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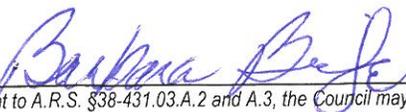
**AMENDED AGENDA
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, APRIL 23, 2014 at 6:30 P.M.**

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) No minutes for approval
 - b) **Set Next Meeting, Date and Time:**
 - 1) April 30, 2014 at 4:00 p.m. – Budget Work Session
 - 2) May 2, 2014 at 8:00 a.m. – Budget Work Session
 - 3) May 7, 2014 at 6:30 p.m. – Regular Session
 - 4) May 9, 2014 at 8:00 a.m. – Budget Work Session
 - 5) May 14, 2014 at 6:30 p.m. – Work Session
 - 6) May 21, 2014 at 6:30 p.m. – Regular Session
 - 7) May 28, 2014 at 6:30 p.m. – Council Hears Planning & Zoning Matters
5. **Special Announcements and presentations:** - There are no announcements or presentations.
6. **Call to the Public for Items not on the Agenda.**
7. **Public Hearing followed by, discussion, consideration, and possible recommendation of approval of Ordinance 2014-A393, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for Parcel 404-28-056, consisting of approximately 0.9 acres from C2 (Commercial: General Sales & Service) to a zoning of C3 (Commercial: Heavy Commercial). Location of property is 27 W. General Crook Trail. Staff Resource: Mike Jenkins**
 - Call for STAFF PRESENTATION
 - Declare PUBLIC HEARING OPEN
 - Declare PUBLIC HEARING CLOSED
 - Call for COUNCIL DISCUSSION
8. **Call to the Public for items not on the agenda**
9. **Discussion, consideration, and possible direction to staff relative to proposed legislation by the 51st State Legislature during its 2nd Regular Session that convened on January 13, 2014. Staff Resource: Russ Martin**

10. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
11. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
12. **Adjournment**

Posted by:



Date/Time:

4-17-10:30 AM

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.



Town of Camp Verde

Exhibit A - Agenda Item Submission Form - Section I

Meeting Date: April 23, 2014 Town Council

- Consent Agenda Decision Agenda
- Presentation Only Action/Presentation

Requesting Department: Community Development

Staff Resource/Contact Person: Jenna Owens – Assistant Planner

Agenda Title (be exact): *Public Hearing, Discussion, Consideration and Possible approval of Ordinance 2014 A393 an Ordinance of the Town of Camp Verde, Yavapai County, Arizona for Zoning Map Change 20140052, an application submitted by Mr. Michael Hough, owner of parcel 404-28-056, for the Camp Verde Automotive, requesting a Zoning Map Change to go from C2-4 (Commercial: General Sales and services) to C3 (Commercial: Heavy Commercial) for approximately 0.9 acres located at 27 W. General Crook Trail.*

List Attached Documents: Application, Directions to Property, Letter of Intent, Neighborhood meeting affidavit, Agency Comments, Site Plan, Vicinity Map, Land Use Map, Zoning Map of Adjacent properties, Conflict of Interest Disclosure Memorandum, Agency Comments and Draft Minutes from Planning & Zoning Commission meeting of 4-03-2014.

Estimated Presentation Time: 15 min.

Estimated Discussion Time: 30 min.

Reviews Completed by:

Department Head: Mike Jenkins

Town Attorney Comments:

Under "Zoning Map Change 20140052 is approved, based on the following" Item A. add language "the rezoning hereunder" delete "State Planning Law and the requirements of"
Under Section 3 add the following language "the expiration of a thirty (30) day period following the adoption hereof and"

Finance Department

Fiscal Impact:

Budget Code: _____ **Amount Remaining:** _____

Comments:

Instructions to the Clerk: None

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

Town of Camp Verde Town Council

Agenda Item Submission Form – Section II (Staff Report)

Department: Community Development

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

Contact Information: Michael Jenkins 554-0051

Background:

History: Mr. Michael Hough has owned the property for 40 years. The first building was built in March of 1988 and the second part of the building was completed in May of 1988. Another 72 feet was added to the shop and connected the two buildings in 1997 which is its current configuration. The nearest residential housing is approx. 250' to the east on the Yavapai-Apache Trust Land. Further, there are properties across General Crook Trl. which are zoned C3 currently.

The following has been completed by the applicant and staff:

Agencies were notified. The responses are as follows:

Town of Camp Verde Building Official – No Comments

Town of Camp Verde Community Development Director – This Zoning District Amendment does not require a General Plan Amendment and meets the intent of the current General Plan.

Town of Camp Verde Town Engineer – No Comments

Camp Verde Water – No Objections

Yavapai County Flood – No Comment

Camp Verde Sanitary District – No Comment

Camp Verde Fire District – No comment

The following has been completed by the applicant and staff:

- Staff mailed 10 letters to properties within 300' of the subject parcel on March 13, 2014. This letter advised the neighbors of the Planning & Zoning Commission and the Town Council meeting times and dates.

The applicant mailed out letters to the neighboring property owners within 300' of the subject property and invited them to a meeting to express concerns and comments. In addition the property was posted with the meeting information.

The meeting was held February 26, 2014 at the Camp Verde Automotive location at 27 General Crook Trail from 1:00 pm to 1:45 pm., a staff member was present. There was one (1) neighbor who attended the meeting.

- (1) The question was and inquiry into why Mr. Hough requested the Zoning Map Change.
- (2) Answer: Mr. Hough explained that he wished to come into compliance with the current Planning & Zoning Ordinance with the type of work being performed on the property.

Statement of the Problem or Opportunity: The C2 Zoning District allows for Automobile repair (light). The definition of Automobile repair (light) from Part One, Section 103 (definition of Terms), of the Planning & Zoning Ordinance are as follows:

AUTOMOBILE REPAIR (LIGHT): 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:

- 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);
- Vehicle frame repair or major body or fender work;
- Any work on vehicles outside permitted structures or enclosures, unless on the service apron of a gasoline service station;
- Any unscreened outside storage of parts, materials, or disabled vehicles;
- 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;
- Any hours of operation between ten p.m. and six am. Within 300 feet of any parcel zoned or used for residential purposes;
- Any use or structure failing to comply with applicable local and state fire safety standards.

The applicant believes that his existing Automotive Repair Service Shop exceeds the allowances provided in the definition for an Automotive Repair (light) use in the Planning & Zoning Ordinance. If the request for the zoning amendment for the subject parcel is adopted to change the current zoning from C2 to C3, the C3 Zoning District allows for more intrusive Commercial Uses such as Body and Fender Shops and Assembly, Construction and Processing Plants.

Conclusion: Portions of the work being performed at Camp Verde Automotive requires a C3 Zoning to be in compliance with the current Planning & Zoning Ordinance. It is the desire of the owner to be in compliance.

Planning & Zoning Recommendation:

Vice Chairperson Norton, made the motion, recommending approval to Council on zoning map change 20140052 an application by Mr. Michael Hough owner of parcel 404-28-056 for Camp Verde Automotive, to go from C2 (Commercial: General Sales and Services) to C3 (Heavy Commercial) to bring the property into compliance with the current Planning and Zoning ordinances. Parcel is approximately 1.0 acres located at 27 W. General Crook Trail.

Commissioner Hisrich, seconded the motion, the vote by the Commission was unanimous for recommendation of approval to Council.

Recommended Motion: A Motion to approve (or deny) Ordinance 2014 A393, for Zoning Map Change 20140052, an application submitted by Mr. Michael Hough, owner of parcel 404-28-056 for Camp Verde Automotive, to go from C2 (Commercial: General sales and services) to C3 (Heavy Commercial) to bring the property into compliance with the current Planning & Zoning Ordinances. Parcel is approximately 1.0 acres located at 27 W. General Crook Trail.



ORDINANCE 2014 A393 DRAFT

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCEL 404-28-056 CONSISTING OF APPROXIMATELY 0.9 ACRES FROM C2 (COMMERCIAL: GENERAL SALES & SERVICE) TO A ZONING OF C3 (COMMERCIAL: HEAVY COMMERCIAL). LOCATION OF PROPERTY IS 27 W. GENERAL CROOK TRAIL.

WHEREAS, The Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 2011-A374, approved June 25, 2011 and,

WHEREAS, Part 6, Section 601 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulation of the Planning and Zoning Ordinance by the Town Council and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

I The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 20140052** was filed by Mr. Michael Hough, owner for the purpose of rezoning parcel 404-28-056 **FROM C2 (Commercial: General Sales & Service) to C3 (Commercial: Heavy Commercial)**. The legal description is attached as **Exhibit A and the Map as Exhibit B**.
- B. The Zoning Map Change was reviewed and approved by the Planning Commission on **April 03, 2014** in public hearing that was advertised and posted according to state Law.
- C. A neighborhood Meeting was held by the applicant on **February 26, 2014** as required by ARS 9-462.03B.
- D. The Waiver of Diminution of Value Claim has been signed by the owner and is attached as **Exhibit C**.
- F. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Zoning Map Change 20140052 is approved, based upon the following findings:

- A. The property is classified on the Town's General Plan Land Use Map as commercial and the rezoning hereunder is consistent with the Camp Verde General Plan.
- B. The Zoning Change will promote the public health, safety, and welfare of the general public.

Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective the expiration of a thirty (30) day period following the adoption hereof and upon completion of publication and any posting as required by law.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

*PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the **23rd day of April 2014.***

Approved: _____
Charles German - Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

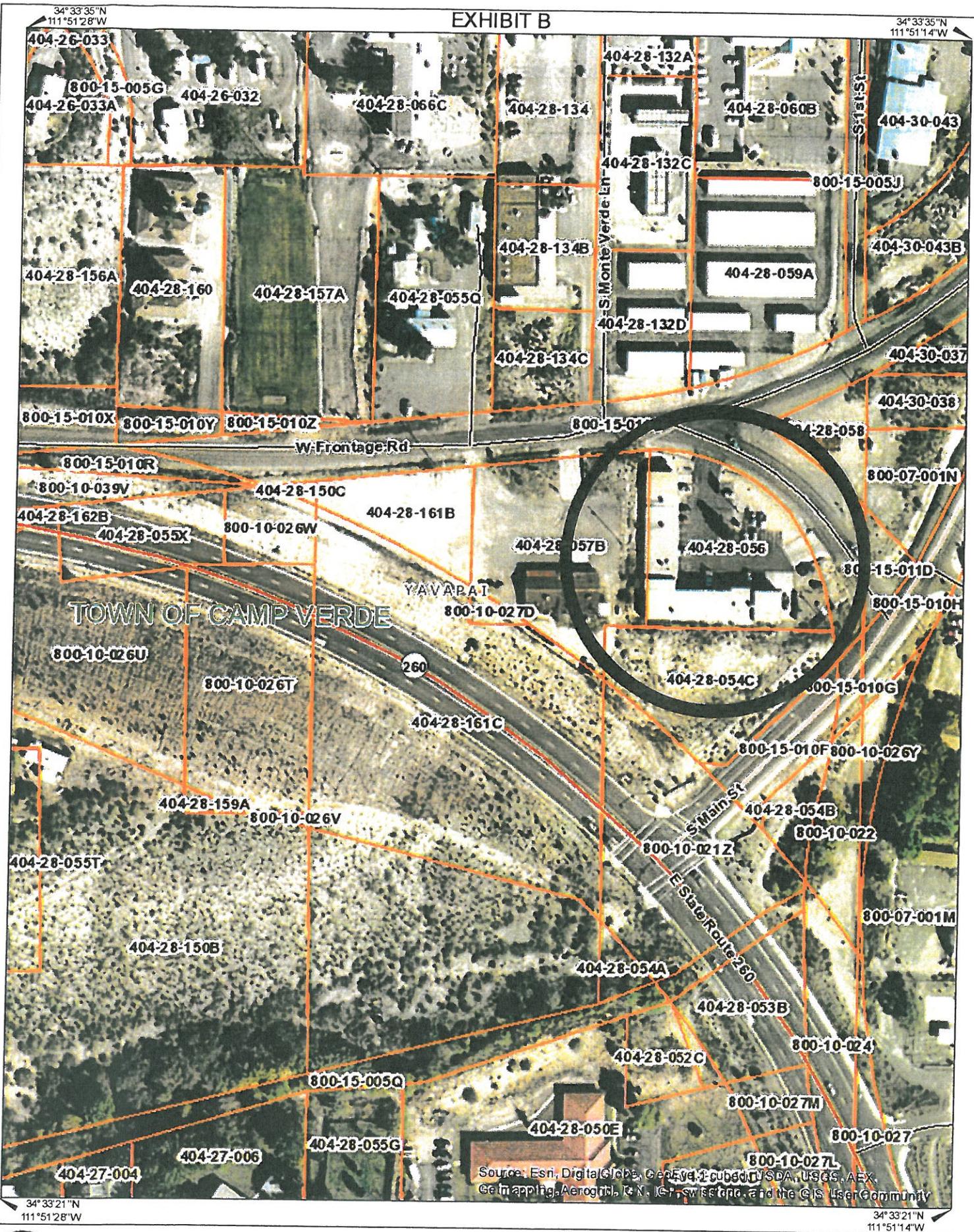
EXHIBIT A

LEGAL DESCRIPTION FOR PROPERTIES BEING REZONED

A tract of land in the Southeast quarter of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, more particularly described as follows:

BEGINNING at a point on the East line of said Section 31, that lies North 0°03', West, 1034.0 feet from the Southeast corner of said Section 31, thence South 89°57' West, 268.7 feet; thence North 0°3' West, 215 feet to a point on the Southerly right of way line of a County Highway; thence Southeasterly 371.1 feet, along said right of way line, on a curve to the right with a radius of 267 feet to the POINT OF THE BEGINNING.

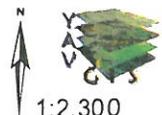
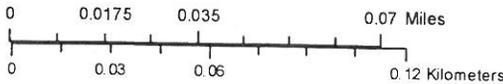
EXHIBIT B



Source: Esri, DigitalGlobe, GeoEye, Earthstar (USA), USGS, Aero, GEBCO, CNES, IGN, swisstopo, and the GIS User Community



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



1:2,300

EXHIBIT C

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is the owner of the parcel of land described in EXHIBIT A hereto that is the subject of the Zoning Map Change 20140052 for parcel 404-28-056. I have reviewed the conditions of rezoning and by signing this document, the undersigned agrees and consents to all the conditions imposed by the Town of Camp Verde in conjunction with the approval of the Rezoning Application and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the rezoning and conditions.

Dated this 6 day of MARCH, 2014

OWNER:

Michael E. Hough
Print Name

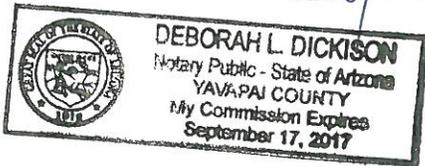
[Signature]
Signature

STATE OF ARIZONA)
) ss.
County of Yavapai)

On this 6 day of March, 2014, before me, the undersigned Notary Public, personally appeared Michael E. Hough, who acknowledged that this document was executed for the purposes therein contained.

[Signature]
Notary Public

My Commission Expires: Sept 17, 2017



Zoning Map Change Check List

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

***Staff Report**

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

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

Agency Comments

- Notification List
- Responses

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

*** Application including:**

1. ***Directions to Property**
2. ***Letter of Intent (Narrative)**
3. ***Consent or Approval letter from property owner (if applicable)**
4. ***Public Participation, Neighborhood meeting, completed. Date: 2-26-14**
 - ***Affidavit of summary of meeting**
 - ***Statement of how the applicant addressed neighborhood concerns.**
 - Copy of letter sent to neighbor's within 300'
 - Posting of Property by applicant (photo)
 - Affidavit attesting to notification of neighbors
 - Sign in sheet

***Site Plan**

***Land Use Map**

***Vicinity Map**

***Adjacent land use**

Ordinance (for Council)

Reviewed and approved by Town Attorney.

Legal Description

Advertising & Posting has been completed & meet State Law Requirements

NOTE: *Indicates included in packet



Land Use Application Form

Project #: 20140052

CASE #: 14-06

2014-06-21 09:00

1. Application is made for:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Zoning Map Change | <input type="checkbox"/> Use Permit | <input type="checkbox"/> General Plan Amendment |
| <input type="checkbox"/> Conceptual Plan Review | <input type="checkbox"/> Preliminary Plat | <input type="checkbox"/> Final Plat |
| <input type="checkbox"/> PUD Zoning | <input type="checkbox"/> Variance | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Street Abandonment | <input type="checkbox"/> Minor Land Division | <input type="checkbox"/> Wireless Tower |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Verification of Non-Conforming Use | |
| <input type="checkbox"/> Site Plan Compatibility Review (Commercial) | | |
| Other: _____ | | |

2. Project Name: _____

Please print or type legibly

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

Owner Name: MICHAEL E HOULH Applicant Name: _____

Address: P.O. BOX 1267 Address: 27 WEST GENERAL CROOK TRAIL

City: CAMP VERDE State: AZ Zip: 86322 City: _____ State: _____ Zip: _____

Phone: 928-562-3431 Phone: 928-301-3515 CELL

E-mail: CUA@SWIFTARIZONA Mail: _____

4. Property Description: Parcel Number 404-28-056 Acres: .9

Address or Location: 27 WEST GENERAL CROOK TRAIL

Existing Zoning: C2-4 Existing Use: AUTO REPAIR

Proposed Zoning: C3-4 Proposed Use: _____

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

OFFICE for U-HAUL and SELF-STORAGE
TO MAKE THE CURRENT USAGES CONFORMING

6. Certification:

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

Owner: Michael E. Houlihan Date: 2-7-14 AND

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

Applicant: Michael E. Houlihan Date: 2-7-14

To: Community Development

From: Michael Hough

Letter of intent

- Rational for the proposed rezoning: I would like to bring the property in compliance with the current Planning & Zoning Ordinance which will allow for the current usages that take place in our normal operations. In addition I would like to make it conforming for my U-Haul & Self Storage business.
- Present and future impacts on the existing adjacent zone districts, used and physical character of surrounding area: The property directly north is zoned C3 and the property to the west is zoned C2.
- Impact of the proposed zone on area accesses and traffic patterns: My property is currently on General Crook Trail which is the access to my business. No new access is required.
- Availability of utilities for any potential development: At this time I do not anticipate any additional utilities will be required.
- Present and future impacts on public facilities and services including, but not limited to fire, Police, Water, sanitation, roadways, parks and schools: None
- Relationship between proposal and the Town General Plan: This property is currently in a commercial zone. It fits within the criteria of the Town General Plan.
- Public benefits arising from the proposal: It is my desire to come into compliance with the current Planning & Zoning Ordinance with the type of work I will be performing.

Affidavit

I MICHAEL HOUCH owner of parcel 404-28-056 have notified my neighbors within 300' of my residence, by sending letters on 2-5-14 to notify them of the neighborhood meeting that I conducted on the 26 day of FEB 2014.

I posted my property with meeting date and time on the 5 day of Feb 2014.

I MICHAEL HOUCH owner of parcel 404-28-056 have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 26 day of Feb 2014.

Summary

Statement: ONE PERSON ATTENDE MEETING
to ASK WHY WE WERE REZONING -
TO COME INTO COMPLIANCE WITH CURRENT
ZONING REGULATIONS

If Summary statement is too long, attach a copy.

State of Arizona}

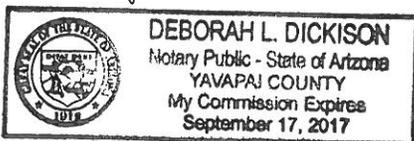
County of Yavapai}

[Signature]

Signature of Document Signer No. 1

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 28th day of February 2014.



