



ORDINANCE 2024-A494

An Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Planning and Zoning Ordinance Section 305.1 – Livestock Regulations.

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

WHEREAS, Part 6, Section 300, C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of the zoning text regulations of the Planning and Zoning Ordinance by the Town Council; and

WHEREAS, these Text Amendments were reviewed by the Planning and Zoning Commission on October 3, 2024, in a public hearing that was advertised and posted according to state law. The Commission recommended the Mayor and Common Council deny these amendments as presented; 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 and Zoning Ordinance by including definitions and text amendments; and

WHEREAS, Text Amendments may be initiated by the Planning and 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 Town Council in a Work Session held on August 9, 2023; and

WHEREAS, This Text Amendment was reviewed by the Planning and Zoning Commission on October 3, 2024, in a public hearing that was advertised and posted according to state law. A recommendation for denial was forwarded to the Town Council by the Planning and Zoning Commission.

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

Section 1. The Mayor and Common Council hereby finds as follows;

- A. The proposed Text Amendment will not constitute a threat to the health, safety, welfare, or inconvenience to the general public of the Town of Camp Verde.
- B. The proposed Text Amendment is hereby adopted in accordance with Exhibit A. At least three paper copies or one paper copy and one electronic copy shall remain on file with the Town Clerk in compliance with A.R.S Section 9-802 and kept available for public use

and inspection.

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by the Town of Camp Verde in conflict with the provision of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance;

Section 3: If any section, 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 of this ordinance; and

Section 4: This Ordinance shall be effective upon expiration of a thirty (30) day period following the adoption hereof and completion of publication and any posting as required by Arizona State Law; and

Section 5: In accordance with Article II, Sections 1 and 2, Constitution of Arizona, and the laws of the State of Arizona, the Mayor and Common Council has considered the individual property rights and personal liberties of the residents of the Town and the probable impact of the proposed ordinance on the cost to construct housing for sale or rent before adopting this Ordinance.

PASSED AND APPROVED BY A MAJORITY OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ON THIS 13TH DAY OF NOVEMBER 2024.



Dee Jenkins, Mayor

Attest:



Leah Rhodes, Town Clerk

Approved as to form:



Trish Stuhan-Town Attorney

"Exhibits on file at the Town Clerk's Office, 473 S Main St. Ste 102, Camp Verde. Arizona."

SECTION 305.1

305.1 Livestock Regulations

A. Purpose and Scope. The purpose is to provide rules and regulations for the keeping of livestock so that the livestock do not become a nuisance, hazard, and/or health problem to the abutting properties and/or the general public.

B. Applicability: This Section 305.1 does not apply to agricultural operations conducted on farmland pursuant to A.R.S. 3-112.

C. Permitted Use. The use is determined by the following criteria:

1. Keeping livestock, as defined in Section 103 of this Ordinance, is prohibited on parcels less than one-half acre (1/2).
2. Parcels equal to or greater than one-half (1/2) acre may keep livestock in compliance with the Livestock Point Count, as listed in Table 305.1.A of this Ordinance.
3. Keeping of Animal Fowl, as defined in Section 103 of this Ordinance, is permitted as an accessory use on all parcels within the Town of Camp Verde.
4. Keeping of Domesticated Animals, as defined in Section 6-1-0 of the Town Code, is subject to all care, maintenance, and nuisance provisions in this Ordinance, as well as Town Code, Chapter 6.

TABLE 305.1.A. LIVESTOCK POINT COUNT

SPECIES	POINTS
Sheep, Goats, Alpacas, Emus	3 Points
Llamas, Deer, Miniature Horses/Donkeys, Ponies, Ostriches, Cattle < 600 lbs.,	6 Points
Cattle 600+ lbs., Horses, Mules, Donkeys, Swine	12 Points (see additional standards in Section 305.E. related to Swine)
Bison	24 Points (see additional standards in Section 305.E. related to Bison)

D. Livestock Point Count. Lots of one-half (1/2) acre or more may increase the allowable number of points by an increment of six (6) points for each additional, contiguous quarter (0.25) acre. See example in Table 305.1.B. Abutting parcels of the same ownership or control may also be included in the livestock point count.

