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**AGENDA
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, JUNE 27, 2018 at 6:30 P.M.**

If you want to speak ON ANY ITEM ON THE AGENDA, PLEASE complete the Request to Speak Form

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. Councilor Jackie Baker, Councilor Buck Buchanan, Councilor Dee Jenkins, Councilor Brad Gordon, Councilor Robin Whatley, Vice Mayor Jessie Murdock, and Mayor Charles German.

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) Wednesday, June 13, 2018 – Work Session

b) Set Next Meeting, Date and Time:

1) Wednesday, July 4, 2018 at 6:30 p.m. - Regular Session – Meeting Cancelled per Resolution 2018-994

2) Wednesday, July 11, 2018 at 5:30 p.m. – Work Session-Cancelled

3) Wednesday July 11, 2018 at 6:30 p.m. – Special Session

4) Wednesday, July 18, 2018 at 6:30 p.m. – Regular Session-Cancelled

5) Wednesday, July 25, 2018 at 6:30 p.m. – Council Hears P&Z Matters-Cancelled

5. Special Announcements and presentations.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.) Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless

the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

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7. Business. Legal action can be taken.

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7.1. Ordinance 2018-A436, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Town of Camp Verde Planning & Zoning Ordinance Section 303, Home Occupations, to remove the regulations for Vacation Rental/Short Term Rental. [Staff Resource: Carmen Howard]

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7.2. Resolution 2018-1005, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for a request by Tonya Wiertzema of Nashwa Farms, for Use Permit 2018-0112 to allow for Agri-Tourism in a R-R (residential-rural) Zoning District for the purpose of an Event Ranch on an approximately 60-acre parcel, APN 403-13-002A, located at 3500 W Mahoney Rd. [Staff Resource: C. Howard]

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7.3. Resolution 2018-998, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving a Development Agreement between the Town of Camp Verde and Red Moon Development and Construction, Inc., an Arizona Corporation, in order to provide for development of certain real property on approximately 60 acres, generally located north of State Route 260 and west of Interstate 17 within the corporate limits of the Town of Camp Verde. [Staff Resource: Carmen Howard]

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7.4. Approval of a Final Development Plan submitted by Red Moon Development for an RV Park, located on approximately 65 acres just northwest of the Interchange for Interstate 17 and State Route 260. [Staff Resource: Carmen Howard]

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

9. 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.

10. 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.

11. Adjournment

Posted by: v jones

Date/Time: 06-21-2018 6:00 p.m.

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

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021

Agenda items may be taken out of order.

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - A. All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting.

Pursuant to A.R.S. §38-431.03(A)(2) and (A)(3), the Council may vote to go into Executive Session for the purpose 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.

Camp Verde Council Meetings are recorded and may be viewed on the Camp Verde website. Pursuant to A.R.S. §1-602(A)(9), parents and legal guardians have the right to consent before the Town of Camp Verde makes a video or voice recording of a minor child. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request in advance to the Town Clerk that your child not be recorded.

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DRAFT MINUTES
TOWN OF CAMP VERDE
WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, JUNE 13, 2018 at 5:30 P.M.

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

1. Call to Order

Mayor German called the meeting to order at 5:30 p.m.

2. Roll Call

Mayor Charles German; Vice Mayor Jessie Murdock; Councilors Robin Whatley, Brad Gordon, Jackie Baker and Buck Buchanan were present. Councilor Dee Jenkins was absent.

Also Present: Town Manager Russ Martin, Town Clerk Judy Morgan, Risk Manager Carol Brown and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Mayor German led the Pledge.

4. Work Session. No legal action will be taken.

4.1. Discussion and possible direction to staff on recycling options for Town-wide recycling program. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated on May 1st he received a 30-day notice to release Sedona Recycles from their services by June 1st. The Town had been paying \$6,000 a year but as anticipated, their price increased to \$25,000. The public wants to know what the town is going to do about recycling and the Council should talk about the alternatives.

One option the Council could consider is for recycling to no longer be the town's responsibility. A second option is to collect the recycles themselves and then distribute to a recycling facility (City of Cottonwood or Sedona Recycles). The third option could be to go to the local suppliers to give a bid as to what they could do for the town.

Mr. Martin gave a brief history on why the Town started recycling. He stated that if you recycle items there will be less in the landfill, then the landfill would be available for a longer period of time.

Councilor Baker feels the community wants them to research the options. She would like to see costs and the locations of where the recycling bins would be placed. This will help them to decide which option to choose. She asked if the town could partner with Cottonwood. Mr. Martin stated he wanted to see which direction the Council was leaning before diving too far into the research. Councilor Baker would also like to educate the public as to what is considered recycling.

Councilor Whatley stated that she also feels the community is interested in recycling. She said people have a hard time with garbage pickup let alone paying for recycling. People

might be unsure of what to do with particular items if the bins were not available. She would like the town to research options. She asked if Cottonwood had free dump days and if so, maybe ask the County if there could be more free dump days.

Mayor German is concerned that stuff will be dumped in the town's right away or in the desert if bins are not available. He would like to come up with a viable plan. He is in favor of looking at the options.

Vice Mayor Murdock asked if the Council were to go with "Option C" how that would work. Mr. Martin stated he would request proposals (RFP) from different companies but they might not be apples to apples. He would leave it fairly open ended for the bids to create their own option. VM Murdock indicated she is not ready for the town to take over.

Public Comment was taken on this item:

Linda Buchanan wanted to thank the Council for taking this topic under consideration. It is an essential service for the Town as it impacts those who live near landfills. She stated that maybe the Town could offset the costs for "free dump days".

Mayor German directed staff to contact the County to see what it would cost to sponsor free dump day. It might be money well spent.

4.2. Discussion and possible direction to staff regarding horse arena panels owned by the Town and potential uses, lending or sale options. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated it was Bill Lee who was able to secure these assets for the Town. It was intended for these panels to be put together and used at events but now they have been hanging out at the street yard. They need to be utilized.

Mr. Martin has had conversations, and met with several different groups, as to what to do with the panels. There are two different groups who are willing to lease them for events. The attorney has said they cannot lend it out without getting a direct return on it. The Town would need to work out a contractual agreement and it would have to benefit the general community.

Mayor German stated they would need an inventory of specific groups who would like to utilize the panels.

Councilor Whatley thinks they should gift it or sell them before they are useless.

Councilor Gordon doesn't think it would be possible to gift them.

Mr. Martin said they could still lend the panels out but because of the gift clause but would require careful management as it is a public asset.

Councilor Whatley ask if there are more groups in town that want them. Mr. Martin wasn't sure but had to make this item public to see who is interested.

Public Comment was taken on this item:

Robert Barker- Strongly advised to not lend out, nor get rid of the panels. He supported a community arena and recommended requesting the Forest Service sell land for an arena site

Tonya Wiertzema- Supported the town keeping the panels, as a money maker for the town. The town could host rodeos. She spoke on her project needing bucking shoots.

Christy Mulcaire- encouraged the Council to keep the panels for livestock shows, camps and rodeos. Setting it up as a permanent fixture for the community, to be used for generations to come.

Joe Butner- Spoke on substantial interest in having a rodeo in Camp Verde as an asset for the Town. He supports the Town keeping the panels; inventorying them; lending out the bucking shoots to get the rodeo back into community and finding a permanent rodeo ground to bring people to town.

Mary Phelps- Spoke on created an online survey about this item, getting substantial response and interest in having, attending, and volunteering at a rodeo in Camp Verde. She shared a couple of statements in support of having an event/arena in the area. She asked the Council to keep the arena.

Mayor German- said the Town of Camp Verde Unified School District has 80 acres. As an educator he feels it would be remise if there wasn't some kind of program in concert with Yavapai College, the school district, and town to set up a curriculum with FFA & 4H people to utilize. They could run it as a business.

Don Murdock- spoke in support of having an arena; stated the heritage is gone from Camp Verde; concerned there is nothing for kids to do; get people back into the arena to teach them techniques and respect; feels there are volunteers out there for this; suggested putting together a Community Committee to move forward with this project.

Carol Brown- said about 6 years ago she gave a presentation to town showing the economic multiplier for equestrian events was 12% percent.

Councilor Whatley thanked everyone for coming. She likes the school idea, loved the on-line survey, and Community Committee. She said directly to the public, "the Council has heard you".

Councilor Baker thanked everyone for coming and especially to Mary Phelps for the survey. This is what the Council had envisioned when the panels were purchased years ago.

Mr. Martin would like to get contact information from everyone in attendance to give him an opportunity to do follow up.

Vice Mayor Murdock reminded everyone that there are formalities that have to be followed, and is happy about the support tonight. It is nice to see people are interested. She thanked everyone who showed up.

Mayor German would like to schedule a community meeting to discuss this. Please pass the information on to groups that would be interested.

4.3. Discussion and possible direction to staff regarding approaching Yavapai College with options for centralized Career & Technical Education Center (CTE) campus options in Camp Verde. [Staff Resource: Staff Martin]

Town Manager Russ Martin said Yavapai College has had to leave Camp Verde, but this is an opportunity for them to re-establish themselves. There is a group that has gotten together and has had some discussion about helping Yavapai College move forward with re-establish themselves with a central location by possibly using a building on Highway

260. Mr. Martin also stated that Bob Weir, the Director of VACTE is in agreement that the Highway 260 area as central for the CTEC needs as well. Mr. Martin is bringing this before the Council for support and to direct him to go and have more conversations. He does not want to misrepresent the Town.

Councilor Whatley stated that Camp Verde needs to be represented by Yavapai College. She would like to see the investment of the Camp Verde tax dollars to have somewhere for the kids to go to without driving an hour.

Councilor Baker state this is not only for the children but adults can benefit from this opportunity. The Town has wanted this for a long time and thanked everyone who is working on this. She is supporting this discussion.

Mayor German stated this is a phenomenal opportunity. He feels political pressure needs to be put on the Legislature to make sure there is adequate funding. He is on board with this, and directed Mr. Martin to move forward with this.

Public comment was taken on this item:

Linda Buchanan works at Yavapai College. Anytime people are talking about education she believes good things can come from that. She commends the Council for that. She stated the agenda item is confusing. She stated this will be a long range discussion because of new leadership in the School Districts and Yavapai College. School Districts will have to consider funding that could be lost if programs are moved from their campus's. School Districts and municipalities operate fundamentally differently from each other. Yavapai College has a partnership with the Town to be able to fund different projects and programs. Discussions by governing boards are data driven. She encourages the Council to start at that level of conversation. Make sure you are making decisions that can be supported and not detrimental to school districts. She will carry the message back to Dr. Perey.

Carol German thanked the Council for listening. They are working to develop a more centralized center in Camp Verde. There is an opportunity to develop a larger center in Camp Verde and they really need Yavapai College to be involved. Not only would the center be for teens but also for adults. The committee has all the superintendents on board and willing to participate with this. The taxes that are paid to Yavapai College should be enough to cover expenses. They have met with Dr. Wills and have learned they are already talking about remodeling a building on the Verde Campus. It is not suitable for a Career and Technology Center and students are not able to get there. With this new opportunity it will take work but it can be done. If the Town of Camp Verde is willing to back this, then the committee will approach other town councils. It will take a lot to push something through; the communities will need to support this.

Dan Mabery said about four years ago people were approached as to what is going on with Yavapai College and the educational opportunities that were afforded to the Verde Valley were not commiserative with the taxes that were being paid. After some research he found that we are getting about half the money in return for educational opportunities from Yavapai College. You are paying double from what you receive. Mr. Mabery went on to say the College Board developed a committee to advise them as to what is needed. The committee gave them seventeen suggestions but only one was taken seriously. The

Board then disbanded the committee. He stated the College is not listening. The committee tried to point the Board in the direction of a need that needed to be filled. Bob Weir is actively involved as well as Chairwomen, Jane Winiecki from the Yavapai Apache Nation. They all support using a facility in the Steve Coury area because it's central. The College does not support this. The committee needs support from the Councils for this location. You will see that support is widespread and will give us the ability to get tax money back into the community.

Steve Ayers got involved in this two years ago with the Verde Valley Forum. It has been challenging to work with the State Legislature in trying to fund projects for smaller communities. He is not picking a fight with Yavapai College. It makes sense to find a place to educate the kids of the communities that is convenient for everyone. The property out there is a more accessible location. He thanked the Council for the support to pursue the properties. It's about building the work force for the future and growing our economy.

Joe Butner stated this is important as it involves the education of kids and adults in our community, at the root of economic development of our community. It prepares kids to be productive citizens. It is important to get our tax dollars back. This is important for our kids. He urged the Council to strongly support this. This is the kind of thing that law suits are made of.

Rob Witt got involved in this because of Bob Weir, who wanted to have a CTEC at Steve Cory site. Career Technology Education for Yavapai College is going up, and enrollment is increasing. He has done a lot of research and it appears that we are responsible for 30% of their budget and they give us only 9% back. The Statutes say Yavapai College needs to work for us. There is funding available. It takes energy and motion to change the status quo. It will make a significant difference to the Verde Valley.

Carol German presented a letter from Bob Weir showing his support.

Councilor Whatley said it is past time for Yavapai College to work with the Town. She has asked for a meeting with our manager and mayor but that meeting hasn't happened yet. She feels we are completely and totally ignored.

Mr. Martin said that the Council needs to work with the college at different levels.

Dan Mabery said the College has the money.

Joe Butner people don't do things for you unless there is a compelling need to do it, it's called leverage. We need to figure out where the leverage comes from.

Mayor German restated the Council is directing Mr. Martin to go out and test the waters and then set up meetings with other Councils in the Verde Valley and present it as a group.

Carol German said to please include Chairwomen Jane Winiecki as she is very interested in being involved.

5. Adjournment

Mayor adjourned the meeting at 7:18 p.m.

Mayor Charles German

Attest: Town Clerk Judy Morgan

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Work Session of the Town Council of Camp Verde, Arizona, held on June 13, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2018.

Judy Morgan, Town Clerk

DRAFT



Town of Camp Verde

Exhibit A - Agenda Item Submission Form – Section I Zoning Ordinance Text Amendments Ordinance 2018-A436, Home Occupations/Vacation Rentals

Meeting Date: June 27, 2018

- Consent Agenda Decision Agenda Executive Session Requested
 Presentation Only Action/Presentation

Requesting Department: Community Development

Staff Resource/Contact Person: Carmen Howard, Community Development Director

Agenda Title (be exact): AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE SECTION 303, HOME OCCUPATIONS, TO REMOVE THE REGULATIONS FOR VACATION RENTAL/SHORT TERM RENTAL.

List Attached Documents:

- Staff report
- Ordinance 2018-A436

Estimated Presentation Time: 5

Estimated Discussion Time: 10 minutes

Reviews Completed by:

- Department Head: Carmen Howard** **Town Attorney**

Staff Report: Proposed Text Amendment to Planning & Zoning Ordinance 2018-A436, Home Occupations/Vacation Rentals

Town of Camp Verde: June 27, 2018 Town Council

BACKGROUND:

The Town of Camp Verde Town Council adopted Ordinance No. 2017-A428 on November 1, 2017, amending Section 303 of the Town Zoning Code to correlate with amendments to ARS §9-500.38 (renumbered to ARS §9-500.39), which prohibit cities and towns from restricting the use of or regulating short-term rental properties based on their classification, use or occupancy. Neither ARS §9-500.39 nor the amendments prohibit Arizona municipalities from applying business licensing requirements to the short-term rental industry.

A request for legal review of an ordinance of the City of Sedona requiring short-term rentals to obtain business licenses was recently filed with the Arizona Attorney General pursuant to ARS §41-194.01; and on May 4, 2018, the Attorney General issued an opinion that Sedona’s ordinance does not independently violate ARS §9-500.39 but violates ARS §9-1304, which prohibits municipalities from adopting a “residential rental licensing requirement for residential rental properties or property owners”.

Notwithstanding that the Arizona legislature previously recognized that short-term rentals are both residential and commercial in nature (ARS §9-1304 is not applicable to commercial properties or hotels and motels), the Attorney General determined that a reading of ARS §9-1304 together with ARS 9-500.39 requires a finding that the prohibition of ARS §9-1304 applies to short-term rentals. The City of Sedona was given thirty days to resolve the violation or face the withholding of state shared monies pursuant to ARS 9-141.01

Staff now recommends amending the Town of Camp Verde Zoning Code consistent with the Attorney General’s opinion.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- A Notice of Public Hearing was placed in the Verde Independent–Camp Verde Bugle newspaper on May 20, 2018 by Community Development Staff.
- The Planning & Zoning Commission agenda was posted in public places on June 6, 2018 by Community Development Staff.
- The Planning & Zoning Commission held a public hearing at their regular meeting on June 7, 2018 and forwarded a recommendation of approval to the Town Council.

COMMUNICATIONS FROM AGENCIES/PUBLIC:

Staff has received no comments from the public regarding this request.

STAFF RECOMMENDATION:

Staff recommends approval of the request for the Planning & Zoning Ordinance Text Amendment.

RECOMMENDED MOTION:

Recommendation of approval (or denial) to the Town Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance amending Section 303, Home Occupations.



ORDINANCE 2018 A436

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A TEXT AMENDMENT TO THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE AMENDING SECTION 303: HOME OCCUPATIONS, TO REMOVE THE REGULATIONS FOR VACATION RENTAL/SHORT TERM RENTAL); AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

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 itself 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 Planning & Zoning Commission.

B. The Text Amendment was reviewed by the Planning & Zoning Commission on June 7, 2018 in 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.

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 following uses will be deleted from Section 303, Home Occupations, of the Camp Verde Planning & Zoning Ordinance:

SECTION 303 - HOME OCCUPATIONS

Limited business use in residential premises is permitted as accessory use to the principal living quarters, subject to the following:

A. Allowed Business Activity:

- 4. ~~Vacation Rental/Short Term Rental, as defined in A.R.S. §9-500.38(D)(2), subject to the following:~~
 - a. ~~Owners of vacation rental/short term rental properties shall be subject to the business licensing requirements set forth in Article 9-3 in the Town of Camp Verde Town Code.~~
 - b. ~~Owners shall provide all parking for guests on site in accordance with Section 403, Parking.~~
 - c. ~~Owners and guests shall comply with all applicable requirements of this Code, including those related to noise, nuisance lighting, refuse collection and property maintenance.~~
 - d. ~~Owners shall provide guests with a 24-hour emergency point of contact.~~

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 27TH DAY OF June, 2018.

Charles German - Mayor

Date: _____

Approved as to form:


Bill Sims - Town Attorney

Attest: _____
Judith Morgan, Town Clerk



Town of Camp Verde

**Agenda Item Submission Form / Section I: Resolution 2018-1005
Nashwa Farms Application for an Agri-Tourism Use Permit #2018-0112,**

Meeting Date: June 27, 2018 Town Council Meeting

- Consent Agenda
 Recommendation to Council
 Executive Session Requested
 Presentation Only
 Action/Presentation

Requesting Department: Community Development
Staff Resource/Contact Person: Carmen Howard, Community Development Director

Applicant: Tonya Wiertzema
Application: Use Permit for Agri-Tourism in an R-R (Residential-Rural) District

Agenda Title (be exact):
 A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A REQUEST BY TONYA WIERTZEMA OF NASHWA FARMS, FOR USE PERMIT 2018-0112 TO ALLOW FOR AGRI-TOURISM IN A R-R (RESIDENTIAL-RURAL) ZONING DISTRICT FOR THE PURPOSE OF AN EVENT RANCH ON AN APPROXIMATELY 60 ACRE PARCEL, APN 403-13-002A, LOCATED AT 3500 W MAHONEY RD.

List Attached Documents:

- Staff Report
- Resolution 2018-1005
- Application
- Zoning Map
- Neighborhood Meeting Affidavit, Notification List & Letter, Summary & Comments
- Draft Minutes from the May 10 and June 7, 2018 Planning & Zoning Commission Public Hearings with Recommendations to Council.

Estimated Presentation Time: 10 minutes.
Estimated Discussion Time: 30 minutes

Reviews Completed by:

- Department Head: Carmen Howard
 Town Attorney review:
 Comments: In Staff Report
 Comments: Resolution

Town Council Meeting Date: June 27, 2018

BACKGROUND:

In April 2017, it was brought to the Town's attention that Nashwa Farms, located at 3500 W. Mahoney Rd, desired to use their property for equestrian and other events (see letter of intent for proposed events). It was determined that the parcel, located in an RR-2A District (Residential: Rural) would require a Use Permit for Agri-Tourism to operate in the proposed capacity. The subject property is located approximately three and a half miles west of the Interstate 17 and Middle Verde Road interchange. It is approximately 60 acres in size, and currently has two single family residences, farm land and associated structures, eight spaces for RV hookups, and an arena with announcers stand.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- The applicant posted the subject property and mailed out letters to property owners within 300', which invited them to two neighborhood meetings on June 24th and 25th, 2017.
- The meetings were held at the subject property, 3500 W. Mahoney Road. There were 22 total attendees at the meetings; those in attendance supported the request.
- Community Development Staff mailed out 27 letters to properties owners within three hundred (300) feet of the subject parcel on March 27, 2018, notifying the neighbors of the tentative Planning & Zoning Public Hearing and Town Council meeting dates, times, and location.
- The Planning Commission held a work-session/field visit on May 8, 2018, at the subject property, to assure suitability for the proposed use.
- On May 10, 2018, the Planning and Zoning Commission held a Public Hearing relating to the proposal at their regular meeting and forwarded a recommendation of approval to the Town Council.