[Signature]

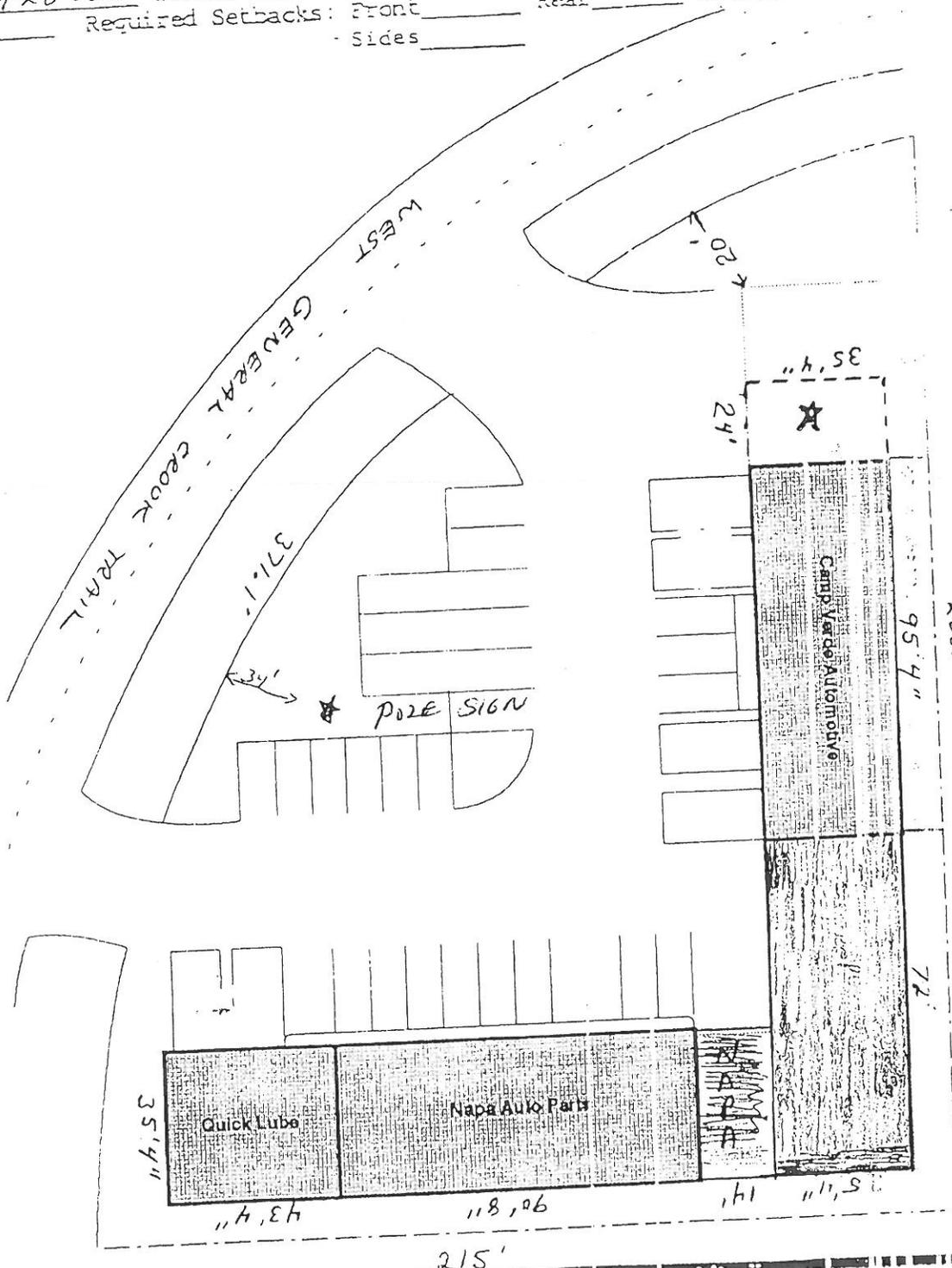
Signature of Notary

TOWN OF CAMP VERDE

Plot Plan Sketch, Signs and Structures

Septic Permit # _____
 Sewer Permit # _____

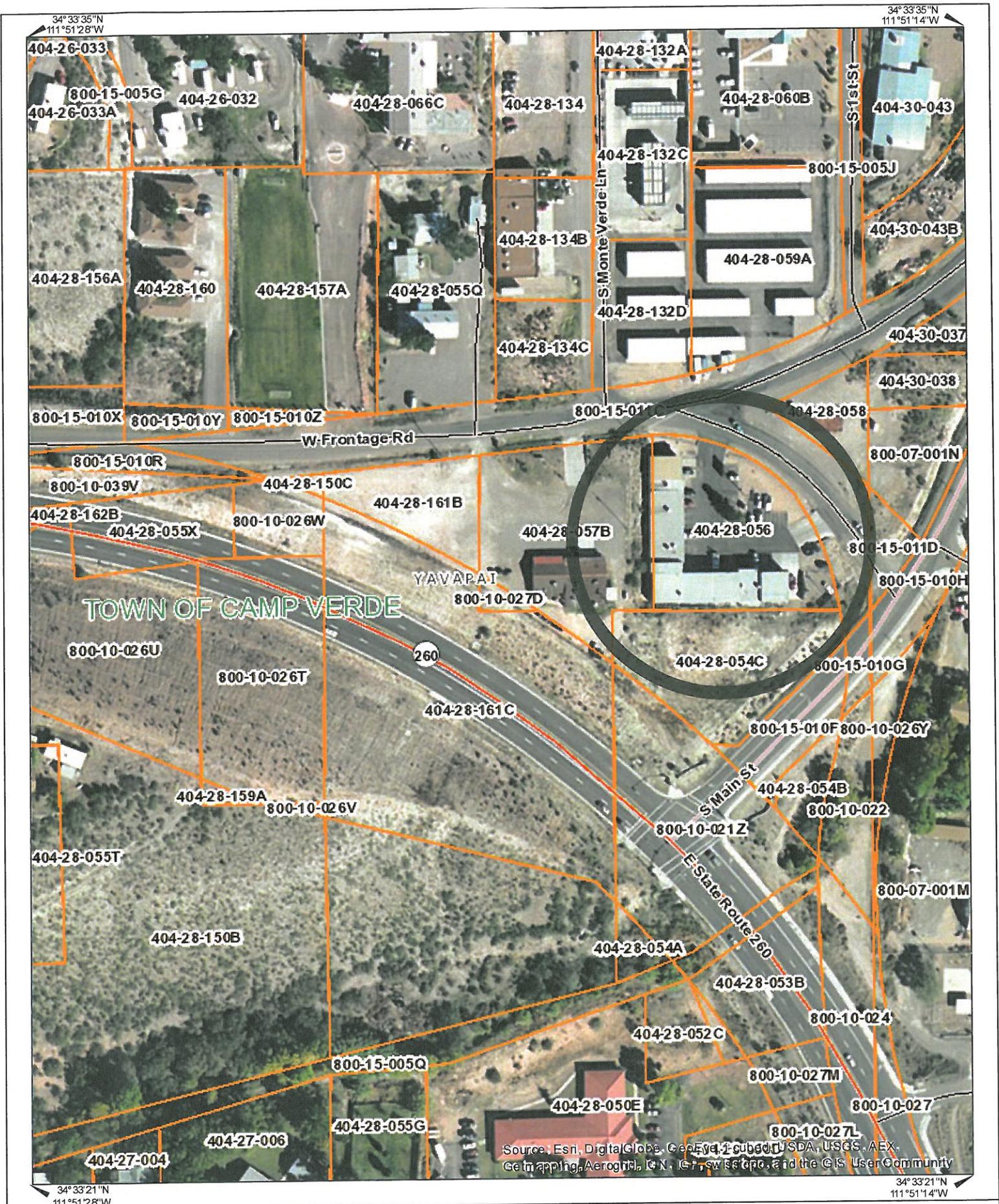
Parcel # 404-28-056 Street Address 27 W. GENERAL CROOK TRAIL
 Zoning _____ Required Setbacks: Front _____ Rear _____ Between Buildings _____
 Sides _____



Zoning Permit: I certify that this Plot Plan indicated as structures (including fences, wall and pads) correct property and building dimensions; setbacks distances; legal access and easements; and any water course on or adjacent to the property within 20 feet of any proposed or existing structures. Sign Permit: I certify that this Plot Plan indicates the sign copy and dimensions of said sign covered under this permit.

Michael S. Hill
 Signature

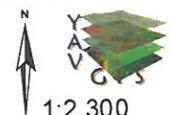
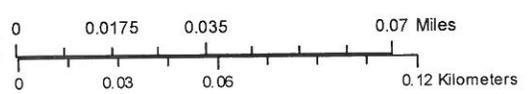
 Date



Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, GeoEye, AeroGRID, IGN, SCS, Swire, and the GIS User Community



