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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, JULY 26, 2017 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.** Council Members: Jackie Baker, Buck Buchanan, Dee Jenkins, Brad Gordon, 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) Work Session – July 7, 2017
 - b) **Set Next Meeting, Date and Time:**
 - 1) Wednesday, August 2, 2017 at 6:30 p.m. – Regular Session
 - 2) Friday, August 11, 2017 at 9:00 a.m. – Work Session
 - 3) Wednesday, August 16, 2017 at 6:30 p.m. – Regular Session
 - 4) Wednesday, August 23, 2017 at 6:30 p.m. – Council Hears Planning & Zoning – Cancelled due to AZ League Conference
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. Commission/Board (Planning and Zoning Commission and Board of Adjustment and Appeals) Quarterly Reports for April-June 2017.

7.2. Discussion, consideration and possible approval authorizing extension of High View LLC Mining Conditional Use Permit 20150033 until May 3, 2018.

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7.3. Possible approval or denial for an Ordinance (Ordinance 2017-A424) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Town zoning map to change the zoning classification of an approximately 7.71 acre parcel, located at 536 W. Salt Mine Rd, APN 404-28-032B, from R1L-35 (residential: single family limited, 35,000-square-foot minimum lot size) District to R-R (residential-rural) District; and providing that this ordinance shall be effective thirty (30) days after its passage and approval according to law.

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7.4. Possible approval or denial for a Resolution (Resolution 2017-982) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on Use Permit 20170168, an application submitted by Kevin Norton, owner of Salt Mine Winery, Parcel 404-28-032B, located at 536 W. Salt Mine Rd which is approximately 7.71 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (residential-rural) for the purpose of sampling and selling wine produced on the property and vineyard tours.

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7.5. Possible approval (or denial) for an Ordinance (Ordinance 2017-A425) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Town of Camp Verde Planning & Zoning Ordinance by adding a new Section 312, "Shipping Containers" to Part 3, General Regulations/Provisions and a new definition for "Shipping Container" under Part One, Section 103 (Definition of Terms); this amendment will allow for the use of shipping containers for storage as specified; and providing that this ordinance shall be effective thirty (30) days after its passage and approval according to law

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: _____ Date/Time: _____
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 928-554-0023

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.

- Bashas's Community Board
- Town Hall
- Website

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DRAFT MINUTES
WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
FRIDAY, JULY 7, 2017 at 8:00 A.M.

1. **Call to Order**

Mayor German called the meeting to order at 8:00 a.m.

2. **Roll Call**

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

Also Present

Town Manager Russ Martin, Public Works Ron Long and Mike Marshall, Finance Director Michael Showers, Andrew Baird (Kimley –Horn), Town Clerk Judy Morgan, and Recording Secretary Lynn Riordan.

Town Manager Russ Martin introduced the new Town Clerk, Judy Morgan, and welcomed her aboard.

3. **Pledge of Allegiance**

Mayor German led the Pledge of Allegiance.

4. **Discussion regarding the proposed Community Park located off of McCracken, to include but not limited to scope, size, cost, timetable and possible financing options.**

Direction to Staff: It was the consensus of the Mayor and Town Council to direct the Town Manager and Finance Director to seek out and secure financing to complete the first two stages - \$4.0 to 4.35 million - of the proposed Community Park Options (includes STAGE ONE site preparation, grading, drainage, utility infrastructure, main onsite roadway – AB surface, trail system reservoir pond with piping and plumbing, paved entry roads – with low water crossing and STAGE TWO complete park design including bid/construction ready plan set), with a proposed / potential package to lock-in low interest rates for additional funding (up to \$8 million) for future use to complete the project if necessary. Staff to provide the Mayor and Council with accurate project costs and costs of financing prior to finalizing financing package.

Discussion: Town Manager Russ Martin provided the Mayor and Council with a hand-out that outlined the four proposed stages, estimated costs and timelines based on the engineer's estimates, to complete the Community Park. Mr. Martin requested direction from the Mayor and Council with respect to proceeding with this project. Councilor Gordon stated concerns with drainage and site plans, to avoid post construction drainage problems and potential damage, stating support to commit to seek financing for the first two stages, thereafter, seeking out donations, grants and additional funding or bonding as determined necessary. Councilor Baker, concurred with Councilor Gordon, and stated she may support a proposed bond issue being placed on the ballot for the residents to make the determination how much would be spent in completing the Park. Councilor Baker also stated concerns about the potential increase in traffic as no traffic signals are planned and there may be an increase in traffic in the residential area (secondary entrance. Vice Mayor Murdock requested additional information regarding the cost of each completed ball-field. Vice Mayor Murdock inquired about the possibility of having the undeveloped areas (both pending completion and the exterior areas after completion) being seeded for grass or installation of sod to allow public use.

Upon inquiries of Council, Mr. Martin, Mr. Long and Mr. Marshall gave an overview of the engineer's costs estimates in four stages, (Community Park Options "Menu"), advising that the engineer's costs do not include additional maintenance and/or parks and recreation employees; upon completion of Stages 1 and 2 the Town and citizens could consider forming a 501c3 non-profit organization for donations (money, services, materials, and labor); the primary entrance will require a low water crossing, with the secondary entrance (off McCracken) being used only as necessary – with appropriate signage; the park will be designed to allow both foot and vehicle access to the trailheads, wetland and the pond; estimated costs (after completion of Stages 1 and 2) for each completed ball field is \$750,000; anticipated time line for completion through Stage 4 is 2 years, if Stages 1 and 2 can be put out for bid this fall. After completion of

Stages 1 and 2, staff will solicit donations and apply for grants before considering borrowing additional funds or placing a bond issue on the ballot. It is anticipated that if the park is financed through a bond, it would increase property tax by 1.0 to 1.6% (based on \$100,000 property value - average of 6 to 7 dollars per month per 1 million borrowed). Full build-out of the park is estimated to cost 14 to 17 million, which will include the community center.