TABLE 305.1.B. EXAMPLE OF LIVESTOCK ALLOWED

PARCEL SIZE (ACRES)	POINT COUNT	EXAMPLES OF LIVESTOCK ALLOWED
1/2	24	2 Horses or 8 Goats
3/4	30	2 Horses or 10 Goats
1.0	36	3 Horses or 12 Goats
1.25	42	3 Horses or 14 Goats
1.5	48	4 Horses or 16 Goats
1.75	54	4 Horses or 18 Goats
2.0	60	5 Horses or 20 Goats
Note – Point threshold can only be met by meeting the minimum parcel size. For example, a 1.67-acre parcel is allocated 48 points, which is the same as a 1.5-acre parcel.		

E. The keeping of bison and swine shall include the following additional limitations and restrictions:

1. Parcel size must be two (2) acres or more for bison.
2. No more than five (5) swine are allowed per parcel.

F. *Nuisance Provisions.* All nuisance and sanitation mitigation measures in this Ordinance and the Town Code shall apply to livestock, fowl, and domesticated animals on any parcel.

1. *Maintenance of Livestock Areas:* All livestock pens, stalls, corrals, shelters, cages, areas, composting bins/piles, places, and premises where livestock, fowl, and domesticated animals are held or kept, must be maintained to prevent the accumulation of manure, garbage, filth, refuse, rubbish, trash, or other noxious materials. These areas must also prevent the proliferation of flies, insects, vermin, rodents, the creation of foul odors, and stagnant water, which are deemed a Nuisance, as defined in Section 103 of this Ordinance.

2. *Setbacks for Livestock Enclosures:* Livestock enclosures such as pens, stalls, shelters, cages or similar structure(s) for confining livestock on a temporary or permanent basis must meet the same setbacks as the primary dwelling unit on the parcel. Yard or pasture areas that allow livestock to roam freely outside defined enclosures are exempt from the setback requirements.

3. *Manure Management:* Livestock manure must be removed from pens, stables, yards, cages, and other enclosures as frequently as necessary to prevent the creation of a nuisance.

a. When stored on the property, manure must be stored in covered containers, and/or mulched or disced into pasture lands.

1. Manure stored in mounds must be setback sixty feet (60') from any property line. Total mound storage can be no more than five (5) cubic-yards.

2. Manure stored in containers must meet the setbacks requirements of the primary dwelling unit and containers must be kept clean, in good repair, and continuously covered.

3. Nothing in this subsection shall be deemed to prohibit the use of livestock manure on any farm, garden, lawn, or ranch for horticultural purposes on any size parcel.

b. *Prohibition of Off-Property Runoff:* Provisions must be implemented to ensure that no runoff from livestock waste flows onto neighboring properties, public streets, rights-of-way, drainage or irrigation channels, ditches or surface water systems.

G. *Exceptions to Livestock Point Count.*

1. *Animal Husbandry.* Offspring (under six (6) months of age) of livestock on premises are not counted toward the number of permitted livestock on a parcel.

2. *Administrative Reviews to Exceed Livestock Point Count.* The following permits allow an increase in the livestock point count subject to the following criteria and restrictions.

a. *Temporary Youth-Livestock Permit.* Hereafter referred to as "Youth-Livestock Permit."

1. Application is made annually for the purpose of keeping market and/or breeding livestock for educational projects for youth enrolled and participating in an approved educational youth organization.

2. The Town of Camp Verde recognizes the following as educational youth organizations for the purpose of a Youth-Livestock Permit:

a. 4H/Clover Buds,

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- b. FFA/PALS (Future Farmers of America/Partners in Active Learning Support), and
- c. Organized Youth, or other formally recognized youth educational programs.