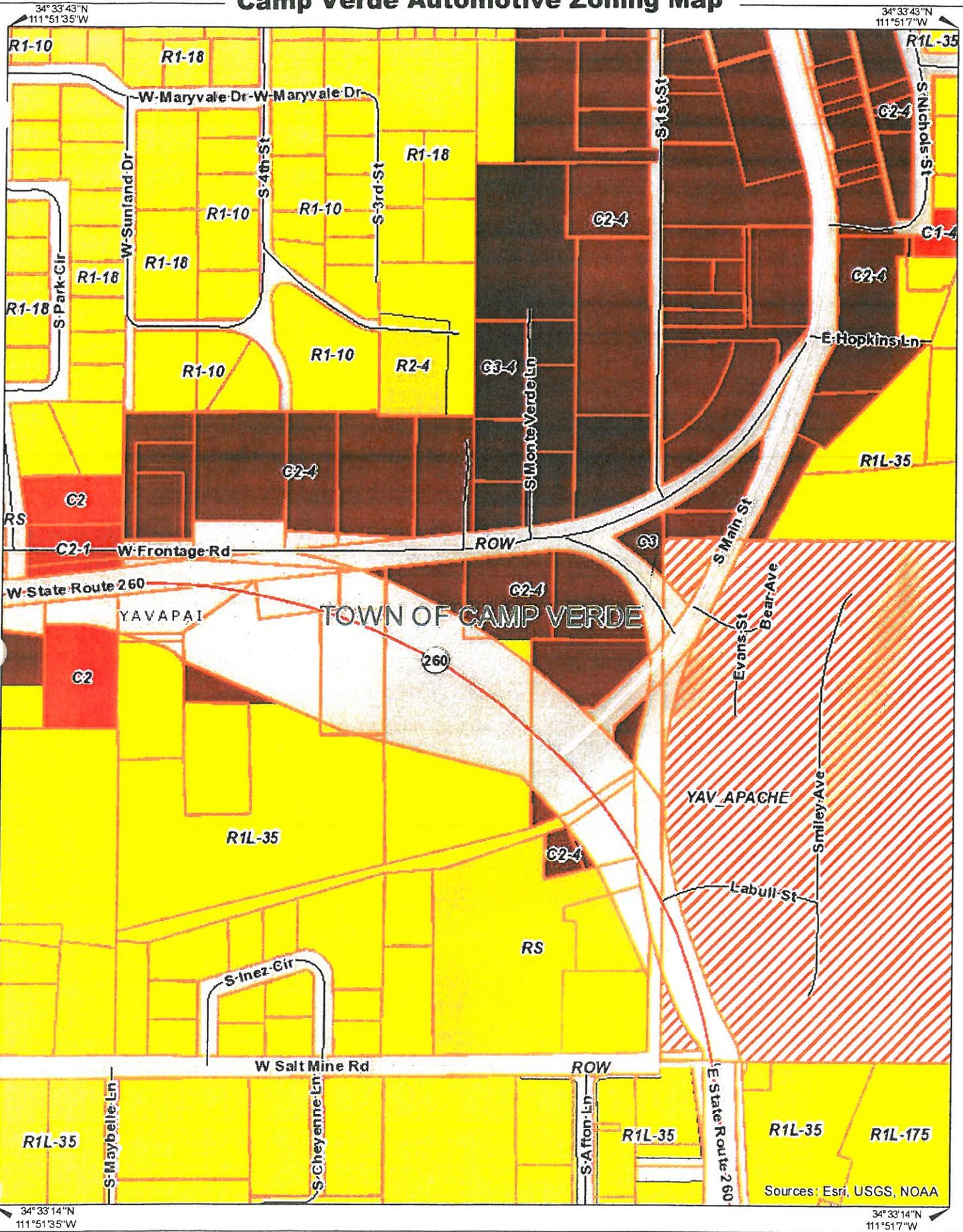
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Yavapai County assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

Map Created 3/6/2014

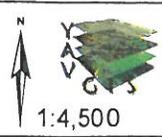
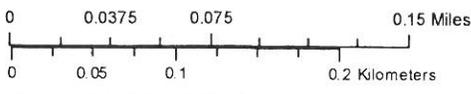
Camp Verde Automotive Zoning Map



Sources: Esri, USGS, NOAA



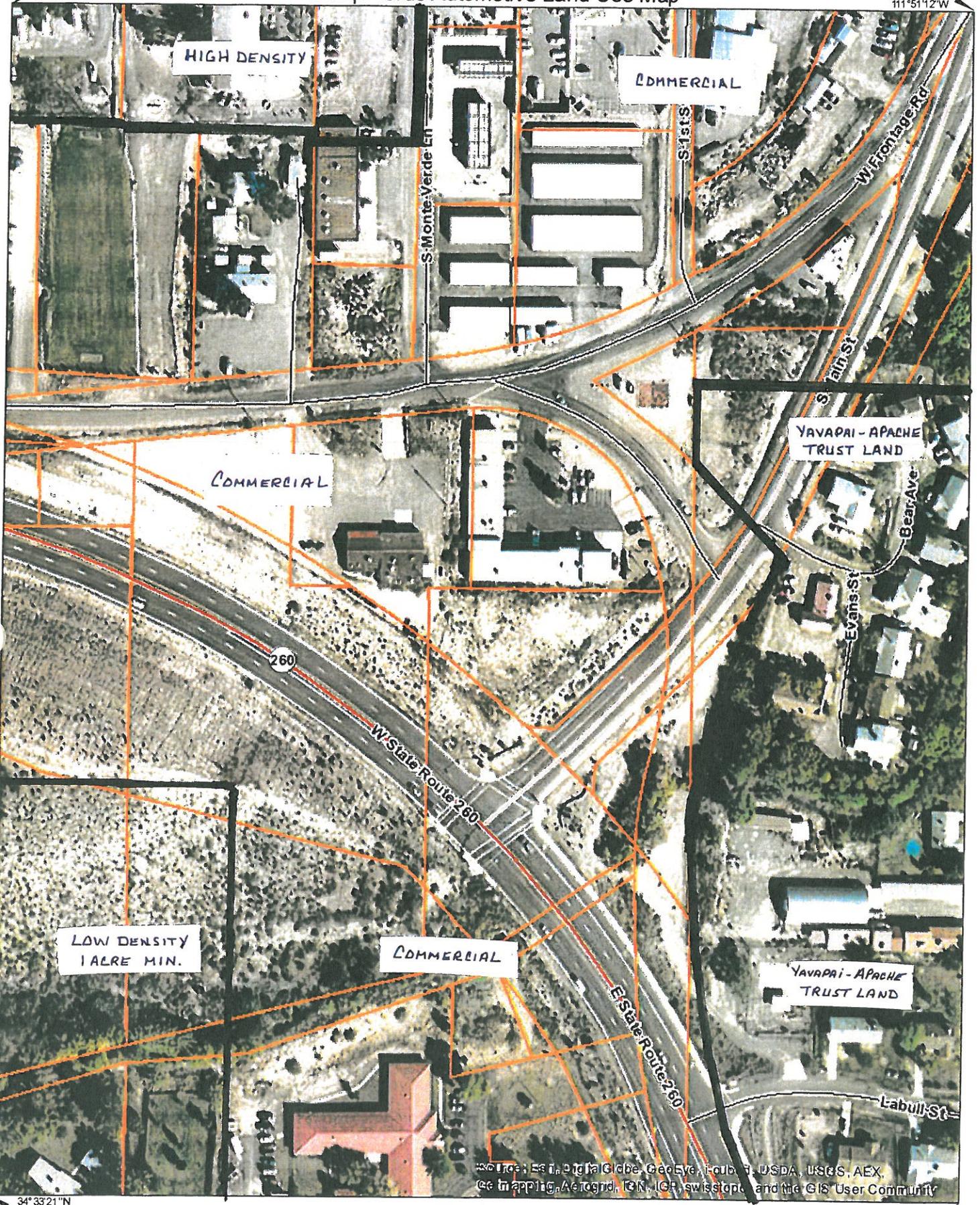
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Camp Verde Automotive Land Use Map

34°33'35"N
111°51'26"W

34°33'35"N
111°51'12"W



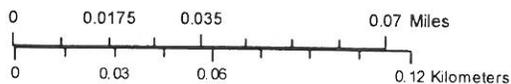
Data Sources: Esri, DigitalGlobe, GeoEye, Earthstar (USDA), IGN (Switzerland), AEX, Geo Mapping, AeroGRID, IGN, ICA, swisstopo, and the GIS User Community

34°33'21"N
111°51'26"W

34°33'21"N
111°51'12"W



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1:2,300

Jenna Owens

From: Vickie Lewis <Vickie.Lewis@yavapai.us>
Sent: Tuesday, February 18, 2014 9:20 AM
To: Jenna Owens
Subject: Zoning Map Change - 404-28-056

Yavapai County has not comments or issues for the proposed Zoning Map Change for 404-28-056. We will not be represented at the April 3rd meeting.

Please let me know if you have any questions.

*Vickie Lewis
Hydrologist
Yavapai County Flood Control
(928) 649-6222*

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Furthermore, to ensure compliance with the Open Meeting Law, Council or Board / Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 



Camp Verde Sanitary District

P.O. Box 1205
1000 E State Rte 260
Camp Verde, AZ 86322-1205
Phone (928) 567-6794 Fax (928) 567-8832
Email jan@campverdesewer.com

2/19/2014

Town of Camp Verde
Community Development Department

RE: Land Use Application Form
Project #20140052
404-28-056

I have no comments on the proposed zoning change.

Jan Grogan
928-567-6794
Manager
Sewer Department
Town of Camp Verde

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

DATE: February 13, 2014

TO:

Town Engineer
Park and Recreation Department
Community Development Dir.
Building Official
Fire Department
Verde Valley Fire Department
Yavapai County Planning
Yavapai County Flood Control
Yavapai County Development Services

ADOT
Camp Verde Water District
Camp Verde Sanitary District
Verde Lakes Water District
Marshal's Department
School District
U.S Forest Service
City of Cottonwood Planning
Other _____

Project Review:
Contact Agent, Owner & Engineer

FROM:

Name: Jenna Owens Position: Asst. Planner
Town of Camp Verde
473 S. Main Street Suite 109 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jenna.owens@campverde.az.gov

Application Type: Zoning Map Change
Project Number: 20140052

Description of Project:

An application submitted by Mr. Michael Hough, owner of parcel 404-28-056, for the Camp Verde Automotive, requesting a Zoning Map Change to go from C2-4 (Commercial: General Sales and services) to C3 (Commercial: Heavy Commercial) for approximately 1.0 acres located at 27 W. General Crook Trail.

A copy of the proposed project is attached and has been forwarded to you for your review and comment. **PLEASE RESPOND NO LATER THAN February 28, 2014** The Planning & Zoning Commission meeting is tentatively scheduled for 04-03-2014 and Town Council meeting is tentatively scheduled for 04-23-2014.

Please e-mail, fax or mail us your comments. If you have no comment, please notify us that you have "no comment".

Should you have any questions or concerns, please contact us at (928) 554-0053.

Hi Jenna,

YCDS-EL has no comment or concerns.

Thank you,
[Signature]

Town Of Camp Verde
Community Development
Telephone (928) 554-0063
Fax (928) 567-7401

Memo

From: Michael F. Jenkins – Community Development Director MJ

Date: 3/3/2014

Re: Michael Hough Zoning Map Change Comments

This Zoning District Amendment application from C2-4 to C3 does not require a General Plan Amendment and meets the intent of the current General Plan.

