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**AGENDA**  
**WORK SESSION**  
**MAYOR AND COUNCIL**  
**COUNCIL CHAMBERS · 473 S. Main Street, Room #106**  
**WEDNESDAY, MAY 11, 2011**  
**at 6:30 P.M.**

**Note:** A majority of the members of the Planning & Zoning Commission may also be present at this meeting.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Public hearing, review, and discussion of the rewrite of the Planning & Zoning Ordinance. Staff Resource: Mike Jenkins**
  - Call for STAFF PRESENTATION
  - Declare PUBLIC HEARING OPEN
  - Declare PUBLIC HEARING CLOSED
  - Call for COUNCIL DISCUSSION
5. **Discussion, consideration, and possible approval of Resolution 2011-838 a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring the Planning & Zoning Ordinance of Camp Verde, dated May 11, 2011, to be a public record and establishing Planning & Zoning Ordinance of Camp Verde. Staff Resource: Mike Jenkins**
6. **Discussion, consideration, and possible approval of Ordinance 2011-A374, an Ordinance of the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference the establishment of the Planning & Zoning Ordinance of Camp Verde, repealing Ordinance 87-A23 and all amendments thereto, excepting Ordinances 91-A161 and 2001-A193 (Street Naming and Addressing), and Ordinance 2001-A187 (Wireless Communication Facility Regulations) in their entirety and proscribing penalties for violations thereof. Staff Resource: Mike Jenkins**
7. **Adjournment**

Posted by:

*Margaret Jones*

Date/Time:

5-5-2011

8:35 a.m.

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

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

425



TOWN OF CAMP VERDE  
Agenda Action Form

Meeting Date: May 11, 2011

Meeting Type: Council Hears Planning & Zoning, Special Session

Consent Agenda – Special Announcements     Regular Business     Work or Special Session

Reference Document: Resolution 2011-838, and The Planning and Zoning Ordinance (Re-Write) Parts One through Six in its entirety with track changes from the Planning and Zoning Commission (previously provided), additional track changes provided by the Town Council at their hearing on April 27, 2011 with recommended changes by the Town Attorney based on the Commissions changes. Also, the Visual Library in a Power Point presentation will be provided to the Council at this hearing.

Agenda Title (be exact): Public Hearing, discussion and possible approval of Resolution 2011-838 declaring the Planning and Zoning Ordinance of Camp Verde to be a Public Record and establishing the Planning and Zoning Ordinance.

Purpose and Background Information: At Council Hears Planning and Zoning Matters on April 27, 2011, the Council provided additional comprehensive track changes to Parts 1-3 and also provided partial track changes to Parts 4-6 of the Planning & Zoning Ordinance (Re-Write). Staff has compiled those changes and will be reviewing them with the Council as provided in the attached "Review of recommended revisions to Parts one through three and partial changes to Parts four through six". Also, The Town Attorney has completed his review of the Planning & Zoning Commission recommended changes and are also part of the attached document.

Recommendation (Suggested Motion): A motion to approve Resolution 2011-838 declaring the Planning and Zoning Ordinance of Camp Verde, Dated May 11, 2011, to be a Public Record and establishing Planning and Zoning Ordinance of Camp Verde.

Finance Review:  Budgeted     Unbudgeted     N/A

Finance Director Comments/Fund: NA

Attorney Review:  Yes     No     N/A

Attorney Comments: NA

Submitting Department: Community Development

Contact Person: Michael Jenkins, Community Development Director

Supporting Documents attached:  Yes     No     N/A (If yes, list detail below)

- 1) Review of recommended revisions # of pages 9
- 2) \_\_\_\_\_ # of pages \_\_\_\_\_
- 3) \_\_\_\_\_ # of pages \_\_\_\_\_
- 4) \_\_\_\_\_ # of pages \_\_\_\_\_
- 5) \_\_\_\_\_ # of pages \_\_\_\_\_
- 6) \_\_\_\_\_ # of pages \_\_\_\_\_
- 7) \_\_\_\_\_ # of pages \_\_\_\_\_

Instructions to Clerk:

Action Report prepared by: Michael Jenkins, Community Development Director

**Review of Recommended Revisions to Parts One  
Through Three & Partial Changes to Parts Four Through  
Six**

5/11/2011

**Council Hears Planning & Zoning Matters**

**Re: Review of recommended revisions to Parts one through three.** (partial changes to Parts four through six)

**Part 1:**

*(Part 1 Page 1)*

Add "Section 103" to the table of contents.

