to make it full width.

1) The developer shall, at a minimum, dedicate the entire one-half width of future right-of-way on all property he controls, or include evidence that the additional right-of-way necessary to accomplish full right-of-way width dedication is permanently reserved for future road purposes.

2) Half roads should only be accepted where they are a portion of the road system approved as part of an adopted transportation plan, Town roadway network plan, General Plan or Specific Area Plan.

2. **Rights-of-way and Construction:**

a. The minimum width of right-of-way, measured from lot line to lot line, shall be as prescribed by the Town Engineer, any approved transportation plan, the General Plan, these regulations and the Town Engineering Design and Construction Standards. Proposed streets shall extend or project existing street right-of-way at their same or greater width, but never at a width less than prescribed by established standards.

b. All streets and highways shall be constructed and surfaced to meet specifications established by these regulations and Town Engineering Design and Construction Standards. The subdivider shall improve the extension of all subdivision streets and other public ways to the intercepting shoulder line of any Town road, or state highway.

c. All roads and alleys developed or improved in conjunction with subdivision development shall either be:

1) Built to Town Engineering Design and Construction Standards, dedicated by the plat and accepted by the Council; or

2) Built to Town Engineering Design and Construction Standards, dedicated by the plat and approved by the Town Council in conjunction with an approved special maintenance district, completion bond, trust, improvement district, or other appropriate security; or

3) Built to Town Engineering Design and Construction Standards and exist and be maintained as private roads within appropriate minimum right-of-way in compliance with these regulations or as recommended by the Town Engineer.

3. **Drainage Structures, Utility and Other Crossings**

a. Structures or culverts shall be installed as deemed necessary by the Town Engineer for drainage, access and public safety. Such structures and culverts are to be placed to grades and be of design and size approved or authorized by the Town Engineer. Adequate drainage of the subdivision streets or roadways shall be provided by means of said structures or culverts and by other approved methods, in accordance with the Town Engineering Design & Construction Standards and Flood Control District.

b. Provisions shall be made for public or private utility, railroad and other crossings necessary to provide access to or circulation within the proposed subdivision, including the obtaining of all necessary permits from the public or private utilities involved and any regulatory agencies having jurisdiction. The cost of such crossings shall not be assumed by the Town.

4. **Street-Lot Access:**

a. Adequate provisions shall be made in the design of subdivisions for access to each lot or parcel, and for access to adjacent properties.

b. When a tract fronts on an arterial road the lots within the subdivision shall have reverse frontage, unless otherwise approved by the Town Council.

5. **Dead End Streets:**

a. Minor terminal streets designated to have one end permanently closed, shall be no more than six times the minimum lot width nor more than 1320 feet long or as may be required by the local fire district, unless authorized by the Town Council by an approved Application of Exception (see Sec 505C 12). Dead end streets shall be designed at the closed end with a circular turn-around for cul-de-sac having a right-of-way diameter of at least 100 feet. Said cul-de-sac shall be designed to meet uniform fire code requirements or specifications of the State Fire Marshal or local fire district.

b. Where, in the opinion of the Commission and the Town Council, it is desirable to provide street access to adjoining properties; proposed streets shall be extended by dedication to the boundary of such property. Such dead end streets shall be provided with a temporary turn-around having a right-of-way diameter of at least 100 feet.

6. Intersections:

a. Street intersections shall be as nearly at right angles as possible.

b. Property line radii at street intersections shall not be less than 25 feet; to accommodate adequate curb radii, however, the Town Engineer may require a greater curb radius where necessary.

7. Jogs in Minor Streets:

Street jogs of less than 135 feet in length shall not be approved.

8. Street Names:

Proposed street names shall be assigned and administered in accordance with the provisions of the Street Naming and Addressing Ordinance of the Camp Verde Town Code.

9. Alleys:

Alleys shall be provided to the rear of all lots used for business purposes and as deemed necessary by the Planning and Zoning Commission and the Town Council.

E. Blocks and Lots

1. **Blocks -** The length, width and shape of blocks shall be determined with due regard to provisions for adequate building sites, the zoning requirements as to lot area and dimensions, limitations, and opportunities of topography and associated needs for convenient access, traffic circulation, control and safety to streets and pedestrian traffic.

a. Block Length - Blocks shall not be more than 1320 feet in length except as the Commission and Town Council considers necessary to secure efficient use of the land or as a desired feature of street design.

1) In blocks over 660 feet in length, pedestrian crosswalks may be required.

2) Where fronting on major streets, lengthened blocks may be utilized in order to reduce the number of intersections along the major street or arterial.

b. Block Width - Blocks should be wide enough to allow two tiers of lots.

2. Lots

a**. Arrangement, Size and Use -** The lot area, width, depth, shape and orientation, as well as the minimum building setback lines shall be appropriate for the location of the subdivision, for the type of development and use contemplated, and shall conform to the requirements of zoning and these regulations.