Under the current General Plan's Land Use Element goal "A" reads as follows:

"Preserve and retain the rural atmosphere and character of the Town by promoting compatible land uses."

The subject parcel 404-28-056 currently has no residential properties that are adjacent and currently has parcels that are zoned C3 directly across General Crook Trail to the North. Should this Zoning Amendment be approved to amend from C2-4 to C3, the zone change would not be considered as Spot Zoning. See definition of "Spot Zoning" in the Planning & Zoning Ordinance under Part 1, Section 103 definition of terms.

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

DATE: February 13, 2014

TO:

Town Engineer
Park and Recreation Department
Community Development Dir.
Building Official
Fire Department
Verde Valley Fire Department
Yavapai County Planning
Yavapai County Flood Control
Yavapai County Development Services -

ADOT
Camp Verde Water District
Camp Verde Sanitary District
Verde Lakes Water District
Marshal's Department
School District
U.S Forest Service
City of Cottonwood Planning
Other _____

Project Review:
Contact Agent, Owner & Engineer

FROM:

Name: Jenna Owens Position: Asst. Planner
Town of Camp Verde
473 S. Main Street Suite 109 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jenna.owens@campverde.az.gov

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Should you have any questions or concerns, please contact us at (928) 554-0053.

Building Division HAS NO COMMENTS

RF 2-19-14

Jenna Owens

From: Ron Long
Sent: Thursday, March 06, 2014 2:13 PM
To: Jenna Owens
Cc: Mike Jenkins
Subject: PW Engineering Review Comments; Camp Verde Automotive

I have reviewed the Zoning Map Change Request for; Mr. Michael Hough, Camp Verde Automotive, 27 W. General Crook Trail, Parcel # 404-28-056; to change the current zoning of C2-4 to C-3, and I have no comments.

Ron Long, P.E.
Public Works Director
Town of Camp Verde
395 S. Main Street
Camp Verde, AZ 86322
Office: (928) 554-0821
Ron.Long@campverde.az.gov

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Furthermore, to ensure compliance with the Open Meeting Law, Council or Board / Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 

Jenna Owens

From: Camp Verde Water System <cvwsinc@yahoo.com>
Sent: Thursday, March 06, 2014 4:18 PM
To: Jenna Owens
Subject: Fw: Camp Verde Auto ZMC

Camp Verde Water System, Inc.
P.O. Box 340
Camp Verde, AZ 86322
PH: (928) 567- 5281
FAX: (928) 567-5283

--- On Thu, 3/6/14, cvwsinc@yahoo.com <cvwsinc@yahoo.com> wrote:

> From: cvwsinc@yahoo.com <cvwsinc@yahoo.com>
> Subject: Camp Verde Auto ZMC
> To: "jenna.owens@campverdeaz.gov" <jenna.owens@campverdeaz.gov>
> Date: Thursday, March 6, 2014, 3:38 PM

>
>
>
>
>
>
> Camp
> Verde Water System has reviewed the requested Zoning Map Change. Camp
> Verde Water System has no objection to the proposed change.

>
> Stan
>
>
>
>

All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Jenna Owens

From: Kristi Gagnon <KGagnon@campverdefire.org>
Sent: Thursday, March 06, 2014 4:26 PM
To: Jenna Owens
Subject: RE: Zoning Map Change for Camp Verde Automotive

I have no comments regarding the Camp Verde Automotive Zoning Map Change. Thank you.

Kristi Gagnon - CFI

Fire Marshal
Camp Verde Fire District
928-567-9401 ext. 105

Dedicated to Serving the Community of Camp Verde

From: Jenna Owens [mailto:Jenna.Owens@campverde.az.gov]
Sent: Thursday, March 06, 2014 12:20 PM
To: Kristi Gagnon
Subject: Zoning Map Change for Camp Verde Automotive

Hi Kristi,

I looking for comment on the Camp Verde Automotive Zoning Map Change. I don't suspect you will have much to say regarding this application. If you would just send me an email for my file should you have or not have comments, would be great! Thank you Kristi! Jenna

Respectfully,

*Jenna Owens - Assistant Planner
Town of Camp Verde
473 S. Main St. Suite 109
Camp Verde, AZ 86322*

Phone: (928) 554-0053

Fax: (928) 567-7401

jenna.owens@campverde.az.gov

Hours of operations for all Town offices are Monday - Thursday 7 am to 5 pm and Friday 7 am to 11 am.

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Please consider our environment before printing this email. 

MINUTES DRAFT
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY APRIL 06, 2014
6:30 PM

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

1. **Call to Order at 6:30 PM**
2. **Roll Call**
Chairperson Davis; Vice- Chairperson Norton, Commissioners Hisrich; Parish; Freeman and Hough.
Absent: Commissioner Blue.
3. **Pledge of Allegiance**
Commissioner Hisrich, led the Pledge of Allegiance
4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
 - a. **Approval of Minutes:**
No Minutes for approval
There was no action taken on this item.
 - b. **Set Next Meeting, Date and Time:**
May 01, 2014 – Regular Session
June 05, 2014 – Special Session

There was a consensus amongst the Commission to move forward with the meeting dates as presented.
5. **Call to the Public for Items not on the Agenda**
(Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date.)

There was no discussion under this line item "Call to the Public".
6. **Public Hearing, Discussion and Possible Recommendation to Council for an application submitted by Mr. Michael Hough, owner of parcel 404-28-056, for the Camp Verde Automotive, requesting a Zoning Map Change to go from C2-4 (Commercial: General Sales and services) to C3 (Commercial: Heavy Commercial) for approximately 1.0 acres located at 27 W. General Crook Trail.**

Vice Chairperson Norton, made the motion, recommending approval to Council on zoning map change 20140052 an application by Mr. Michael Hough owner of parcel 404-28-056 for Camp Verde Automotive, to go from C2 (Commercial: General Sales and Services) to C3 (Heavy Commercial) to bring the property into compliance with the current Planning and Zoning ordinances. Parcel is approximately 1.0 acres located at 27 W. General Crook Trail.

Commissioner Hisrich, seconded the motion, **the vote by the Commission was unanimous to recommend approval to Council.**

At 6:31, Commissioner Hough recused himself due to a conflict of interest, *that being of applicant discussed.*

A. Staff Presentation- Presented by Jenna Owens, Assistant Planner

Jenna Owens, provided a history of the described parcel; summary of agency and citizens comments, Town requirements, and applicant's narrative as it addresses requirements for application, **Owens** also provided the statement of the problem/opportunity as presented by the applicant; the conclusion; and suggested motion.

B. Declare PUBLIC HEARING OPEN

Call for APPLICANT'S STATEMENT-

Applicant, **Michael Hough** gave a brief history of the parcel 404-28-056, which his Automotive Sales/Repair business is located. **Hough** obtained the property in 1974 via a purchase from his Father. **Hough** gave a verbal description of the type of business that is ran in the surrounding parcels in which he has ownership as well. **Hough** stated the parcels 404-28-058/059A were currently zoned as C3, and he wished for the parcel 404-28-056 to be changed from C2 to C3 as well, as he is concerned he is operating outside the C2 description for the type of automotive work they currently perform. **Hough** is noted to say that all of his parcels/businesses are currently listed for sale.

Call for COMMENT FROM OTHER PERSONS (either in favor or against)-

Jane Whitmier, asked the Commission to consider the entry way of the Town given the work of the Commission on the General Plan and the impression a more intense zoning use (C3) will have on the Town, she also expressed "bewilderment" that the application did not come in front of the Commission prior the meeting for recommendation, allowing more time in considering the change. **Whitmier**, also brought before the Commission the knowledge of a prior meeting where one named Rob Witt applied for a similar developmental zoning change on the other side of town, where the named applicant was denied. She asked for the Commission to consider "institutional integrity and transparency" as they look at the application and the previous request on the opposite side of town.

Call for APPLICANT'S REBUTTAL (if appropriate)-

Michael Hough, rebutted Whitmier's comment(s) concerning the previous named applicant Witt who applied for a text amendment to the Planning & Zoning ordinance to allow for auto collision centers as an allowed use in the C2 zoning district. Hough clarified that the text amendment request was not even similar to a zone change request such as he is requesting and the

reason the text amendment was recommended for denial by the Commission is mostly due to the fact that the text amendment, if approved, would have allowed for auto body and fender repair shops in any C2 zoning district. This C2 zoning is the majority zoning along main street which is a mix residential-commercial use and auto collision centers are virtually the same thing as body and fender repair shops and land use conflicts would have most likely occurred.

C. Declare PUBLIC HEARING CLOSED

Call for Commission DISCUSSION (may ask questions of applicant)-

Commissioners, Parish; Hough; and Freeman offered comment in support of the applicants request to change the zoning from C2 to C3, as they **did** not see a problem in the request as currently there is an Automotive Repair and Auto Body Shops in that area, and the business is less than likely to change Commercial use even upon a future sale of the property given the development use of the structures situated on the parcel. **Vice- Chair Norton**, questioned the level of work from light to industrial auto repairs as he found it confusing. **Norton** also offered his support of the zoning change. **Chairperson Davis**, asked of the applicant to expand on the scope of work on the owned parcels. Applicant **Hough**, responded to Chairperson Davis' question by stating that currently under the day-to- day operations carried out at the business on parcel 404-28-056 they do not comply under the current C2 zoning, and it is non-conforming for UHAUL signage to be parked in front of his existing office and non-conforming for the types of noise/work carried out at the Auto Repair under the C2 zoning. **Chairperson Davis**, offered additional comment in regards to the C3 zoning on Main Street, however he understands the applicant is currently operating within C3 types of work and it would be an impact to his business to conform under C2 zoning regulations. The possibility of the business selling and someone making changes to the buildings situated on the parcels and/or implementing more extensive use of auto repair may not be as likely considering they would be purchasing the existing business and buildings in which they operate now.

Call for STAFFCOMMENTS-

Community Development Director Michael Jenkins, provided the definition of "Spot Zoning". **Jenkins**, on behalf of self and staff recommends approval of applicant Hough's request to change the zoning of parcel 404-28-056 from the current C2 to C3.

