



ORDINANCE 2022-A470

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, TO AMEND ZONING ORDINANCE SECTION 203 – USE DISTRICTS TO INCLUDE A NEW OVERLAY DISTRICT. THIS DISTRICT WILL PROVIDE FLEXIBILITY IN THE AREAS OF HEIGHT, DENSITY, AND INTENSITY FOR AN ASSOCIATED HIGHWAY INTERCHANGE LOCATION.

WHEREAS, the Mayor and Common and Council desire to create an overlay district around the Interstate State 17 and Arizona State Highway 260 Interchange area within the Town of Camp Verde for the purpose of modifying existing zoning criteria in this unique area of the Town; and

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011; and

WHEREAS, Part 6, Section 600, C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning text regulations of the Planning & Zoning Ordinance by the Town Council; and

WHEREAS, the Town Council has an abiding interest in protecting the public health safety and welfare by establishing requirements for provisions of the Planning & Zoning Ordinance by including definitions and text amendments.

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

Section 1. The Town Council hereby finds as follows:

- A. Text Amendments may be initiated by the Planning & Zoning Commission, the Town Council, staff of the Town of Camp Verde or by application of a property owner per Part 6, Section 600, C.1 of the Planning and Zoning Ordinance. This Text Amendment was initiated by the Town Council.
- B. The Text Amendment was reviewed by the Planning and Zoning Commission on December 01, 2022, in a public hearing that was advertised and posted according to state law. A recommendation for approval was forwarded to the Town Council by the Planning and Zoning Commission on December 01, 2022.

- C. The proposed Text Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Section 2.

The Zoning Map will be amended in accordance with the boundaries shown on Exhibit A and the following new Use District, Section 203.P. Interchange Overlay District (IO District), will be added to Part Two - Zoning Classifications, Regulations/Provisions of the Planning and Zoning Ordinance for the Town of Camp Verde:

SECTION 203 – Use Districts

P. Interchange Overlay District (IO District)

1. Purpose: The Interchange Overlay District is intended to establish specific criteria associated with the unique geographic, physical, and infrastructural aspects of this area of the Town of Camp Verde. This District is intended to provide flexibility associated with the unique character of a highway interchange area. This includes flexibility in the areas of height, density and intensity for an associated highway interchange location.
2. Permitted Uses and Uses Subject to a Use Permit: Those permitted by the underlying Zoning Use District.
3. Maximum Height: The maximum height allowed for habitable space is 55'. However, an additional height increase of 10' may be allowed with approval by the Community Development Director, pursuant to the requirements outlined in Section 400.
4. Additional Height Exception: In this Interchange Overlay District, buildings may be approved for an additional 10' for a total height of 65 feet for the purpose of screening or other architectural features, this approval is pursuant to the requirements outlined in Section 400.
 - a. Application and approval for this additional 10' height increase may be requested through the Development Standard Review process under Section 400 and may only be approved by the Community Development Director.
 - b. Application Process: When submitting for Development Standard Review, an applicant is required to make specific request for this allowance for an additional 10' increase to structure(s). Additionally, when making application for this additional 10' height increase applicants are required to submit elevation views of all sides of the planned structure.
 - c. Approval of this increased 10' height allowance will be documented, in writing, via the final Development Review Standards final report. Subsequent modifications may be approved by submitting a written request to the Community Development Director for approval.
 - d. Final approval of this height increase will also be documented as a special condition as part of the Zoning Clearance for the building(s) as part of the review and approval for building permit(s).

5. Approval for an Additional Height Exception will be based only upon the following criteria:
- a. The increase is for a parapet wall or similar architectural feature that provides screening for mechanical equipment, or otherwise provides architectural interest to the building.
 - b. The parapet wall or architectural feature is of similar colors and materials to the main building and will be compatible architecturally with the main building.
 - c. The parapet wall or architectural feature does not increase the habitable space.
 - d. The parapet wall or architectural feature is the minimum height necessary to accomplish the screening purpose for which it is intended.
6. PAD Overlay: This Overlay District may also be combined with a Planned Area Development (PAD) District. In the event a PAD District is established per Section 203, the uses, standards and requirements established through the PAD process will supersede the standards of this Interchange Overlay District.

Table 2-15: IO Dimensional Standards

<u>Zoning District</u>	<u>"IO District"</u>
<u>Minimum Lot Area (sq. ft.)</u>	<u>Per underlying district</u>
<u>Minimum Width OR Depth (feet)</u>	<u>Per underlying district</u>
<u>Maximum Bldg. Ht. (stories)</u>	<u>4</u>
<u>Maximum Building Height (feet)</u>	<u>55'</u>
<u>Maximum Lot Coverage (%)</u>	<u>Per underlying district</u>
<u>Minimum Front Yard (feet)</u>	<u>Per underlying district</u>
<u>Minimum Rear Yard (feet)</u>	<u>Per underlying district</u>
<u>Minimum Side Yard Interior (feet)</u>	<u>Per underlying district</u>
<u>Minimum Side Yard Exterior (feet)</u>	<u>Per underlying district</u>
<u>* Note – refer to Section 203.P.4. and 5. above for additional provisions regarding height.</u>	

Section 3. 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 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.

Section 5. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 4th DAY OF JANUARY 2023.

Dee Jenkins
Dee Jenkins - Mayor

Approved as to form:

William Sims
Bill Sims - Town Attorney

Date: January 9, 2023

Attest: Cindy Pemberton
Cindy Pemberton, Town Clerk