Due to a posting error, the item was reheard by the Planning Commission in a Public Hearing after completing the following:

- On May 15, 2018, Community Development Staff posted the Public Hearing Notice on the subject property.
- Community Development Staff mailed out 27 letters to properties owners within three hundred (300) feet of the subject parcel on March 27, 2018. This letter advised the neighbors of the Planning & Zoning Public Hearing and Town Council meeting dates, times, and location.
- A Notice of Public Hearing was placed in the Verde Independent–Camp Verde Bugle newspaper on May 20, 2018 by Community Development Staff.
- A Notice of Public Hearing was posted at the Town Hall board and on the Town website on May 15, 2018, by Community Development Staff.

- The Planning & Zoning Commission heard the proposal in a Public Hearing on June 7, 2018, and forwarded a recommendation of approval to the Town Council.

COMMUNICATIONS FROM AGENCIES/PUBLIC:

Staff received numerous comments from the public supporting this request. The (10) letters received are included in Exhibit D, Communications. The comments received through the Nashwa Farms Facebook page are not included in this documentation, but are on file at the Community Development Department. There was one inquiry from a neighboring property owner who indicated they would review the meeting documentation further when available. There have been no comments received in opposition to it. There have been questions from the public relating to traffic and road wear on Mahoney Rd. which the applicants have responded with satisfactory mitigation proposals. Additionally, there were questions about whether or not Mahoney Rd. is a private or Town Rd. and Staff was directed to look into the matter. CD Director Howard contacted Public Works. The matter is being looked into and the property owners affected will be notified when the matter is resolved.

Staff received comments from the Town Building Division, which are also included in Exhibit D. The existing facilities are required to have building permits processed and approved to assure compliance with building codes prior to implementation of the Use Permit.

GENERAL PLAN:

The proposed project is located within the Middle Verde Character Area. The area is classified as “limited high density residential or rural residential that are agricultural in nature” and already hosts recreational businesses, such as an event venue/guest ranch and an RV Park. It is easily accessed from Interstate 17 off of the Middle Verde Road interchange. Included in the preferred non-residential uses are agricultural and open space; particularly in the sections that are situated away from the main corridors.

This proposal is compliant with the General Plan’s goals for this Character Area as follows:

Goal B: Maintain the rural, residential and agricultural character of the area.

B.1: Maintain low density rural development where it exists. *This is an existing, residential property that is used for agriculture. Their proposal will utilize only a portion of the overall property.*

B.2: Encourage the preservation of agricultural soils, primarily through active farming. *The portions of this property used for agriculture will not be affected by this proposal.*

B.7: Protect the rural character and cultural resources, preserve open space [and] enhance agricultural opportunities... *The Use Permit for Agri-Tourism will protect the rural nature of the parcel, utilize the existing open space, as well as provide a cultural experience in a ranch environment.*

STAFF RECOMMENDATION:

Staff recommends approval for a Use Permit for Agri-Tourism for an Event Facility.

RECOMMENDED MOTION:

A MOTION TO RECOMMEND APPROVAL OF RESOLUTION # 2018-1005 FOR NASHWA FARMS AGRITOURISM USE PERMIT # 2018-0112.



RESOLUTION NO. 2018-1005

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A REQUEST BY TONYA WIERTZEMA OF NASHWA FARMS, FOR USE PERMIT 2018-0112 TO ALLOW FOR AGRI-TOURISM IN A R-R (RESIDENTIAL-RURAL) ZONING DISTRICT FOR THE PURPOSE OF AN EVENT RANCH ON AN APPROXIMATELY 60 ACRE PARCEL, APN 403-13-002A, LOCATED AT 3500 W MAHONEY RD.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby resolve as follows:

1. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 2018-0112 was filed by Tonya Wiertzema owner of Parcel 403-13-002A, located at 3500 W Mahoney Rd., Camp Verde, Arizona. The parcel is zoned R-R (Residential-Rural).
 - B. A neighborhood meeting was held on June 24 & 25 2017 by the applicant to provide for citizen review pursuant to ARS §9-462.03 and as required by the Town of Camp Verde Planning and Zoning Ordinance, Part Six, Section 601 (Zoning Decisions) A3. – Citizen review and participation process.
 - C. The request was reviewed by the Planning and Zoning Commission on June 7, 2018, in a public hearing that was advertised and posted according to State Law and by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on June 27, 2018.
 - D. The purpose of the use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved and the Council hereby finds that the uses covered by the Use Permit and the manner of its conduct will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare generally and the uses shall be in conformity to the conditions, requirements and standards of the Town of Camp Verde Planning and Zoning Ordinance.
 - E. The Waiver of Diminution of Value has been signed by the owner and is attached as Exhibit A.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby approve Use Permit 2018-0112 in perpetuity, subject to the limitations of Part Six, Section 601 – Zoning Decisions, C – Use Permit Approvals, Subsection 2, for the purpose of establishing an Event Ranch and all other uses allowed under Agri-Tourism with the following findings:

1. The use of this property shall be operated and maintained in a manner consistent with the general provisions of the Town of Camp Verde Planning and Zoning Ordinance per Part Two, Section 203 – Use Districts, D. - R-R District (Residential-Rural), 3.f. Agri-Tourism.
2. Per Part Six, Section 601 – Zoning Decisions, C – Use Permit Approvals, 1.e The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No such use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

The following stipulations shall apply:

1. All facilities to be used relating to Use Permit 2018-0112 shall pass final inspection by the Town of Camp Verde Building Department prior to Use Permit implementation.

All of the requested uses to continue with no time limit, but are subject to the requirements of Part 6, Section 601 – Zoning Decisions, C. – Use Permit Approvals, 1. and 2. of the Town of Camp Verde Planning and Zoning Ordinance.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ON JUNE 27, 2018.

Charles C. German, Mayor Date:

Attest:

Judith Morgan, Town Clerk Date:

Approved As To Form:


Town Attorney

MAR 26 '18 PM 3:28



Land Use Application Form

1. Application is made for:

- | | | |
|---|---------------------|------------------------------------|
| Zoning Map Change | <u>Use Permit</u> | General Plan Amendment |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PAD Final Site Plan Review | Variance | Sign |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Appeal | Lot Line Adjustment | Verification of Non-Conforming Use |
| Development Standards Review (Commercial) | | Other: _____ |

2. Project Name: NASHWA Farms, LLC # 403 13 002A

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

Owner Name: Tonya Wiertzema Applicant Name: Same
 Address: 3500 W MA Honey Rd Address: _____
 City: Camp Verde State: AZ Zip: 85009 City: _____ State: _____ Zip: _____
 Phone: 602-525-0630 Phone: _____
 E-mail: tonyaw@CustomXRAY.com E-Mail: _____

4. Property Description: Parcel Number 403-13-002A Acres: 60

Address or Location: 3500^W MA Honey Road, Camp Verde, AZ

Existing Zoning: RR2A Existing Use: Boarding facility

Proposed Zoning: N/A Proposed Use: Boarding facility & Horse Events

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

Boarding, Horse events, Sheriff posse events, FFA Events, Team roping, Barrel racing, Horse shows, Clinics, Rodeos

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: Tonya Wiertzema Date: 3-19-2018 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: Tonya Wiertzema Date: 3-19-2018

6-15-2017

Town of Camp Verde
Community Development
Melinda Lee
Planner
928-554-0053
473 S. Main Street
Ste. 108
Camp Verde, AZ 86322
Melinda.lee@campverde.az.gov

Application for Land Use

Nashwa Farms
3500 W. Mahoney Road
Camp Verde, Az 86322

Nashwa Farms was established over 25 years ago when Terry & Tonya Wiertzema purchased the property of their dreams in the Beautiful Verde Valley. Terry & Tonya Wiertzema had searched for years throughout the entire State of Arizona for property that fit their family dreams and plans for the future.

The Wiertzema family decided on the Historic property that was established by the Kovacovich Family in the late 1800's, they enjoyed generations of family farming, raising cattle on this beautiful farm. The Wiertzema family and the Kovacovich family have become close friends over these many years of farming together, learning about farming from George Kovacovich a legend in the community and his son Bob Kovacovich.

Terry and Bob serve on the ditch committee, Maintenance of the Dam for the irrigation ditch which our entire family has worked in water and mud up to our waist which is a great family time working together over these past 20 plus years. It's hard work but with a good team makes the work load easier.

The Wiertzema family has spent every weekend for the past 20 plus years building our dream, clearing fields, pulling out roots, leveling the fields for irrigation, putting in lots of blood, sweat and tears into our dream.

The Wiertzema family has finally completed their dream and want to share it with our community of friends, like-minded people that enjoy riding, competitions, on their horses with their families and friends.

Our family has always been involved in horses, producing Team Roping's at Mormon Lake for over 18 years High Country Productions, Ray & Marge Freeland with Terry & Tonya Wiertzema produced Team Roping's, Barrel racing with focus on the FAMILY. The events always combined each event with children's events as well to bring families together.

It is our dream to have Family Events at Nashwa Farms, and to be able to give back to the community as well. We plan on working with the FFA, 4-H (which Marge and Tonya have been leaders for decades, been involved on both State and National levels as leaders, instructors, trainers) working with kids and families.

We plan on creating a program for Veterans working with Trudy Chapman Horses with Heart

We plan on working with nonprofit organizations to help them with fund raisers

We have hosted the Walt Murdock Memorial last year at no charge

We have hosted the Horses with Heart last year fund raiser at no charge

We would like to work with the Town of Camp Verde to host events for the town

We want to be a part of the community and help the community with activities for children and families.

Nashwa Farms is interested in all types of events:

1. Equine Events of all types
2. Rodeos of all types
3. Roping's of all types
4. Barrel Racing
5. FFA Events
6. 4-H Events
7. Sheriff Posse
8. Agricultural
9. Tractor Shows
10. Dog Events
11. Horse Shows
12. Ranch Rodeos
13. Special Events
14. Horse boarding
15. Weddings
16. Clinics
17. Camps
18. Veteran programs
19. Riding programs
20. Training programs
21. Veterinary and Rehab Center

Thank you for your consideration of our application and proposal we are excited to work with the Town of Camp Verde towards our goals and dreams for Nashwa Farms Event Center.

Terry & Tonya Wiertzema

tonyaw@customxray.com – 602-525-0630

terry@customxray.com - 602-525-0686

A community's business development success is often measured in the number of new businesses that come to town.

But equally if not more important are the efforts that make existing businesses more successful. One of the best ways of achieving that end lies in successful event planning and marketing.

Locally, two such success stories come to mind. The Sedona Marathon brings thousands of folks to Red Rock Country every February and the event has a \$1.6 million economic benefit to the community.

Likewise, Cottonwood's Thunder Valley Rally boasts a \$1.3 million economic impact to the city.

Further, they serve as an invite to the audiences of such events as the Sedona Marathon and Thunder Valley Rally to come back again, spend more money, support local businesses and at the same time ring up some sales tax revenue for the local municipal government.

All of which clearly shows that Camp Verde is definitely on the right track with the partnership between Camp Verde Promotions and the new community Business Alliance.

Together, the two groups will team for the planning and marketing of events such as the Corn fest, Fort Verde Days and the Spring Heritage Pecan and Wine Festival. Elevating statewide and even national awareness of these events obviously brings a more-is-merrier quality to the festivities, but more importantly it makes them undeniable cash cows for local business and Town Hall as well.

Further, it's an opportunity for Camp Verde to put its best foot forward and sell the town to visitors who might want to come again, as well as business owners who just might find that the grass is greener in the Verde Valley.

This partnership of Camp Verde Promotions and the Camp Verde Business Alliance is no doubt a boon to the tourism promotion efforts of the town.

It's also good business.

4-18-2018

NASHWA FARM CAMP VERDE AZ

LETTER OF INTENT

Melinda Lee

Planner / Addressing Official

Town of Camp Verde

Community Development

(928)554-0053

Melinda.lee@campverde.az.gov

Letter of Intent to address the following questions. 4-18-2018 3:40 pm

Additional Questions/Info for Letter of Intent:

How many visitors are expected at the events?

Give a low-high range of expected volume.

1. Based on our experience the low range would be ½ dozen trucks & trailers
2. Based on our experience the high range would be 50 trucks & trailers for events

Depending on the event this could be higher our plan shows that we are able to hold 100 plus trailers for example if you should want to host the Verde Days Horse Events here again, this could be more of the range.

The description for parking explains how you will manage traffic in/out of the property, however, it does not indicate how you will handle parking on the property.

It will need to be on-site parking only – how many vehicles to you expect to be able to handle?

What happens with any overflow parking?

1. Based on our experience – parking is best handled with a person on a Quad to direct parking onto the property, so each truck & trailer is parked in the allotted spaces to allow for ample room and turn around room for the truck & trailers to leave when they are done for the day.
2. NO PARKING IS ALLOWED ON THE ROAD NOR HAS EVER BEEN ALLOWED ON THE ROAD

3. We do have 3 parking areas that we can use for an event if necessary
4. We would determine and direct the traffic for truck & trailer parking as well as car parking
5. We have set aside room for vendors to park for events on grass by the arena for easy excess for the people that are attending the event
6. We have set aside room for children to play on the grass for events

For hours of operation, what time would events start?

1. Setup for events would be arena preparation, water truck, tractor work we do this during normal working hours and evenings for events – all operations STOP before or by 10 pm
2. Events usually start at 9 am with entries starting at 7 am
3. Events could start later in the summer months when it's cooler
4. Lights out at 10 pm – has always been honored

Mention that portable toilets will be used with the number of units based on the anticipated volume for each event.

1. Portable Toilets will be provided based on number of people anticipated for each event
2. Our experience has been at the least 2 portable toilets up to 12 toilets
3. Depending on the event – perhaps a Hand Wash Station as well will be ordered
4. Living Quarter Horse Trailers – all have their own toilets which a lot of people prefer

TRASH CONTROL

1. Trash dumpster is ordered for the events
2. Trash Cans are provided in the parking areas for trash, paper and then dumped into dumpster
3. Horse manure is removed from the parking areas as well

Mention that you plan to use water trucks to handle dust control.

1. DUST CONTROL – has always been a major concern with our facility, we use the water truck on the main road into the property as well as water on the facility driveway, parking areas PRIOR TO ANY EVENTS OR TRAFFIC
2. DUST CONTROL – water truck waters the arena usually 2 days prior to any event to get the sand well soaked and we use the tractor to work up the arena for safe footing.
3. Dust Control – water truck is used throughout the day on the arena, driveways, street, entrance and parking areas to reduce the dust for everyone involved in the event and most of all the neighbors.

MAINTENANCE OF ROADS AND SURROUNDING AREAS.

1. Nashwa Farm maintains the road – we use our tractors to level out the road, remove holes
2. Nashwa Farm maintains the road on BOTH SIDES – we use our brush hog with tractor and remove over grown weeds, trash, on BOTH SIDES of the road on Middle Verde as well as Wilson Road

How will the parking be handled/managed?

Parking will be managed a few different ways for example:

1. Parking and traffic manager on a quad setting at the intersection directing traffic
2. Parking and traffic manager will make sure to allow the local traffic the RIGHT OF WAY
This means if there is a local neighbor in a car or truck that lives in the area – we will ask the Truck & Horse trailer to stay stopped at the stop sign until the LOCAL TRAFFIC HAS MOVED.
3. Once the local traffic has cleared then we will use a STOP AND GO SIGN – telling them to continue driving on to the property.
4. SIGN POSTED TO SHOW – 2 WAY ROAD
5. SIGN POSTED TO SHOW – 5 MILE PER HOUR SPEED LIMIT TO PROPERTY
6. SIGN POSTED TO SHOW – CAUTION SLOW DOWN
7. SIGN POSTED TO SHOW – MAIN ENTRANCE
8. SIGN POSTED TO SHOW EMERGENCY ENTRANCE

What are the hours of operation?

1. Weekends primarily – FRIDAY – SATURDAY AND SUNDAY – LIGHTS WILL BE OFF BY 10 PM
2. Week days for practice – 1 night or 2 per week – Lights will be off by 10 PM

How will the lighting be handled?

1. Lighting will be turned off by or before 10 pm
2. Lighting has been confirmed not to be outside our property lines – we have verified this from every angle to ensure that the lighting is not in anyone’s windows

How will the announcements and general event noise be managed?

1. Speaker volume, music, noise will be off by 10 pm for all events
2. Speaker volume will be verified that you can hear this within our property lines

I have also attached the comments from the Building Official that outlines items that need to be addressed before approval of the Use Permit.

1. Electrical has been done by Brian Rayburn with Rayburn Electric, with letter of certification in the mail hopefully will have it today or tomorrow. I will get the electrical permit as soon as I have it.
2. Structural Engineer has pictures and will be on sight on the 28th. To get measurements. He is to have completed assessment no later than the 3rd on May.

Mickel Engineering, Jake Mickel, PE

3. Welding Inspection to be done by Dan Parker, will be there on Friday and will provide documentation of certification.

From: Brian Rayburn [mailto:brianrayburn20@gmail.com]

Sent: Wednesday, April 18, 2018 11:24 AM

To: Terry Wiertzema <terry@customxray.com>

Subject: Rayburn Electric

Rayburn Electric LLC

1966 S Murdock Rd

Camp Verde AZ 86322

928-713-3614

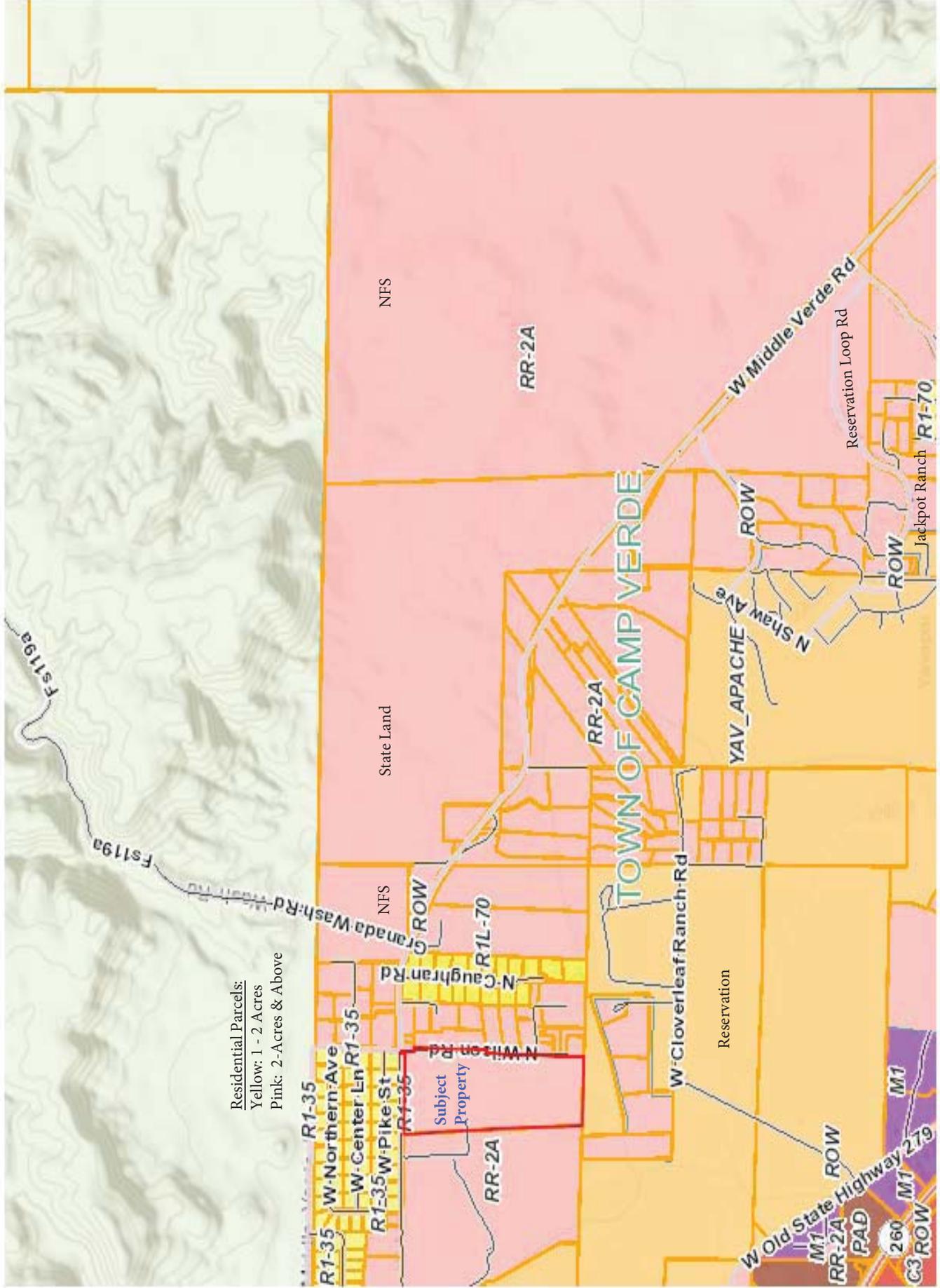
Brianrayburn20@gmail.com

Nashwa farms Camp Verde AZ

Rayburn Electric has gone through the electrical at Nashwa farms and made sure it was up to code.