*(Part 1 of page 14)*

(previous definition)

CARETAKER: A dwelling unit built to commercial building standards and meeting all building and zoning regulations for the use of a caretaker or security person employed by the primary use of the property.

New:

Note: Insert "Caretaker Living Quarters" into C3 (pg. 22), M1 (pg. 28) and M2 (pg.31) districts Part 2)

**CARETAKER QUARTERS:**

- Living quarters located on the property to which the use pertains and limited to 1000 square feet.
- Quarters may be site built or manufactured housing and must comply with the currently adopted building standards or bear a label certifying compliance with the Federal Manufactured Housing Construction & Safety Standards Act.
- Living quarters established on the property prior to the establishment of the primary use, shall comply with Section 601D and apply for a Temporary Use Permit.

**Part 2:**

*(Part 2 page 19)*

(previous language)

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

(Proposed language)

**Mortuary** (NOTE: Insert the word "Mortuary" into C2 pg.19, C3 pg. 22, PM pg. 25, M1 pg. 28 and M2 pg.31 districts & delete other language.)

Insert into definitions, Part 1 page 20 between "Modular Housing" and "Motel":

**Mortuary: A building where the dead are prepared for burial or cremation. (All Funeral Automobile Processions are to be confined to the mortuary premises.)**

**Part 3:**

*(part 3 page 9)*

(previous language)

b. A property owner or tenant may place articles of furniture outside, provided such furniture is in good repair and is weather-resistant-designated or outdoor use.

(new)

b. A property owner or tenant may place articles of furniture outside, provided such furniture is in good repair and is weather-resistant-designated or for outdoor use.

*(Part 3 page 10)*

(previous language)

4. Appropriate access and parking spaces shall be provided for business invitees and any outside employees in addition to those require for residence. (See Section 404, Parking)

(New)

4. Appropriate access and parking spaces shall be provided for business invitees and any outside employees in addition to those require for residence. (See Section 404 403, Parking)

**(part 3 page 12)**

(previous Language)

f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 601.F.

(New)

f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section ~~601.F.~~ **602 B.**

**SECTION 304 c.3.b Maintenance of Livestock Facilities**

**(part 3 page 13)**

(previous language)

b. Stables, barns or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.

(New)

b. Stables, barns or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling units.

Exception: Lots directly abutting National Forest Service Land, Trust Land and BLM land in the rear and/or lots directly abutting Designated Open Space may encroach in the rear setback requirement. The distance from the rear setback is twice the height of the structure. The side setbacks and front setback must be maintained in all instances.

**Part 4:**

**(part 4 page 3)**

(previous language)

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 by the applicant to the Board of Adjustment and Appeals Planning & Zoning Commission and Council.

(New)

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 by the applicant to the Board of Adjustment and Appeals Planning & Zoning Commission and Council

**(part 4 page 4)**

(previous language)

2. 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

(New)

2. Internal Review Appeals

a. Internal Review decisions of the Community Development Director and/or other designated officials decision may be appealed in writing by the applicant specifying the reasons for the appeal, or for/against a requested modification, and filed in the Community Development Department who will schedule the Appeal Hearing with the Board of Adjustment and Appeals.