Mr. Martin and Mr. Marshall advised that the effluent water for the pond should be approved as A+ (ADEQ) this fall, noting that the well can be used for irrigation pending the ADEQ A+ approval. Construction and planting of the sod farm will start this fall.

Andrew Baird, Kimley Horn (design group) addressed the Mayor and Council stating he believes this 120 acre park will greatly benefit the community, and he is looking forward to work with the Town to develop this park.

Adjournment. Mayor German, with no objection from Council, pronounced the meeting adjourned at 9:56 a.m.

Charles German, Mayor

Judy Morgan, Town Clerk

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, Mayor and Common Council of the Town Council of Camp Verde, Arizona, held on July 7, 2017. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2017.

Lynn Riordan, Recording Secretary

QUARTERLY REPORT
Planning and Zoning Commission
April – June 2017

SCHEDULED MEETINGS: 6

April 6, 2017: CANCELLED

April 13, 2017: CANCELLED

May 4, 2017: Work Session & Regular Meeting

Present: Davis, Helm, Freeman, Blue, Norton, Hisrich

Absent: Willis (resigned)

May 11, 2017: CANCELLED

June 1, 2017: CANCELLED

June 8, 2017: Special Session & Public Hearing

Present: Helm, Blue, Hisrich, Norton

Absent: Davis, Freeman

Vacancies: 1

WORK SESSIONS: 1

May 4, 2017 Work Session Discussion:

- a. Potential Text Amendments to Planning & Zoning Ordinance:
 - 1. Redefining “PUD” to “PAD”, with amendments to zoning district elements
 - 2. Redefining Accessory Dwelling Units, Hotels, Bed & Breakfasts, and Rooming & Boarding Houses, with amendments to zoning district elements
 - 3. Implement and define use of Metal Storage Containers, with amendments to zoning district elements
 - 4. Adoption of a Community Facilities (CF) District, with defined zoning district elements
 - 5. Clarification of Administrative Decisions for setbacks on Non-Conforming lots
 - 6. Amendments to Zoning District Dimensional Standards regarding minimum lot area densities
 - 7. Amendment to Suffix District definition
 - 8. Amendment to Mobile/Manufactured Home and Recreational Park Standards

REGULAR MEETINGS, SPECIAL SESSIONS & PUBLIC HEARINGS: 1

May 4, 2017 Regular Meeting Discussion:

- a. Quarterly Report for January – March 2017
- b. Upcoming Discussion Items for Town Code Amendments
 - 1. Sign Code; currently receiving public input via meetings, workshops, survey
 - 2. Dark Skies Ordinance update to comply with International Dark Skies Designation

June 8, 2017 Public Hearing Discussion:

- a. Proposed Text Amendment for the Planning & Zoning Ordinance:
 - 1. TOC, Part 1 Section
 - 2. 102 – Applicability and Exemptions

3. Section 103 – Definitions, Part 2
4. Section 203 – Use Districts, amending regulatory criteria for Subsection A, B, C, D, E, F, G, H, L, N
5. Adding a new Section O, CF Community Facilities
6. Section 204 – Use District Regulatory Criteria
7. Section 306 – Mobile/Manufactured Home Parks
8. Section 307 – Golf Course Development Environmental Standards
9. Adding a new Section 311 – Shipping Containers
10. Adding a new Section 312 – Accessory Dwelling Unit
11. Section 402 – Development Compatibility, Protection and Appearance
12. Section 403 – Off-Street Parking and Loading
13. Section 503 – Subdivisions – General Provisions
14. Section 508 – Subdivision Design
15. Section 601 – Zoning Decisions

June 8, 2017 Special Session Discussion:

No items were discussed during this portion of the meeting.

THE FOLLOWING RECOMMENDATIONS WERE MADE TO COUNCIL:

- a. Recommended approval of the Proposed Text Amendment, as amended, for the Planning & Zoning Ordinance:
 1. TOC, Part 1
 2. Section 102 – Applicability and Exemptions
 3. Section 103 – Definitions, Part 2
 4. Section 203 – Use Districts, amending regulatory criteria for Subsection A, B, C, D, E, F, G, H, L, N
 5. Adding a new Section O, CF Community Facilities
 6. Section 204 – Use District Regulatory Criteria
 7. Section 306 – Mobile/Manufactured Home Parks
 8. Section 307 – Golf Course Development Environmental Standards
 9. Adding a new Section 312 – Accessory Dwelling Unit
 10. Section 402 – Development Compatibility, Protection and Appearance
 11. Section 403 – Off-Street Parking and Loading
 12. Section 503 – Subdivisions – General Provisions
 13. Section 508 – Subdivision Design
 14. Section 601 – Zoning Decisions

THE FOLLOWING ITEMS WERE TABLED BY THE COMMISSION:

- a. Requested this item be discussed at the next meeting, to allow more Commission members to be present:
 1. Adding a new Section 311 – Shipping Containers

THE FOLLOWING ITEMS WERE DISCUSSED IN JOINT WORK SESSIONS WITH COUNCIL:

There were no Joint Work Sessions scheduled this quarter

THE FOLLOWING SPECIAL PRESENTATIONS WERE HEARD BY THE COMMISSION:

There were no Special Presentations before the Commission.

COMMENTS:

There were no additional comments provided to the Commission.

Reviewed by the Planning and Zoning Commission at their July 6, 2017 Regular Session.

B.J. Davis, Chairman

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DRAFT
QUARTERLY REPORT
Board of Adjustments & Appeals
April – June 2017

REGULARLY SCHEDULED MEETINGS as needed: **0**

April 4, 2017 – Ratification & Special Session

Ratification of Actions for March 2017 Meeting

Variance Application Review

April 11, 2017 – Regular Session

CANCELLED, BUSINESS RESCHEDULED TO 4/4/17

May 9, 2017 – Regular Session

CANCELLED, NO BUSINESS BEFORE THE BOARD

June 13, 2017 – Regular Session

CANCELLED, NO BUSINESS BEFORE THE BOARD

SPECIAL SESSION MEETINGS: **0**

WORK SESSIONS: **0**

THE FOLLOWING APPLICATIONS WERE APPROVED:

There were no applications approved.