1) Each lot shall be suitable for the purpose for which it is intended and shall contain a usable building site.

2) The area of a lot shall be deemed the area shown, exclusive of any area designated for street right-of-way purposes; or any easement for access or private road purposes shown on the map unless otherwise permitted by the Town Council's approval after considering a recommendation from the Planning & Zoning Commission.

3) Side lot lines shall be designed at right angles to straight street lines or radial to curved street lines.

b**. Accessibility-** Each lot must front upon a public street or road or approved access and shall be accessible to the street on which it fronts.

c. **Corner Lots -** Where lots are designed with minimal building areas, corner lots shall be wider than minimum to provide adequate usable area, if necessary.

d. **Large Tracts or Parcels -** When the land is subdivided into large lots such lots shall be arranged in order to accommodate future streets and logical extension of same. No subdivision shall be created with lots contemplated for future re-subdivision without approval by the Town Council upon recommendation of the Planning & Zoning Commission.

e. Lot Numbering- Each lot shall be designated by an Arabic numeral.

1) If block designations are not used, numbering shall be in consecutive sequence within the block beginning with the number "1" wherever lots have common side boundaries within a subdivision or within a block along each street, and contiguous consecutive numbers shall follow from one block to another.

2). When block designations are used, numbering shall be in consecutive sequence within each block area commencing with the number corresponding number for each block.

3) Numbering sequences may follow in continuity from one tract to another when lying contiguous to one another, or when separate or contiguous of the same name is used for successive tracts.

4) Parcels shall be designated by capital letters and be designated in sequence within a tract starting with the letter "A".

f. Lot Easements- Except where alleys are provided for that purpose, easements at least 16 feet in total width or as required by the Town Engineer, one-half of which is provided from each adjoining lot, shall be provided where necessary along rear lot lines for poles, wires, conduits, sanitary sewers, gas mains, water mains, or for other utilities.

1) Where necessary additional easements shall be located along the side lot lines.

2) Half or partial easements may only be approved where written commitment of dedication of necessary additional easements are on record.

3) All easements shall be in accordance with those approved by the utility companies concerned.

F. Sanitary Sewer and Water Systems

1. Requirements for development of public or community water supplies and of community sewage disposal systems shall not be less than those outlined by Arizona

Department of Environmental Quality (ADEQ) regulations and engineering criteria for such installations.

a. Minimum lot size may be modified by requirements of State or County regulations pertinent to water and sanitary sewage systems.

2. **Sanitary Sewer:**

a. Where a public sanitary sewer is reasonably accessible and capacity is provided, the subdivider shall connect with such sewer and provide a connection to each lot.

b. A sewer collection and treatment system may be required as a condition of approval for any subdivision pursuant to Arizona Department of Environmental Quality (ADEQ) Design Bulletins as recommended by the County Environmental Services Department where on-site disposal systems are not feasible.

c. When connection to a sanitary sewer system is not available, individual on-site septic tanks or other on-site disposal methods may be permitted provided that a statement is submitted to the Commission and the Town Council from the County Environmental Services Department certifying that field investigation has determined that ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and size as depicted on the subdivision plat.

3. **Water:**

a. Water mains connecting with existing municipal or other water utility systems shall be installed to serve each lot, when and if connection to such system is available. In such case, prior to the approval of the Final Plat, the subdivider shall submit a letter from the governing body of the water system showing the ability of the system to serve the proposed subdivision and evidence that a satisfactory agreement has been made for connection to the system.

1) Water mains and fire hydrants, if installed, shall comply with standards of ADEQ and be installed to grades, location, design, and sizes on plans submitted by a professional engineer registered in the State of Arizona and approved by the Town Engineer.

2) Fire hydrant installation shall meet the criteria of the fire district in which it is proposed to be located.

b. When connection to an existing water system is not available, the subdivider may provide service by the establishment of a private or community water system in which case water mains and fire hydrants shall be installed, located, and designed in compliance with ADEQ standards and submitted by a professional engineer registered in the Sta0te of Arizona. The source of water supply shall be developed and improved to the satisfaction of the ADEQ or other state agencies so that the subdivision may be adequately supplied with water.

c. A public, private or community water system shall be provided as a condition of approval for any subdivision containing lots or parcels less than 70,000 square feet.

d. In the case of a subdivision with lots over 70,000 square feet in area, water supply may be from other than a community system. In this case evidence shall be submitted showing that sufficient potable water is available and can be obtained for all lots in the subdivision.