If you have any questions or concerns please feel free to contact me at the phone number above.

Exhibit A: Nashwa Farms / Use Permit Application
 Vicinity, Zoning & Land Use Map



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. Heers, Planning & Zoning Matters, Phoenix, AZ.

Page 29 of 95
 June 27, 2018
 Map printed on: 5.1.2018

June 24th SATURDAY at 6 pm – Meet & Great Barque – come and join us for a meal

June 25th SUNDAY at 6 pm - Meet & Great Barque – come and join us for a meal

Neighborhood Meeting to meet your neighbors at Nashwa Farms – 3500 W. Mahoney Road Camp Verde

June 24th SATURDAY at 6 pm – Meet & Great Barque – come and join us for a meal

June 25th SUNDAY at 6 pm - Meet & Great Barque – come and join us for a meal

- **Nashwa Farms would like to invite you and your family to join our family for a neighborhood Barque on either Saturday or Sunday at 6 pm.**

Nashwa Farms will provide the Barque and the side dishes – you just Gotta bring yourselves to join us.

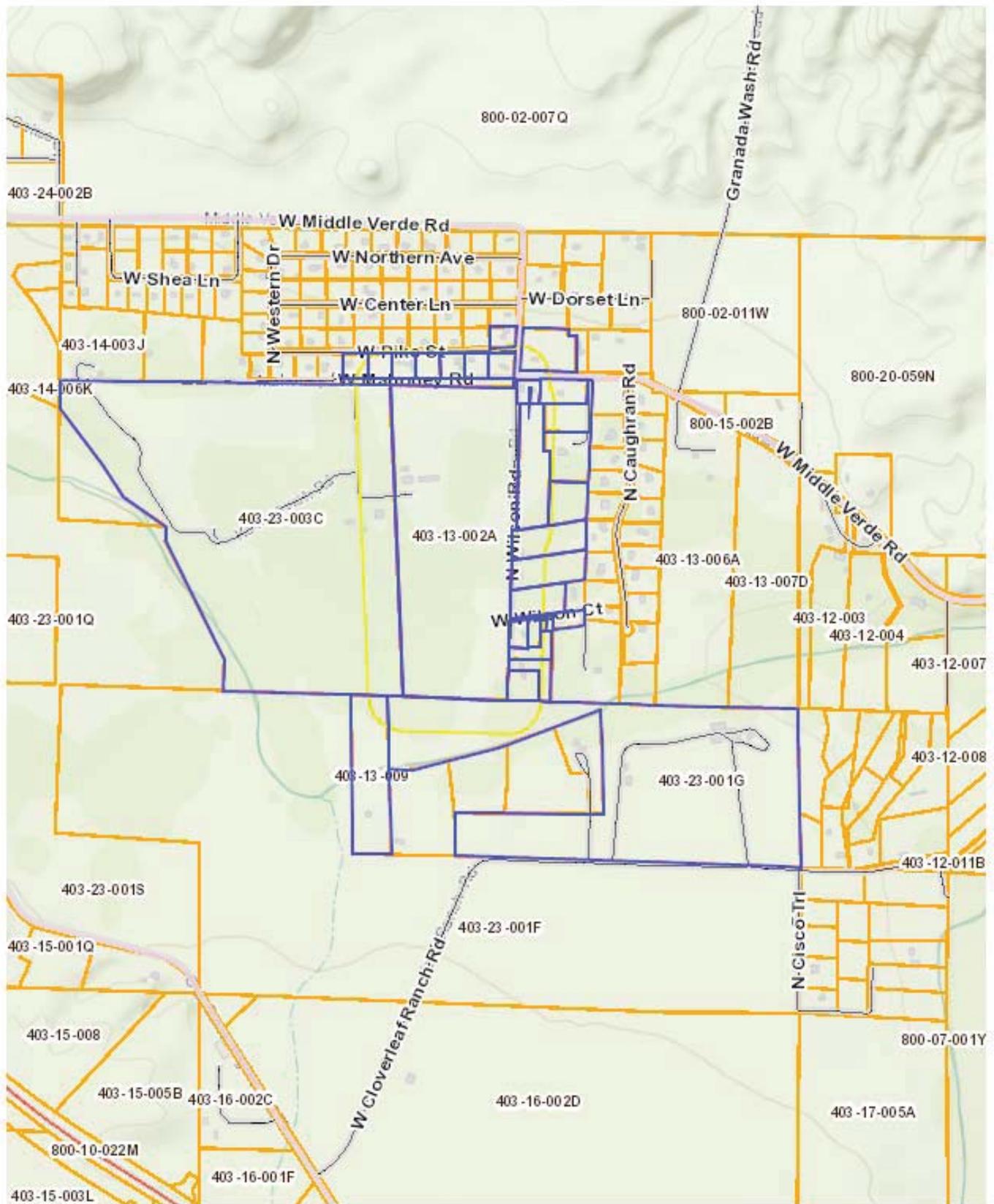
- **We have been working on the farm for so many years and its almost done we want to take some time and get to know our neighbors and introduce ourselves to each of you.**
- **We also would like to share with you our plans for the Horse Events so you are aware of the events that we have hosted to date and future events that we have planned**
- **Get your thoughts about the events we hosted to date**
- **Get your input on how to make the events better for the neighborhood**
- **Get your input on what events you would like to see hosted for the neighborhood – we have had request from the community we would like to offer at the arena**
- **We are working with the FFA to help them build up their scholarship program**
- **We are working with Non Profit Organizations for Children and Veterans**

Please plan on joining our family either on June 24th SATURDAY at 6 pm (OR)

June 25th SUNDAY at 6 pm - Meet & Great Barque – come and join us for a meal

Terry Wiertzema 602-525-0686 or Tonya Wiertzema 602-525-0630

Nashwa Farms / Use Permit Application 300' Notification Buffer



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.

Map printed on: 3.27.2018

Affidavit

I, Tonya Wurtzema, owner/agent of parcel 403-13-002A have notified the neighbors within 300' of above property, by sending letters on 6-14-2017 to notify them of the neighborhood meeting that I conducted on the 24/25 day of June 20 17.

I posted my property with meeting the date, time, and place, on the 6/16/17 ^{Friday} day of June 20 17, and taken a photograph of such posting.

I, Tonya Wurtzema, owner/agent of parcel 403-13-002A will provide a summary of neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde with the associated application submittal, attesting to the issues and concerns discussed at the above neighborhood meeting.

Summary

Statement: Great turn out both days - Neighborhood Meeting was well received and supported by the neighbors on all sides plus 2 streets over plus the custom homes neighborhood attended - everyone was in favor of events to attend and watch.

If Summary statement is too long, attach a copy.

State of Arizona}

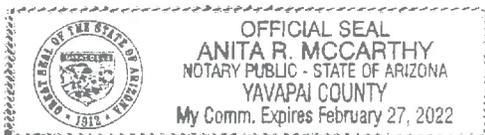
County of Yavapai}

Tonya Wurtzema
Signature of Document Signer No. 1

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 19 day of March 20 18.

Anita R. McCarthy
Signature of Notary



Neighborhood Meeting Sign in Sheet

PLEASE PRINT

Name	Address	E-Mail
✓ RICHARD & PAULA JOHANSEN	4281 GIMMIES LANE @ CAMP VERDE, AZ 86322	RKJ3567@AOL.COM #978-853-7968
COMMENT: WE SUPPORT RODEO @ NASHWA FARMS		
* (928) 821-0205 John + BABE MIDREYNOLDS	3785 PIKE 4935 WESTERN	BABES COWBOY COOKIN @ YAHOO.COM
✓ M. E. Morales (310) 463-3199	3368 RAUEN C.V., AZ 86322	EMEPARTNERS@aol.com
✓ Charles + Casey Kent	4351 N. W. Lson	we approve events! ♡!
✓ Bob Kovacovich	4580 Kovacovich Rd.	
✓ Cameron Gressly Kristen Gressly	3900 N. Mahoney +3950 W. Mahoney	samaposte@usa.net
✓ Nathaniel Gressly John Joshua Gressly	3900 W. Mahoney	
✓ Diana Gibson Mike Gibson	86 OUTBACK RD Dewey, AZ 86327	Irope100@aol.com
✓ Daria + Bob Weir	1951 Dodge Rd. Camp Verde, AZ 86322	drweir1@msn.com

Neighborhood Meeting Sign in Sheet

PLEASE PRINT

Name	Address	E-Mail
✓ MALINAK CHRIS, AMANDA	3595 W. PIKE CAMP VERDE	623-414-8654 Della083113@gmail
Zack Wolfe	4120 W. Mahoney RD Camp Verde	Flowinghead, AZ @ gmail
Sarah in FREELAND	PH, AZ	Awsomrazor@Smail, CO AZ
Ray C Freeland	Phx, AZ	AZ DPS 558 @GMAIL -C

Neighborhood Meeting Sign in Sheet

PLEASE PRINT

✓
HOA-RRR
435-459-2432
*
HOA
President

Name	Address	E-Mail
GLENN SHAFER	3534 W MAHONEY	RAE 547PAOL. C
Kathleen Shaffer	3534 w mahoney RD	kati0001ke@aol.com
Pat Seltzer	4638 N. Caughran Rd	jseltzer2013@
Jack Seltzer	CV	gmail.com
Jennifer Prior	4610 N. Caughran Rd.	jenniferlynnprior@
John Prior		gmail.com

Neighborhood Meeting Sign in Sheet

PLEASE PRINT

	Name	Address	E-Mail
✓	Tammie Dunn	4661 N. Wilson Camp Verde AZ	tdunn@wlgcra.com
✓	Mike DUNN	4661 N. Wilson Rd Camp Verde AZ	mikedunn4661@gmail.com
✓	BILL DEAN	4291 WILSON RD CAMP VERDE AZ	SAM
✓	JIM & TRUDY RADLEY	100 CHAROLAIS DR. CAMP VERDE AZ	jctcaz@yahoo.co.

When Recorded Return To:
Town of Camp Verde
473 S. Main St
Camp Verde, Arizona 86322

**AGREEMENT
TO WAIVE CLAIM FOR DIMINUTION IN VALUE
REGARDING ACTION
PROPOSED BY TOWN OR REQUESTED BY PROPERTY OWNER**

This Agreement to Waive Claim for Diminution in Value Regarding Action Proposed by Town or Requested by Property Owner (“Agreement”) made as of this 26 day of MARCH, 2018, by and between the Town of Camp Verde, a municipal corporation of Arizona (“Town”) and:

Tonya Wutzlone, (“Owner(s)”);

WITNESSETH:

WHEREAS, on December 4, 2006, the Governor of Arizona signed into law the Private Property Rights Protection Act (Proposition 207) approved by the voters on November 7, 2006; and

WHEREAS, Proposition 207 added a new Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes (comprising §§12-1131 through 12-1138) dealing with eminent domain and regulatory takings; and

WHEREAS, ARS §12-1134 permits an owner of private real property to seek just compensation from the state or a political subdivision thereof that enacts or applies a land use law which (subject to certain exceptions) reduces existing rights to use, divide, sell or possess said property and thereby reduces the fair market value of the property; and

WHEREAS, “land use law” includes any statute, rule, ordinance, resolution, or law enacted by the state or political subdivision that regulates the use or division of land or any interest in land; and

WHEREAS, ARS §12-1134(I) recognizes that the state or political subdivisions may reach agreements with private property owners to waive claims for diminution in value resulting from land use law actions proposed by the state or political subdivision or requested by the property owners; and

WHEREAS, the Town (through its Common Council) has, on the date first-above written, duly considered and approved this Agreement with the Owner(s) to waive any claims said Owner(s) may have for diminution in value that may result, now or in the future, from the land use law action(s) proposed by the Town or requested by the Owner(s) as more fully set forth herein;

NOW, THEREFORE, for and in consideration of the mutual covenants and promises contained herein (and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged), the parties hereto agree as follows:

SECTION ONE. This Agreement applies to that private real property described in **Exhibit "A"** attached hereto and expressly made a part hereof ("Property") and the recitals set forth above are true and correct and are incorporated herein by reference. Owner has independently determined and believes that the application of the Town's land use laws to the Property will not reduce the fair market value of the Property.

SECTION TWO. The land use law action(s) proposed by the Town or requested by the Owner(s) to which this Agreement applies have been designated as follows by the Town's Community Development Department:

20180112

Town Application Number

and, are based on certain application(s), copies of which ("Applications") are shown as **Exhibit "B"** attached hereto and expressly made a part hereof ("Action(s)").

SECTION THREE. By signing this Agreement, the Owner(s) expressly agree(s) and acknowledge(s) that the Owner(s) hereby waive(s) any right to claim diminution in value or claim just compensation for diminution in value of the Property under ARS §12-1134, now or in the future, in relation to the Action(s). This includes (but is expressly not limited to) agreement and consent by the Owner(s) to all conditions that may ultimately be imposed as part of the Action(s).

SECTION FOUR. It is expressly understood by the parties that this Agreement does not add to, detract from, or otherwise modify any discretion, right, power, authority, obligation, or duty of the Town under applicable law with respect to any legislative, administrative, or quasi-judicial action(s).

SECTION FIVE. This Agreement (including any exhibits attached hereto and any addendum) constitutes the entire understanding and agreement of the Owner(s) and the Town and shall supersede all prior agreements or understandings between the Owner(s) and Town regarding the Property. This Agreement may not be modified or amended except by written agreement of the Owner(s) and the Town.

SECTION SIX. This Agreement is made and entered into in Yavapai County, Arizona, and will be construed and interpreted under the laws of the State of Arizona.

SECTION SEVEN. The parties agree that this Agreement may be filed in the Official Records of the County Recorder's Office, Yavapai County, Arizona.

SECTION EIGHT. This Agreement runs with the land and is binding upon all present and future owners of the Property.

SECTION NINE. This Agreement is subject to the cancellation provisions of ARS §38-511.

SECTION TEN. The Owner(s) warrant(s) and represent(s) that the Owner(s) is/are the owner(s) of fee title to the Property, and that no other person(s) has/have any ownership interest(s) in the Property. The person(s) who sign(s) on behalf of the Owner(s) personally warrant(s) and guarantee(s) to the Town that he/she/they have the legal authority to bind the Owner(s) to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their authorized representatives the day and year first-above written.

TOWN OF CAMP VERDE, a municipal corporation of Arizona, (Town)

Charles German, Mayor

ATTEST:

Judith Morgan, Town Clerk

APPROVED AS TO FORM:

William Sims, Town Attorney

Exhibit “A” Property Description and Map
(Can be included as separate document)

Exhibit “B” Town Application
(Copy of completed Town Application)

DRAFT MINUTES
SPECIAL SESSION & PUBLIC HEARING
TOWN OF CAMP VERDE
THE PLANNING AND ZONING COMMISSION
473 S. MAIN STREET, COUNCIL CHAMBERS ROMM 106
THURSDAY, MAY 10, 2018 6:30 PM

All Commission meetings will end at 9 PM, any remaining agenda items will be heard at the next Commission meeting.

1. Call to Order

Chairman B.J. Davis called the meeting to order at 6:30 p.m.

2. Roll Call

Chairman B.J. Davis, Vice Chairman Teresa Helm, Commissioners, Greg Blue, Bruce George, Steve VanLandingham and Chip Norton are present. Commissioner Jim Hisrich is absent.

Also Present

Community Development Director Carmen Howard, Town Planner Melinda Lee, and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Commissioner Blue led the Pledge

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.*

Approval of Minutes:

April 12, 2018 – Special Session

Set Next Meeting, Date and Time:

TBD

Vice Chair Teresa Helm pointed out on the last page of the minutes, there is no “h” in her name.

Motion was made by Commissioner George to accept the consent agenda with the correction to Teresa Helm’s name. Second was made by Vice Chairman Teresa Helm. **Motion** carried unanimously.

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).

No public to speak.

6. Public Hearing Items:

Public Hearing, Discussion, and Possible Recommendation to the Town Council regarding an application submitted by Tonya Wiertzema, Nashwa Farms for a Use Permit for Agri-Tourism in an RR-2A (Residential: Rural 2-Acre Minimum Lot Size) District for an Event Facility. The property is approximately 60 acres and is located at 3500 W. Mahoney Road, Parcel No. 403-13-002A, in Camp Verde, Yavapai County, Arizona.

Declare Actions:

Public Hearing Open at 6:33 pm.

Call for Staff Presentation:

Town Planner Melinda Lee stated that the Commissioners had a field trip to the property on May 8th. This was an opportunity for Commissioners to ask general questions and see the property. The applicants are proposing to use the property for equestrian and other events. The events they have already held have been successful. The neighbors have been very supportive. Other organizations may use the property as well. The plan is to have approximately six to twelve events per year. Ms. Lee reviewed the criteria for a Use Permit and showed photos of the property. Staff supports this proposal and feels that it is a good fit for the property because it is a large parcel. The property will also have RV spaces that would be available for people attending the events.

Commissioner George asked if they are approving this based on the electrical and structural permits being approved. Ms. Lee stated that all permits have been submitted. Community Development Director Carmen Howard stated the Use Permit won't be valid until all permits are final.

Chairman Davis asked if the fire marshal has inspected the property. Ms. Howard stated the property is outside the Fire District.

Vice Chair Helm asked if the property owners are going to keep the bottom portion of the parcel agriculture. Ms. Wiertzema stated that yes, they are cutting hay on that portion right now.

Commissioner George stated that he hoped they would start advertising, and get the word out to let people know they are there. Ms. Wiertzema stated that the Grand Canyon Rodeo Association has asked if they would consider hosting an event in 2019 that they would love to do this but are waiting on the approval of permits.

Commissioner Blue stated that he used his GPS when he went out for the field trip and it only took him to corner of property, and got lost. He is suggesting they add a main entrance sign, or some kind of signage.

Call for Applicant Presentation: None needed.

Call for Comments from the Public: None present.

Call for Staff and/or Applicant Rebuttal/Clarification, if appropriate: No further comments

Declare Public Hearing Closed at 6:48 pm

Call for Commission Discussion: None

Call for Staff Comments: None

Call for Motion

Motion was made by Commissioner Norton to recommend to the Town Council regarding an application submitted by Tonya Wiertzema, Nashwa Farms for a Use Permit for Agri-Tourism in an RR-2A (Residential: Rural 2-Acre Minimum Lot Size) District for an Event Facility. Located at 3500 W. Mahoney Road, Parcel No. 403-13-002A, in Camp Verde, Yavapai County, Arizona. Second was made by Commissioner George.

Call for Discussion of Motion: None needed

Call for the Question: **Motion** passed unanimously

7. Current Events

(Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities. The Commission will take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.)

No current events to discuss.

8. Staff Comments

The next meeting is scheduled for June 7, 2018, if there is an application to review.

9. Adjournment

Motion was made by Vice Chairman Teresa Helm to adjourn the meeting. Second was made by Commissioner Blue. **Motion** carried unanimously. Meeting was adjourned at 6:50 PM

B.J. Davis
Chairman

Carmen Howard
Community Development Director

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 Regular Session & Public Hearing of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 10th day of May 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 10th day of May 2018.

Jennifer Reed
Jennifer Reed, Recording Secretary

DRAFT MINUTES
Regular Session & Public Hearing
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
COUNCIL CHAMBERS STE. 106
THURSDAY, JUNE 7, 2018 6:30 PM

All Commission meetings will end at 9 PM; any remaining agenda items will be heard at the next Commission meeting.

1. Call to Order

Chairman B.J. Davis called the meeting to order at 6:30 p.m.

2. Roll Call

Chairman B.J. Davis, Vice Chairman Teresa Helm, Commissioners Greg Blue, Bruce George, and Chip Norton were present. Commissioners Jim Hisrich and Steve Vanlandingham were absent.

Also Present

Community Development Director Carmen Howard, Town Planner Melinda Lee, and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Commissioner George led the Pledge.

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:

May 10, 2018 – Special Session

b. Set Next Meeting, Date and Time:

TBD

Motion was made by Commissioner George to accept the consent agenda as presented. Second was made by Commissioner Norton. **Motion** carried unanimously.

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).

No public comments were made.

6. Discussion and Possible Recommendation to the Town Council for an application submitted by Red Moon Development & Construction, for a Final Site Plan of a proposed RV Park on approximately 65 acres just northwest of the interchange for Interstate 17 and State Route 260, which encompasses parcel numbers 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, and 403-22-018C in Camp Verde, Yavapai County, Arizona.