*Upon the acceptance of the motion, Commissioner **Hough** returned to the meeting at his appointed seat.*

7. **Public Hearing & Discussion & Possible recommendation to Council on Use Permit 20140060, an application submitted by Mr. Bill Moore, agent for the Shuster Foundation, owner of Jackpot Ranch located on parcels 403-17-006K 64.75 acres and 403-18-001H 2.43 acres and 403-18-107C 4.94 acres for a total of 72.12 acres.**

The following proposed uses are for the entire 72.12 acres incorporating all three parcels: Horse Motel, Corporate, Spiritual and Governmental retreats; Group activities which would include Weddings, Family Gatherings, Group Picnics, Equestrian Events, Charitable & Civic Events, Ice Skating Rink, Mobile Western Town, Helicopter Landing and Take-Off point located at

2025 W. Reservation Loop Rd. Meeting Facility with Kitchen & Outdoor Assembly Area located at 1879 W. Cimarron Dr.

Commissioner Hough made a motion to continue item at the next scheduled May 1, 2014 Planning and Zoning meeting. **Commissioner Freeman**, seconded the motion, all in favor.

A. Staff Presentation- Presented by Community Development Director Michael Jenkins.

Michael Jenkins, provided a history of the described parcel; summary of agency and citizens comments, Town requirements, and applicant's narrative as it addresses requirements for application. **Jenkins** also provided the statement of the problem/opportunity as presented by the applicant; the conclusion; and suggested motion. **Jenkins** provided insight to existing structures and facilities on the property, and what the current USE PERMIT provided for as approved activities on the Ranch and what proposed additions would be made for events; structures; and activities, upon approval. **Jenkins** also provided proposed stipulations to events; sizes; and occurrences.

There was added emphases from the neighborhood concerns brought up at the required March 18th Neighborhood Meeting. See *Exhibit "C", Applicants Response to Critical Issues*.

Jenkins, welcomed **Building Official, Robert Foreman** to the podium. **Foreman** reiterated some of Jenkins statements, with added focus on the Octagon building situated on the Ranch being a change of occupancy from residential to commercial and the Tree House could possibly be brought up to code with addition of side rails, and etc. Special Inspections are required by the Town Building Department, and the department does not have a problem with the time frame to meet these inspections.

Jenkins, read verbatim the "Memorandum" from Nancy Gardner, Town Marshal,

Jenkins, read verbatim the "Use Permit Application Comments" from Kristi Gagnon, Fire Marshal to the Camp Verde Fire District

Jenkins, read verbatim the comments provided by email from Vickie Lewis, Hydrologist, to the Yavapai County Flood Control. **Jenkins** elaborated on the "Removable Structure" comments and what falls within the Town Code.

Jenkins, read verbatim the comments provided in a letter by the Yavapai Apache Nation Chairman, Thomas Beauty. The letter asked for any use of Tribal Lands be removed from the application, also stating what they were in favor of and what they were not in favor of, *reasoning described in letter*.

Jenkins, read verbatim the comments provided by email from Mike Kowalski, Director of Ranch Operation and Staff Development at Rainbow Acres, and what their requests were of the permit.

B. Declare **PUBLIC HEARING OPEN**

Call for APPLICANT'S STATEMENT-

Applicant, **Bill Moore**, graciously thanked the staff and introduced Ranch Representatives **Shorty Graham, Ranch Manager** and **Deborah Allenbaugh, Marketing Manager**. **Moore**, began his statement by expressing his strong desire that the Ranch be an asset to the Town of Camp Verde, with the hope that the parcel never be subdivided. He provided the vision of Ranch Owner Shuster in the Ranch being for Children of an impoverished background or those of disability. **Moore** stated the Ranch is non-profit, and there is a high cost to maintaining the Ranch. The goal is to keep the Ranch in full operations; therefor the need for the USE PERMIT is great, as they will use the benefits of the Permit to sustain the Ranch's costs. The Ranch currently has a USE PERMIT that is due to expire soon. **Moore**, elaborated on the request of a heli-pad for the use of helicopters coming into the Ranch providing tours of the Verde Valley/Sedona areas, and made focus that the use of a helicopter would not be a constant occurrence though narrowed to a dozen times a year, or the possibility of six landings. **Moore**, spoke of the Tree House being constructed approximately in the year 2000, for Ranch Owner Shuster's grandchildren and that it was originally built as a two level platform, which is around a tree. **Moore** discussed an Architect being brought in by the Ranch to address the Tree House and the implementing of code. **Moore**, also addressed that he had spoken with Scott Canty, Yavapai Apache Tribal Attorney, whom was present to speak on the tribe's behalf. **Moore**, gave insight on future plans for entertainment on the ranch that would include, Cowboy Rope demonstrations; Camp Fires; Picnics; and the use of a guitar. The Ranch would like to pursue Structure Developments upon approval through the Flood Control District. **Moore**, wished to use the Octagon structure for events including Weddings and Meetings, and to also hold Charitable/Civic events (non-specific) and felt that parking would be suitable in the pasture and existing parking areas as there is currently a buffer there for neighbors to the East. **Ranch Manager Shorty Graham**, stepped forward and focused on the importance of what the Ranch is about and provided a history of the Ranch Owner and his sole purpose for the Ranch being for underprivileged children, and that the Ranch cannot support itself, and without the Ranch the lives of youth cannot be changed.

Call for COMMENT FROM OTHER PERSONS (either in favor or against)-

Yavapai Apache Nation, Attorney Scott Canty, spoke of the Tribe's value on the Ranch being an asset to the community and that they are in support of the Ranch and its proposal with the exception of the helicopter due to, the imposing noise issues to the community members as well as dust issues, and they have stated in their comments to the Commission that the mass number of landings not be approved. The Tribe is fine with all other proposals noting, Tribal Council not approving horseback rides. **Canty** checked with tribal Chairman Beauty and the Chairman is not in favor of modifying Tribal opposition of the helicopter take-off and landing and continues to ask of the Commission not to approve this item.

Resident Dave Blutz, resides near the Ranch and he also was not in favor of the Helicopter and requested a denial of the Commission. **Blutz**, also stated he has had to speak to Ranch Manager Shorty Graham on occasion due to noise, and though Shorty handled the issue efficiently and well, **Blutz**

felt the noise of horse type events to be a nuisance.

Resident Stewart Peterson, took the podium to express his concerns. The first of two concerns was also the helicopter. **Peterson** stated a need to minimize flights to a dozen or less per year, he addressed the noise that would be caused by the helicopter. **Peterson** questioned the Landing Zone being in the flight pattern of the municipal airport that was nearby, and felt it to be a serious concern that there was no mention of the FAA having input as a noted agency on the application. Peterson felt this could be a serious liability to the Town of Camp Verde. Peterson's next was the lack of mentioning drainage of fuel and chemicals that would be brought by the helicopter. Lastly, **Peterson** spoke of the environmental impacts brought on by the helicopter with the nearing Verde River and the impact on species and greenway.

Resident Participants, was the next to take the podium bringing a list of concerns. Including, road conditions due to the increase of traffic, these conditions would bring maintenance issues, dust and littering (due to increased food and beverage being served) on the roadway in and out of the ranch. Participants also had concerns of visibility for the safety of guests to the ranch, as there were blind spots that would need sufficient lighting. The next items of concern for Participants was more of a water right issues, with knowledge of increased guests to the ranch and livestock taking additional resource from the Verde River, this he felt was an aquifer impact on the Town of Camp Verde regardless of private water rights. In closing **Participants** expressed the strong need for any and all trail rides taking place on Government/Tribal lands to stay on existing trails rather than cause damage and erosion issues to lands and vegetation.

Rainbow Acres Representative Mike Kowalski, reiterated feelings expressed in his written statement to the Commission.

Chairperson Davis asked **Kowalski** for a history of impact under the current USE PERMIT. **Kowalski** responded with a knowledge of approximately the last 3 1/2 years, with knowing there to be some noise during larger events with bands present, and noted several youth groups visiting the Ranch with no additional impacts to the neighborhood such as littering along the roadways.

The last speaker to take to the podium was nearby Resident **Ryna Rock** of Verde River Estates whom happens to share a common fence with the Ranch and expressed the same concerns as her fellow residents with the helicopter, that being of noise, and dust. **Rock**, also brought a new concern to the Commission of the language of the proposed application including the use of "*perpetuity*". The definition of this language would bring a lack of control over the USE PERMIT, when it came to the events and activities being requested. The ability for the Ranch to have unlimited events of guests totaling up to 150 on a weekly basis would not be reasonable, for residents to have to endure. **Rock** was in support of a few of these types of events taking place on a non-regular basis. **Rock** stated that in the event they use the "vacant lot", the Ranch implement some sort of dust control.

Call for APPLICANT'S REBUTTAL (if appropriate)-

Applicant **Bill Moore**, took the podium in rebuttal of the comments made before him. **Moore**, placed focus that they applied with a list of activities that they would consider within the 5-10 year period of holding the USE PERMIT, the list in retrospect had been narrowed since the original time of applying. Again, this list being of items they were “considering”, not necessarily implementing in their regular activity. In regards to the helicopter- **Moore** proposed helicopter activity to a limited 6 landings per year. **Moore** addressed flight pattern and the imposition of the nearing Municipal Airport being up to the helicopter Pilot himself to determine, and that the helicopter would be within a half mile of the Verde River in regards to concerns of wildlife. **Chairperson Davis**, taking into consideration earlier comments/concerns asked Moore if there would be any storage of fuel, or maintenance of the helicopter taking place on or at the Ranch? **Moore** responded with a clear “NO”.

Moore, addressed the concerns of sound. The Ranch is requesting a maximum of 2 large events a year, and asks for neighbors understanding during that time.

In regards to the concerns expressed of environmental impact on the Verde River and activities taking place on/near the River, **Moore** stated that they are looking to entertain youth in the sandy areas of the River with zero disturbance to the natural vegetation of the area.