G. Special Development Subdivision and Waivers

1. **Special Development Subdivision** - Modified standards and requirements of these regulations may be accepted by the Commission and the Town Council in the case of a plan and program for a complete community or a neighborhood unit, which in the judgment of the Commission and the Town Council provide adequate public recreation, light, air and service needs for the tract when fully developed and populated, and which

also provides such covenants or other legal provisions as will assure conformity to the zoning ordinance and achievement of General Plan objectives.

a. When such a preliminary development plan is submitted for approval, it shall be accompanied by a petition for waivers or variations, as outlined in these regulations, setting out all deviation00s from standards as herein required and explaining reasons thereto.

b. Special development waivers or variations may include:

1) streets of less width than standard requirements, but with adequate provisions for off-street parking;

2) up to four lots served by a common driveway where topographic conditions would justify such treatment;

3) up to four buildings per building-site in a cluster of less than minimum lot area if a corresponding contiguous area plus the building site areas brings the total combination of building sites and common areas to minimum area standards, and;

4) provisions are made that each lot owner has an undivided interest in the contiguous parcel and it is restricted to being used only for recreational purpose or to remain “open land”;

5) special common sanitation facilities

6) modified lot areas, such as lot area averaging

7) other waivers as the Commission and Council may approve based on special conditions of the site

c. Special development subdivisions that require a change of zoning classification shall be regulated as outlined in Section 203 L. Planned Unit Developments of this ordinance.

2. **Waivers**

a. The Planning Commission may recommend, and the Town Council may grant a waiver to any provision of these regulations insofar as they affect a public use or purpose. No waiver may be granted unless the Town Council finds that the waiver is in the best interest of the public, without impairing the intent and purpose of these regulations. The extent and duration of the waiver shall be stated at the time of the waiver.

b. The Planning Commission may recommend and the Town Council may authorize variations or waivers from the terms of these regulations, whereby reason of exceptional or extraordinary situation or condition of a tract of land causes the strict application of any regulation enacted herein that would result in peculiar and exceptional practical difficulties to, or undue hardship upon the subdivider.

1) Such variations or waivers may be given, provided such relief may be granted without detriment to the public good and without impairing the intent and purposes of these regulations, and,

2) Where the Council deems it is necessary to promote the health safety and welfare of the Town of Camp Verde.

SECTION 509 AMENDED MAP, REVISION, REPLAT AND ABANDONMENT

A. Amended Map/Plat Correction

1. Any plat map of a subdivision that has been filed for record may be amended to correct an error in any course or distance or other necessary item that was omitted there from, or to correct a drafting, graphic, technical, or similar type error, by the filing for record of an amended map of said subdivision. The Town Engineer shall examine such

amended map, and if such examination discloses that the only changes on the amended map are changes authorized above, he shall certify this is to be a fact over his signature on the amended map. Thereafter, the amended map shall be entitled to be recorded in the office of the Recorder in which the original subdivision map was recorded. Such map shall be marked "AMENDED MAP OF _____", and follow in numerical sequence.

2. The use of the terminology of Amended Map shall not be used to change or vary or add any lot lines, streets or easement, or statements that were not contained on the approved Final Plat map, since such actions necessitate reprocessing of the plat.

B. Revision of Plat

Any of the following changes to a recorded subdivision plat shall require compliance with the procedures for Final Plat (see Sec 506):

1. Any division of a lot or lots in a recorded subdivision that results in an increase in the total number of lots;
2. Any revision involving dedication or abandonment of land for a public street, public easement or other public right-of-way; where abandonment is involved, the Revision of Plat shall not be forwarded to the Town Council for final action until abandonment proceedings (see Section 509 D.) are completed and the recording data noted on the Final Plat;
3. Any change in lot lines or in the location of streets, easements and other rights-of-way, except for nominal changes as a Replat (see Sec 509 C below);
4. Any changes to the exterior boundaries of a subdivision.

C. Replat

Any of the following changes to a recorded subdivision plat may be approved administratively by the Community Development Director; additionally the Director may request Town Council action on the following:

1. Any combining or joining of lots;
2. Any re-dividing of joined lots into new lots as long as the total number of lots is not increased;
3. Any nominal changes in the location of streets, easements or other public rights-of-way, or to lot lines for minor lot area increase or decrease, while remaining in compliance with Zoning regulations of lot size;

D. Abandonment/Revocation

1. If no lots in a subdivision for which a Final Plat has been approved by Town Council and recorded have been sold within three years from the date of recordation and if all of the improvements have not been made within three years from the date of recordation, the Town Council may on its own motion hold a public hearing after notice, to determine whether the approval and recording of such Final Plat should be revoked.
2. Abandonment of subdivision lots and reversion to acreage and/or abandonment of streets, rights-of-way, and easements dedicated or otherwise may be initiated by property owners petitioning the Town Council for consideration of all or portions of any tract or plat.
    a. A preliminary title report shall be submitted by the property owners for the property proposed to be abandoned or reverted to acreage.
    b. Such petition may necessitate consideration for rezoning if the Commission deems it necessary or desirable.
3. Any action considered by the Town Council relating to revocation of all or part or a subdivision whether lots, or lots and rights-of-way, shall be referred to the Commission for evaluation of the following:
    a. Correlation with the General Plan of the Town.

b. Correlation with proposed development in adjacent areas.
c. Recommendations as to whether or not zoning changes should accompany such action.
d. Effect of such action on existing development in areas affected by proposed reversion or abandonment.
e. Review comments on abandonment by agencies who may have an interest in the existing subdivision.
f. Access to all parcels remaining.