Town Planner Melinda Lee stated this item was recently approved for a zoning map change. The application is a proposal for an RV Park. It is currently a C2-PAD (Planned Area

Development); they are now required to bring the item back to the Commission for approval of final site plan. This item requires action by the Commission and Council.

Ms. Lee gave a power point presentation showing the detailed site plan showing buildings, recreation areas, Dog Park, and amphitheater. The plan also shows ponds and landscape detail. The sizes of the buildings are shown, with the maximum size proposed. The site plan also shows lighting details, views of the building elevations and style, and the proposed signage. This site plan gives an idea of what the ultimate project would look like. She also pointed out there is a possibility of two connections going over the river into the town park. Staff supports this project.

Krishan Ginige with SEC (Southwest Environmental Consultants) added that the project was designed around the irrigation ditch and the river. The irrigation from the ditch will only be used for the lower section of the site and the upper section will have an alternate water source. He also added that the internal roads will have both two-way and one-way, depending on the pull through spaces.

Commissioner George stated he thought he read that they were going to utilize the town's sewer system and put a pump station in. Mr. Ginige stated the intent is to connect to town facilities. An area for a lift station on the property has been included.

Chairman Davis asked what activities are planned for the amphitheater. Mr. Ginige stated the intent is going to make the property more park like and have shaded areas. This will make the property more appealing and usable. The landscape architect is still working on these areas.

Chairman Davis asked what the intent of the park home sites is. Mr. Ginige stated those are planned for potential long term rentals.

Commissioner Norton asked if they are working with the Town on connecting the utilities, like the pump station and sewer connection. Community Development Director Carmen Howard stated a Development Agreement has been drafted and is going to be presented to Council. The details have been worked out.

Chairman Davis asked what is on the north side of the site. Ms. Howard stated it is an old 1960's Platted Subdivision but currently is vacant land because it was never developed. She stated the developer's plans are unknown.

Chairman Davis asked if there is a buffer planned for around the site. Mr. Ginige stated that a more natural vegetation buffer is planned.

Commissioner Norton asked about the flood criteria. Ms. Howard stated that critical facilities will be constructed to flood standards. They are working with Yavapai County Flood Control to make sure they are constructed appropriately.

Chairman Davis asked if there is a standard number of spaces per acre for RVs. Ms. Howard stated the standard is regarding size not the number of spaces; the Town Code calls for 1500 sq. ft. and the plan shows some spaces at 2500 sq. ft. Chairman Davis stated the proposal shows approximately 6.4 spaces per acre planned – this will provide will be a lot of open space.

Chairman Davis asked Mr. Ginige what they consider long term rentals. Mr. Ginige shared his experience based on other parks; some people use a space for a couple of days, others use it for 1-2 weeks, and some will stay 3-4 months. He said typically six months would be the longest stay. Chairman Davis asked if that was ok with town ordinance; Ms. Howard stated that it is up to owner of the RV Park.

Chairman Davis praised the Civil Engineers for planning several small ponds instead of one large one.

Chairman Davis asked about the distance between the main entry and the emergency exit. Ms. Howard stated that the Fire Marshal is willing to work with applicant to create the best situation possible.

Community Development Director Carmen Howard stated staff is excited to see project move forward.

Motion was made by Commissioner George to recommend the approval of an application for a Final Site Plan as requested by Red Moon Development. The property is located just northwest of the interchange for Interstate 17 and State Route 260, which encompasses parcel numbers 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, and 403-22-018C in Camp Verde, Yavapai County, Arizona. Second was made by Commissioner Blue. **Motion** carried unanimously.

7. **Public Hearing Items:**

7.1.A. Public Hearing, Discussion, and Possible Recommendation to the Town Council regarding an application submitted by Tonya Wiertzema, for a Use Permit for Agri-Tourism in an RR-2A (Residential: Rural 2-Acre Minimum Lot Size) District for an Event Facility. The property is approximately 60 acres and is located at 3500 W. Mahoney Road, Parcel No. 403-13-002A, in Camp Verde, Yavapai County, Arizona.

Declare Actions:

Public Hearing Open: 7:00 pm

Call for Staff Presentation:

Town Planner Melinda Lee stated this item came to the Commission in May where it was recommended for approval to Council. After the meeting, she realized the notice was not duly posted on the subject property, which means it had to be postponed and brought back to Commission as a public hearing. The process had to be completed again, to make sure all criteria was followed. During the second process, there have been a few inquiries; neighbors are asking about lighting, dust and noise, but were supportive of the project as long as these issues were managed. The Use Permit does require them to comply with the Town Code, relating to noise levels and dust.

Ms. Lee received a call from one neighbor who couldn't attend the meeting, Ed Mezulis; he stated that he is a neighbor who could be affected by the lighting but supports project. He feels like this is a good opportunity for the community.

Staff supports project and have not received any negative responses. The buildings and arena are in the building permit process, to bring them up to code.

Chairman Davis asked what the posting error was; Ms. Lee stated that she neglected to post

the property.

Chairman Davis asked if anything changed with the proposal. Ms. Lee stated that the details of the proposal are the same as presented in May.

Chairman Norton wanted to confirm the outreach for the neighborhood meeting was done correctly; Ms. Lee stated that the applicant did follow proper procedure.

Call for Applicant Presentation:

Property Owner Tonya Wiertzema thanked the Commission for their time and thanked the neighbors who have shown their support. Chairman Davis apologized that they had to come back but stated he was glad it has been corrected.

Call for Comments from the Public:

Zackary Wolfe (neighbor) - Supports the project even though it could be detrimental to the road. He said that Mahoney Road is a privately maintained road. A small number of people use the road. There was a traffic issue in the past because trailers backed up. Community Development Director Carmen Howard stated it is actually a town road. Mr. Wolfe stated it was maintained by town in the past but most recently the residents have been maintaining it. Ms. Howard stated that during the field visitation, Commissioners talked about the road and potential traffic issues with applicant. The applicant stated as part of their good stewardship, traffic will be directed. Ms. Howard will contact Ron Long to verify if the road is Town property and if they would take care of road maintenance.

Jeanette Corbin (neighbor) - She concerned about traffic on the Middle Verde Road, it is a winding road. Traffic could pose an emergency issue. She is also concerned about them serving alcohol. Community Development Director Carmen Howard stated alcohol would be a State issue and is not part of the Use Permit. Commissioner George stated that Council would have to approve a liquor license.

Chairman Davis asked the applicant about the number of events they planned for the property. Tonya Wiertzema stated they support the Sheriff's Posse, community FFA Events, and equestrian races. They plan to host the Verde Days in October. Ms. Wiertzema stated they have also talked to the Fire District about having paramedic on site and hiring an off duty officer, placing him at road, to direct traffic. The Verde Days would be the biggest event and the other events more modest. Riders typically come in at staggered times, which would alleviate traffic congestion.

Chairman Davis asked if the event would require notification beforehand. Ms. Howard stated that Town Code covers potential issues. The Use Permit is granting the applicants an opportunity to manage the events; if they do not managing them properly, then code enforcement would then address it, or they could lose their Use Permit.

Trudy (?)- Stated the applicants are a great family and everything they do, they do it right. She supports them.

Daria Weir- She has put on events in the past and there are no arenas in the area that properly kept. There are positive things happening and the area needs an arena to hold events. The proposed grounds and property are well kept and the western heritage needs to be brought back to the community. She asked for support from the Commission.

Julie Scott (Vice President of Camp Verde Business Alliance and Camp Verde Promotions) – She said they are honored to have Terry and Tonya as members of the Camp Verde Business Alliance. They are excited for Camp Verde Promotions to have a rodeo in the community and does understand the roadway issues. She feels it will be great to have them in the community.

John McReynolds (neighbor) – He fully supports what the owners are doing. He too is concerned with the roadway and he'd support the town taking over maintenance of the road. The Use Permit application did not any stipulations as far as hours and days of events; he would recommend it be outlined more. He supports the project but wants to make it safe. Community Development Director Carmen Howard stated the reason why he didn't see stipulations is because the Community Development Department finds that stipulations are hard to enforce. They have codes that are loaded with regulations and cover all of the concerns. A Use Permit gives them permission to do the use without being a nuisance. The property owner should be able to handle their operation without creating a nuisance in the neighborhood.

Call for Staff and/or Applicant Rebuttal/Clarification, if appropriate: None.

Declare Public Hearing Closed at 7:28 pm

Call for Commission Discussion:

Commissioner George would like to start advertising to get the word out.

Commissioner Norton is glad to hear the concerns of the neighbors. As Ms. Howard stated, a Use Permit is not a right, it is permission. Everything will be complaint driven and the permit could be revoked. He appreciated Mr. Wolfe stating that he supports the project, but described some of his concerns. If things are not resolved he'd like to hear about it.

Chairman Davis stated the Commission is not able to approve the paving of the road but can direct Ms. Howard to talk to Ron Long, Public Works Director, about it.

Call for Staff Comments: None

Call for Motion:

Motion was made by Commissioner Norton to recommend approval of an application submitted by Tonya Wiertzema, Nashwa Farms for a Use Permit for Agri-Tourism in an RR-2A (Residential: Rural 2-Acre Minimum Lot Size) District for an Event Facility. Located at 3500 W. Mahoney Road, Parcel No. 403-13-002A, in Camp Verde, Yavapai County, Arizona. Second was made by Commissioner Blue.

Call for Discussion of Motion: None.

Call for the Question: **Motion** passed unanimously.

7.1.B. Public Hearing, Discussion, and Possible Recommendation to the Town Council for a Text Amendment to the Town of Camp Verde Planning and Zoning Ordinance amending Section 303, Home Occupations.

Declare Actions:

Public Hearing Open: 7:29 pm

Call for Staff Presentation:

Community Development Director Carmen Howard stated that not too long ago she asked the commission for amendments to the code requiring business licenses for vacation rentals. This ordinance was passed in November and Section 303 was amended. However, after legal review from the State Attorney General, they came to the conclusion that business licenses should not be required for short term rentals because they are not required for long term rentals. This is relating to home itself, not room rentals in a home or renting the guest house. If you want to rent your home out long or short term, the town cannot require the owner to have a business license. The Town of Sedona was instructed to remove it from their code or potentially lose State funding. Ms. Howard is asking the Commission to remove item out of our code for the same reason. Chairman Davis asked why the Department is removing 4b., 4c., and 4d.? Ms. Howard stated it is because the Town Code already covers these items.

Call for Applicant Presentation: None.

Call for Comments from the Public: None.

Call for Staff and/or Applicant Rebuttal/Clarification, if appropriate: None.

Declare Public Hearing Closed at 7:37 pm

Call for Commission Discussion: None.

Call for Staff Comments: None.

Call for Motion:

Motion was made by Commissioner George to recommendation of approval to the Town Council for a Text Amendment to the Town of Camp Verde Planning and Zoning Ordinance amending Section 303, Home Occupations. Second was made by Vice Chairman Helm. **Motion** carried unanimously.

8. Current Events

(Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities. The Commission will take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.)

No current events to discuss.

9. Staff Comments

None

10. Adjournment

Motion was made by Commissioner Blue to adjourn the meeting. Second was made by Vice Chairman Teresa Helm. **Motion** carried unanimously. Meeting was adjourned at 7:38 PM

B.J. Davis
Chairman

Carmen Howard
Community Development Director

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 Regular Session & Public Hearing of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 7th day of June 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 7th day of June 2018.

Jennifer Reed
Jennifer Reed, Recording Secretary

DRAFT

Town of Camp Verde



Agenda Item Submission Form / Section I: Resolution 2018-998 approving TOCV and Red Moon Development Agreement

Meeting Date: June 27, 2018 Town Council Meeting

- Consent Agenda
- Recommendation to Council
- Executive Session Requested
- Presentation Only
- Action/Presentation

Requesting Department: Community Development
 Staff Resource/Contact Person: Carmen Howard, Community Development Director

Agenda Title (be exact):

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF CAMP VERDE AND RED MOON DEVELOPMENT AND CONSTRUCTION, INC., AN ARIZONA CORPORATION, IN ORDER TO PROVIDE FOR DEVELOPMENT OF CERTAIN REAL PROPERTY ON APPROXIMATELY 60 ACRES GENERALLY LOCATED NORTH OF STATE ROUTE 260 AND WEST OF INTERSTATE 17 WITHIN THE CORPORATE LIMITS OF THE TOWN OF CAMP VERDE.

List Attached Documents:

- Resolution 2018-998
- Development Agreement

Estimated Presentation Time: 5 minutes.
Estimated Discussion Time: 10 minutes

Reviews Completed by:

- Department Head: Carmen Howard
- Town Attorney review:

**Exhibit A – Staff Report: Red Moon Development / Development Agreement
Resolution 2018-998**

Town of Camp Verde: June 27, 2018 Town Council

BACKGROUND:

Red Moon Development recently rezoned approximately 65 acres northwest of the Interstate 17 and State Route 260 as a Planned Area Development (Ordinance 2018-A432) to develop a proposed RV Park. The PAD designation requires a Final Site Plan review by the Planning & Zoning Commission for a recommendation to the Town Council for approval. The Planning and Zoning Commission reviewed the development plan and forwarded a recommendation for approval at their meeting on June 7, 2018. The proposed project has components of development which are being addressed by the attached Development Agreement between the Town of Camp Verde and Red Moon Development and Construction (the Developer). Due to some complexities relating to the legal descriptions of the parcels, the legal descriptions are not included in this packet, however, the ALTA Survey (An ALTA/NSPS Land Title Survey “ALTA Survey” is a comprehensive type of boundary survey) for the project is available for viewing in the Community Development Department. The legal descriptions will be provided at the time of recording. The Development Agreement addresses wastewater infrastructure and easements as well as two property dedications.

STAFF RECOMMENDATION:

Staff recommends approval of the Red Moon Development Agreement, as drafted, to develop an RV Park.

RECOMMENDED MOTION:

APPROVAL (OR DENIAL) OF RESOLUTION 2018-998, A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF CAMP VERDE AND RED MOON DEVELOPMENT AND CONSTRUCTION, INC., AN ARIZONA CORPORATION, IN ORDER TO PROVIDE FOR DEVELOPMENT OF CERTAIN REAL PROPERTY ON APPROXIMATELY 60 ACRES GENERALLY LOCATED NORTH OF STATE ROUTE 260 AND WEST OF INTERSTATE 17 WITHIN THE CORPORATE LIMITS OF THE TOWN OF CAMP VERDE.



RESOLUTION NO. 2018-998

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE TOWN OF CAMP VERDE AND RED MOON DEVELOPMENT AND CONSTRUCTION, INC., AN ARIZONA CORPORATION, IN ORDER TO PROVIDE FOR DEVELOPMENT OF CERTAIN REAL PROPERTY ON APPROXIMATELY 65 ACRES GENERALLY LOCATED NORTH OF STATE ROUTE 260 AND WEST OF INTERSTATE 17 WITHIN THE CORPORATE LIMITS OF THE TOWN OF CAMP VERDE.

WHEREAS, pursuant to ARS §9-500.05A, a municipality may, by resolution or ordinance, enter into a development agreement relating to property within the municipality, provided that the development agreement is consistent with the general plan applicable to the property on the date the development agreement is executed; and

WHEREAS, the agreement may by law include the duration, permitted uses of the property, densities and maximum heights of buildings, provisions for reservation of dedication of land for public purposes, provisions to protect environmentally sensitive lands, provisions for preservation and restoration of historic structures, phasing or time of construction or development of the property, requirements for public infrastructure, conditions for special taxing districts, and other matters relating to the development of the property; and

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby resolve as follows:

1. That certain Development Agreement dated June 27, 2018, by and between the Town of Camp Verde, a municipal corporation of Arizona (hereinafter the "Town") and Red Moon Development and Construction, Inc. an Arizona Corporation (hereinafter the "Developer"), said agreement being attached hereto and expressly made a part hereof and is attached as Exhibit A, be hereby entered into.
2. That the Development Agreement shall be effective thirty (30) days after passage and approval of this Resolution and in accordance with ARS §9-500.05.
3. The Waiver of Diminution of Value Claim has been signed by the developer and is attached as Exhibit B.

RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ON JUNE 27, 2018.

Charles C. German, Mayor Date:

Attest:

Approved as to form:

Judith Morgan, Town Clerk Date:

Town Attorney

DEVELOPMENT AGREEMENT
Red Moon

THIS RED MOON DEVELOPMENT AGREEMENT (“Red Moon Agreement” or “Agreement”) is entered into this 27th day of June, 2018, by and between the Town of Camp Verde, an Arizona municipal corporation (“Camp Verde”) and as Trustee for the Camp Verde Sanitary District., and Red Moon Development and Construction, Inc., an Arizona corporation.

RECITALS

- A. Red Moon Development and Construction, Inc. (“Developer”) intends to develop approximately 60 acres of land generally located north of State Route 260 and west of Interstate 17 in Camp Verde, Arizona, (the “Property”), legally described on Exhibit A.
- B. The Developer filed an application to rezone the Property to C2 with a PAD Overlay (Case no. 2018-0001) (referred to as either the “PAD” or the “PAD Overlay”) and received approval by the Town of Camp Verde Town Council to rezone this property (Ordinance No. 2018 A432) on February 28, 2018, in order to develop a Recreational Vehicle Resort (the “Development” or “Development Plan” as defined below), which will consist of approximately ±400 Recreational Vehicle spaces with amenities, and open space as shown on the Site Plan at Exhibit B.
- C. This Red Moon Agreement is entered into by and between the Parties, Red Moon Development and Construction, Inc., and the Town of Camp Verde acting in the capacity of the Town of Camp Verde and as Trustee for the Camp Verde Sanitary District for the purpose of providing for the terms and conditions of needed public improvements and public dedications on said Property and for clarifying the respective rights and obligations of the Parties hereunder
- D. Camp Verde acknowledges the development of the Property pursuant to this Red Moon Agreement is consistent with Camp Verde’s General Plan.
- E. The Parties acknowledge that entering into this Red Moon Agreement will benefit the economic viability of Camp Verde, and improve the general quality of life in Camp Verde.
- F. Developer and Camp Verde are entering into this Agreement pursuant to the provisions in A.R.S. § 9-500.05, which authorizes Camp Verde to enter into development agreements with land owners and persons having an interest in real property located in Camp Verde. The Camp Verde Town Council has authorized execution of this Agreement by Resolution No. 2018-998.
- G. Developer and Camp Verde acting in the capacity of the Town of Camp Verde and as Trustee for the Camp Verde Sanitary District the Camp Verde of Camp Verde, mutually acknowledge that the Property is owned by Verde Fencepost, LLC (“Verde Fencepost”) and that this Red Moon Agreement may be assigned by

Developer to and assumed by Verde Fencepost on written notice of assignment to Camp Verde, and that all development rights and entitlements hereunder shall transfer to Verde Fencepost upon such assignment, notice of which shall be recorded by the Town of Camp Verde in the official records of Yavapai County, and whereupon Verde Fencepost shall be the “Developer” under this Red Moon Agreement.

NOW, THEREFORE, in consideration of the foregoing premises and the mutual promises and agreements set forth herein, the Parties hereto state, confirm and agree as follows:

SECTION 1. DEFINITIONS

The following terms shall have the meanings set forth below whenever used in this Agreement, except where the context clearly indicates otherwise:

- 1.1 “**Applicable Rules**” has the meaning given to it in Section 4.1 of this Agreement.
- 1.2 “**Approvals**” means all approvals by Camp Verde of any rezoning, site plans, building plans or other matters requiring such approval in connection with the development of the Property or any portion thereof, which shall be in accordance with Applicable Rules. An “Approval” related to construction of the Public Improvements shall refer to the approval of any Approving Authority (defined below), as applicable.
- 1.3 “**Approving Authority**” means Camp Verde and/or any other governmental or quasi-governmental body having the authority to approve or disapprove the permission sought.
- 1.4 “**Assignee**” means a person or entity to whom this agreement is legally transferred.
- 1.5 “**Camp Verde**” means the Town of Camp Verde, Arizona, an Arizona municipal corporation and the Town of Camp Verde acting as Trustee for the Camp Verde Sanitary District.
- 1.6 “**Camp Verde Rules**” means all ordinances, rules, regulations, permit requirements, insurance and other requirements and other official policies or requirements of Camp Verde in effect from time to time.
- 1.7 “**Developer**” means Red Moon Development and Construction, Inc, an Arizona corporation or Assignee.
- 1.8 “**Development Fees**” means any fee or assessment authorized pursuant to A.R.S. § 9-463.05, as may be amended.
- 1.9 “**Costs of Infrastructure**” means all soft costs, such as engineering, design and inspection fees, costs of any required payment and performance or other bonds, and all hard costs, including costs of labor and materials and contractor’s fees paid or incurred to construct or improve infrastructure on and adjacent to the Property.

1.10 “**Critical Infrastructure**” means the infrastructure relating to the wastewater or sewer system that is considered so vital that its incapacitation or destruction would have a debilitating effect on the system therefore compromising health and safety.

1.11 “**Effective Date**” means 30-days after approval of this Agreement per ARS 19-142, as recorded in the Yavapai County Recorder’s Office.