3. Youth-Livestock Permits may be allowed under the following scenarios:

- a. The Youth Livestock project(s) will take place on a parcel that allows livestock, but the project would exceed the number of livestock allowed on the parcel per Table 305.1.A, and/or;
- b. The Youth-Livestock project(s) will take place on a parcel less than one-half (1/2) acre where the keeping of livestock is otherwise prohibited, and/or;
- c. One additional market swine project will be allowed with each additional one-half acre, not to exceed five (5) per parcel. Swine will be limited to one (1) swine project per youth exhibitor.
- d. A Youth-Swine Breeder provided there is a maximum of one (1) litter of pigs at a time.

4. A complete application for the Youth-Livestock Permit is received by the Community Development Department.

5. A sign must be posted on the property where the Youth-Livestock project is being conducted, indicating membership in a specific Youth Livestock Organization, with a Community Development approval sticker, including permit number, address, issue date and expiration date, number of students (youths) and number of livestock.

6. A permit must be issued to the applicant and must be available to the Code Enforcement Officer, Animal Control Officer, or a designee of the Community Development Director upon request.

7. A youth member is anyone who is an active member in one of the agricultural youth educational clubs listed above, and under the age of twenty (20).

b. *Temporary Youth-Equestrian Permit.* Hereafter referred to as "Youth-Equestrian Permit."

1. Application is made annually for a Youth-Equestrian Permit for the purpose of keeping horses and livestock to participate in equestrian activities including but not limited to, rodeo, mounted shooting, reined cow horse, cutting, dressage, or any other equestrian activity within an organization that has a youth membership/competition component.

2. The Town of Camp Verde requires proof of membership in an equestrian organization for the purpose of a Youth-Equestrian Permit.

3. A youth member is anyone who is an active member in an equestrian organization, and under the age of twenty (20).

4. A Youth-Equestrian Permit may be approved under the following scenarios:

- a. The youth reside, or the livestock is cared for on a parcel of land that is more than one-half (1/2) acre, but the livestock needed to successfully participate would exceed the number of livestock allowed on the parcel according to Table 305.1.A.
- b. The maximum number of livestock allowed with a Youth-Equestrian Permit is limited up to one hundred percent (100%) of the maximum number of livestock allowed.
- c. A complete application is received by the Community Development Department.

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5. A permit must be issued and made available to a Community Development Director's designee where the Youth Equestrian Permit is issued, with the Community Development approval sticker, including the year.

6. A sign must be posted on the property where the Youth Equestrian permit is being conducted, with a Community Development approval sticker, including permit number, address, issue date and expiration date, number of students (youths) and number of livestock. The sign shall be provided by the Town of Camp Verde.

H. Administrative Adjustment Permit. Any parcel where livestock is allowed may apply to increase the livestock count by up to one hundred percent (100%) of the number of livestock allowed according to Table 305.1.A. and subject to the following criteria. An Administrative Adjustment Permit cannot be applied for if the property has already been issued a Temporary Youth-Livestock Permit and/or Temporary Youth-Equestrian Permit.

1. Criteria.

- a. Parcel size must be a minimum of one (1.0) acre.
- b. No unresolved violations of Section 305.1 within the previous twelve (12) month period prior to date of application received.
- c. No current violations of Section 305.1 at the time of application submission.
- d. Livestock pens must have a setback of at least thirty feet (30') from adjacent parcels.
- e. Should formal written objections be submitted by more than fifty percent (50%) and not less than two (2) of the neighbors within three hundred feet (300'), then a Use Permit is required to be processed under Section 601.C.