4. Applications to abandon streets or easements shall be carried on separately and simultaneously with any procedure to abandon a subdivision or revert it to acreage.
5. Upon submittal of an application to abandon a subdivision, street right-of-way or easement and cause same to revert to acreage, the Community Development Department staff shall distribute the request to reviewing agencies for comment including but not limited to the County Assessor, local fire district, emergency service agencies, or other agencies as deemed appropriate by the Community Development Director.
6. Upon receipt of reviewing agency comment(s), if any, the Director shall schedule the matter for public hearing before the Planning and Zoning Commission to formulate a recommendation to the Town Council.
7. Public hearing and notice for any revocation or abandonment of a subdivision, street right-of-way or easement shall follow the same procedures prescribed in Sec 601A.

PART SIX. ADMINISTRATION AND PROCEDURES

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SECTION 600 DEVELOPMENT DECISION AUTHORITY

A. Introduction and Purpose

Development regulations are applied by the Town of Camp Verde in accordance with the Arizona Revised Statutes and procedures adopted herein.

The purpose of Part Six is to provide equitable, uniform processes for all persons to avail themselves of the Town's development guidance system. Part Six specifies the authority, responsibility and manner for making and evaluating development applications, rendering decisions, enforcing regulations and assuring open, public participation pertaining to the Camp Verde Development Guidance System.

B. Applicability

These procedures shall apply to:

1. All properties located in the Town to which the State's municipal planning and zoning enabling legislation extends; and
2. Any person or entity:
   a. Owning land for which development entitlement or permit is sought, or who may be affected thereby, such as but not limited to: zoning amendment, Use Permits, subdivision approval, site planning, and adjustments to otherwise applicable development regulations; or
   b. Responsible for improvement, maintenance, prevention of hazard and general observance of the requirements of this Code.

C. Town Council

As the governing body, the Town Council determines and oversees Town development policies for consistency with the adopted General Plan, considering public testimony, recommendations from the Planning and Zoning Commission or other advisory bodies, and staff where applicable. Council exercises the Town's legislative authority and, in specified instances on appeals exercises quasi-judicial functions.

1. The Town Council, responsible for considering and acting upon applications for development entitlements may, from time to time, after public hearings and Planning and Zoning Commission report as prescribed herein, amend, supplement or change zoning boundaries, zoning text or subdivision text regulations. Any such proposed amendments may be initiated by the Planning and Zoning Commission, the Town Council or by application of property owners.

2. Council exercises final decision-making authority on recommendations received from advisory bodies or staff pertaining to applications including, but not limited to:
   a. Use Permits;
   b. Site Plan approvals, and
   c. Subdivision plats.

3. Council appoints development guidance advisory bodies, the Planning and Zoning Commission (See Section 600D) and the Board of Adjustment (See Section 600E), each with membership of seven members appointed for terms of three years as stated in Articles 4-1 and 2 of The Town Code
   a. The Council shall establish regular meeting dates, times and meeting place by resolution in January of each year for the Commission and Board. The Chair of either body may schedule special meetings and work sessions subject to approval by the Town Manager.
   b. Meetings of the Commission and Board are held as stated in Article 4-3 of The Town Code and shall be open to the public, with minutes of its proceedings, showing the votes of each member and records of its determinations, recommendations and other official actions kept and filed in the Community Development Department as a public record. The secretary of the Commission and Board shall be a member of the Community Development Department staff.

      1) At least four members shall be present to conduct a meeting.

      2) In the event a quorum of four members are the total members present, then a unanimous vote must be cast to recommend approval or denial.

D. Planning and Zoning Commission

1. The Planning and Zoning Commission, established by Ordinance 87-A12 of the Town of Camp Verde, serves as the advisory body to Town Council on planning, zoning and development code matters. The Commission, in particular, provides recommendations to Council on Zoning Ordinance amendments, Use Permits, General Plan Amendments, Preliminary Subdivision Plats and related considerations pertaining to Council's exercise of legislative authority.

2. Before any Zoning Ordinance text or rezoning amendments or Use Permits shall be considered by the Town Council, the request or amendment shall first be referred to the Planning and Zoning Commission for public hearing, report and written recommendation. The Commission’s report shall include the reasons for its recommendation, based on its vote following the public hearing, and be transmitted to the Town Council in such form and manner as may be specified by the Town Council.

3. Upon receipt of Commission’s report, the Council shall consider the recommendation on a regular Council agenda as a:

a. public hearing item; or

b. consent agenda item to adopt the recommendation of the Planning and Zoning Commission without holding a second public hearing provided there is no request for public hearing or other protest from any member of the public or Town Council, in which event a public hearing will be held.