**(part 4 page 4)**

(previous language)

D. Submittals

1. Site Plan drawn to scale and fully dimensioned, including:

(New)

D. Submittals

1. Site Plan drawn to scale (**not to exceed 1"=200', 1"=100' preferred**) and fully dimensioned, including:  
**-submit an 11"x17" size drawing(s) of site plan with application.**

**(part 4 page 5)**

(previous language)

2. Appearance Compatibility Drawings

- Dimensioned, scaled elevation of ay building façade 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 including detailed dimensioned and color graphics. An outdoor lighting layout showing types of lamps and fixtures used and lumen per acre calculations. Method of shielding shall be indicated.
- Dimensioned, scaled landscape and irrigation plans depicting the locations, size and type of plant (Low water use drought tolerant plants see Section 402.B.2.d. and irrigation materials to be installed in the following areas:

(New)

2. Appearance Compatibility Drawings

- Dimensioned, scaled (**preferred scale of 1/8"=1'**) elevation of ay building façade facing a street. ~~in the Town Center Area or fronting a major corridor.~~
- Dimensioned, scaled (**preferred scale of 1/8"=1'**) elevation and plan drawings of outdoor lighting structures and signs including detailed dimensioned and color graphics. An **scaled (preferred scale of 1"=90')** outdoor lighting layout showing types of lamps and fixtures used and lumen per acre calculations. Method of shielding shall be indicated.
- Dimensioned, scaled (**preferred scale of 1"=60'**) landscape and irrigation plans depicting the locations, size and type of plant (Low water use drought tolerant plants see Section 402.B.2.d.401.B.1.d and irrigation materials to be installed in the following areas:

**(part 4 page 6)**

(previous language)

- Descriptions of the proposed buildings/structures compatibility with the charter of buildings in the vicinity (i.e. adjacent on the sides or across the street frontage, other than across I-17), and with western/rural small-town image of Camp Verde (for examples of desirable building types please refer to the Visual Library document available at the Community Development Department.

(New)

- Descriptions of the proposed buildings/structures compatibility with the charter of buildings in the vicinity (i.e. adjacent on the sides or across the street frontage, other than across I-17), and with western/rural small-town image of Camp Verde (for examples of desirable building types please refer to the Visual Library document available at the Community Development Department, and on the Town of Camp Verde Website.

**(part 4 page 10)**

(previous language)

6. 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 dist. (Sec 108 B.5)

(New)

6. 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 dist. (Sec 108 B.5)

**Note:** This item does not require a reference since it is located under the heading of "Protective Screen/Buffers")

**Part 5:**

*(part 5 page 17)*

(previous language)

C. Pre-Application Meeting Required

- (2) 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. Where this is required it shall be processed the same as Section 305 D & E.

(New)

C. Pre-Application Meeting Required

- (2) 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. Where this is required it shall be processed the same as Section 305 D & E, 505.D&E.

*(part 5 page 20)*

(previous language)

15. Request 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.

(New)

15. Request waivers or known deviations from Section ~~507~~ **505 C.12** 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.

*(part 5 page 21)*

(previous language)

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

- (b) 4. The improvements, design and dedication required by Section 507 and Town Engineering Design and Construction Standards.

(New)

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

- (b) 4. The improvements, design and dedication required by ~~Section 507~~ and the Town Engineering Design and Construction Standards.

*(part 5 page 48)*

(previous language)

G. Special Development Subdivision and Waiver

1. Special Development Subdivision – Modified standards and requirements of these regulations may be accepted by the ~~Commission and the Town Council~~ based on the recommendation of the Commission 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,~~ upon hearing a recommendation from the 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 Zoning ordinance Ordinance and achievement of General Plan objectives.

(New)

G. Special Development Subdivision and Waiver

1. Special Development Subdivision – Modified standards and requirements of these regulations may be accepted by the ~~Commission and the Town Council~~ based on the recommendation of the Commission 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,~~ upon hearing a recommendation from the Council, Planning & Zoning Commission 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 Zoning ordinance Ordinance and achievement of General Plan objectives.

**Part 6: (part 6 page 1)**

(previous language)

**A. Introduction and Purpose**

(second paragraph)

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 an evaluating development applications, rendering decisions, enforcing regulations and assuring open, public participation pertaining to the Camp Verde Development Guidance System.