1.12 “**Final Development Plan**” means the Final Site Plan, to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council per Town of Camp Verde Section 203 L.2. PAD (Planned Area Development), Scope, Site Plan requirements, Section 400 D.1. as a part of the PAD final approval process to be accomplished prior to obtaining building permits as defined in Section 1.13.

1.13 “**Force Majeure**” means flood, earthquake, fire, explosion, quarantine, tornado or windstorm, act of war (declared or undeclared), riot or other civil disturbance, strikes or other labor disturbances, acts of God or the public enemy (including acts of terrorism), sabotage, expropriation, unavailability of fuel, power or raw materials provided there are no reasonable alternatives, that wholly or partly prevents or delays the performance of any obligation arising under this Agreement and is beyond the control of the Party claiming relief from such obligation.

1.14 “**Party**” and “**Parties**” mean Camp Verde and Developer and their permitted successors and assigns.

1.15 “**Project**” means the development of the Property referred to as Red Moon RV Park, in accordance with the Development Plan and use of the Property as a commercial RV Park with amenities development in accordance with the Applicable Rules and the Camp Verde Rules.

1.16 “**Property**” means the real property described on Exhibit A.

1.17 “**Public Improvements**” means the construction, enlargement, extension or other construction of a facility intended for dedication to the Town, including but not limited to a street, curb and gutter, sidewalk, cross drain, catch basin, traffic control and street name sign, or other roadway appurtenance; domestic water supply system main, fire hydrant, valve or other appurtenance; or sanitary sewerage main or outfall, lift station, force main, manhole or other appurtenance and as shown on Exhibit B.

1.18 “**Term of this Agreement**” means a period beginning on the Effective Date and ending ten (10) years thereafter; provided however, that the Town’s obligation to provide municipal services to the Property, once commenced, shall survive termination of this Red Moon Agreement, subject to modification as permitted by law and subject to the Developer satisfying the requirements for the provision of municipal services.

1.19 “**Yavapai County**” means the County of Yavapai, Arizona, an Arizona political subdivision.

SECTION 2. PERFORMANCES

That the performances under this Agreement are as follows:

2.1 The Developer agrees to convey to the Town of Camp Verde an underground main line sewer easement as shown on the Final Development Site Plan, Exhibit B, to dedicate to the Town of Camp Verde a parcel of land of approximately 4.7 acres across the Verde River and adjacent to the Town of Camp Verde Parson's Riverfront Preserve described in Exhibit "C" and to dedicate to the Town of Camp Verde a parcel of land for a sewer lift station and critical facilities per Development Plan attached hereto and expressly as described and made a part hereof as Exhibit "D" within the real property described in Exhibit "A", no later than August 31, 2018.

2.2 The Developer agrees to allow the Town of Camp Verde and its agents non-exclusive adequate access to enter, remain upon, and cross over the Property as described in Exhibit "A" to the extent reasonably necessary to design, construct and maintain infrastructure improvements, provided that the Town of Camp Verde's use of such right does not materially impede or materially adversely affect the Developer's use and enjoyment of the subject Property and provided also that the Town of Camp Verde shall manage the described non-exclusive easements so as to control odor so that such use does not constitute a public nuisance. Any improvements constructed by the Developer within the Town of Camp Verde non-exclusive easements and non-exclusive right-of-way shall be constructed in compliance with all applicable codes, regulations and policies of the Town of Camp Verde and, upon completion, such improvements shall be inspected by the Town of Camp Verde Engineer, and once accepted, maintained by the Town of Camp Verde upon dedication to and acceptance of the improvements.

2.3 The Developer agrees to cooperate with the Town of Camp Verde to preserve the surface water rights appurtenant to the property. The Developer will file a change in beneficial use application for the amount of water reasonably necessary to meet the water demand of the proposed development. The change in use may recognize the Developer, Town of Camp Verde, or other water provider as the entity diverting and delivering the water to the Property. If the water right amount appurtenant to the property exceeds the proposed development's water demand, then the Developer agrees to cooperate with the Town of Camp Verde to sever and transfer such water rights as designated by the Town of Camp Verde. The sever and transfer application will recognize that the Town of Camp Verde is the successor-in-interest to the water rights and understands the water will be used for the benefit of the local community as determined by the Town of Camp Verde. The Town of Camp Verde agrees to share the costs to transfer the subject water rights.

2.4 The Town of Camp Verde recognizes the public financial benefits that the property dedications as described in Section 2.1 provide the Town of Camp Verde and has expressed an interest in having a sewer lift station to serve future development to the west of the subject development. The Developer agrees to dedicate the land as described and made a part hereof as Exhibit "D" to the Town of Camp Verde (see Section 2.1) and the Town of Camp Verde agrees to construct the sewer lift station, Critical Infrastructure Facilities and Town of Camp Verde sewer main lines. The Town of Camp Verde agrees this infrastructure is critical not only to provide service to this development but for other development west of Interstate 17. The Developer agrees that if the Town of Camp Verde did not construct the sewer main line, it would have been responsible for constructing an 8" sewer main line to service its development. To prepare for future

development, the Town of Camp Verde will construct this sewer main line but upsize it to an 18” line to provide for future development. In consideration for this sewer main line construction by the Town of Camp Verde, the Developer will pay \$40,000. (the cost of an 8” line determined by multiplying \$40. per linear foot for approximately 1000 feet of line) within ten (10) days after receipt of invoice from the Town of Camp Verde. The Town of Camp Verde therefore will complete their infrastructure obligations no later than December 31, 2018. The Town of Camp Verde agrees there is value in these dedications and agrees to credit the Developer \$70,000. towards the amount due for wastewater fees. These credits were determined by a land value of approximately \$60,000 for the land adjacent to Parson’s Reserve and \$10,000 for the land for the lift station. The Town of Camp Verde also agrees that the Developer may use the Critical Infrastructure Facility to house his own critical facilities.

2.5 The Town of Camp Verde recognizes the intrinsic environmental, aesthetic, economic and recreational benefits of parks to the Town of Camp Verde and its visitors. To help further the goals as specified in the Town of Camp Verde General Plan Chapter 8, Circulation, Trails & Transportation and Chapter 9, Open Space and Recreation, the Town of Camp Verde will grant up to two (2) easements to the Developer to allow for access across the Verde River from Red Moon Development to the Town of Camp Verde of Camp Verde Parson’s Riverfront Preserve in locations to be determined.

SECTION 3. PAD PLAN

3.1 The Development shall be constructed in accordance with the PAD Final Development Plan, to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council per Town of Camp Verde Section 203 L.2. PAD (Planned Area Development), Scope, Site Plan requirements, Section 400 D.1. Camp Verde agrees to use best efforts with existing resources to expedite its regulatory process with respect to all aspects of development of the Property, including but not limited to, zoning, use permits, variances, platting, building permits and inspection processes; provided that any processes must comply with the Camp Verde Rules.

3.2 The Town of Camp Verde agrees that issuance of the construction permits, water and sewer permits, occupancy permits, and other permits and approvals required from the Town of Camp Verde to develop the Property pursuant to this Agreement and the PAD Final Development Plan shall not be unreasonably delayed or withheld, provided the Developer complies with all applicable permit requirements and pays all required fees.

3.3 The Town of Camp Verde and Developer acknowledge and agree that amendments to the PAD Final Development Plan may be necessary from time to time to reflect changes in market conditions and development financing and/or to meet the new requirements of one of more of the potential users or builders of any part of the Property. If and when the Town of Camp Verde and Developer find that changes or adjustments are necessary or appropriate, they shall effectuate minor changes of adjustments through administrative amendments approved by the Town of Camp Verde Community Development Director, which, after execution, shall be attached to the PAD Final Development Plan as an addendum and become a part thereof, and may be further changed and amended from time to time as necessary with the approval of the Town of Camp Verde and

Developer. No such minor amendment shall require prior notice or hearing. All major changes of amendments shall be reviewed by the Planning and Zoning Commission and approved by the Town of Camp Verde Council in the exercise of the Council's discretion. The Parties shall cooperate in good faith to agree upon and use reasonable best efforts to process, any minor or major amendments to the PAD Final Development Plan. The Developer and the Town of Camp Verde agree that such amendments shall be incorporated by this reference into this Agreement with the same force and effect as if set forth herein and shall not require corresponding amendment to this Agreement.

3.4 For purposes of this Agreement, a major amendment to the PAD Final Development Plan shall involve (a) an increase in the approved number of dwelling units of leasable area within the PAD; (b) a change in the zoning boundaries for the PAD; (c) any change in the PAD that could have significant impact on area adjoining the PAD; and (d) any change in the PAD that could have a significant traffic impact on roadways adjacent or external to the PAD. All other proposed changes shall be deemed minor amendments per Section 203 L 3&4, PAD Major and Minor Amendments, of the Town of Camp Verde of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations, as may be amended from time to time.

SECTION 4. APPLICABLE RULES

4.1 The development of the Property shall be subject to all federal, Yavapai County and State of Arizona requirements, Camp Verde Rules in existence as of the Effective Date and applicable to the Property and such additional rules as are allowed by this paragraph (all of which are collectively referred to as the "**Applicable Rules**"). Camp Verde shall not apply to the Property any modifications of Applicable Rules or adopt any future Camp Verde Rules that would (i) substantially adversely impact the Project, the use or development of the Property (including, without limitation, decreasing the intensity or increasing the cost of development); and/or, (ii) amend or modify its obligations under this Agreement, with the following exceptions, which shall be included in the Applicable Rules:

4.1.1 Future Camp Verde Rules specifically agreed to in writing by Developer, except as otherwise set forth in Sections 4.1.2, 4.1.3 and 4.1.4;

4.1.2 Amended or new Camp Verde Rules that are necessary to comply with state, county and federal laws or regulations in effect at that time, provided the same are not retroactively applied to the Development unless retroactive application is mandated by state, county or federal laws or regulations;

4.1.3 Changes to taxes, utility service fees, Development Fees, filing fees, review fees, inspection fees that are imposed on or charged by Camp Verde to all similarly situated persons and entities, provided the same are not retroactively applied to the Development. For the purpose of this Section 4.1.3 the prohibition on the retroactive application of this section shall only apply to services, utilities and fees provided, assessed or delivered prior to the date of the change in the Applicable Rule and shall not apply to services, utilities and assessments provided or assessed after the date of the change in the Applicable Rule; and

4.1.4 Future updates of, and amendments to, existing building, construction, plumbing, mechanical, electrical, drainage, and similar construction and safety-related codes, such as the

International Building Code, which updates and amendments are generated by a nationally recognized construction safety organization or by the county, state, or federal government, or by the Yavapai Association of Governments, provided that such building or safety code updates and amendments are not applied retroactively or discriminatorily against any portion of the Property, unless retroactive application is mandated by the State of Arizona, the county, Federal law, the Yavapai Association of Governments or by health and safety concerns as determined by the Town of Camp Verde's building official.

Nothing herein shall be interpreted as relieving Developer from any obligations which it may have with respect to applicable regulations enacted by the Federal government, the county, or the State of Arizona. Nothing in this Agreement shall alter or diminish the authority of the Town of Camp Verde to exercise its eminent domain powers. The Town of Camp Verde shall not initiate any changes or modifications to the zoning of any portion of the Property, except at the written request of Developer.

SECTION 5. ANTI-MORATORIUM

Except in compliance with A.R.S. §9-463.06, no moratorium or other rule imposing a limitation on the development, conditioning, rate, timing or sequencing of the development of property within Camp Verde shall apply to or govern the development of the Property or any portion thereof during the Term of this Red Moon Agreement, whether affecting final plats, building permits, occupancy permits or other entitlements to use issued or granted by the Town of Camp Verde or the provision of municipal services to the Property or any portion thereof.

SECTION 6. COOPERATION DURING DEVELOPMENT

Developer and Camp Verde shall work together cooperatively using reasonable efforts throughout the development stages to resolve any Developer or Camp Verde comments or concerns regarding development of the Property expeditiously, reasonably and in good faith.

SECTION 7. VESTING

Camp Verde agrees that Developer shall have a right to undertake and complete the development and use of the Property in accordance with this Agreement without being subject to amendment of the Camp Verde Rules except as provided in Sections 4.1.1 through 4.1.4, which shall be deemed fully vested as of the Effective Date without further performance or proof of reliance by Developer.

SECTION 8. DEFAULT AND MEDIATION

8.1 In the event that there is a dispute hereunder which the Parties cannot resolve between themselves, the Parties agree that there shall be a forty-five (45) day moratorium on litigation during which time the Parties agree to attempt to settle the dispute by nonbonding mediation before commencement of litigation. The mediation shall be held under the commercial mediation rules of the American Arbitration Association. The matter in dispute shall be submitted to a mediator mutually selected by Developer and the City. In the event that the Parties cannot agree upon the selection of a mediator within seven (7) days, then within three (3) days thereafter, the Town of Camp Verde and the Developer shall request the presiding judge of the Superior Court

in and for the County of Yavapai State of Arizona, to appoint an independent mediator. The mediator selected shall have at least five (5) years' experience in mediating or arbitrating disputes relating to real estate development. The cost of any such mediation shall be divided equally between the Town of Camp Verde (or Camp Verde, as the case may be) and Developer. The results of the mediation shall be nonbinding on the Parties, and any Party shall be free to initiate litigation subsequent to the moratorium. Notwithstanding anything contained in this Section 8.1 or in this Agreement to the contrary, Camp Verde agrees that Developer's rights under A.R.S. § 12-821.01 shall not hereunder be prejudiced.

8.2 **Default.** Failure or unreasonable delay by either Party to perform or otherwise act in accordance with any term or provision of this Agreement after written notice thereof from the other Party shall constitute a default under this Agreement. Said notice shall specify the nature of the alleged default and the manner in which said default may be satisfactorily cured, if possible. In the event such default is not cured within thirty (30) days of delivery of written notice to the defaulting Party, the non-defaulting Party shall have all rights and remedies available at law or in equity, provided the Parties have first attempted mediation pursuant to Section 12.1, including without limitation the right to specifically enforce any term or provision hereof and/or the right to institute an action for damages (except as otherwise expressly limited herein); provided, however, if such default is non-monetary and cannot reasonably be cured within such thirty (30) days period, then the breaching Party shall have such additional time to cure the default as is reasonably required so long as the breaching Party is diligently acting to cure such default. Should the breaching Party fail to diligently act to cure, the non-defaulting Party shall have the right to terminate this Agreement by written notice to the defaulting Party, which termination shall be effective thirty (30) calendar days following the mailing of the notice by certified mail (provided the defaulting Party has not cured such default). All monies due and payable but not paid after thirty (30) days of delivery of the written notice shall bear interest at the rate of 7% per annum until paid.

8.3 **Appointment of Representatives.** The Parties shall cooperate in the implementation of this Agreement. To facilitate such cooperation, each of Owner and Camp Verde shall designate a representative to act as a liaison with the other Party. The Parties may change their representatives at any time, but each Party agrees to have a current active representative at all times. The initial representatives shall be as follows:

Camp Verde: Russ Martin, Camp Verde Town Manager
473 S. Main Street, #102
Camp Verde, AZ 86322

Developer: Brad Woodruff
Red Moon Development and Construction, Inc.
10025 E Dynamite Rd. Suite B140
Scottsdale, AZ 85262

The representatives shall be available at all reasonable times at the request of either Party to discuss and review the performance of this Agreement and the development of the Property pursuant to this Agreement and the Applicable Rules.

8.4 **Time of the Essence; Force Majeure.** Time is of the essence in implementing the terms of this Agreement. Notwithstanding the foregoing or any other term, condition or provision hereof to the contrary, in the event any Party hereto is precluded from satisfying or fulfilling any duty or obligation imposed upon such Party by the terms hereof due to Force Majeure or delay caused by any Approving Authority's inability or failure to grant approval(s), the time period provided herein for the performance by such Party of such duty shall be extended for a period equal to the delay occasioned by such events.

SECTION 9 NOTICES AND FILINGS

All notices, filings, consents, approvals and other communications provided for herein or given in connection herewith shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by certified United States Mail, postage prepaid, return receipt requested, if to:

Camp Verde: Russ Martin, Camp Verde Manager
473 S. Main Street, #102
Camp Verde, AZ 86322

Developer: Brad Woodruff
Red Moon Development and Construction, Inc.
10025 E Dynamite Rd. Suite B140
Scottsdale, AZ 85262

or to such other addresses as either Party hereto may from time to time designate in writing and delivery in a like manner.

SECTION 10 GENERAL

10.1 **Waiver.** No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver by Camp Verde or Owners of the breach of any covenant of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

10.2 **Counterparts.** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together constitute one and the same instrument. The signature pages from one or more counterparts may be removed from such counterparts and such signature pages all attached to a single instrument so that the signatures of all Parties may be physically attached to a single document.

10.3 **Construction and Interpretation.** The descriptive headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or

construction of any of the provisions hereof. The Parties hereby acknowledge and agree that each Party and its counsel have reviewed, negotiated, and revised this Agreement to each Party's satisfaction and that the rule of construction that ambiguities are to be resolved against the drafting Party shall not be applicable to this Agreement or any amendments or exhibits hereto. Unless otherwise expressly provided herein: the term "**including**" shall not be construed as limiting, and the rule of *exclusio alterius* shall not apply; the specific shall not overrule the general; the term "**from**" shall mean from and including; the terms "**to**" and "**until**" shall mean "to but excluding"; the term "**and/or**" shall mean any, all, or any combination of the conjoined items; and masculine, feminine, and neuter terms shall be deemed to include all genders. Except as otherwise specifically provided herein, all terms of an accounting or financial nature shall be construed in accordance with GAAP. "**Written**" or "**in writing**" includes communication by e-mail, facsimile transmission, telegraph, or cable. "**Reasonable discretion**" shall mean commercially reasonable and "**sole discretion**" shall mean sole and absolute. Any consent, approval, satisfaction, determination, decision or similar action pursuant to this Agreement must be given or acknowledged in writing and must be given or withheld in the reasonable discretion of the applicable Party, unless a different standard of discretion is expressly provided.

10.4 **Exhibits.** Any exhibit attached hereto shall be deemed to have been incorporated herein by this reference with the same force and effect as if fully set forth in the body hereof.

10.5 **Further Acts.** Each of the Parties hereto shall promptly execute and deliver all such documents and perform all such acts as reasonably necessary, from time to time, to carry out the matters contemplated by this Agreement.

10.6 **Successors and Assigns.** All of the provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of the Parties hereto pursuant to A.R.S. § 9-500.05(D), except as provided below. The rights of the Developer under this Agreement may be transferred or assigned, in whole or in part, by written instrument to any subsequent owner of all or any portion of the Property as described in Exhibit "A", upon the prior written consent of the Town of Camp Verde, which consent shall not be unreasonably withheld, conditioned or delayed, provided, however, that the Town of Camp Verde hereby expressly consents upon written notice from Developer, Developer's assignment of this Red Moon Agreement to Verde Fencepost, LLC, a Minnesota limited liability company. Notwithstanding the foregoing, without the consent of the Town of Camp Verde, the Developer may freely assign its rights under this Agreement to an entity that directly or indirectly controls, is controlled by, or is under common control of the Developer. Notice of any transfer or assignment in accordance with this Section shall be provided to the Town of Camp Verde at least fifteen (15) days before such transfer or assignment. The burdens of this Agreement bind, and the benefits of this Agreement inure to, the Parties hereto and their permitted successors in interest and assigns. The Developer's rights and obligations hereunder may only be assigned as permitted by this Section 10.6 to a person or entity that has an interest in the Property described in Exhibit "A" or a portion thereof and only by a written instrument, recorded in the official records of Yavapai County, Arizona, expressly assigning such rights and obligations.

10.7 **Entire Agreement.** This Agreement and its exhibits constitute the entire agreement between the Parties hereto pertaining to the subject matter hereof, all prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, are hereby superseded and merged herein.

10.8 **Amendment.** This Agreement may not be amended nor may any provision hereof be waived except by a written amendment executed by both Camp Verde and Developer. Within ten (10) days after any approved amendment to this Agreement, such approved amendment shall be recorded in the Official Records of Yavapai County, Arizona.

10.9 **Good Standing; Authority.** Developer is a corporation duly formed and validly existing under the laws of the State of Arizona and is qualified to transact business in the State of Arizona, and the individual executing this Agreement on behalf of Developer is authorized and empowered to do so. The Town of Camp Verde is a municipal corporation duly formed and validly existing under the laws of the State of Arizona, and the individual executing this Agreement on behalf of Camp Verde is authorized and empowered to do so.

10.10 **Order of Priority.** In the event of any conflict or inconsistency between the Applicable Rules and the provisions of this Agreement, the Applicable Rules shall have priority.