4. The Planning and Zoning Commission reviews Preliminary Subdivision Plats at their regular public meetings. The Commission's recommendations are forwarded to the Council for action.
5. In the event an item voted on fails to receive the required number of votes for approval, the item will be forwarded to the Council with a recommendation for denial. Nothing in this paragraph will prevent the Commission from continuing or tabling an item unless specifically directed by the Town Council to vote on an item pursuant to 6. below.
6. The Town Council, by majority vote, may compel the Planning and Zoning Commission to place an item on a specific agenda for a vote.

E. Board of Adjustment

The Board of Adjustment, established by Ordinance 89-A33 of the Town of Camp Verde, serves in a quasi-judicial capacity, hearing and deciding appeals from the decision of the Community Development Director, or designee, pursuant to (Ord. 95-A106) and ARS 9-462.06.

Duties of the Board of Adjustment, as set forth in ARS 9-462.06, include:

1. Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the Community Development Director, or designee, in the enforcement of the zoning ordinance by reversing or affirming, wholly or in part, or modifying the order, requirement, decision appealed from and make such order, requirement, or decision or determination as necessary.
2. Hear and decide appeals for variances from the terms of the zoning ordinance in accordance with the requirements and criteria of Section 602-A.

F. Administrative Authority

The Camp Verde Community Development Department is primarily responsible for the day-to-day administration of the Zoning Ordinance, Subdivision Regulations and other development-related regulations or guidelines.

The Community Development Director, or designee, coordinates with other Town departments, agencies and organizations participating in the planning and development process; and oversees and provides assistance to members of the public regarding the following:

1. Receiving applications, materials and fees pertaining to the filing of requests for zoning amendments, site plans, Use Permits, land divisions, subdivision plats, Temporary Use Permits, appeals to the Board of Adjustment and other procedures set forth herein;
2. Rendering administrative decisions as herein specified, such as, but not limited to, Temporary Use Permits and non-conforming use determinations;
3. Participating in arrangements for public notice and hearings;

4. Assisting applicants and other interested parties in conducting citizen participation processes, preapplication conferences, and informal advisory consultations; and
5. Providing such other development process facilitation as may be required, in addition to providing information to the general public.

SECTION 601 ZONING DECISIONS

A. Zoning Ordinance Amendment Applications and Hearings

Any amendment to this Zoning Ordinance, which changes any property from one zone to another, imposes any regulation not previously imposed, or which removes or modifies any regulation previously imposed shall be adopted in the manner set forth in this section.

1. **Applications for Zoning Ordinance text amendments, rezoning amendments, Use Permits**, or other requests requiring Town Council approval shall be filed in the office of the Community Development Department on a form provided, along with such supplemental information required by the Department, and shall be accompanied by a fee established by approval of the Town Council. No part of any such fee shall be refundable after an application is filed and such fee paid, except at the discretion of the Town Council.
   a. The Planning and Zoning Commission shall hold a public hearing within 90 days of the date of a complete application submittal. After such hearing the Council may adopt the recommendation of the Planning and Zoning Commission without holding a second public hearing provided there is no objection, request for public hearing or other protest.
   b. The Town Council shall hold a public hearing if requested by the party aggrieved, any member of the public or of the Town Council, or in any case, if no public hearing has been held by the Planning and Zoning Commission.
2. **Notice of the time and place** of Council or Commission hearing shall be given in the time and manner provided for:
   a. Notice of public hearing before the Commission or Council for all amendments to the zoning ordinance text, the zoning map, Use Permits, or other requests, shall be done in accordance with the provisions of Arizona Revised Statutes 9-462.04 as they exist now or as they are amended from time to time. Such notice includes at a minimum the posting and publishing of public hearing notices as specified in the statute.
   b. Written protests of any recommendation action taken by the Commission shall be filed in the office of the Community Development Department before the end of the last business day of the week preceding the Council meeting at which such amendment will be considered. If such written protest constitutes twenty percent (20%) or more of the immediate area involved in a request for rezoning as specified in ARS 9-462.04.H, a favorable vote of three-fourths of the Council shall be required.
   c. A decision made by the Council involving rezoning of land which is not owned by the Town and which changes the zoning classification of such land may not be enacted as an emergency measure and such a change shall not be effective for at least 30 days after the final approval of the change in classification by the Council.
   d. In the event an application has been denied by the Council, the Commission shall not consider a similar application within 12 months of the application date.