THE FOLLOWING APPEAL WAS DENIED:

There were no appeals denied.

THE FOLLOWING APPLICATIONS WERE DENIED:

There were no application denied.

THE FOLLOWING ITEMS WERE DISCUSSED BY BOARD:

Variance Application by Tod Christensen was pulled from the agenda at the request of Carmen Howard, Community Development Director. It was determined the request could be processed by an administrative action.

THE FOLLOWING ITEMS WERE DISCUSSED IN WORK SESSIONS:

There were no items discussed in work sessions.

THE FOLLOWING PRESENTATIONS WERE HEARD BY THE BOARD:

The actions from the March 2017 meeting required ratification due to improper posting procedures.

TRAINING:

There was no training.

COMMENTS:

The timing of Ratification required the rescheduling of the April Board of Adjustments & Appeals meeting to an earlier date.

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Exhibit A - Agenda Item Submission Form – Section I

Meeting Date: July 26, 2017

- 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): Discussion, consideration and possible approval authorizing extension of High View LLC Mining Conditional Use Permit 20150033 until May 3, 2018.

List Attached Documents:

1. Resolution 2015-939
2. SWPPP Plan
3. Temporary Use Permit Application

Estimated Presentation Time: 10

Estimated Discussion Time: 20

Reviews Completed by:

Department Head:

Carmen Howard, Community Dev Director and Troy Odell, Deputy Public Works Director

Town Attorney Comments:

Finance Department

Background Information:

An application for Use Permit #20150033, to mine, quarry and extract natural resources from the subject parcel was filed by Joe Link, Agent for Altman Land & Cattle III & IV, LLC. The owner of parcels 403-15-002Y & 403-15-003C, located on State Route 260 at milepost 214.27. Use Permit #20150033 was approved and issued by the Town Council on April 22, 2015. The Use Permit was approved after receiving a favorable recommendation by the Planning and Zoning Commission with conditions (see attached copy of Resolution 2015-939). A request to transfer the Mining Use Permit from Aultman Land & Cattle to High View LLC was received on May 1, 2015 with no changes in conditions and approved by the Town Council on May 6, 2015. Condition 4. of the Use Permit States:

"4. The term of this Use Permit shall be year to year, with the total number of years capped at ten (10), such that the Use Permit expires on the tenth (10th) anniversary date of the Notice to Implement the Use Permit. On or about each anniversary date of the Notice to Implement the Use Permit the Use Permit shall be reviewed by Council to determine compliance with all federal, state, county, Town and other local laws (collectively, "Laws and Regulations"). If during the twelve month period prior to such review the Applicant's use of the Property pursuant to this Use Permit has violated any Laws and Regulations, the Town Council may revoke the Use Permit as allowed pursuant to Town Code Section 9-4-5.B. This annual review shall occur on each anniversary date of the Notice to Implement the Use Permit until the ninth (9th) anniversary date. On the tenth (10th) anniversary date of the Notice to Implement the Use Permit the Use Permit will expire (the "Use Permit Expiration Date"). If the Applicant wishes to renew the Use Permit and not have any interruption with the mining process, the Applicant must submit an application for a new Use Permit at least 8 months prior to the Use Permit Expiration Date. There is no guaranty that any subsequent Use Permit will be approved by Council and will be decided upon the prior years of operation and adherence to the conditions for the approval of the Use Permit or any new impacts to the surrounding properties."

Staff recommends and requests Council approval to extend the Use Permit for a year or May 3, 2018. The Use Permit date of implementation is May 3, 2016. High View LLC is currently operating a temporary site outside of the permanent use and site approvals of Use Permit 20150033 to provide aggregate materials for the Hwy 260 roadway project. Deputy Public Works Director Troy Odell and Community Development Director Carmen Howard have been working with High View to comply with site requirements until which time as High View will be developing their permanent site as Use Permit 20150033.

Recommended Action (Motion):

A MOTION TO APPROVE (OR DENY) EXTENSION OF HIGH VIEW LLC MINING CONDITIONAL USE PERMIT 20150033 UNTIL MAY 3, 2018.



RESOLUTION 2015-939

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE (“TOWN”), ARIZONA, YAVAPAI COUNTY, ON USE PERMIT 20150033, AN APPLICATION SUBMITTED BY JOE LINK – AGENT FOR OWNER AULTMAN LAND & CATTLE III & IV, LLC OF A PORTION OF PARCEL 403-15-002Y, AND A PORTION OF 403-15-003C. THE USE PERMIT WILL ALLOW AN OPERATION THAT WILL MINE, QUARRY AND EXTRACT NATURAL RESOURCES FROM THE PROPERTY WHICH WILL BE A TOTAL OF 195.33 ACRES. THE PROPERTY IS LOCATED ON STATE ROUTE 260 AT MILEPOST 214.27 ON PARCELS 403-15-002Y & 403-15-003C.

The Common Council and the Town of Camp Verde hereby resolves as follows:

1. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 20150033 was filed by Mr. Joe Link - Agent for Altman Land & Cattle III & IV, LLC owner of parcels 403-15-002Y & 403-15-003C (“Property”), located on State Route 260 at milepost 214.27.
 - B. Per Article 9-4-3, Item 1 of the Town of Camp Verde Town Code: **The establishment or expansion of mining or quarrying operations may occur in any zoning district if the Council approves a Conditional Use Permit.**
 - C. The request was reviewed by the Planning and Zoning Commission on April 2, 2015 and by the Common Council on April 22, 2015 in public hearings that were advertised and posted according to state law.
 - D. A neighborhood meeting was held on March 2, 2015 by the Owner as required by the Town of Camp Verde Planning & Zoning Ordinance, Part 6, Section 601 (Zoning Decisions) A.3.a-e. This meeting also met the requirements of Part Eight, Section 806.1.h of the Town of Camp Verde Planning & Zoning Ordinance.
 - E. The purpose of the Use Permit is to allow for commercial or industrial operations involving extraction, removal, processing, quarrying or transportation of natural resources and related products, and the storage, stockpiling, distribution and sale thereof from the site where such resources were derived. Such operations include the extraction, removal and the delivery of the product off-site, of natural resources for monetary gain, regardless of the size of the site or the volume of extraction.
 - F. This Use Permit is not an approval by the Town of any use or activity that is prohibited by any other governmental agency or private covenant.
 - G. 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

1.