2. Process: Administrative Review with Public Comment Period

- a. A complete application must be submitted to the Community Development Director. The Community Development Department shall provide an application form and a checklist of items that must be submitted to be considered complete. The Town Council shall set a reasonable fee in the Fee Schedule that will be submitted at the time of the permit.
- b. The subject property must be posted, and notice mailed to neighbors within three hundred feet (300') of the property, a minimum of fifteen (15) days prior to issuance of the permit. Comments must be received by the Community Development Director prior to the date of issuance of the permit.
- c. The subject property will be inspected by the Community Development Department's designee prior to issuance of Administrative Adjustment Permit and/or renewal of the permit.
- d. An inspection will be performed any time a complaint is received.
- e. The Community Development Director will review the application to ensure the property meets all criteria outlined in Section H.1. If the criteria are met, an Administrative Adjustment Permit will be issued. However, if more than fifty percent (50%) and not less than two (2) of the neighbors within three hundred feet (300') submit written objections, the Community Development Director will refer the applicant to the Use Permit process, as outlined in Section 601.C. In this case, the applicant must reapply under the Use Permit process, with the fees from the Administrative Review applied toward the Use Permit fees.

3. Validity. Permits are valid for twelve (12) months from the date of issuance and automatically expire unless renewed as specified below.

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4. *Renewal.* Administrative Adjustment Permits may be renewed by the Community Development Director under the following circumstances.

- a. A renewal application is received prior to expiration of the original permit.
- b. A renewal fee of fifty percent (50%) of the original application fee is paid at time of submittal.
- c. There are no unresolved violations of Section 305.1. within the previous twelve (12) month period of the original application.
- d. An inspection is performed by the Community Development Department's designee prior to renewal of the permit and there are no current violations of Section 305.1. of this ordinance.

I. *Revocation.* Youth-Livestock Permits, Youth-Equestrian Permits, and Administrative Review Permits may be revoked at any time upon final determination of the code complaint violation as determined by Article 7-7 of the Town Code – Enforcement Procedures for Violations of the Town Code.

- 1. ***Appeal.*** Denial or revocation of Youth-Livestock Permits, Youth-Equestrian Permits, and Administrative Review Permits is appealable to the Board of Adjustments and Appeals, as outlined in Section 602.B. of this Ordinance.

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Section 103 Key Definitions relevant to Section 305.1

ABUTTING PARCELS. Parcels which are directly touching and have common parcel boundaries. (Parcels across a public right of way shall not be considered abutting).

AGRICULTURE. The production, keeping or maintenance, for sale, lease or personal use, of plants or animal useful to man, including the breeding and grazing of any or all of such animals; or lands devoted to a soil conservation or forestry management program. This includes farm stands for the temporary or seasonal sales of agricultural products grown on site or grown on other properties owned or leased by the farm operator.

ANIMAL. Any non-human mammal, bird, reptile, amphibian, or fish.

ANIMAL, FOWL. Chickens, ducks, geese, turkey, guineas, and peacocks.

ANIMAL, LIVESTOCK. Animals such as bison, swine, horses, mules, donkeys, ponies, sheep, goats, cattle, alpacas, llamas, deer, and large poultry such as emus and ostriches.

ANIMAL HUSBANDRY. The act of breeding and caring for livestock.

CONTIGUOUS. Bordering or adjoining, meeting, or joining at the border or surface.

CORRAL. A pen or enclosure for confining animals.

DOMESTICATED. Domesticated means bred or trained to need and accept the care from human beings, usually creating a dependency, losing its ability to live in the wild.

LIVESTOCK BREEDING. The process of breeding animals to produce livestock products.

LIVESTOCK, COMMERCIAL RANCHING OPERATION. A livestock operation that exceeds the animal point count and is otherwise not eligible for a point count increase under any other provisions of Section 305.1.

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

NUISANCE. Has the meaning set forth in Town Code Article 10-2. It is a nuisance and is no less a nuisance because the extent of the annoyance or damage inflicted is unequal, for anything to be injurious to health, indecent, offensive to the senses or an obstruction to the free use of property that interferes with the comfortable enjoyment of life or property.

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

SETBACK. The minimum distance between a structure and property lines of a parcel of land or other established reference point.

YOUTH-SWINE BREEDER. A youth or adult that is breeding swine for the purpose of supplying swine projects for organized youth exhibitors.

ZONING ORDINANCE. The Planning and Zoning Ordinance of the Town of Camp Verde, Arizona.