10.11 **Limited Severability.** The Parties each believe that the execution, delivery and performance of this Agreement are in compliance with all Applicable Rules. However, in the unlikely event that any provision of this Agreement is declared void or unenforceable (or is construed as requiring Camp Verde to do any act in violation of any Applicable Rules or other applicable legal requirement, such provision shall be deemed severed from this Agreement, and the remainder of this Agreement shall otherwise remain in full force and effect; provided that this Agreement shall retroactively be deemed reformed to the extent reasonably possible in such a manner so that the reformed agreement (and any related agreements effective as of the same date) provide essentially the same rights and benefits (economic and otherwise) to the Parties as was intended by the original provisions hereof, and the Parties further agree, in such circumstances, to do all acts and to execute all amendments, instruments and consents necessary to accomplish and to give effect to the purposes of this Agreement, as reformed.

10.12 **Governing Law.** This Agreement is entered into in Arizona and shall be construed and interpreted under the laws of Arizona. In particular, this Agreement is subject to the provisions of A.R.S. § 38-511. The Parties agree that they are not currently engaged in, and agree that for the duration of the Agreement they will not engage in, a boycott of Israel, as that term is defined in A.R.S. §35-393.

10.13 **Recordation.** This Agreement shall be recorded in its entirety in the Official Records of Yavapai County, Arizona not later than ten (10) days after this Agreement takes effect in recordable form by each of the Town of Camp Verde and Developer.

10.14 **Status Statements.** Any Party to this Agreement (the "**Requesting Party**") may, at any time, and from time to time, deliver written notice to any other Party (a "**Status Request**") requesting such other Party (the "**Providing Party**") to certify in writing (a "**Status Statement**"): (a) that this Agreement is in full force and effect and a binding obligation of the Providing Party; (b) that this Agreement has not been amended or modified either orally or in writing or, if so amended, identifying the amendment(s); (c) that to the knowledge of the Providing Party, the Requesting Party is not in default in the performance of its obligations under this Agreement or, if in default, describing the nature and amount of any such defaults; and (d) that the Providing Party has substantially developed its portion of the Public Improvements in accordance with the requirements of this Agreement or, if not, specifying any portion thereof remaining to be

completed. A Providing Party shall execute and return such Status Statement within ten (10) days following receipt of a Status Request. The Town of Camp Verde Manager or any Assistant Town of Camp Verde Manager shall have the right to execute any Status Statement requested by Developer hereunder. The Town of Camp Verde acknowledges that a Status Statement hereunder may be relied upon by Developer, and/or any Lender or other party providing construction or permanent financing for any Public Improvements; provided that the Camp Verde shall have no liability for monetary damages to Developers, and transferee, Lender or other mortgagee, or any other person in connection with, resulting from or based upon the issuance of any Status Statement hereunder.

10.15 **Attorneys' Fees.** Should litigation, or other form of formal conflict resolution, such as, but without limitation, mediation and arbitration, be necessary to enforce any term or provision of this Agreement, or to collect any damages claimed or portion of the amount payable under this Agreement, then all litigation and collection expenses, witness fees, court costs, and reasonable attorneys' fees shall be paid to the prevailing Party. Nothing herein shall preclude nonbinding arbitration if the Parties so elect in the event of a dispute hereunder.

10.16 **Covenants Running With Land; Inurement.** The covenants, conditions, terms and provisions of this Agreement relating to use of the Property shall run with the Property and shall be binding upon, and shall inure to the benefit of the Parties and their respective permitted successors and assigns with respect to such Property.

10.17 **Good Faith of Parties.** Except where any matter is expressly stated to be in the unfettered or sole discretion of a Party, the Parties must act in good faith in all matters relating to the performance of this Agreement or in considering any requested extension of time or other matters, will not act unreasonably, arbitrarily or capriciously and will not unreasonably withhold, delay or condition any requested approval, acknowledgment or consent.

10.18 **Rights of Lenders.** The Town of Camp Verde is aware that Developer may obtain financing or refinancing for acquisition, development and/or construction of the real property and/or improvements to be constructed on the Property, in whole or in part, from time to time, by one or more lenders (individually a "**Lender**", and collectively the "**Lenders**"). In the event of a default by Developer, Camp Verde shall provide written notice of such default, at the same time written notice is provided to Developer, to any Lenders previously designated by Developer to receive such notice (the "**Designated Lenders**") whose names and addresses were provided by written notice to the Town of Camp Verde in accordance with Section 9 of this Agreement. The Town of Camp Verde shall give Developer copies of any such notice provided to such Designated Lenders and, unless Developer notifies the Town of Camp Verde that the Designated Lenders' names or addresses are incorrect (and provides the Town of Camp Verde with the correct information) within three (3) business days after Developer receives its copies of such notice from the Town of Camp Verde, the Town of Camp Verde will be deemed to have given such notice to the Designated Lenders even if their names or addresses are incorrect. Developer may provide copies of any notices to other Lenders, even if the Town of Camp Verde has not received prior notice of such Lenders. The Town of Camp Verde agrees that any Lender shall have until the later of (i) thirty (30) days after the expiration of the applicable cure period or (ii) thirty (30) days after receipt of the written notice of default by such Lender in which to cure any default of Developer provided, however, if such default cannot reasonably be cured by the Lender within such thirty

(30) days period, then the Town of Camp Verde shall give the Lender such additional time to cure the default as is reasonably required so long as the Lender is diligently acting to cure such default, including, without limitation, taking any necessary actions to foreclose its lien and take title to the applicable portion of the Property; and the Town of Camp Verde further agrees to recognize the Lender as a successor under this Agreement and to permit the Lender to assume all of the rights and obligations of Developer under this Agreement; provided that such Lender attorns to the terms and conditions of this Agreement the Town of Camp Verde shall, at any time upon reasonable request by Developer, or any Lender, provide to any Lender a Status Statement. Upon request by a Lender, the Town of Camp Verde will enter into a separate non-disturbance and attornment agreement with such Lender consistent with the provisions of this Agreement.

[remainder of page intentionally blank – Signature Page follows]

[Signature Page for Red Moon Development Agreement]

IN WITNESS WHEREOF, the Parties have executed this Agreement to be effective 30 days after the date and time a resolution approving and adopting this Agreement is approved by the Camp Verde Town Council per ARS §9-500.05 (G).

CAMP VERDE:

TOWN OF CAMP VERDE, ARIZONA,
an Arizona municipal corporation

By: _____
Its: _____

DEVELOPER:

RED MOON DEVELOPMENT AND CONSTRUCTION, INC.
an Arizona corporation

By: _____
Its: _____

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

EXHIBIT B
FINAL DEVELOPMENT SITE PLAN

EXHIBIT "C"
RIVER PROPERTY LEGAL

EXHIBIT D
LIFT STATION LEGAL DESCRIPTION

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Town of Camp Verde



**Agenda Item Submission Form / Section I: Final Development Plan
Red Moon RV Park**

Meeting Date: June 27, 2018 Town Council Meeting

- Consent Agenda Recommendation to Council Executive Session Requested
- Presentation Only Action/Presentation

Requesting Department: Community Development
Staff Resource/Contact Person: Carmen Howard, Community Development Director

Applicant: Red Moon Development and Construction, Inc.
Application: PAD Final Development Plan

Agenda Title (be exact):
APPROVAL OF A FINAL DEVELOPMENT PLAN SUBMITTED BY RED MOON DEVELOPMENT FOR A RV PARK, LOCATED ON APPROXIMATELY 65 ACRES JUST NORTHWEST OF THE INTERCHANGE FOR INTERSTATE 17 AND STATE ROUTE 260.

List Attached Documents:

- Staff Report
- Letter of Intent
- Application
- PAD Exhibits (provided 11X17, 24X36 in Com Dev Dept.)
- June 7 P&Z minutes provided in Nashwa Farms packet

Estimated Presentation Time: 20 minutes.
Estimated Discussion Time: 20 minutes

Reviews Completed by:

- Department Head: Carmen Howard Town Attorney review:
 Comments: In Staff Report Comments: Ordinance for form

Town of Camp Verde: June 27, 2018 Town Council

BACKGROUND:

Red Moon Development recently rezoned approximately 65 acres northwest of the Interstate 17 and State Route 260 as a Planned Area Development (Ordinance 2018-A432) to develop a proposed RV Park. The PAD designation requires a Final Site Plan review by the Planning & Zoning Commission for a recommendation to the Town Council for approval prior to issuing building permits. The Planning and Zoning Commission reviewed the development plan and forwarded a recommendation for approval to the Town Council at their meeting on June 7, 2018. To save paper, Staff is providing Council with 11X17 documents and has 24X36 maps in the Community Development Department for viewing.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- The subject property received approval of a Zoning Map Change for a C2-PAD on February 28, 2018, per Ordinance No. 2018-A432.
- The Planning & Zoning Commission reviewed the Final Development Plan at their meeting on June 7, 2018 and forwarded a recommendation for approval to the Town Council.

STAFF RECOMMENDATION:

Staff recommends approval of the Final Development Plan, as proposed, to develop an RV Park.

RECOMMENDED MOTION:

A MOTION TO RECOMMEND APPROVAL OF AN APPLICATION FOR A FINAL DEVELOPMENT PLAN, AS REQUESTED BY RED MOON DEVELOPMENT. THE PROPERTY IS LOCATED JUST NORTHWEST OF INTERSTATE 17 & STATE ROUTE 260.

Revised 03/08/18

Application #: 20180191



Land Use Application Form

1. Application is made for:

- | | | |
|--|---------------------|------------------------|
| Zoning Map Change | Use Permit | General Plan Amendment |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| <u>PAD Final Site Plan Review</u> | Variance | Appeal |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Administrative Review | Lot Line Adjustment | Zoning Verification |
| <u>Development Standards Review (Commercial)</u> | Other: _____ | |

2. Project Name: Red Moon RV Resort

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

Owner Name: <u>Verde Forepost LLC</u>	Applicant Name: <u>Red Moon Development and Construction, Inc</u>
Address: <u>2800 Niagara Lane N</u>	Address: <u>10025 E Dynamite Blvd., Suite B140</u>
City: <u>Plymouth</u> State: <u>MN</u> Zip: <u>55447</u>	City: <u>Scottsdale</u> State: <u>AZ</u> Zip: <u>85262</u>
Phone: <u>415-902-2820</u>	Phone: <u>480-947-9253</u>
E-mail: <u>rday@providentrev.com</u>	E-Mail: <u>info@redmoonhomes.com</u>

4. Property Description: Parcel Number _____ Acres: 66.7

Address or Location: East end of Wilshire Blvd, 2400' +/- north of the intersection of Interstate 17 and State Route 260.

Existing Zoning: C2-PAD Existing Use: Undeveloped

Proposed Zoning: Not Apply Proposed Use: RV Resort

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

Development standards review for proposed RV resort

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: [Signature] Date: 5/7/2018 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: [Signature] Date: 5/7/18



**SOUTHWESTERN
ENVIRONMENTAL
CONSULTANTS, INC.**

www.sec-landmgt.com

info@sec-landmgt.com

CORPORATE OFFICE:

20 STUTZ BEARCAT DRIVE #6

SEDONA, ARIZONA 86336

(928) 282-7787

BRANCH OFFICE:

825 COVE PARKWAY

COTTONWOOD, ARIZONA 86326

(928) 634-5889

May 31, 2018

Planning and Zoning Commission
473 South Main St. Suite 102
Camp Verde, AZ 86322

Re: Letter of Intent for Red Moon RV Resort

To whom it may concern,

We are pleased to provide this letter of Intent and the supporting documentation for your review and approval.

Project Team

Red Moon Development and Construction, Inc – Developer/Applicant

Krishan Ginige (SEC, Inc.) – Authorized Agent (Applicant)

SEC, Inc. – Planning, Engineering and Surveying

Rick Schreiber-Architect

Brett Kessler-Landscape Designer

Overview

Red Moon Development and Construction, Inc. has purchased property situated in parcels 403-21-014K, 403-21-014L, 403-21-250C, 403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, 403-22-018C (approximately 67 acres) in the Town of Camp Verde adjacent to US Highway 17 and Arizona Highway 260. The property is currently vacant and is surrounded on the north and east sides by residential (R1L-70) properties, commercial (C2) properties and US Highway I-17 Right of Way to the south and State Route 260 Right of Way to the west. It was recently re-zoned to C2-PAD per Ordinance 2018-A432. (Ref. Sheet 1 of Development Plan Exhibit)

Resort Site Plan (Ref. Sheet 2-6 of Development Plan Exhibit)

The proposed development will consist of constructing and operating a 400 space +/- RV Resort. The business will operate year-round, seven days per week. RV spaces will be rented, not sold, on both a short term and long term basis. There will potentially be some park model homes for longer term rental as well. There will be an office and small

convenience store offering commonly needed items. There will also be a clubhouse, pool, dog-park and separate shower and laundry facilities for resort guests. 1 or 2 maintenance buildings with similar architectural style may also be provided.

The resort will provide 3 sizes of Recreational Vehicle spaces: 30'x70' "pull-through" sites for the popular "Big Rigs" which often have a tow vehicle; 30'x60' "back-in" sites for large RV's that don't need pull-through capabilities, and 30'x40' "back-in" sites for small RV's. All sites will have a vegetative screen for a sense of privacy. The sites are primarily oriented toward the North East to provide beautiful vistas of the Verde Valley and the Mogollon Rim. Each site will have a level concrete pad for the vehicle, thus eliminating the need and inconvenience of using leveling blocks. Paved roads will reduce or eliminate dust within the resort and adjacent properties. The property will be landscaped with a variety of trees and bushes for screening purposes.

The property has rights to the existing Verde/Woods irrigation ditch running through the site which may be utilized for landscape irrigation as well as for a pond for the enjoyment of the guests. A portion of the site also abuts the Verde River. The facility will be designed to preserve the natural environments along the river and irrigation ditch as open space and recreational sites for the guests. The Town of Camp Verde has plans for a recreational area on the east side of the Verde River adjacent to the resort. The Town has agreed to provide at least 2 easements for access the recreation area from the resort for the guests.

Access to the development will be via Wilshire Blvd/Dreamcatcher Lane which is currently being upgraded to a roundabout by the AZ DOT. A secondary gated entrance will be provided for emergency vehicle access to the resort per fire department regulations.

With easy access to I-17 and highway 260, this site is in an ideal location for travelers wishing to explore the sights and attractions of the valley. Also the nearby food and fuel venues, RV services and easy access to the Town's main street and shopping district will be strong incentives for travelers to choose this resort for their visit to the valley.

Utilities

Town of Camp Verde sewer and water services are currently available and will be utilized by the resort. Electric supply will be by APS. CenturyLink High Speed internet access will be provided to all the sites utilizing the latest WIFI technology.

The developer has agreed to provide a 50'x50' site within the resort for the Town to install a sewer pump station as part of the Town sewer system (see Exhibit sheet 2). The Town will perform the design and construction of the pump station and sewer main connections. The sewer main is to lie within the roads of the resort.

The Town has agreed to provide a 15'x20 space within the pump station site for the developer to install irrigation pumps for use by the resort. The developer intends to begin construction by July 2018 with completion in 4 months. The Town has agreed to accept sewage from the resort into the pump station and to have the pump station operational by the time the resort is ready to discharge.

Drainage (Ref. Sheet 2 of Development Plan Exhibit)

The natural drainage of the undeveloped site is primarily sheet flow in an easterly direction from State Route 260 toward the existing irrigation ditch. Two 48" diameter metal pipes convey drainage from highway 260 under Dreamcatcher Lane onto the property. It then follows a natural swale until it daylights and becomes sheet flow toward the irrigation ditch. All drainage to the west of the irrigation ditch flows naturally into the irrigation ditch. All drainage on the east side of the irrigation ditch naturally flows to the Verde River.

A portion of the land on the east side of the irrigation ditch had been irrigated for agricultural purposes in the past using water from the ditch. The irrigated area is very flat. The rest of the property remains in a natural state with large trees in the riparian corridor along the Verde River.

The proposed development will be designed in such a way as to minimize run-off contaminants from the RV sites. This will be achieved by providing small detention troughs between each site which will capture run-off from the pads, thus providing "first flush" functionality. Capturing the "first flush" is intended to contain the majority of pollutants of the site. All other run-off on the west side of the irrigation ditch will be captured in detention ponds adjacent to the west side of the irrigation ditch. These ponds will be designed to overflow into the irrigation ditch when they reach maximum capacity. They will also provide "first-flush" functionality.

The existing metal pipes at Dreamcatcher Lane will be directed to a drainage structure and then the flow will be conveyed across the site via pipes to a proposed pond adjacent to the irrigation ditch. That pond will overflow into the irrigation ditch when it reaches maximum capacity.

The sites on the east side of the irrigation ditch will primarily drain to the proposed recreational pond. The pond will be designed to overflow to the river should it reach its maximum capacity. Sites immediately adjacent to the river will be graded to drain towards the river. All sites will be designed to capture "first flush" run-off within the sites as noted previously.

The open space areas along the river that are designated for recreational use will require minimal grading and thus will retain the existing drainage patterns.

Architecture (Ref. Sheets 7-10 of Development Plan Exhibit)

The design intent of the architectural pallet is to blend into the use of native southwest materials such as reclaimed antique wood beams, rusted standing seam roofs, horizontal lap siding, natural desert tone stone veneers and brownish-black sash, exterior lighting of a lantern style with rusted frames and complying with the "Dark Sky Ordinance". The proposed buildings for the site consists of a Club house, Office/Store building, two Laundry/shower buildings, and two Maintenance buildings (not identified in the plans) with an estimated maximum square footage of 10,000, 2,200, 2,000 & 1,000 respectively

Landscaping (Ref. Sheets 11-14 of Development Plan Exhibit)

The landscape of the RV resort is meant to provide visitors with a range of experiences, from highly programmed recreational areas to meditative walking trails. Outdoor spaces will vary in scale and in social intensity, from the privacy of the outdoor living spaces within each RV lot, to larger shared spaces that encourage social gatherings. Additionally, programmatic elements have been grouped and aligned along clear routes, enabling ease of wayfinding. The clubhouse, with its many amenities, is situated just off the activities trail. Along the activities trail, visitors can enjoy a competitive game of pickleball, then stroll along the Verde River, pausing to rest and enjoy a good book in the hammock grove. They can then make their way over to the pond, to picnic on the decks, absorbing the scenery from beneath the protection of shade canopies.

The materiality and design language have been carefully curated to ensure a cohesive experience across the site. The geometries of the formal design have been inspired by the meanders of the Verde River and by the geological and topographic features of the region. Materials have been chosen to give a contemporary feel, yet to blend in seamlessly with the rustic setting. Landscape walls will be a fresh interpretation of the classic gabion wall, filled with locally sourced stone. Paths and terraces will be paved in a mixture of decomposed granite and precast concrete pavers, selected for their clean lines and contrast of textures. Shade structures and other special features will incorporate accents of Corten steel and natural wood. Native desert vegetation will be grouped in lush plantings, with species selected both for their resilience to drought and for their seasonality and year-round appeal. Desert trees and shrubs will be used to break up spaces, creating privacy, but also to create alluring naturalistic gardens. Regimented allées of trees will help visually reinforce central routes, while also providing shade.

Following documents are made a part of this letter.

- Development plan exhibits provided with Development Standards Review application (14 pages)
- Property maps (ALTA Survey exhibits) provided with Development Standards Review application (6 pages)
- Miscellaneous documents included with the Development Standards Review application

If you have any questions or need additional clarification, please feel to contact me at kginige@sec-landmgt.com or by phone at 928-634-5889 Ext 4219.