3. **Citizen review and participation process** is required for all zone change applications or Use Permit applications:
   a. Prior to any public hearing, the applicant or an appointed representative shall arrange a meeting with the planning staff which identifies development issues as well as arrangements and scheduling for the neighborhood meeting described in subsection **b.** below.
   b. The applicant or an appointed representative shall conduct a neighborhood meeting designed to inform adjoining residents and property owners about the proposed zone change, specific plan application or Use Permit.
   c. At least 15 days prior to the scheduled neighborhood meeting, the applicant shall notify all property owners within 300 feet of the subject site by first class mail and post the actual property with meeting date and time. The notification shall include the date, time and place for the neighborhood meeting, as well as a description of the proposed land uses. The applicant shall provide an affidavit attesting to this notification being accomplished.
   d. It is the responsibility of the applicant or their representative to conduct the meeting, provide an opportunity for a question and answer period by the audience, and identify a point of contact to the public for follow-up questions and comments.
   e. The applicant shall prepare a written summary of the meeting by way of affidavit, including a list of attendees and the issues and concerns discussed and submit a copy of the summary, with a photo of the posting on the property and a copy of the meeting announcement letter, to the Planning Department within 15 days after the neighborhood meeting.
4. **Zoning Ordinance text amendments:** If the Town adopts any zone change or any amendment that imposes any regulation not previously imposed or that removes or modifies any such regulation previously imposed, it must comply with the citizen review process as set forth in ARS §9-462.03, and the public hearing notice procedures set forth in ARS 9-462.04.A (4), (5), and (6).

B. Site Plan Review and Development Standards

Key to obtaining compliance with the regulations of this ordinance and achieving the objectives of the Town's General Plan is the administrative review of Site Plans for new development as regulated in Part 4 Development Standards. The Site Plan entails preparation of drawings for proposed uses and buildings that conform to the Development Standards, depicting adequate grading/ drainage and building orientation (Section 401), landscape and screening (Section 402), parking and loading (Section 403), signs (Section 404) and outdoor lighting (Section 405) as required in these regulations.

The Site Plan Review process is administered by the Community Development Department in conjunction with other Town departments. The Community Development Director is authorized to approve minor modifications to strict adherence of zoning regulations due to physical constraints of the project site. Appeals may be scheduled for hearing by the Planning Commission and Council. Major development projects may also be referred to the Commission and Council for a hearing, review and approval, which hearing and review process is mandatory if so stipulated by prior Council action such as rezoning or PUD approval.

For non-residential and multi-family developments which are located in the Town Center Area or along major corridors as described in Section 400B, additional review of

Appearance Compatibility Drawings is required (Section 402 C). Appearance Compatibility Drawings are reviewed by Town staff simultaneously with the Site Plan Review process, in accordance with the process specified in Section 400C.

C. Use Permit Approvals

Use Permits are provided to ensure the orderly use of land in conformance with the General Plan and applicable Town standards where uses are proposed that may require special limitations or conditions to provide compatibility with other uses. The application for Use Permit approval is applicable to those uses that are specifically listed as "Uses and Structures Subject to Use Permit" in each Zoning Use District in Part Two Section 203. The procedure to obtain a Use Permit shall include requirements set forth in Section 601 A, of this ordinance.

1. Review and Approval
   a. Use Permits will be granted only upon a finding by the Council that the use covered by the permit, the manner of its conduct, and any structure which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in conformity with any conditions, requirements, or standards prescribed by the Town Code or Council.
   b. Use Permits may contain specific limitations on the scope, nature and duration of the use, as deemed proper in accordance with the following criteria:

      1) Any significant increase in vehicular or pedestrian traffic;

      2) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;

      3) Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with goals, objectives or policies of the General Plan;

      4) Compatibility with existing surrounding structures and uses; and

      5) Adequate control of disruptive behavior both inside or outside the premises, which may create a nuisance to the surrounding area or general public.
   c. The burden of proof for satisfying the above requirements shall rest with the applicant. A refusal of a Use Permit shall not be interpreted as the denial of right, conditional or otherwise.
   d. Where an application involves a definite development scheme, the applicant must submit a layout and landscape plan, building elevations and other pertinent data as may be requested, and the Council may condition the Use Permit to fully carry out the provisions and intent of the Ordinance.
   e. The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

      Within 30 days of any change, permittees shall notify the Community Development Department of any changes.
2. Duration and Voiding of Use Permit
   a. To secure the objectives of this Ordinance, Use Permits may be for a fixed time period, and a Use Permit does not grant a vested right beyond the term of the permit.

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

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

d. Violation of the terms of the Use Permit or this Ordinance voids the Use Permit.

e. Decisions by the Community Development Director which result in the voiding of the Use Permit may be appealed to the Town Council, subject to an application for appeal being on file in the Community Development Department within 30 days of notification of the Use Permit being voided.

D. Temporary Use Permits

Temporary Use Permits are provided through administrative review and approval to facilitate short- or restricted-term uses (such as, but not limited to: tents, carnivals, charitable events or similar uses/structures for public assembly in non-residential districts; construction- or sales-related offices, storage yards or similar facilities including model homes, and sales stands of crops or agricultural products produced on-site in any District; and temporary housing for agricultural workers and seasonal events in the AG District)

1. Temporary Use Permits may be granted by the Community Development Director or designee, after review by health and safety departments or agencies, and upon findings that the use and the manner of its conduct will not, considering its limited duration, be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in conformity with any conditions, requirements or standards prescribed by the Town Code or Council.
2. Approval may be conditioned by specific stipulations as to duration, conduct, mitigation of potentially detrimental effects and such other considerations as may be prudent for protection of the neighborhood and community.
3. Violation of the terms of the Temporary Use Permit approval constitutes grounds for its immediate revocation.