(New)

**A. Introduction and Purpose**

(second paragraph)

The purpose of Part Six is to provide equitable, uniform processes for all persons to avail themselves of the Town's development guidance system **Planning and Zoning Ordinance**. Part six specifies the authority, responsibility and manner for making an evaluating development applications, rendering decisions, enforcing regulations and assuring open, public participation pertaining to the Camp Verde Development Guidance System **Planning and Zoning Ordinance**.

**Attorney Review Changes**

Note: Changes highlighted in yellow.

**Part 1:**

*(part 1 page 5) Section 102 – Applicability and Exemptions B.2*

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 ordinances, including zoning ordinances otherwise exempted pursuant to this Section 102.B.

*(part 1 page 8) Section 102 – Definitions and Terms (introductory paragraph)*

For the purposes of this Zoning Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. Words, phrases, and terms not defined in this Zoning Ordinance shall be given their usual and customary meanings except where the context clearly indicates a different meaning. 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 permissive; the word "may" is permissive and not mandatory. Words used in the present tense include the future tense; words used in the future tense include the present tense. The word "person" includes individuals, partnerships, corporations, clubs, and associations and other forms of business enterprise. The following words or terms when applied to this Zoning 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). If more than one provision, standard, or requirement of any chapter of this Zoning Ordinance applies, in all instances the most restrictive provision, standard or requirement shall control.

*(part 1 page 13) Definition*

**-CARETAKER:** A dwelling unit built to commercial building standards and meeting all building and zoning regulations for the use of a caretaker or security person employed by the primary user of the property.

*(part 1 page 17) Definitions*

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

**Comment [LP1]:** This term is never used.

*(part 1 page 17) Definitions*

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

**Comment [LP2]:** Should this include a reference to "Mobile Home"? They are defined separately in this document.

**Part 2:**

**(part 2 page 2) Section 202 – Zoning Map (introductory paragraph, paragraph 2)**

Lands annexed into the Town shall be assigned Open Space District (OS) temporary zoning designation until such time as Town zoning is adopted for the annexed area. In the event, however, that no such specific zoning re-designation 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 prior to the expiration of such period consistent with the adopted Town of Camp Verde General Plan.

**(part 2 page 5) Section 203 – Use Districts**

**R1L 3.b.**

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

**Comment [LP3]:** Has the Town issued Use Permits to other governments? (e.g., schools, courts?)

**R1L 3.d.1**

(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.

**Comment [LP4]:** Is the word "Entrepreneur" meant to be here?

Entrepreneur

**(part 2 page 6) Section 203 – Use Districts**

**R1 1**

1. Purpose:

The R1 District is intended for single-family residential living, site-built or manufactured housing.

**Comment [LP5]:** Are mobile homes allowed?

**(part 2 page 7) Section 203 – Use Districts**

**R1 2.a**

2. Permitted Uses and Structures:

a. Dwelling unit for one family on any one lot.

**Comment [LP6]:** Site built? Manufactured? Mobile?

**(part 2 page 8) Section 203 – Use Districts**

**R2 1**

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.

**Comment [LP7]:** Are mobile homes allowed?

**(part 2 page 10) Section 203 – Use Districts**

**R-R 2.a**

2. Permitted Uses and Structures:

a. Dwelling unit for one family on any one lot.

**Comment [LP8]:** What sort of homes: site built? Manufactured? Mobile?

**(part 2 page 12) Section 203 – Use Districts**

**RS 2.a**

2. Permitted Uses and Structures:

a. Dwelling unit for one family on any one lot.

**Comment [LP9]:** Site built? Manufactured? Mobile?

**Note: Attorney did not include C1 with these comments, although the same language appears under this use district.**

**(part 2 page 18) Section 203 – Use Districts**

**C2 2.a**

2. Permitted Uses and Structures:

a. Dwelling unit for one family on any one lot.

**Comment [LP10]:** Site built? Manufactured? Mobile?

**(part 2 page 22) Section 203 – Use Districts**

**C3 2.a**

2. Permitted Uses and Structures:

a. One (1) caretaker dwelling unit.