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 Code.

The Common Council of the Town of Camp Verde hereby resolves as follows:

(Conditions of Approval)

1. A bond is to be posted in the amount of reclamation as estimated by an Arizona Registered Civil Engineer and that this bond is to remain in effect until such time that the Town releases the bond. The bond shall remain effective until after the completion of all reclamation required pursuant to the Excavation & Reclamation Plan pursuant to Section 5 of this Use Permit. Also the Town needs to be listed as the single beneficiary of the bond or as determined by the Town Attorney.

2. The Use Permit may not be implemented until all required permits and approvals are obtained from all applicable county, state and federal agencies. A time frame of one year shall be allowed the Applicant to obtain all permits and approvals before implementation. If prior to the anniversary date of the issuance of this Use Permit all such permits and approvals have not been obtained, the Applicant shall resubmit the Use Permit to Council review and approval per Section 9-4-5, Item A (Subsequent Review and Expirations of Permits), which review and approval is subject to the sole discretion of the Town Council.

3. Once all other agency permits have been submitted to the satisfaction of staff, a final Engineer's Cost Estimate of the total restoration of the site per an updated Excavation and Reclamation Plan will be required and reviewed by staff and once an administrative approval has been reached by the Town Engineer, Community Development Director and the Town Attorney a **Notice to Implement the Use Permit** shall be issued to the Applicant and the Applicant can begin mining operations. Per Section 9-4-4, Item B (Implementation of Use Permit) of the Town Code.

4. The term of this Use Permit shall be year to year, with the total number of years capped at ten (10), such that the Use Permit expires on the tenth (10th) anniversary date of the Notice to Implement the Use Permit. On or about each anniversary date of the Notice to Implement the Use Permit the Use Permit shall be reviewed by Council to determine compliance with all federal, state, county, Town and other local laws (collectively, "Laws and Regulations"). If during the twelve month period prior to such review the Applicant's use of the Property pursuant to this Use Permit has violated any Laws and Regulations, the Town Council may revoke the Use Permit as allowed pursuant to Town Code Section 9-4-5.B. This annual review shall occur on each anniversary date of the Notice to Implement the Use Permit until the ninth (9th) anniversary date. On the tenth (10th) anniversary date of the Notice to Implement the Use Permit the Use Permit will expire (the "Use Permit Expiration Date"). If the Applicant wishes to renew the Use Permit and not have any interruption with the mining process, the Applicant must submit an application for a new Use Permit at least 8 months prior to the Use Permit Expiration Date. There is no guaranty that any subsequent Use Permit will be approved by Council and will be decided upon the prior years of operation and adherence to the conditions for the approval of the Use Permit or any new impacts to the surrounding properties.

2.

5. At the time that the Use Permit holder deems that all mining will cease, due to the depletion of aggregate resources, the permit holder will submit to the Town of Camp Verde Community Development Department a notice advising of the projected date of cessation of all mining. Reclamation of the area subject to this Use Permit must be completed within one year from the notice advising the Town of cessation of all mining or the Town will withdraw the provided assurances and complete the reclamation per the currently staff approved "Excavation & Reclamation Plan".

6. For all access points from Highway 260 into the mining area, as defined on the approved Site Plan and the Excavation & Reclamation Plan for the Use Permit, the Use Permit holder shall install a vehicle turn around culdesac having a minimum of a 50 feet radius. The culdesacs shall be situated at the access security gates on the Highway 260 side. These security gates are to have a Knox box for emergency responders and are to be located inside the mining property so that proper grading can be accomplished.

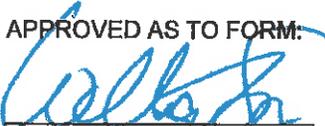
7. Per Section 9-4-4 (General Regulations) Item A.2 (SETBACKS) of the Town Code: "The setback requirements of mining or quarrying operations will be a maximum of 300 feet from the property line. However, Council will regulate the setback requirement on a case-by-case basis as determined by, but not limited to, topography and adjacent land uses." Therefore, the setbacks will stand as shown and approved on the EXCAVATION AND RECLAMATION PLAN as approved with Use Permit 20150033 by a Majority Vote of the Common Council on April 22, 2015. The setbacks for mining areas that may lie within the proposed additional right of way needed by ADOT for the State Route 260 Highway widening project shall be adjusted so that a minimum setback of 20 feet from the additional ADOT right of way is established.

The Common Council of the Town of Camp Verde hereby approves Use Permit 20150033 for the purpose of Mining on Parcel 403-15-002Y and a portion of parcel 403-15-003C in the specified location as shown on the submitted site plan and per the conditions of approval listed above under items 1-7 of this Resolution.

PASSED AND ADOPTED BY MAJORITY VOTE OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON April 22, 2015 WHICH DATE WILL BE KNOWN AS THE USE PERMIT ISSUANCE DATE.