Sincerely



G. Krishan Ginige, P.E, MS, CFM
President

RED MOON RV RESORT DEVELOPMENT PLAN

SITUATED IN PARCELS 403-21-014K, 403-21-014L, 403-21-250C,
403-21-014F, 403-21-014M, 403-21-021E, 403-22-021, 403-22-018C
TOWN OF CAMP VERDE, ARIZONA
CONTAINING APPROX. 66.7 ACRES
RECENTLY RE-ZONED C2-PAD (ORD #2018-A432)

OWNER/DEVELOPER
SCHNEIBER & ASSOCIATES ARCHITECTS & CONSTRUCTION, INC.
1430 South Phoenix/View Drive
6340 Canyon, AZ 85118
480-947-9253

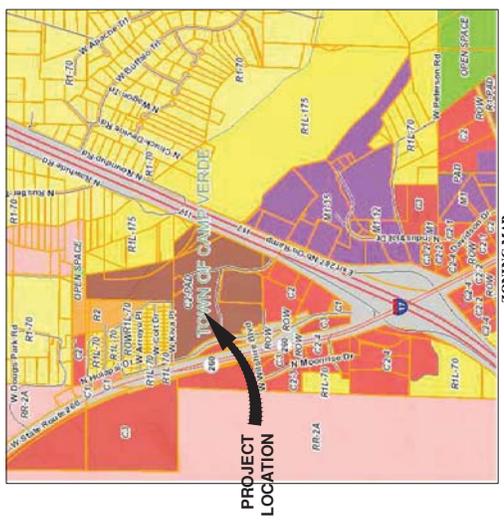
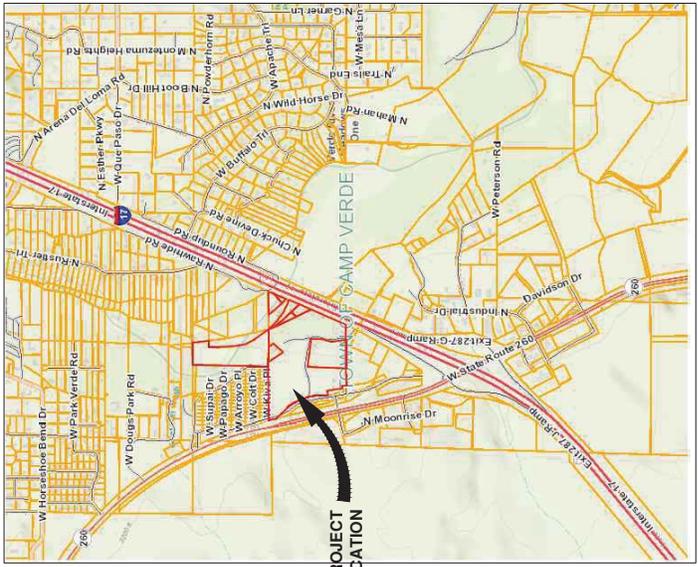
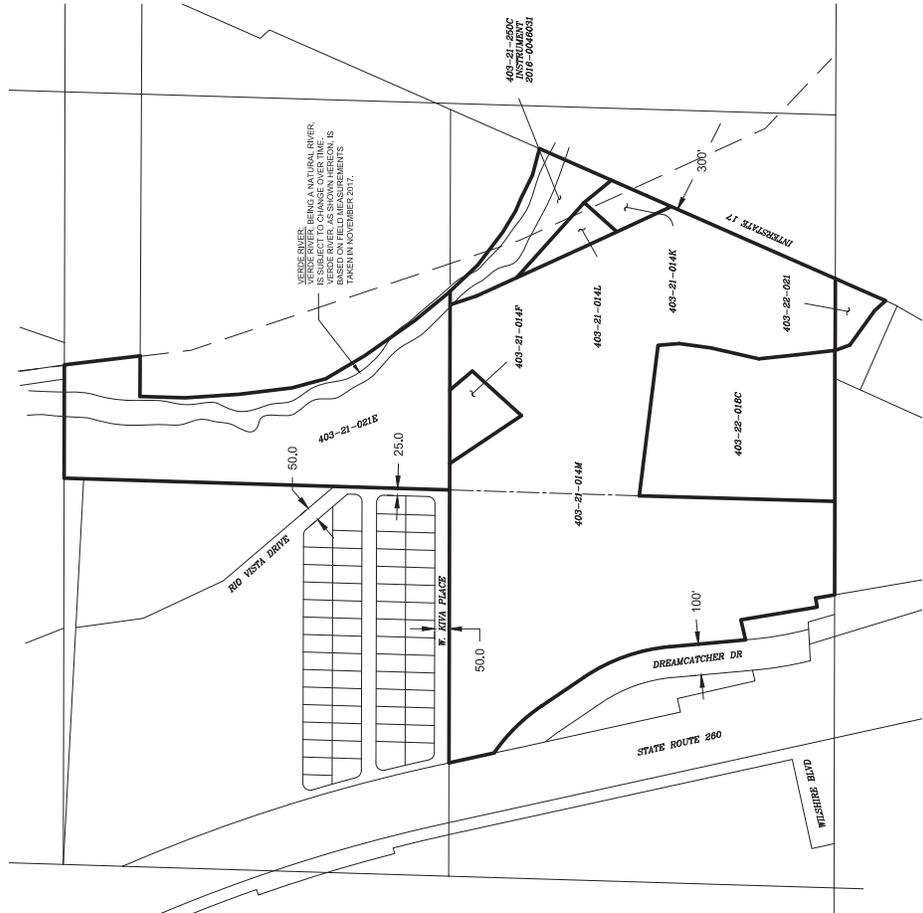
ENGINEERS/SURVEYORS
S.C. PETERSON & ASSOCIATES
825 Cove Parkway
Cottonwood, Arizona 86328
(928) 634-5889 FAX: (928) 282-0731
Registration Numbers: P.E. 49019
R.L.S. 40829

ARCHITECT
Schneiber & Associates Architects
10480 N 97th Place Scottsdale, AZ 85258
480-990-3092

LANDSCAPE DESIGNER
Scott Kozlovsky
3817th Street Unit 1
Brooklyn, NY 11215
917-576-3055

Sheet Number	Sheet Title
1	PROPOSED LAYOUT
2	SITE PLAN
3	CLUBHOUSE SITE
4	DIFFERENTIAL SURVEY
5	EXISTING UTILITIES
6	EXISTING UTILITIES
7	EXISTING UTILITIES
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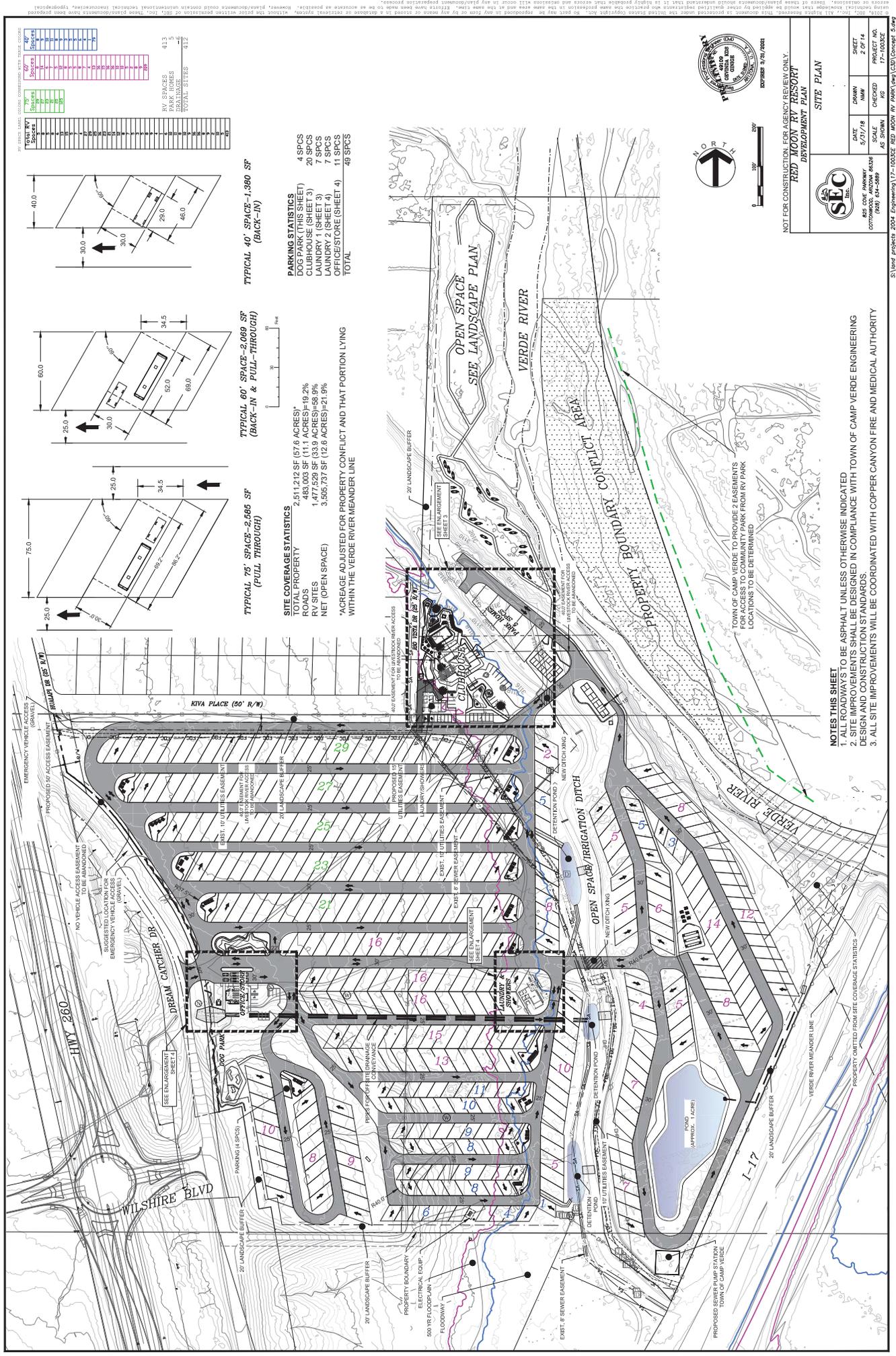
NOT FOR CONSTRUCTION FOR AGENCY REVIEW ONLY.
RED MOON RV RESORT
DEVELOPMENT PLAN
COVER



NOT FOR CONSTRUCTION FOR AGENCY REVIEW ONLY.
RED MOON RV RESORT
DEVELOPMENT PLAN
COVER

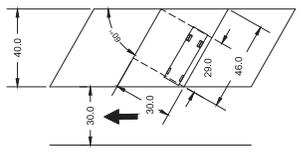
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5/21/18	NMP	AS	TOP 14	17-00352

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CONTRACT #01 282-778

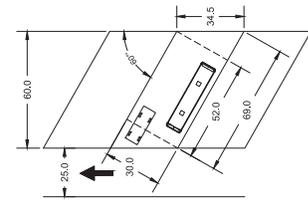


FOR SITE LAYOUT, CONSULT CONSTRUCTION WITH THESE COORDINATES

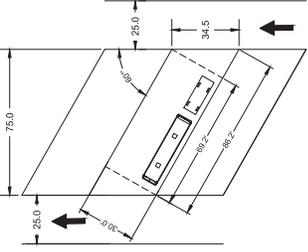
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TYPICAL 40' SPACE-1,380 SF (BACK-IN)



TYPICAL 60' SPACE-2,069 SF (BACK-IN & PULL-THROUGH)



TYPICAL 75' SPACE-2,585 SF (PULL THROUGH)

PARKING STATISTICS
 4 SPCS DOG PARK (THIS SHEET)
 20 SPCS CLUBHOUSE (SHEET 3)
 7 SPCS LAUNDRY 1 (SHEET 4)
 7 SPCS LAUNDRY 2 (SHEET 4)
 11 SPCS OFFICE/STORE (SHEET 4)
 49 SPCS TOTAL

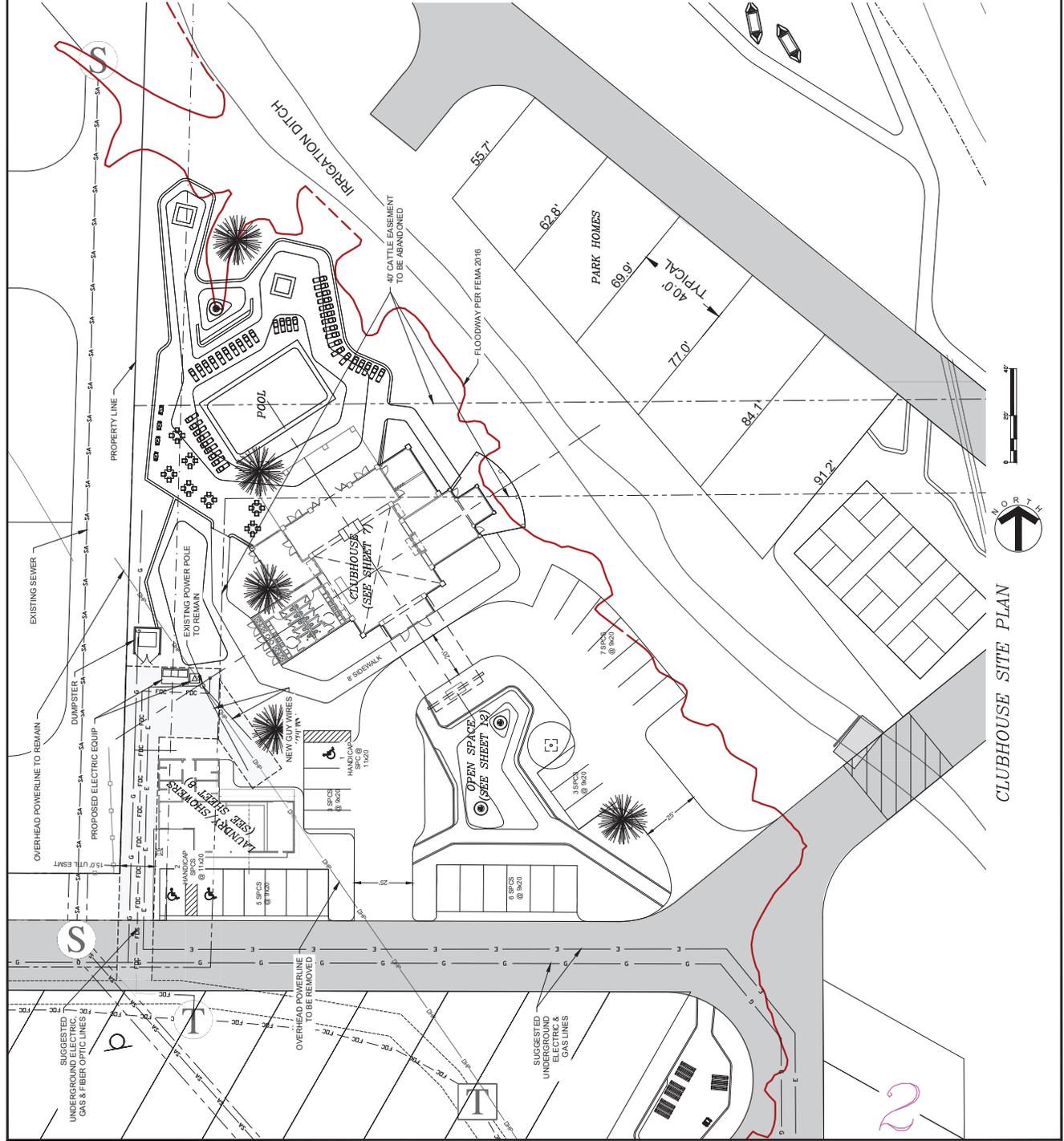
SITE COVERAGE STATISTICS
 TOTAL PROPERTY 2,511,212 SF (57.6 ACRES)
 TOTAL PAVED 483,203 SF (11.1 ACRES) ±19.2%
 TOTAL ASPHALT 1,477,929 SF (33.9 ACRES) ±56.9%
 NET (OPEN SPACE) 3,385,737 SF (12.9 ACRES) ±21.9%
 *ACREAGE ADJUSTED FOR PROPERTY CONFLICT AND THAT PORTION LYING WITHIN THE VERDE RIVER MEANDER LINE



NOT FOR CONSTRUCTION. FOR AGENCY REVIEW ONLY.
RED MOON RV RESORT
 DEVELOPMENT PLAN
 SITE PLAN

DATE	5/21/18	DRAWN	NMM	SHEET	2 OF 14
SCALE	AS SHOWN	CHECKED	AS SHOWN	PROJECT NO.	17-10002
CONTRACT NO.	64-589	NO.			

- NOTES THIS SHEET**
1. ALL ROADWAYS TO BE ASPHALT UNLESS OTHERWISE INDICATED
 2. SITE IMPROVEMENTS SHALL BE DESIGNED IN COMPLIANCE WITH TOWN OF CAMP VERDE ENGINEERING DESIGN AND CONSTRUCTION STANDARDS.
 3. ALL SITE IMPROVEMENTS WILL BE COORDINATED WITH COPPER CANYON FIRE AND MEDICAL AUTHORITY



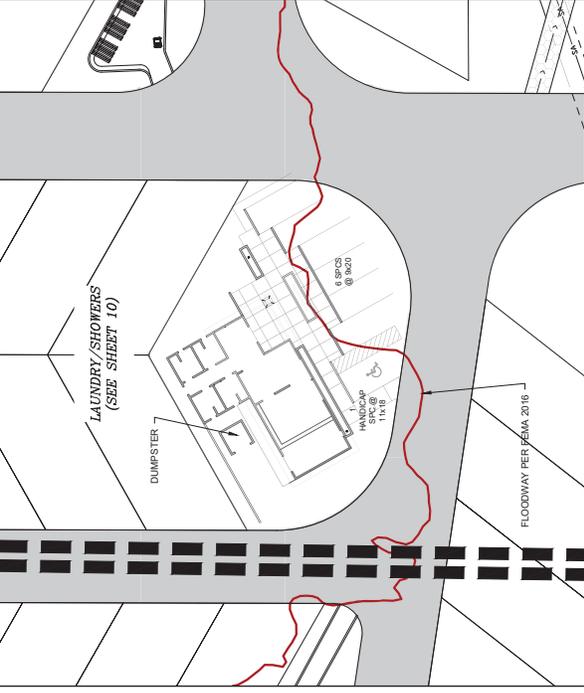
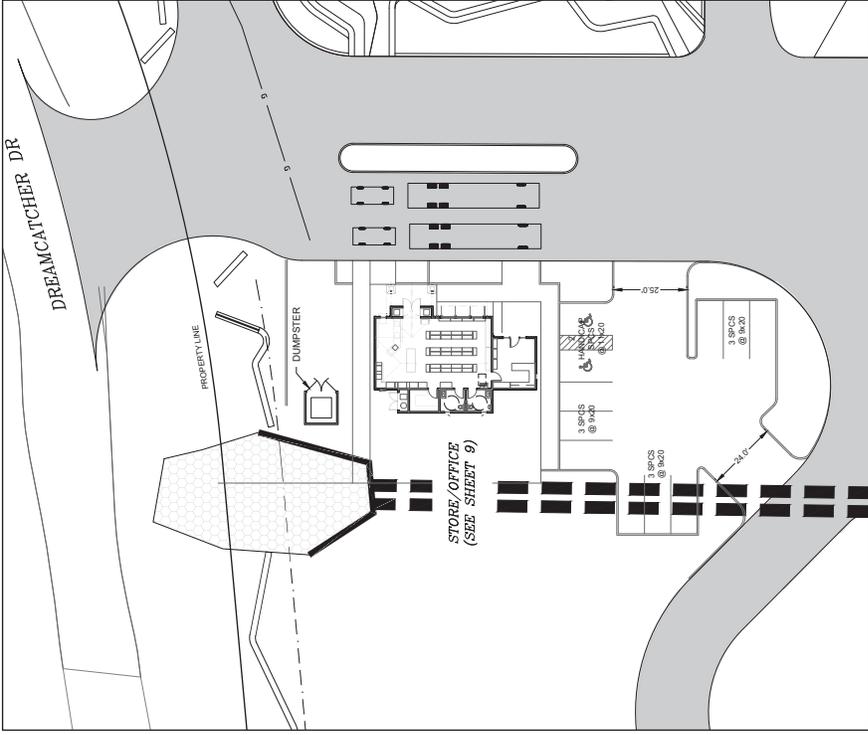
PARKING SUMMARY THIS SHEET
 7 SPCS (INCLUDES 2 HANDICAP)
 20 SPCS (INCLUDES 1 HANDICAP)



NOT FOR CONSTRUCTION. FOR AGENCY REVIEW ONLY.
 RED MOON RV RESORT
 DEVELOPMENT PLAN

DATE	5/23/18	DRAWN	NMM	SHEET	2 OF 14
SCALE	AS SHOWN	CHECKED	AS SHOWN	PROJECT NO.	17-10000
SEC INC. 825 STATE HIGHWAY 60400 CANTON, MISSISSIPPI 39041 (601) 644-5889					

SEC INC. CLUBHOUSE SITE



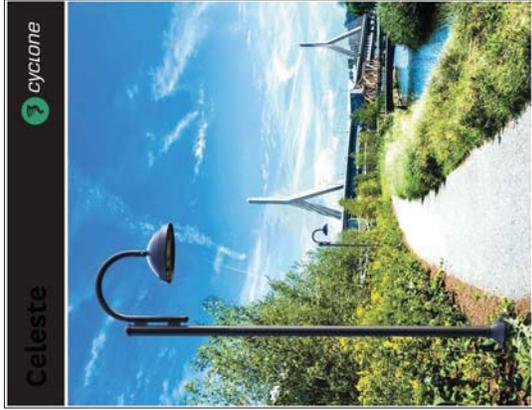
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 OFFICE/STORE 11 SPACS (INCLUDES 2 HANDICAP)



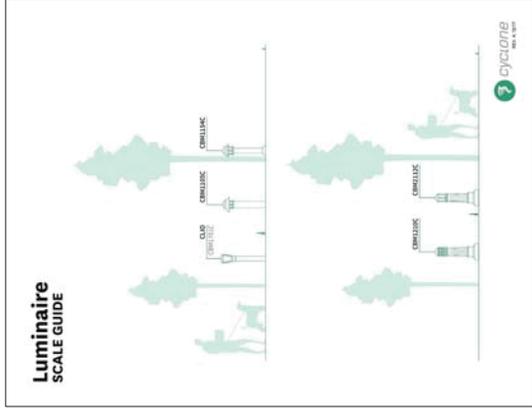
NOT FOR CONSTRUCTION FOR AGENCY REVIEW ONLY.
 RED MOON RV RESORT
 DEVELOPMENT PLAN

SEC Inc.		OFFICE & LAUNDRY SITES	
222 SOVE PARKWAY #6339 CROFTON, MD 21114-3889 (410) 634-3889	DATE 5/31/18	DRAWN NMP	SHEET 4 OF 14
	SCALE AS SHOWN	CHECKED AS SHOWN	PROJECT NO. 17-100002

SEC Inc. is not responsible for any errors or omissions in this drawing. The user of this drawing shall be responsible for verifying the accuracy of the information provided. SEC Inc. shall not be held liable for any damages, including consequential, special, or punitive damages, arising from the use of this drawing. This drawing is provided as a service to the user and is not intended to constitute an offer of any financial product or service. SEC Inc. shall not be held liable for any damages, including consequential, special, or punitive damages, arising from the use of this drawing. This drawing is provided as a service to the user and is not intended to constitute an offer of any financial product or service. SEC Inc. shall not be held liable for any damages, including consequential, special, or punitive damages, arising from the use of this drawing.