**Comment [LP11]:** Site built? Manufactured? Mobile?

**(part 2 page 25) Section 203 – Use Districts**

**PM 2.a**

2. Permitted Uses and Structures: Provided such shall meet the intent and purpose of the District.

a. One (1) caretaker dwelling unit.

**Comment [LP12]:** Site built? Manufactured? Mobile?

(part 2 page 28) Section 203 – Use Districts  
M1 2.a

2. Permitted Uses and Structures:

- a. One (1) caretaker dwelling unit.

Comment [LP13]: Site built? Manufactured? Mobile?

(part 2 page 31) Section 203 – Use Districts  
M2 2.a

2. Permitted Uses and Structures:

- a. One (1) caretaker dwelling unit.

Comment [LP14]: Site built? Manufactured? Mobile?

(part 2 page 34) Section 203 – Use Districts  
PUD 2.e

- a. Open Space Dedication: open space shall be included in all development. A dedication of open space equal to twenty-five percent (25%) of a development project is preferred.

Comment [LP15]: By saying "preferred" you really have not created an obligation. Why not say "required."

(part 2 page 34) Section 203 – Use Districts  
PUD 3.a

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.

Comment [LP16]: Site built? Manufactured? Mobile?

(part 2 page 37) Section 203 – Use Districts  
AG 2.a

2. Permitted Uses and Structures

- a. Dwelling unit for one family on any one lot.

Comment [LP17]: Site built? Manufactured? Mobile?

**Part 3:**

(part 3 page 8) Section 302 Detrimental Property Conditions

A.2.a

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, with the exception that each occupant of the residence may drive one company vehicle home, up to a limit of three (3) such vehicles at any one (1) residence. 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.

Comment [LP18]: I could not find this cross-reference.

(part 3 page 8) Section 302 Detrimental Property Conditions

A.2.c

- c. The offering for sale of more than four vehicles in one year (See Title 28, Section 28-4301.34 of ARS as amended for the definition of "used motor vehicle dealer"), is prohibited in all residential districts. All vehicle titles or registrations must be available at the request of the Code Enforcement Official.

(part 3 page 8) Section 302 Detrimental Property Conditions

A.3.a

- 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.

Comment [LP19]: R1 Districts permit manufactured homes.

(part 3 page 9) Section 302 Detrimental Property Conditions

A.4.b

- b. A property owner or tenant may place articles of furniture outside, provided such furniture is in good repair and is designed for outdoor use

(part 3 page 13) Section 302 Detrimental Property Conditions

A.1

A. Mobile/Manufactured Home and Recreational Vehicle Parks 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.

**Comment [LP20]:** Does this mean a manufactured home on a lot in a R1 District requires a permit?

**Part 4:**

(part 4 page 3) Section 400 Development Standards Introductions & Purpose, Applicability, process & Submittals

B.1

A. 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. Section 404 applies to signs located or maintained in the Town of Camp Verde, and Section 405 applies to outdoor lighting in the Town of Camp Verde.

(part 4 page 10) Section 402 Development Compatibility, Protection and Appearance

A.6

- 1. 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)

**Comment [LP21]:** What is this a reference to?

(part 4 page 45) Section 404 Signs

G.7

- 1. All signs and sign structures shall be designed and constructed in accordance with the requirements of the current adopted Building Code(s).

**Comment [LP22]:** Term not defined.

**Part 5:**

(part 5 page 10) Section 501 Subdivision and Division Definitions of Terms

**Surety:** Anything acceptable to the Council deposited as a pledge an Assurance 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.

(part 5 page 51) Section 509 Amended Map, Revision, Replat and Abandonment

D.2

- 1. 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 owner or owners of lots in any approved subdivision, including subdivider, by filing a petition and declaration with the Community Development Director petitioning the Town Council for consideration of the plat with respect to their properties, all or portions of any tract or plat.

**Comment [LP23]:** By adding the words "owner or owners" you imply that less than unanimous approval can result in abandonment. I don't think you can do that.