Moore, addressed the concerns of traffic due to larger groups of guests traveling in and out of the Ranch and the use of the common road. **Moore**, stated most of the time children would be shuttled in with the use of a bus, and weddings would travel by the use of car. Lastly activities scheduled with a Resort would use a bus as well. **Moore**, was also good to note that the more common guests in the 150 range, would mostly be that of children traveling by bus, and that the USE PERMIT that the Ranch has been utilizing for the last 5 years has the ability to carry out unlimited events in the range of up to 150 guests. These types of events are arranged during prime months, every weekend of the year. **Chairperson Davis**, asked of Moore the high event average. **Moore** answered 20-25 smaller events.

Moore, provided insight to the concerns of parking, stating there were options in using Cliff Castle parking lots and shuttling guests to and from the Ranch. This method being utilized for larger events such as the Fall Festival held at the ranch annually. **Moore**, addressed the concern of dust impediment and volunteered the use of water trucks to control the dust levels.

Moore, addressed the mention of water aquifer and said there will not be any increased usage as the water is used for watering the pastures, and that will continue.

Moore, stated in regards to the perpetuity request, the current USE PERMIT was for 5 years and the time has “flown by”, **Moore** alluded to the fact its a lot of work to put things in order for another permit, and felt if the Ranch does not **meet** their end of the agreement the Town has the authority to pull the USE PERMIT.

In closing **Moore** addressed the concern of horse events and the use of an “announcer” during the events. Moore understood the effect of noise on neighboring residents. **Ranch Manager Shorty Graham** stated the sound system currently points in the direction of resident homes, which was noted by residents earlier in the meeting and Graham driving herself to adjust speakers for the comfort of residents. **Graham** stated the direction of the speakers can be changed, and this type of event is not anticipated as a primary event.

C. Declare PUBLIC HEARING CLOSED

Call for Commission DISCUSSION (may ask questions of applicant)-

Commissioner Hisrich, regarding “page 2, exhibit B” addressed that guests differed from 150-299, and large events to small events, and felt this was poorly presented as it is not clear. **Community Development Director Michael Jenkins**, expressed staff’s confusion and suggests the staff and Commission place limits and include a resolution.

Commissioner Parish, commented on the helicopters and the impact it has on horses with noise, as well as residents and felt it was equivalent to that of a train after a while, and individuals as well as livestock adjust and become used to the level of noise. **Parish** expressed support in the helicopter being an asset to the Town of Camp Verde and children.

Commissioner Hough would like to see the “Western Town” stay at the Ranch (see page 1, exhibit b). **Hough** did not know of any code regarding the use of helicopters, and did not feel that it was something that they the Commission/Town had control over.

Commissioner Freeman, gave input on the issue of the helicopter and suggested it be handled on a case-by-case basis, in permitting for a helicopter under a “Special Event”. **Freeman** did see value in having the use of a helicopter.

Freeman spoke of the commonly used road for the Ranch and residents, and in his past experience the additional traffic bringing wear and tear on the road was to benefit the Ranch itself; therefore being the responsibility of the applicant. **Freeman** suggested the use of an individual being placed on the road to direct traffic for the ease of residents traveling to and from their homes; individuals being designated to control the impacts of additional litter alongside the roadways, and none of the stated here above being that of responsibility to the Town of Camp Verde.

In closing, **Freeman** suggested the use of additional speakers to help control noise levels and the impact on neighboring residents. **Freeman** felt increasing the quantity of speakers and lowering the volume levels along with strategic placement would better control noise.

Vice-Chairman Norton, stated he was not in favor of the helicopter due to noise levels, and dust that could be detrimental to neighbors. **Norton**, stated the helicopter is an item that could fall under a “Special Use Permit”.

Norton was in agreeance with the traffic and the impacts it would have on the road not being necessarily a positive attribute.

Norton, questioned staff on decimal monitoring and current criteria. **Community Development Director Michael Jenkins**, stated there currently was not any written within town code. The Town uses a National Standard. **Jenkins** also informed the Commission of the “Noise Ordinance”, written in Town Code that reads code enforcement officers (Camp Verde Marshals, etc.) have the authority to use the determination of the Officer, and when it becomes offensive to the senses the noise is to be controlled. **Jenkins** also informed the Commission of the Town Manager currently developing a decimal monitoring system to implement within written Town Code.

Norton, expressed that the Ranch seems to work well with its neighboring residents and that the use of a water truck would be neighborly. He suggested if the Ranch did not comply, they would risk the USE PERMIT being pulled.

Chairperson Davis, asked if the Town has the authority to allow or deny the landing of a helicopter. **Michael Jenkins**, responded “yes, due to any impact on the neighborhood”. **Davis**, was in support of the helicopter/landing zone for the education of youth, under the assumption of one helicopter landing per event. **Davis**, suggested a “test period” of “so many” landings per year, in “perpetuity” to the USE PERMIT, so that if it has a poor impact on neighbors the use of the helicopter can be further denied.

Michael Jenkins elaborated on the language and gave suggestions for the helicopter, to be given an actual number of landings and if issues arise, the issues will be discussed with applicant, with the possibility of denying further use.

Chairperson Davis, asked of Jenkins what kind of power the Commission/Town has over the applicant when “perpetuity” was used in the permit (*in relation to any requested items*)?

Michael Jenkins, provided an answer of “absolute power”, and read the language of the ordinance, “To serve the objectives of this zoning ordinance, permits may be used for a fixed time period.” **Jenkins** placed emphasis on the word “may” in relation to the word “perpetuity”, and went onto read “USE PERMIT does not grant a vested right beyond the term of the permit”, **Jenkins** going further down to read, “Violations of the terms, of the USE PERMIT or Zoning Ordinance voids the USE PERMIT” **Jenkins**, noted that this empowered him as Community Development Director to void the permit, however the typical approach being that of advising the applicant of any/all issues and providing them a period of time to rectify the situation, and if they do not comply then the USE PERMIT is terminated. **For the benefit of accuracy I would like to insure this is in fact the “ordinance” and the language in which was read by Michael Jenkins, without misunderstanding on my behalf. Thank you, SO*

Chairperson Davis, expresses concern in regards to noise levels, and how they are monitored. Davis felt that the Ranch is great neighbors to those nearing residents. Davis being firm in policy being developed, that addresses monitoring of noise levels. Also, expressing the positive attributes that the Ranch brings to the economy and community.

Jenna Owens, Assistant Planner, asked the Commission to consider notifying the Town and neighbors in advance to the use of the helicopter as a stipulation, so neighbors are aware they can come into the Planning and Zoning department to express any concerns. **Owens** reiterated the support residents have given to the Ranch Manager Shorty Graham, as she works diligently as an asset to the neighborhood, with concerns brought on by the Ranch such as noise.

Commissioner Parish, points out the use of helicopters for Emergency Medical advancements during events on an *as needed* basis.

Chairperson Davis, suggested the USE PERMIT have stipulations to the number of guests/ size of event and how many events per year the Ranch would hold. **Davis** suggested the following, rather than in perpetuity:

1-150 guests- unlimited number of events

150-300 guests- 10 events per year

300-500 guests- 5 events per year

500-750 guests- 2 events per year

750-1000 guests- 1 event per year

Chairperson Davis, is noted as not being in favor of 2500+ guests per year

Michael Jenkins suggests that 5 years go by quickly, and to put a time limit on 10 years vs. in perpetuity as the Commission has that option.

Commissioner Hough, stated Ranch Manager Shorty Graham, provided him a tour of the Ranch property and upon his tour it was clear to him that the Ranch is in fact a business, and operates so under specific permitting.

Jenna Owens, acknowledges during the 5 year period, under the existing USE PERMIT the Town has received zero recorded criticism of the Ranch. The Ranch was asked to list any event possibilities that they would be considering within a 5-10 year period for the new USE PERMIT. **Owens** understands the applicant may or may not move forward all events specifically listed.

Deborah Allenbaugh Marketing Manager for the Ranch spoke up and has been a part of the Ranch for the last 4 years. **Allenbaugh** found it to be easier to have a larger number of guests at one time as to several smaller events per year, with larger events being addressed efficiently with local Fire and Police, to insure adequate safety and compliance. In that time they have made several connections with smaller organizations such as the "Boys and Girls Club", to hold smaller events for youth. **Chairperson Davis**, asks for clarification on the quantity of attendees during events. **Allenbaugh**, provides examples of guests for events, and states it is hard to determine the capacity in which the Ranch can maintain due to the size of the Ranch. **Chairperson Davis** and **Allenbaugh** discussed the realm of using the USE PERMIT in perpetuity and the risk of losing the USE PERMIT, with larger events creating higher impacts on the neighborhood.

Michael Jenkins, understood **Bill Moore** to say for the Mobile Western Town that if not approved he (Mr. Moore) would at the least like to move forward

with "Cowboy Activities, Camp Fires, and Games", **Jenkins** asked for clarification from the Commission if Mr. Moore should fight for the Mobile Western Town in the event he (Mr. Moore) gains approval from the Yavapai County Flood Control, or if Mr. Moore should fall back to the "Cowboy Activities", rather than fight for the Mobile Western Town.

Chairperson Davis, stated they would like to see the Mobile Western Town, in the event the Ranch can overcome the hurdle with the Yavapai County Flood Control.

Applicant **Bill Moore**, stated if they could not obtain permitting through the Yavapai County Flood Control for the Mobile Western Town, they would default back to the proposed alternative

Chairperson Davis, expressed support of approval

Michael Jenkins Did not offer a recommendation on this issue since the P&Z ordinance requires the Commission and Council to find based on the possible impacts to the neighborhood.

Commissioner Hisrich, suggests proper definition of the request due to all the conditions discussed, and that the applicant work directly with staff to have better guidelines for the management of the USE PERMIT.

Vice Chairman Norton, Commissioners Hough and Freeman in agreeance with Commissioner Hisrich's suggestion felt there to be adequate time for the staff and applicant to work on the concerns.

8. Adjournment

On a Motion by **Commissioner Hisrich**, seconded by **Vice Chair Norton**, the meeting was adjourned at 8:57 PM, with all in favor to move all items not discussed/resolved to the May 1, 2014 meeting.