**LIGHT POLES
LOCATION PER LIGHTING PLAN**



**BOLLARD LIGHTS
ONE PER RV SITE**

NOT FOR CONSTRUCTION FOR AGENCY REVIEW ONLY.
RED MOON RV RESORT
DEVELOPMENT PLAN

SEC
INC.
800 ONE PARKWAY
COTTAGEVILLE, MD 21113

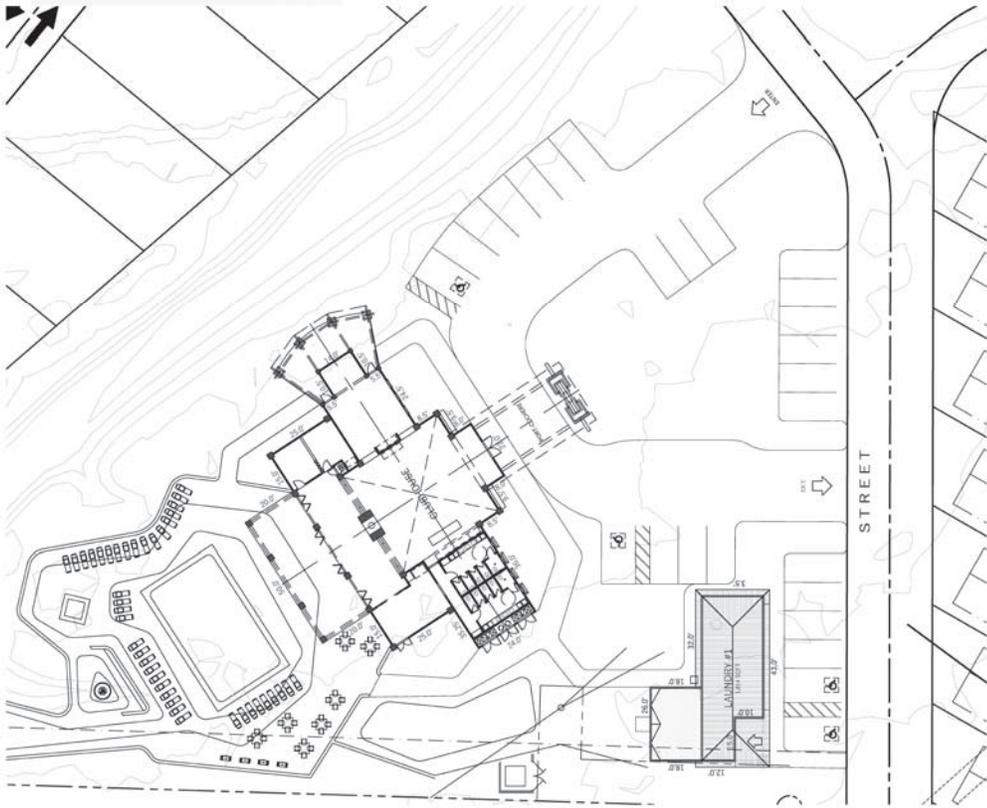
DATE	DRAWN	SHEET
5/21/18	NMP	6 OF 14
SCALE	CHECKED	PROJECT NO.
AS SHOWN	AS	17-10000

LIGHTING DETAILS

EXP. 9/21/2021

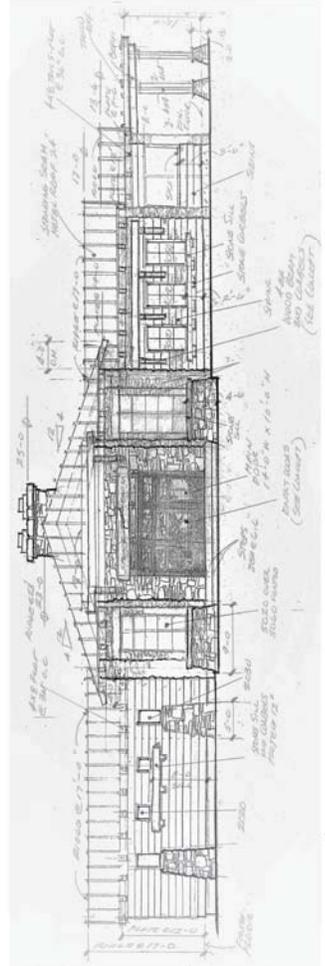


S:\land projects 2014 Engineering\17-10000 RED MOON RV PARK (copy)\17-10000 Lighting Development Plan - Submittal\Lighting.dwg

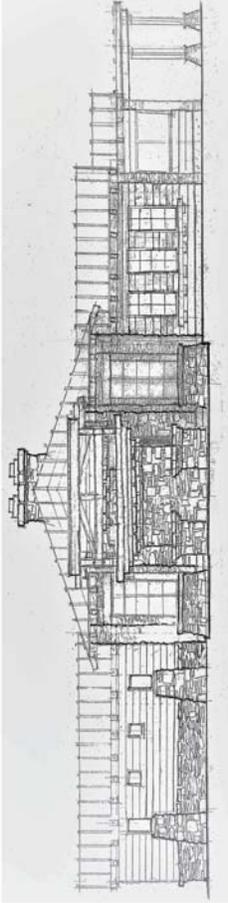


NOTE: SEE SITE PLAN FOR OVERALL DIMENSIONS.
BUILDING SIZE IS PRELIMINARY. FINAL DESIGN SHALL NOT EXCEED 10,000 SQUARE FEET

Clubhouse



Front Elevation - Noted
not to scale



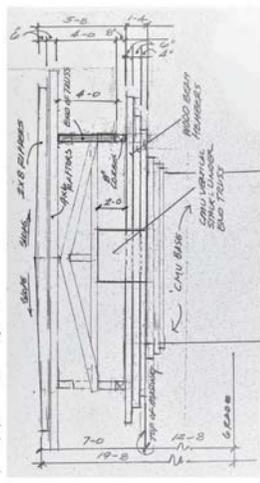
Front Elevation
not to scale



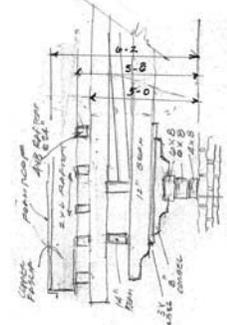
Stone Veneer Finish



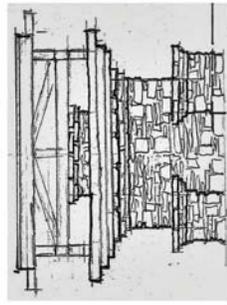
Metal Roof Finish



Truss Detail
not to scale



Truss Side Wall Detail
not to scale



Truss End Wall Detail
not to scale

DATE	REVISIONS

RED MOON - RV PARK
CAMP VERDE, ARIZONA

ARCHITECT: RICK SCHREIBER
DATE: 23 APRIL 2018



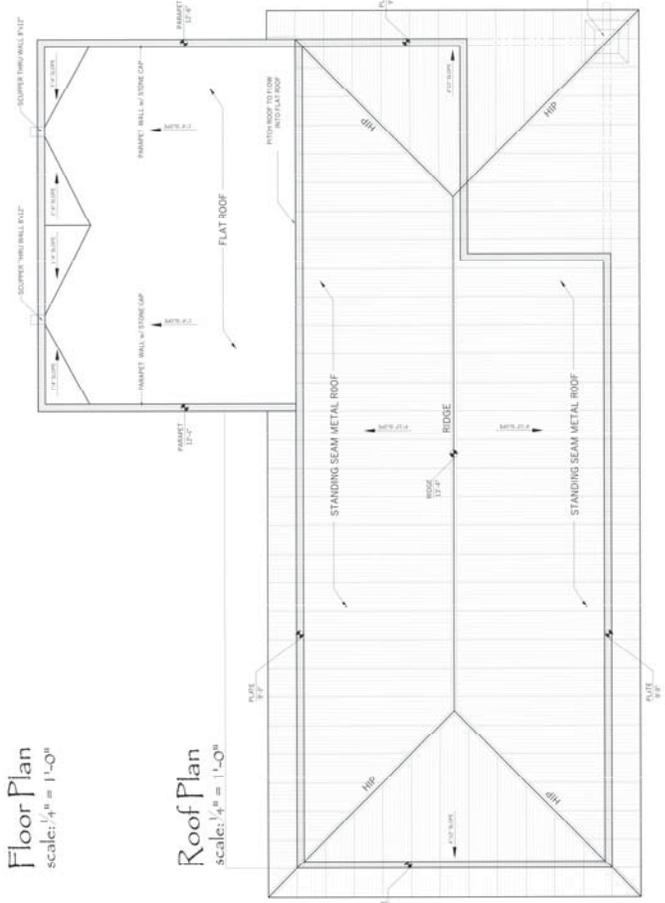
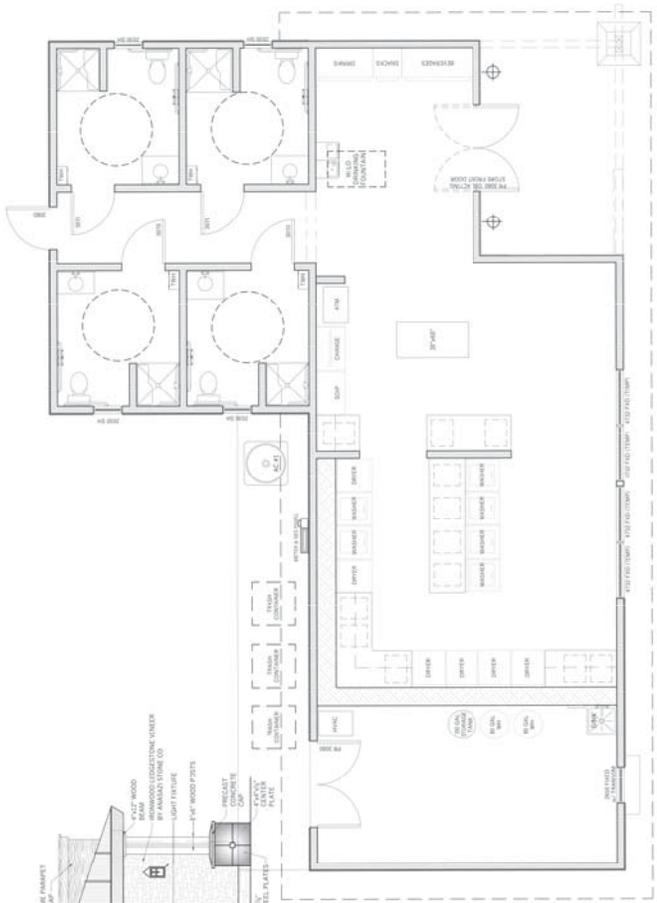
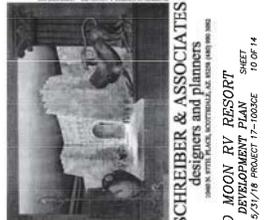
SCHREIBER & ASSOCIATES
designers and planners
1000 N. 47TH AVENUE, SUITE 100, DENVER, CO 80231
RED MOON RV RESORT
DEVELOPMENT PLAN
5/31/18 PROJECT 17-1000C SHEET 7 OF 14

DATE	REVISIONS



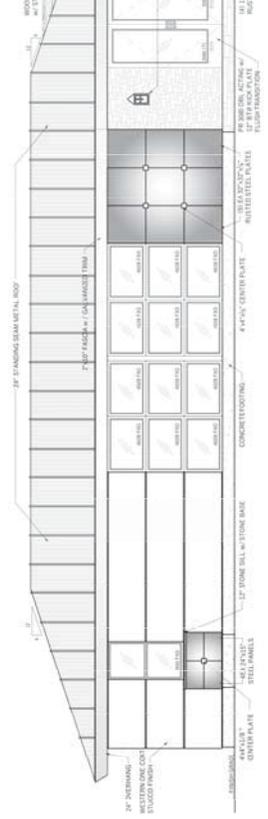
RED MOON - RV PARK
CAMP VERDE, ARIZONA

DESIGNED BY: EGB, ROCK SCHREIBER
DATE: 23 APRIL 2018



Floor Plan
scale: 1/8" = 1'-0"

Roof Plan
scale: 1/8" = 1'-0"



Front Elevation
scale: 1/4" = 1'-0"

**NOTE: SEE SITE PLAN FOR OVERALL DIMENSIONS.
BUILDING SIZE IS PRELIMINARY. FINAL
DESIGN SHALL NOT EXCEED 2,000 SQUARE
FEET**



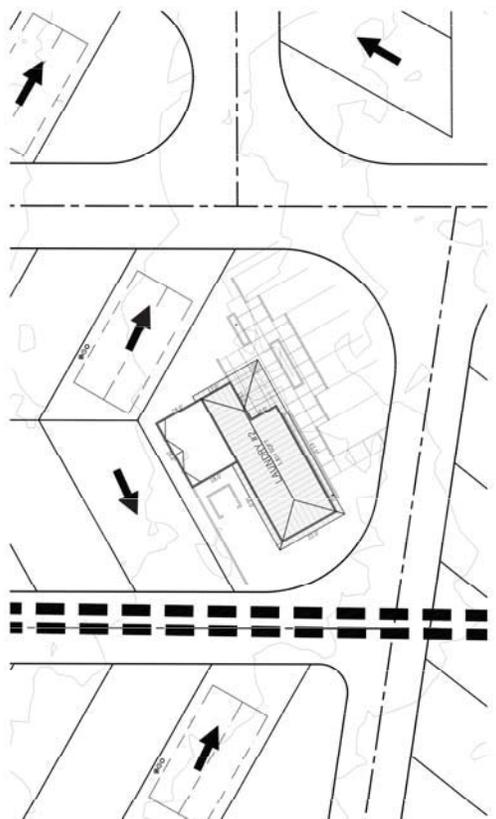
Stone Veneer Finish



Main Entry



Metal Roof Finish



Site Plan
scale: 1" = 20'-0"

Laundry #2



landscape site plan

NOT TO SCALE



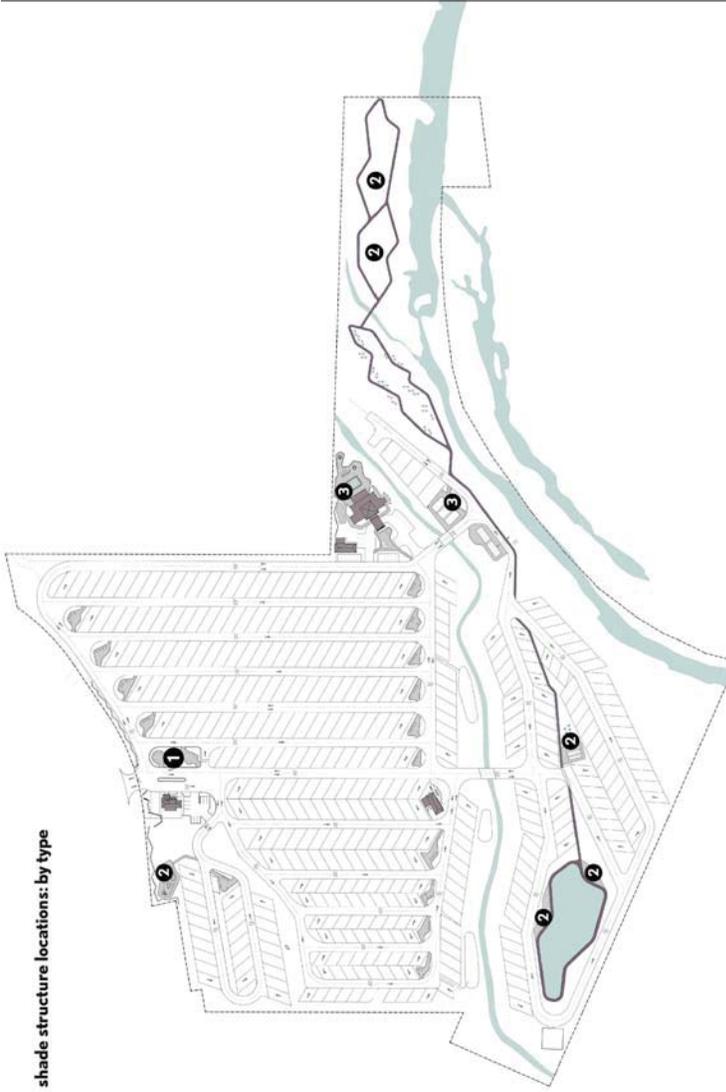
NOT FOR CONSTRUCTION FOR AGENCY REVIEW ONLY.
 RED MOON RV RESORT
 DEVELOPMENT PLAN



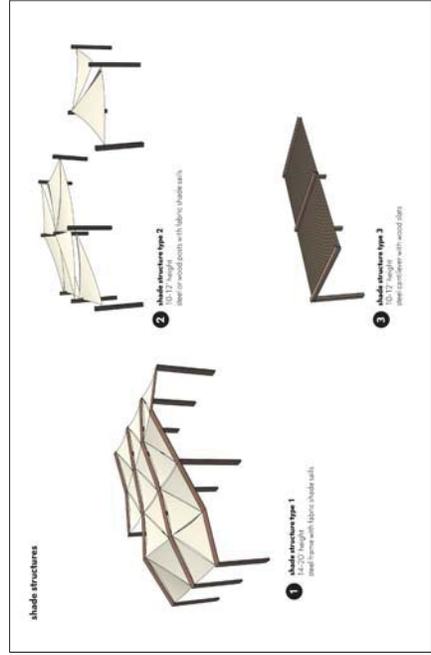
DATE	DRAWN	SHEET
5/21/18	NMP	11 OF 14
SCALE	CHECKED	PROJECT NO.
AS SHOWN	AS SHOWN	17-10002
DESIGN: SVA/PAE		

LANDSCAPE PLAN

S:\user_projects\2004_Engineering\17-10002 RED MOON RV PARK\DWG\17-10002 RED MOON RV PARK.dwg (Civil) (Landscape) Development Plan - Submitting\landscape.dwg



SHADE STRUCTURE PLAN
NOT TO SCALE



SHADE STRUCTURE DETAILS
NOT TO SCALE



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RED MOON RV RESORT
DEVELOPMENT PLAN

SEC INC.
1000 ROUTE 9W
CANTON, NY 14727-7787
PHONE: 815-386-7787

DATE	DRAWN	SHEET
5/31/18	NMP	12 OF 14
SCALE	CHECKED	PROJECT NO.
AS SHOWN	AS SHOWN	17-10002E

SHADE STRUCTURES

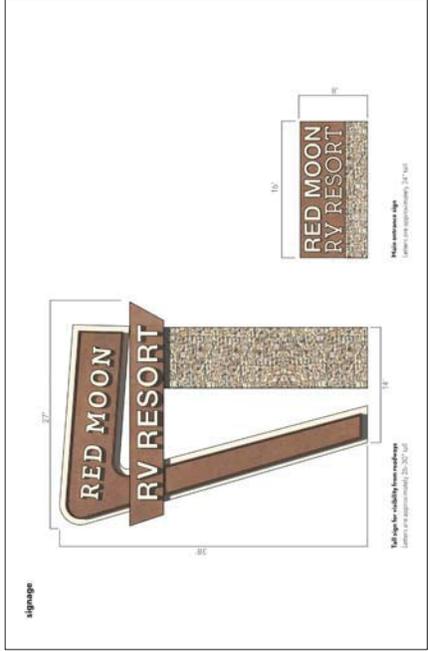


signage locations

tall freeway sign

entrance sign

SIGN PLAN
NOT TO SCALE



signage

SIGNS
NOT TO SCALE

ALL SIGNS WILL BE PER TOWN OF CAMP VERDE SIGN CODE REQUIREMENTS.

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RED MOON RV RESORT
DEVELOPMENT PLAN

SHEET		PROJECT NO.	
DATE	DRAWN	CHECKED	SHEET
5/31/18	NMP	AS SHOWN	14 OF 14
SCALE	CHECKED	AS SHOWN	17-1000E
AS SHOWN	AS SHOWN	AS SHOWN	17-1000E



17-1000E RED MOON RV RESORT (REV) (C3) (Enbata Development Plan - Submitting) (enbata.com)