SECTION 602 ZONING ADJUSTMENTS

Zoning matters decided by the Board of Adjustment are intended to apply to specific properties or actions. Such decisions are not regarded as strict precedents; however, they may be considered in future matters under similar circumstances.

A. Variances

1. A variance from the Planning and Zoning Ordinance shall not be granted by the Board unless and until a public hearing has been conducted pursuant to Section 602. C, and until the property owner in a written appeal and at the public hearing demonstrates and the Board finds that all criteria required by subsections a through e have been met:

   a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same District;

b. That literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same District under the terms of the zoning ordinance;

c. That the alleged hardships caused by literal interpretation of the provisions of the zoning ordinance include more than personal inconvenience and financial hardship and do not result from actions that are self-imposed or for economic gain by the applicant;

d. That granting the variance requested will not confer upon the applicant any special privilege that is denied by the zoning ordinance to other lands, structures or buildings in the same District; and

e. That granting the variance requested will not interfere or injure the rights of other properties in the same District.

2. The Board MAY NOT:

a. Make any changes in the uses permitted in any zoning classification or zoning District, or make any changes in the terms of the zoning ordinance, provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.

b. Grant a variance if the special circumstances applicable to the property are self-imposed by the owner.

B. Appeals from Administrative Decisions

The Board, on deciding appeals from decisions of the Community Development Director (Zoning Administrator), is responsible for interpreting the meaning and equitable application of code provisions.

1. Appeals to the Board may be filed by persons aggrieved or by any officer, department, board or bureau of the Town affected by a decision of the Community Development Director, within a period of 45 days by filing, in writing, with the Community Development Director and with the Board, a notice of appeal specifying the grounds thereof.
2. The Community Development Director shall immediately transmit all records, pertaining to the action appealed from, to the Board.
3. An appeal stays all proceedings in the matter appealed from, unless the Community Development Director verifies to the Board after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed other than by a restraining order granted by the Board or by a court of record on application and notice to the Community Development Director.
4. A person aggrieved by a decision of the Board, or a resident or municipal officer may, at any time within 30 days after the Board has rendered its decision, file a complaint in the Superior Court to review the decision. Filing of the complaint shall not stay proceedings upon the decision appealed from but the court may, on application, grant a stay, and on final hearing may reverse or affirm wholly or partly, or may modify the decision received.

C. Hearings

The Board shall fix a reasonable time for the public hearing of an appeal; and shall give public notice thereof, by both publication in a newspaper of general circulation in accordance with ARS 9-462.04 as it exists now or as it is amended from time to time, and by posting notices in conspicuous places close to the property affected, as well as due notice to the parties in interest, including first class mail notice to all owners of record of properties located within 300 feet of the subject property.

1. At the public hearing, any applicant may appear in person or by representative, and may present their appeal orally or by documentary materials, and submit rebuttal as may be necessary.
2. The chair shall have the power to administer oaths and take evidence in accordance with ARS 9-462.06.
3. The Board shall reach its decision within a reasonable time.

SECTION 603 SUBDIVISION AND LAND DIVISION

Creating lots or parcels of land for separate ownership or use is directly related to the application of development regulations in this Code. A legally-recognized real estate parcel with adequate access is a prerequisite for the Town's issuance of construction permits.

A. Subdivision Approval

Subdivisions are the primary impetus for lot ownership with streets, utilities and other infrastructure provided. Coordination of Town departments with various County and State offices is necessary in the review process of subdivision plats to ensure the orderly growth and development of the Town. Approvals of Subdivisions are by the Town Council with recommendation by the Planning Commission.

Any subdividing of real property in the Town of Camp Verde, for any purpose, requires compliance with the standards, requirements and platting procedures set forth in Part Five, Subdivision and Land Division Regulations. Subdivision procedures include Conceptual Plans (Section 504), Preliminary Plat (Section 505), Final Plat (Section 506) and Construction and Financial Assurances (Section 507). The design of subdivisions and streets is prescribed in Section 508. Procedures for plat map amendments, revisions, replats and abandonments are included in Section 509.

B. Land Divisions

Land divisions not subject to statutory requirements for subdivisions may be accomplished under the provisions of Part Five, Subdivision and Land Division Regulations. The division of land into two or three parcels where no new street is involved constitutes a Land Division, as regulated in Section 502. Review and approval of land divisions is conducted administratively by the Community Development Department.

To ensure adequate access to land division parcels, frontage onto either public or private streets or easements is required. Regulations and standards for access are prescribed in Section 502 B.