**Part 6:**

*(part 6 page 4) Section 601 Zoning Decisions*

A.4

1. **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, as may be amended, and the public hearing notice procedures set forth in ARS 9-462.04, as may be amended

**C Use Permit Approvals (introductory paragraph)**

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 Zoning Ordinance.

**Comment [LP24]:** A Use Permit is also required in Part 3 for livestock (Section 304.C). Permits are also required in Section 305.

**(part 6 page 11) Section 604 Administration: Enforcement, Violation/Penalty and Fees**

(introductory paragraphs)

In the administration, interpretation and application of this Zoning 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, sewage, 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 Zoning Ordinance. The enforcement of this Zoning Ordinance shall be pursuant to the Town Code.

**(part 6 page 11) Section 605 Ordinance Severability and Repeal**

(introductory paragraph)

This Zoning 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.

5.



**RESOLUTION 2011-838**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL  
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,  
DECLARING THE PLANNING AND ZONING ORDINANCE OF CAMP VERDE, DATED May 11,  
2011, TO BE A PUBLIC RECORD AND ESTABLISHING PLANNING AND ZONING ORDINANCE  
OF CAMP VERDE**

**Whereas**, ARS 9-802 permits the enactment and publication by reference of a code or public record, including statute, rule or regulation of the municipality, in the interest of economy, and

**Whereas**, the document entitled **Planning and Zoning Ordinance of Camp Verde**, dated May 11, 2011 is a lengthy ordinance to be adopted by **Ordinance 2011-A374**, and which would qualify for enactment by reference by law.

**NOW THEREFORE, THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE THE PLANNING AND ZONING ORDINANCE OF CAMP VERDE, ATTACHED HERETO AND INCOPORATED HEREIN, TO BE PUBLIC RECORD PURSUANT TO ARS 9-802, TO BE ENACTED BY ORDINANCE 2011-A374, AND ORDER THAT THREE (3) COPIES OF THE ORDINANCE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.**

**PASSED AND APPROVED** by majority vote of the Mayor and Common Council at their Special Session on May 11, 2011.

\_\_\_\_\_  
Bob Burnside, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Deborah Barber, Town Clerk

\_\_\_\_\_  
Town Attorney

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TOWN OF CAMP VERDE
Agenda Action Form

Meeting Date: May 11, 2011

Meeting Type: Council Hears Planning & Zoning Matters

Consent Agenda - Special Announcements Regular Business Work or Special Session

Reference Document: Ordinance 2011-A374 is currently under review by the Town Attorney.

Agenda Title (be exact): Public Hearing, discussion and possible approval of Ordinance 2011-A374 adopting by reference the establishment of the Planning and Zoning Ordinance of Camp Verde, Repealing Ordinance 87-A23 and all amendments thereto, excepting Ordinances 91A161 & 2001A193 (Street Naming and Addressing Standards and Guidelines) and Ordinance 2001-A187 (Wireless Communication Facility Regulations) in their entirety, and proscribing penalties for violations thereof as recommended by the Planning & Zoning Commission on April 14, 2011.

Purpose and Background Information: At Council Hears Planning and Zoning Matters on April 27, 2011, the Council provided additional comprehensive track changes to Parts 1-3 and also provided partial track changes to parts 4-6 of the Planning & Zoning Ordinance (Re-Write). Staff has completed those track changes and will be reviewing them with the Council as provided in the "Review of recommended revisions to parts one through three and partial changes to Parts four through six". This review is attached to the Resolution Staff Report.

Recommendation (Suggested Motion): A motion to approve Ordinance 2011-A374 adopting by reference the establishment of the Planning and Zoning Ordinance of Camp Verde, repealing Ordinance 87-A23 and all amendments thereto, excepting Ordinances 91A161 & 2001A193 (Street Naming and Addressing Standards and Guidelines) and Ordinance 2001-484 (Wireless Communication Facility Regulations) and proscribing penalties for violations thereof.

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Attorney Review: Yes No N/A

Attorney Comments: The Attorney is currently review the proposed changes to Ordinance 2011-A374 and should be available to the Council at the May 11, 2011 hearing.