BJ Davis, Chairman

Planning & Zoning – Michael F. Jenkins

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 27th day of February 2014. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ of _____, 2014.

Stephanie Ostler, Recording Secretary



ORDINANCE 2014 A393

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCEL 404-28-056 CONSISTING OF APPROXIMATELY 0.9 ACRES FROM C2 (COMMERCIAL: GENERAL SALES & SERVICE) TO A ZONING OF C3 (COMMERCIAL: HEAVY COMMERCIAL). LOCATION OF PROPERTY IS 27 W. GENERAL CROOK TRAIL.

WHEREAS, The Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 2011-A374, approved June 25, 2011 and,

WHEREAS, Part 6, Section 601 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulation of the Planning and Zoning Ordinance by the Town Council and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

I The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 20140052** was filed by Mr. Michael Hough, owner for the purpose of rezoning parcel 404-28-056 **FROM C2 (Commercial: General Sales & Service) to C3 (Commercial: Heavy Commercial)**. The legal description is attached as **Exhibit A and the Map as Exhibit B**.
- B. The Zoning Map Change was reviewed and approved by the Planning Commission on **April 03, 2014** in public hearing that was advertised and posted according to state Law.
- C. A neighborhood Meeting was held by the applicant on **February 26, 2014** as required by ARS 9-462.03B.
- D. The Waiver of Diminution of Value Claim has been signed by the owner and is attached as **Exhibit C**.
- F. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Zoning Map Change 20140052 is approved, based upon the following findings:

- A. The property is classified on the Town's General Plan Land Use Map as commercial and the rezoning hereunder is consistent with the Camp Verde General Plan.
- B. The Zoning Change will promote the public health, safety, and welfare of the general public.

Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective the expiration of a thirty (30) day period following the adoption hereof and upon completion of publication and any posting as required by law.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

*PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the **23rd day of April 2014.***

Approved: _____
Charles German - Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

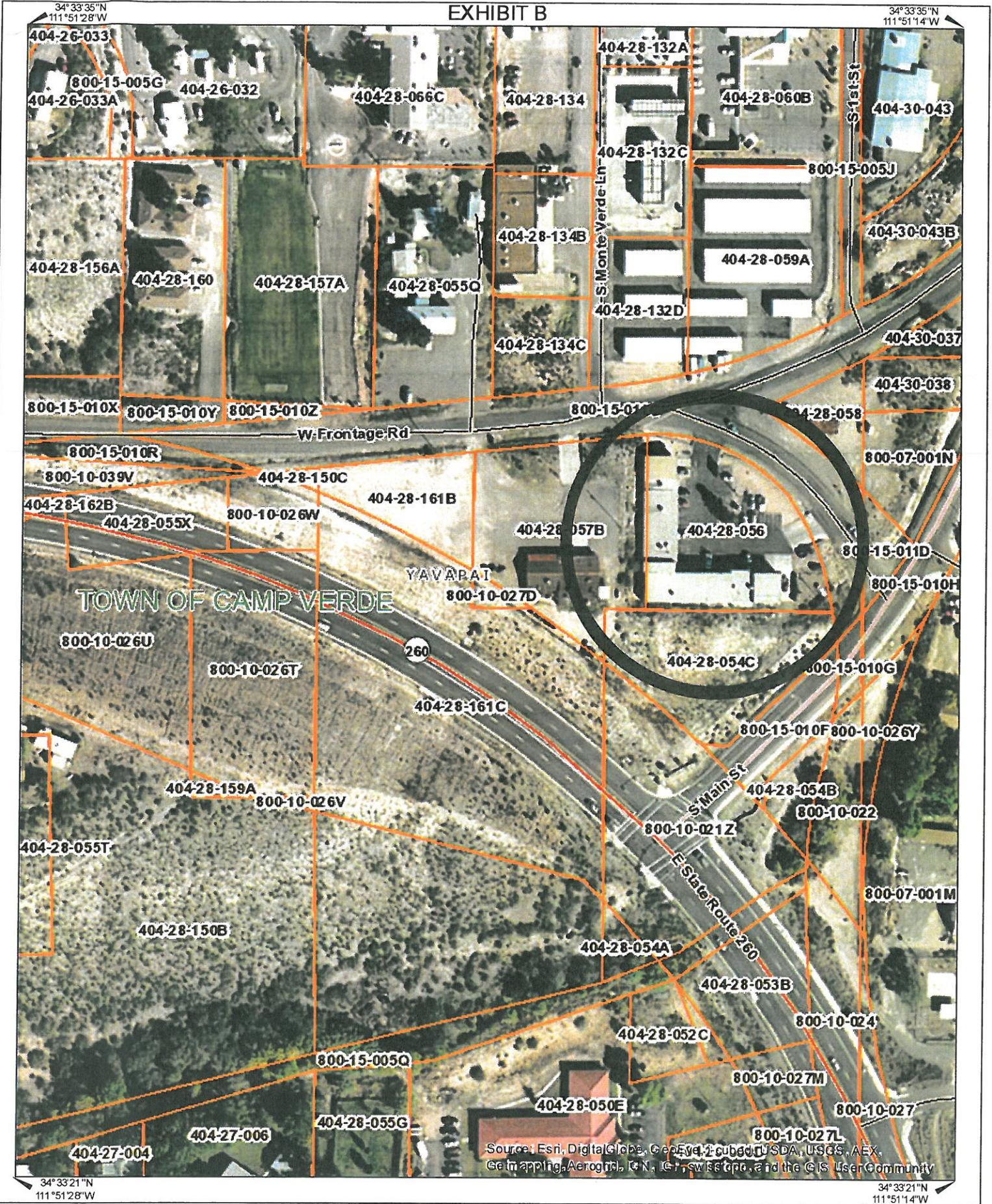
EXHIBIT A

**LEGAL DESCRIPTION FOR PROPERTIES BEING
REZONED**

A tract of land in the Southeast quarter of Section 31, Township 14 North, Range 5 East of the Gila and Salt River Base and Meridian, more particularly described as follows:

BEGINNING at a point on the East line of said Section 31, that lies North 0°03', West, 1034.0 feet from the Southeast corner of said Section 31, thence South 89°57' West, 268.7 feet; thence North 0°3' West, 215 feet to a point on the Southerly right of way line of a County Highway; thence Southeasterly 371.1 feet, along said right of way line, on a curve to the right with a radius of 267 feet to the POINT OF THE BEGINNING.

EXHIBIT B



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

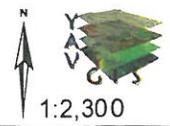
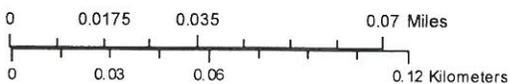


EXHIBIT C

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is the owner of the parcel of land described in EXHIBIT A hereto that is the subject of the Zoning Map Change 20140052 for parcel 404-28-056. I have reviewed the conditions of rezoning and by signing this document, the undersigned agrees and consents to all the conditions imposed by the Town of Camp Verde in conjunction with the approval of the Rezoning Application and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the rezoning and conditions.

Dated this 6 day of MARCH, 2014

OWNER:

Michael E. Hough
Print Name

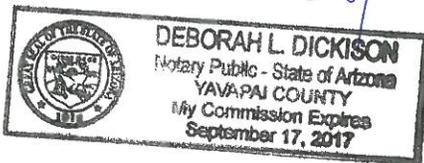
[Signature]
Signature

STATE OF ARIZONA)
) ss.
County of Yavapai)

On this 6 day of March, 2014, before me, the undersigned Notary Public, personally appeared Michael E Hough, who acknowledged that this document was executed for the purposes therein contained.

[Signature]
Notary Public

My Commission Expires: Sept 17, 2017



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Issue 14 - April 11, 2014

Legislative Overview

The budget process has come to an end as the House and Senate came together this week in Conference Committee to adopt compromise provisions to the budget for fiscal year 2014-15 (FY 15). With few exceptions, the budget passed both chambers along party lines. The budget was transmitted to the Governor along with three bills that have revenue impacts; **SB 1413**, **SB 1484** and **HB 2377**. The entire package was sent to the Governor on Wednesday, and although the Executive has yet to act, the Legislature expects her to sign the budget as presented. A document prepared by the Joint Legislative Budget Committee detailing the final budget can be found [here](#).

If the Governor does indeed sign the budget into law, lawmakers will likely complete their labors and seek to adjourn sine die next week.

Utility Tax Exemptions

This week, **SB 1413 (taxes; manufacturers' electricity sales; exemption)** passed out of the House by a vote of 51-3 and was subsequently passed by the Senate on a final read vote of 27-0. Sponsored by Senator Steve Yarbrough (R-Chandler), SB 1413 exempts electricity and gas used in manufacturing and smelting operations from state transaction privilege taxes (TPT) and stipulates that if a city or town wishes to provide a similar exemption it must be provided to all manufacturers and must have the same definitions as the state. The League is neutral on the bill.

State Parks Funding

SB 1326 (state parks; donations; fund; transportation) passed the House Committee of the Whole this week by a voice vote. Sponsored by Sen. Don Shooter (R-Yuma) the bill now has the Department of Revenue collecting money for the state park fund via a voluntary check-off on an individual's tax return, if they are entitled to a refund. Individuals may also make an additional donation beyond the portion coming out of their return. Prior versions of the bill had the Department of Transportation collecting donations when a vehicle was registered. The fund will be used for the maintenance and operation of state parks. SB 1326 now proceeds to Third Read. The League is in support of the measure.

Other Bills of Note

(All bills being actively monitored by the League [can be found here](#).)

Bill Number - Short Title - Subject(s)

HB 2162: city or town council; vacancy - elections

HB 2389: NOW: transaction privilege tax changes - finance

HB 2339: firearms; permit holders; public places - public safety

HB 2414: S/E: public records; burdensome requests - administration

HB 2517: firearms; state preemption; penalties - public safety

HB 2571: criminal damage; economic costs - public safety

Legislative Bulletin is published by the League of Arizona Cities and Towns.
Forward your comments or suggestions to league@azleague.org.