Charles German – Mayor

5-5-2015
Date

APPROVED AS TO FORM:

Bill Sims – Town Attorney

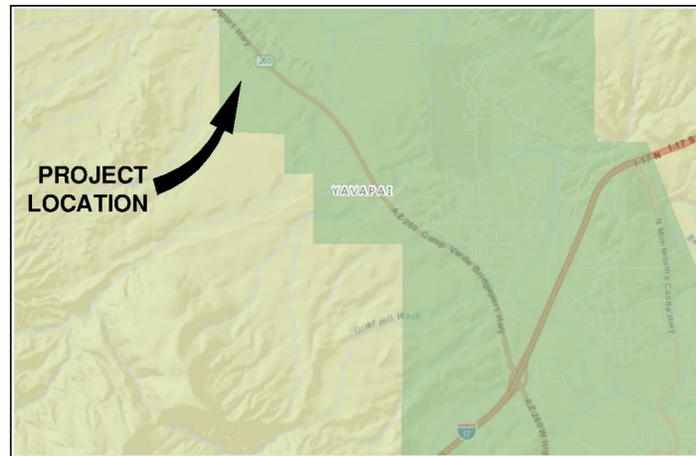
Attest: 
Virginia Jones, Town Clerk

3.

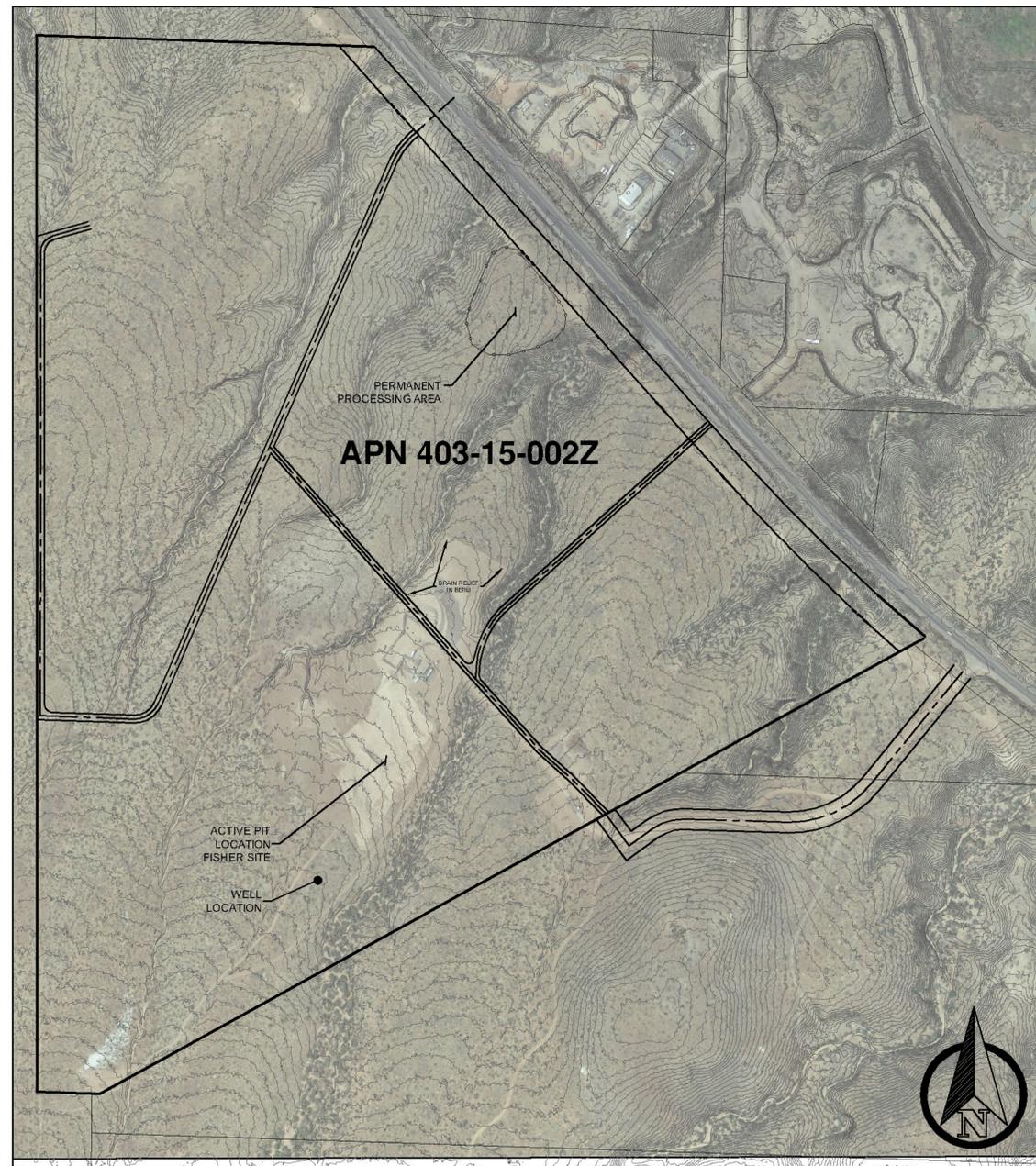
SAND & GRAVEL MINING OPERATION

STORMWATER POLLUTION PREVENTION PLAN

LOCATED WITHIN A PORTION OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE, WITHIN THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA



VICINITY MAP
NOT TO SCALE



SHEET INDEX

- C-1 COVER SHEET
- C-2 SWPPP
- C-3 STANDARD DETAILS

CONTACT INFORMATION

OWNER: JOHN HARRIS
HIGH VIEW LLC
P.O. BOX 3270
CAMP VERDE, ARIZONA 86322

CIVIL ENGINEER: SEFTON ENGINEERING CONSULTANTS
20 STUTZ BEARCAT DRIVE #8
SEDONA, ARIZONA 86336
PHONE: (928) 202-3999
LUKE A. SEFTON, P.E.
TIMOTHY HUSKETT, P.E.

SURVEYOR: SEFTON ENGINEERING CONSULTANTS
20 STUTZ BEARCAT DRIVE #8
SEDONA, ARIZONA 86336
PHONE: (928) 202-3999
DUGAN MCDONALD, R.L.S.

CONTRACTOR: JACOB WACHA, ON-SITE SUPERINTENDENT
FISHER SAND AND GRAVEL COMPANY
1302 W. DRIVERS WAY
TEMPE, ARIZONA 85284
PHONE: (480) 250-3848

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LS@SEFENGCO.COM

COVER

HIGH VIEW

SHEET TITLE:

PROJECT TITLE:

DRAWN BY: T.C.H.

