



ORDINANCE 2024-A498

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE PLANNING AND ZONING ORDINANCES, PART SIX – ADMINISTRATION AND PROCEDURE, SECTION 601 – ZONING DECISIONS, SUBSECTION A – ZONING ORDINANCE AMENDMENT APPLICATIONS AND HEARINGS, RELATED TO TIMEFRAMES FOR REVIEW AND APPROVAL OF RESIDENTIAL ZONING APPLICATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinances 2011-A374, approved May 25, 2011; 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 Ordinances by including definitions and text amendments; 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 Ordinances by including definitions and text amendments; and

WHEREAS, these Text Amendments were reviewed by the Planning and Zoning Commission on December 12, 2024, in a public hearing that was advertised and posted according to state law. The Commission recommended the Mayor and Common Council approve these amendments as presented; and

WHEREAS, this Text Amendment is in response to Arizona State Senate Bill 1162, approved by the Fifty-Sixth Legislature, Second Session (2024), which modified the Arizona Revised Statutes ("A.R.S."), § 9-462.11 to require municipalities to adopt an amendment to its zoning ordinance to impose timeframes for municipalities to review and approve rezoning applications within thirty (30) days for initial Administrative Completeness review; fifteen (15) days for resubmitted Administrative Completeness review, and one hundred and eighty (180) days to either approve or deny application after application deemed Administratively complete.

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

Section 1. Finding. The Mayor and Common Council find that 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.

Section 2. General. The Planning and Zoning Code of Camp Verde, Arizona Part Six – Administration and Procedure, is amended by revising Section 601 – Zoning Decisions, Subsection A – Zoning Ordinance Amendment Applications and Hearings, to read as follows (deleted text in ~~strikeout~~; new text in **red**):

A. Zoning Ordinance Amendment Applications and Hearings

Any amendment to this Zoning Ordinance, which changes any property from one zone to another, imposes any regulation not previously imposed, or which removes or modifies any regulation previously imposed shall be adopted in the manner set forth in this section.

2. Approval of Residential Zoning Applications

- a. Administrative completeness review time frame. The planning administrator shall designate a staff member to review each residential zoning application. The designated town staff member shall determine whether the application is administratively complete within thirty (30) days of receiving it.
- b. If the application is deemed administratively incomplete, the staff member will provide the applicant with a written notice that includes a comprehensive list of the specific deficiencies.
- c. Upon issuance of the written notice, the administrative completeness review and overall time frame in this section are suspended until the staff member receives the resubmitted application.
- d. The staff member shall have fifteen (15) days to review the resubmitted application and determine whether every deficiency has been resolved for administrative completeness.

3. Approval or Denial of Residential Zoning Applications

- a. After determining that a residential zoning application is administratively complete, the Town Council shall approve or deny the application within one hundred eighty (180) days.
- b. The Town may extend the time frame to approve or deny beyond one hundred eighty (180) days as follows:
 1. The Town may grant a one-time extension of not more than thirty

(30) days for extenuating circumstances; or

2. Staff may grant extensions at the applicant's request in increments of thirty (30) days.

c. Exceptions to this section for residential rezoning does not apply to:

1. Land that is designated as a district of historical significance pursuant to Ariz Rev. Stat. § 9-462.01(a); and
2. An area that is designated as historic on the national register of historic places; and
3. Land that is already zoned as a planned area development (PAD).

~~2-~~ 4. Notice of the time and place of Council or Commission hearing shall be given in the time and manner provided for:

- a. Notice of public hearing before the Commission or Council for all amendments to the Zoning Ordinance text, the zoning map, Use Permits, or other requests, shall be done in accordance with the provisions of Arizona Revised Statutes 9-462.04 as they exist now or as they are amended from time to time. Such notice includes at a minimum the posting and publishing of public hearing notices as specified in the statute.
- b. Written protests of any recommendation action taken by the Commission shall be filed in the office of the Community Development Department before noon on the Monday of the week preceding the Council meeting at which such amendment will be considered. If such written protest constitutes twenty percent (20%) or more of the immediate area involved in a request for rezoning as specified in ARS 9-462.04.H, as may be amended, a favorable vote of three-fourths of the Council shall be required.
- c. A decision made by the Council involving rezoning of land which is not owned by the Town and which changes the zoning classification of such land may not be enacted as an emergency measure and such a change shall not be effective for at least 30 days after the final approval of the change in classification by the Council.
- d. In the event an application has been denied by the Council, the Commission shall not consider a similar application within 12 months of the application date.

~~3-~~ 5. Citizen review and participation process is required for all zone change applications or Use Permit applications:

- a. Prior to any public hearing, the applicant or an appointed representative shall arrange a meeting with the planning staff which identifies development issues as well as arrangements and scheduling for the neighborhood meeting

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

- b. At least 15 days prior to the scheduled neighborhood meeting, the applicant shall notify all property owners within 300 feet of the subject site by first class mail and post the actual property with meeting date and time. The notification shall include the date, time and place for the neighborhood meeting, as well as a description of the proposed land uses. The applicant shall provide an affidavit attesting to this notification being accomplished.
- c. It is the responsibility of the applicant or their representative to conduct the meeting, provide an opportunity for a question and answer period by the audience, and identify a point of contact to the public for follow-up questions and comments.
- d. The applicant shall prepare a written summary of the meeting by way of affidavit, including a list of attendees and the issues and concerns discussed and submit a copy of the summary, with a photo of the posting on the property and a copy of the meeting announcement letter, to the Planning Department within 15 days after the neighborhood meeting.

4- 6. Zoning Ordinance text amendments: If the Town adopts any zone change or any amendment that imposes any regulation not previously imposed or that removes or modifies any such regulation previously imposed, it must comply with the citizen review process as set forth in ARS §9-462.03, as may be amended, and the public hearing notice procedures set forth in ARS 9-462.04.A as may be amended.

Section 3. Providing for Repeal of Conflicting Ordinances. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 4. Providing for Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the Code adopted herein by reference 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. Effective Date. 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 6. Zoning Impact. 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, ARIZONA, ON THIS 5 DAY OF February, 2025.

Dee Jenkins
Dee Jenkins, Mayor

ATTEST:

Leah Rhodes
Leah Rhodes, Town Clerk

APPROVED AS TO FORM:

Trish Stuhan
Trish Stuhan, Town Attorney
Pierce Coleman, PLLC

I, Leah Rhodes, TOWN CLERK, DO HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF THE ORDINANCE NO. 2024-448 ADOPTED BY THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE ON THE 5 DAY OF February, 2025, WAS POSTED IN THREE PLACES ON THE 10 DAY OF February, 2025.

Leah Rhodes
Leah Rhodes, Town Clerk