SECTION 604 ADMINISTRATION: ENFORCEMENT, VIOLATION/PENALTY AND FEES

In the administration, interpretation and application of this Ordinance (unless otherwise provided), the provisions shall be deemed minimum requirements designed to govern the division and use of land in order to: secure safety from fire, panic and other dangers; provide adequate light and air; prevent overcrowding of land and avoid undue concentration of population in certain areas; facilitate adequate provision of transportation, water, sewerage, schools, parks and other public requirements; maintain and promote stable values of land and structures. These provisions shall govern whenever they are more stringent than any other statute, ordinance, legal covenant, agreement or contract, but shall not abrogate any other such requirement which is more stringent or restrictive than the provision herein.

Administrative officials of the Town are responsible for code enforcement, including inspections and citations for violations, and the collection of fees for applications, notices and materials pertaining to this Ordinance.

A. Enforcement

1. The Town shall enforce the provisions of this ordinance by any means stated in ARS 9-462.05B, including the filing of a criminal complaint, as appropriate.

2. For the purpose of enforcement of the provisions of this Ordinance, there is hereby created the position of Code Enforcement Official. The Director, or his designee, acting as the Zoning Administrator (ARS 9-462.05C) shall administer and enforce this Ordinance, up to and including the issuance by the Code Enforcement Official of criminal charges against violators.

   There are three types of violation notices used:

   a. Verbal Warning: A verbal warning may be provided by the Code Enforcement Official to the alleged party in violation, as a courtesy, when the violation is not considered immediately serious to the health, safety, or property of others, permitting 10 days to correct, or make timely arrangements to correct, the violation.

   b. Notice of Violation: A written notice of violation is provided when: personal contact cannot be made, because access to the property is prevented, the occupant is not on the premises or has ignored an earlier courtesy warning. The time frame for compliance, not to exceed an additional 30 days from the first courtesy warning or written notice of violation, is at the discretion of the Code Enforcement Official.

   c. Criminal Citation: A criminal citation (ARS 9-462.05A) is used when: the offense is serious and requires immediate action, the alleged violator has ignored previous warnings, has refused to work with the Town toward compliance, or the violation is a repeat of a previous offense.

3. For the purpose of enforcement of the provisions of this Ordinance, violations of any adopted building code in conjunction with a zoning violation will be considered violations of this ordinance as well, and appropriate, simultaneous enforcement action shall be taken by the Building Official.

B. Violations and Penalties

1. It is unlawful to erect, construct, reconstruct, alter or use any parcel of land, building or structure subject to the provisions of this Ordinance:

   a. without first obtaining a permit from the Development Department, where such permit is required thereby.

   b. in violation of any regulation or provision herein.

      1) Each and every day during which such violation continues is a separate offense.

      2) Any person, firm or corporation violating any regulation or provision of this Ordinance is guilty of a Class 2 misdemeanor.

2. If any building or structure is to be erected, constructed, reconstructed, altered, maintained or used or any land is or is proposed to be used in violation of this Ordinance, the Town Council, the Town Attorney, the Zoning Inspector, or any adjacent or neighboring property owner who is specially damaged by the violation, in addition to the other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, abate or remove the unlawful condition.

3. All remedies provided herein shall be cumulative and not exclusive. The conviction of any person, firm or corporation hereunder, shall not relieve such person from the

responsibility to correct such violation, nor prevent the enforcement, correction or removal thereof.

C. Application Fees

Fees and charges for applications, notices, land division, maps, reports and similar procedures or materials shall be collected in accordance with the current Town Council resolution establishing fees and charges (except where such may be waived for public officials, boards, bureaus, or other non-private entity). Any such fee shall be double for failure to apply prior to commencing any activity for which a fee is required, including, but not limited to, construction or sale of lots.

1. Upon filing an application for a zoning amendment, variance, Use Permit, Temporary Use Permit, land division, subdivision or appeal, the applicant shall pay an application fee to the Community Development Department in accordance with the schedule established by resolution of the Council and posted in the office of the Zoning Administrator.
2. No part of any such fee shall be returnable after an application is filed and such fee is paid.
3. In case of multiple requests, such as an application for a variance to more than one provision of the zoning ordinance, the filing fee shall be the total for all provisions as prescribed by the fee schedule.
4. Payment of the filing fee shall be waived when the application or appeal is made on behalf of or by the Town.
5. Fees for buildings, signs, and other structures shall be charged for each permit issued.
6. Charges for maps and publications shall be as follows:
   a. Ordinances: Actual cost of publication
   b. Maps and publications: Not to exceed double the cost of reproduction.

SECTION 605 ORDINANCE SEVERABILITY AND REPEAL

A. This Ordinance and the various parts thereof are hereby declared to be severable. If any section, subsection, clause, word or phrase herein is for any reason held to be invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.

B. Where any ordinance or any portion of ordinances pertaining to the development of land in the incorporated areas of Camp Verde is inconsistent or in conflict with other adopted Town ordinances, State or Federal laws, the Town Code shall control unless pre-empted; such pre-empted inconsistency or conflict may be repealed.