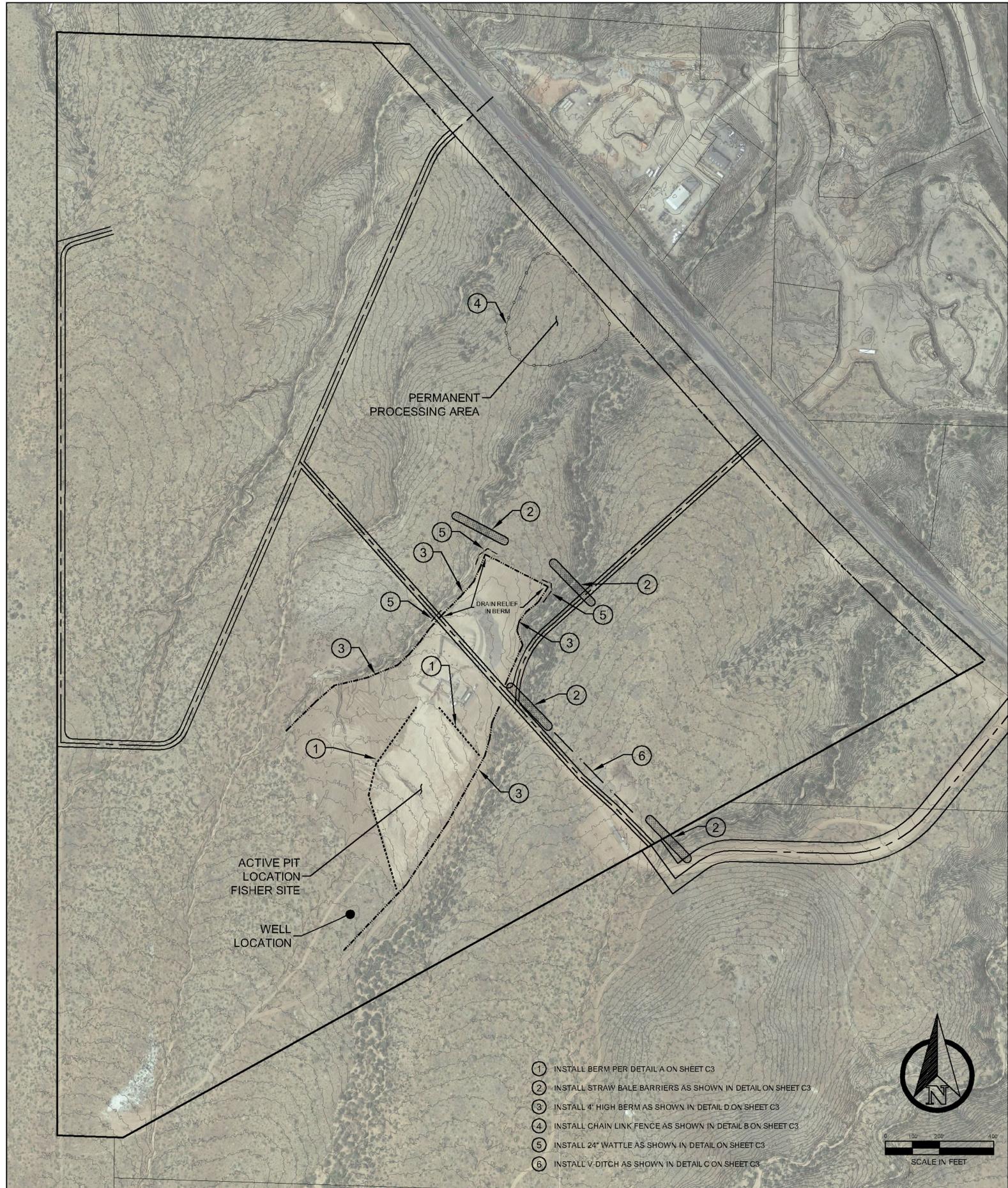
SCALE: 1"=300'

DATE: 6/19/17

PROJECT NO: 15-0904

SHEET NO.

C-1

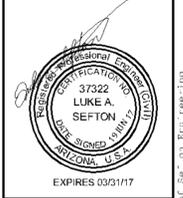


SWPPP NOTE:

1. THE SWPPP IS INTENDED TO BE A DYNAMIC PLAN THAT CAN BE REVISED EITHER AS A RESULT OF UNANTICIPATED CONDITIONS DURING DESIGN OR AS A RESULT OF CHANGING CONDITIONS IN THE FIELD. MAKING CHANGES TO THE PLAN WHERE IT IS NOT EFFECTIVE IS A REQUIREMENT OF THE NPDES PERMIT. ANY CHANGES TO THE PLAN SHALL BE NOTED AND DATED ON THE PLAN.
2. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THAT A NOTICE OF INTENT (NOI) AND A NOTICE OF TERMINATION (NOT) IS SENT AT THE BEGINNING AND END OF THE PROJECT TO THE PROPER AUTHORITIES. THE CONTRACTOR IS RESPONSIBLE FOR UNDERSTANDING THE REQUIREMENT OF THE EPA'S NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITTING PROGRAM, ESTABLISHED UNDER SECTION 402 OF THE CLEAN WATER ACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SWPPP ACTIVITIES AND FOR ALL SUB CONSULTANTS ON SITE. THE CONTRACTOR SHALL OBTAIN AN NOI AT [HTTP://WWW.EPA.GOV/NPS](http://www.epa.gov/nps) AND COMPLETE THE SWPPP TEMPLATE AT [HTTP://WWW.EPA.GOV/NPS/PUBS/833SCSLUPLOADSWP_CGP2012_SWPPPTEMPLATE.DOCX](http://www.epa.gov/nps/pubs/833scsluploadswp_cgp2012_swppptemplate.docx) AND PROVIDE BOTH COMPLETED DOCUMENTS TO YAVAPAI APACHE PROJECT MANAGER BEFORE STARTING CONSTRUCTION. FURTHER INFORMATION CAN BE FOUND AT [HTTP://WWW.EPA.GOV/NPS/PUBS/833SCSLUPLOADSWP_CGP2012_SWPPPTEMPLATE.DOCX](http://www.epa.gov/nps/pubs/833scsluploadswp_cgp2012_swppptemplate.docx). A TUTORIAL IS AVAILABLE AT [HTTP://WWW.EPA.GOV/NPS/PUBS/833SCSLUPLOADSWP_CGP2012_SWPPPTEMPLATE.DOCX](http://www.epa.gov/nps/pubs/833scsluploadswp_cgp2012_swppptemplate.docx) FOR REGISTRATION. IF YOU HAVE ANY QUESTION YOU MAY CALL 1-888-880-1995 OR FOR NOI INFORMATION YOU MAY CALL 1-866-352-7755.
3. LIMIT LAND DISTURBANCE AND PRESERVE EXISTING VEGETATION. SENSITIVITY TO THE ENVIRONMENT DURING CONSTRUCTION IS A DEFINING FACTOR IN PRESERVING NATURAL VEGETATION. THE EXTENT OF THE CUT AND FILL SLOPES SHOULD BE FIELD SURVEYED AND STAKED PRIOR TO CONSTRUCTION TO DEFINE ALL AREAS THAT REQUIRE GRADING. AREAS OUTSIDE THESE LIMITS SHOULD BE PROTECTED FROM ALL CONSTRUCTION ACTIVITIES. TREES THAT LIE WITHIN TRANSITION AREAS OF SIGNIFICANT CUT OR FILL AND OUTSIDE REQUIRED CLEAR-ZONE DISTANCES SHALL BE FLAGGED AND/OR FENCED FOR PROTECTION. EXISTING TREES AT OR NEAR THE TOE OF FILL SLOPES SHALL BE SAVED WITH PROTECTIVE TREE WELLS.
4. MINIMIZE SOIL EXPOSURE AND REVEGETATE DENUDE AREAS. TRY TO SCHEDULE CONSTRUCTION TO COINCIDE WITH THE DRY SEASON OF THE SITE'S LOCATION. LIMIT THE SIZE OF THE EXPOSED AREA AND AMOUNT OF TIME IT IS EXPOSED. UNDER THE EPA'S GENERAL PERMIT ALL BARE GROUND SHALL BE SEEDED WITHIN 14 DAYS AFTER GRADING IS FINISHED WITH SOME EXCEPTIONS.
5. PROTECT FILL SLOPES FROM ROADWAY RUNOFF. DROWN DRAINS AND RIPRAP PROTECTION HAVE BEEN CALLED OUT ON THE PLAN AS NEEDED. THE CONTRACTOR SHOULD MONITOR SLOPES TO ENSURE ADEQUATE PROTECTION IS PROVIDED THROUGHOUT THE CONSTRUCTION ACTIVITIES.
6. PREVENT EROSION IN AREAS WHERE RUNOFF CONCENTRATES. CONTRACTOR SHALL PROVIDE PROTECTION OF ALL DITCHES, OPEN CHANNELS, CULVERT AND CHANNEL OUTLETS AS SHOWN ON THE CONSTRUCTION PLAN.
7. TRAP SEDIMENT BEFORE IT LEAVES THE SITE. IT IS PREFERABLE TO PROVIDE EROSION CONTROL INSTEAD OF SEDIMENT CONTROL WHERE PRACTICABLE. IT IS IMPORTANT THAT REGULAR MAINTENANCE OF ANY SEDIMENT TRAPPING IS CONDUCTED ON A REGULAR BASIS IN ORDER FOR IT TO OPERATE EFFECTIVELY. THIS INCLUDES REMOVING ACCUMULATIONS OF SEDIMENT AND MAKING NECESSARY REPAIRS AND ADJUSTMENTS. TEMPORARY SEDIMENT BARRIERS SHOULD BE PLACED AROUND CATCH BASIN INLETS DURING CONSTRUCTION TO TRAP SEDIMENT BEFORE IT ENTERS THE INLET. SEDIMENT TRAPPING IS NECESSARY AT SOIL STOCKPILES AND THESE STOCKPILES SHOULD BE LOCATED ABOVE AND AWAY FROM STREAMS, WASHES AND SWALES TO PREVENT THEM FROM BEING WASHED DOWNSTREAM. A STABILIZED CONSTRUCTION ENTRANCE SHOULD BE PROVIDED TO REMOVE SEDIMENT FROM THE TIRES OF THE VEHICLES BEFORE THEY LEAVE THE SITE.