Submitting Department: Community Development

Contact Person: Michael Jenkins, Community Development Director

Supporting Documents attached: Yes No N/A (If yes, list detail below)

- 1) # of pages
2) # of pages
3) # of pages
4) # of pages
5) # of pages
6) # of pages
7) # of pages

Instructions to Clerk:

Action Report prepared by: Michael Jenkins, Community Development Director



**TOWN OF CAMP VERDE, ARIZONA  
ORDINANCE 2011-A374**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE THE ESTABLISHMENT OF THE PLANNING AND ZONING ORDINANCE OF CAMP VERDE, REPEALING ORDINANCE 87-A23 AND ALL AMENDMENTS THERETO, EXCEPTING ORDINANCES 91-A161 & 2001-A193 (STREET NAMING & ADDRESSING) AND ORDINANCE 2001-A187 (WIRELESS COMMUNICATION FACILITY REGULATIONS) IN THEIR ENTIRETY AND PROSCRIBING PENALTIES FOR VIOLATIONS THEREOF.**

**WHEREAS**, the Council adopted the Planning and Zoning Ordinance of the Town of Camp Verde on July 9, 1987, in Ordinance 87-A23, declaring the code to be a public record in Resolution 87-13, and

**WHEREAS**, the Planning and Zoning Ordinance has been amended periodically to conform to the Camp Verde General Plan, and

**WHEREAS**, the initial Planning and Zoning Ordinance, as adopted in 1987, consisted mostly of the provisions included in the Yavapai County zoning regulations, and

**WHEREAS**, the proposed Planning and Zoning Ordinance of Camp Verde shall serve as the first comprehensive rewrite of the Town zoning regulations,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Town of Camp Verde, Arizona, as follows:

1. Adoption by Reference. Pursuant to A.R.S. Section 9-802 (as amended) the Town hereby adopts for application and enforcement the Planning and Zoning Ordinance of Camp Verde, dated April 27, 2011 ("Zoning Code") that is declared a public record pursuant to **Resolution 2011-838** and attached thereto.
2. Renaming of Zoning District. The Zoning Code, shall refer to the zoning district, formerly referred to as RCU District (Residential-Rural), as R-R District (Residential-Rural): and the Town Zoning Map referred to in Section 202 of the Zoning Code is hereby amended to reflect the R-R District (Residential-Rural).
3. Effective Date. This Ordinance is to be effective when publication and posting pursuant to A.R.S. § 9-813 is completed.
4. Repeal. Upon adoption of this ordinance, any part of the Current Planning and Zoning Ordinance as originally adopted via Ordinance 87-A23 and amendments thereto,

excepting Ordinances 91-A161 & 2001-A193 & 2001-A187, shall be deemed repealed, with the exception that applications, plans and properties already having hearings or approvals pending shall continue to be governed by the prior regulations.

5. Copies of the Planning and Zoning Ordinance. At least three (3) copies of the Zoning Code and any future amendments or revisions, shall be kept on file in the office of the Town Clerk for public access. Additional copies may be purchased by the public. Copies placed for public access shall be readily available for public inspection during normal working hours.
6. Penalty. Any person who fails to comply with any provision of the Planning and Zoning Ordinance, or uses property in violation of any provision of said Ordinance, or a permit issued therein, shall be guilty of a Class 2 misdemeanor, punishable as provided by law, with each day the property or activity is in violation constituting a separate offense. "Person" includes the property owner, occupant, agent, or any person having control over the use of the property. Enforcement of the Ordinance may also be through injunction or abatement or any other remedy as set forth in A.R.S. 9-462.05, as amended from time to time.

**PASSED, ADOPTED AND APPROVED** by the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, this 27<sup>th</sup> day of April, 2011.

APPROVED:

\_\_\_\_\_  
Bob Burnside, Mayor

Date: \_\_\_\_\_

ATTESTED:

\_\_\_\_\_  
Deborah Barber, Town Clerk

Approved as to form:

\_\_\_\_\_  
Town Attorney