8. AS NEEDED A SPILL CONTAINMENT AREA SHOULD BE PROVIDED AT THE JOB SITE FOR STORING CHEMICALS, FUELS, PAINTS AND OTHER MATERIALS. THIS AREA WILL PREVENT CHEMICALS FROM MIXING WITH STORM WATER AND DISCHARGING INTO STREAMS AND WASHES OR SEEPING INTO AND CONTAMINATING THE SURROUNDING SOIL. THE PROTECTED AREA SHOULD BE EXCAVATED OR BERMED, AND LINED WITH PLASTIC SO THAT AN ACCIDENTAL SPILL FROM A CHEMICAL DRUM WILL BE CONTAINED. IT SHOULD BE LOCATED IN AREAS WHERE ANY SPILL WILL BE PREVENTED FROM DISCHARGING OFF-SITE. PROCEDURES SHALL BE ESTABLISHED TO PREVENT CONTAMINATION OF ON-SITE SOILS FROM EQUIPMENT MAINTENANCE. CONSTRUCTION EQUIPMENT SHALL BE REGULARLY MAINTAINED TO REPAIR LEAKY HOSES AND GASKETS. USED OIL, HYDRAULIC FLUIDS, FILTERS, BATTERIES AND TIRES SHALL BE PROPERLY DISPOSED OF IN ACCORDANCE WITH STATE AND FEDERAL LAWS.
9. SOLID WASTE MATERIALS SHOULD BE COLLECTED DAILY. A TRASH CONTAINER OR DUMPSTER SHOULD BE PROVIDED AT THE SITE TO CONTAIN SMALLER WASTE MATERIALS. THE TRASH CONTAINERS SHOULD BE COVERED TO PREVENT MIXING WITH RAIN WATER OR LOSS OF CONTENTS BY HIGH WINDS. OTHER TYPES OF LARGER DEBRIS, SUCH AS: VEGETATION FROM CLEARING OPERATIONS SHOULD BE COLLECTED AND STOCKPILED ON A DAILY BASIS AND DISPOSED OF REGULARLY. THE STOCKPILE LOCATION SHALL BE LOCATED AWAY FROM STREAMS AND WASHES.
10. TEMPORARY PITTS OR BERMED AREAS SHOULD BE PROVIDED AT THE CONSTRUCTION SITE FOR THE WASHOUT OF CONCRETE TRUCKS AND FOR WASHING AGGREGATE MATERIALS AND TOOLS. THE WASH WATER SHOULD BE KEPT OUT OF STREAMS AND WASHES. WASHOUT AREAS SHOULD BE LARGE ENOUGH TO RETAIN ALL WASH WATER. HARDENED CONCRETE SHOULD BE ROUTINELY REMOVED AND DISPOSED OF IN ORDER TO MAINTAIN ADEQUATE WATER PERCOLATION.
11. PROPER IMPLEMENTATION, INSPECTION AND MAINTENANCE OF POLLUTION CONTROL MEASURES IS ESSENTIAL TO ACHIEVE THE GOALS OF EROSION AND SEDIMENT CONTROL AND TO IDENTIFY POTENTIAL PROBLEMS. A RAIN GAGE SHOULD BE KEPT AT THE SITE TO RECORD THE DEPTH OF RAINFALL. THE CONTRACTOR SHOULD COORDINATE THE IMPLEMENTATION, INSPECTION AND MAINTENANCE OF THE POLLUTION CONTROLS WITH THE PROJECT INSPECTOR. THE CONTRACTOR SHOULD ALSO MONITOR WEATHER FORECASTS AND MAKE ALL SITE INSPECTIONS AND NECESSARY REPAIRS BEFORE STORMS ARE EXPECTED. THE CONTRACTOR SHALL MONITOR AND RECORD WEEKLY EXTENDED WEATHER FORECASTS. THESE FORECASTS SHALL BE DISCUSSED BY THE CONTRACTOR AT REGULARLY SCHEDULED WEEKLY PROGRESS MEETINGS. IN THE EVENT THAT EXTENDED FORECASTS REPORT A HIGH PROBABILITY FOR PRECIPITATION IN THE GIVEN PROJECT AREA, THE CONTRACTOR SHALL REVIEW AND SUPPLEMENT EXISTING EROSION CONTROL MEASURES. HE SHALL ALSO INSTALL ADDITIONAL MEASURES IN AREAS DETERMINED TO BE SUSCEPTIBLE TO EROSION AND/OR SEDIMENTATION, AS DIRECTED BY THE PROJECT ENGINEER. THE EPA GENERAL PERMIT REQUIRES REGULAR INSPECTIONS EVERY 7 DAYS OR WITHIN 24 HOURS AFTER A RAINFALL OF 1/4 INCH OR GREATER.
12. THE CONTRACTOR MUST RECORD ANY DAMAGES OR DEFICIENCIES IN THE CONTROL MEASURES ON AN INSPECTION REPORT FORM. THIS REPORT DOCUMENTS THE INSPECTION OF THE POLLUTION PREVENTION MEASURES. THE SAME FORM CAN BE USED TO REQUEST REPAIRS AND TO PROVE THAT REQUIRED INSPECTIONS AND MAINTENANCE WERE PERFORMED. AS A CONDITION OF THE GENERAL PERMIT, THE CONTRACTOR SHALL CORRECT DAMAGE OR DEFICIENCIES AS SOON AS PRACTICABLE AFTER THE INSPECTION; BUT IN NO CASE LATER THAN 7 DAYS AFTER THE INSPECTION. ANY CHANGES THAT MAY BE REQUIRED TO CORRECT DEFICIENCIES IN THE SWPPP SHOULD ALSO BE MADE AS SOON AS PRACTICABLE AFTER THE INSPECTION; BUT IN NO CASE LATER THAN 7 DAYS AFTER THE INSPECTION.
13. OVERVIEW OF INSPECTION REQUIREMENTS, CONSTRUCTION OPERATORS COVERED UNDER THE 2012 CGP ARE SUBJECT TO THE FOLLOWING REQUIREMENTS IN PART 4:
 - INSPECTION FREQUENCY (SEE PART 4.1.4)
 - YOU ARE REQUIRED TO CONDUCT INSPECTIONS EITHER:
 - ONCE EVERY 14 CALENDAR DAYS; OR
 - ONCE EVERY 14 CALENDAR DAYS AND WITHIN 24 HOURS OF A STORM EVENT OF 0.25 INCHES OR GREATER.
 - YOUR INSPECTION FREQUENCY IS INCREASED IF THE SITE DISCHARGES TO A SENSITIVE WATER. SEE PART 4.1.3. YOUR INSPECTION FREQUENCY MAY BE DECREASED TO ACCOUNT FOR STABILIZED AREAS, OR FOR ARID, SEMI-ARID, OR DROUGHT-STRIKEN CONDITIONS OR FOR FROZEN CONDITIONS. SEE PART 4.1.4.
 - AREAS THAT NEED TO BE INSPECTED (SEE PART 4.1.5)
 - DURING EACH INSPECTION, YOU MUST INSPECT THE FOLLOWING AREAS OF YOUR SITE:
 - CLEARED, GRADED, OR EXCAVATED AREAS OF THE SITE;
 - STORMWATER CONTROLS (E.G., PERIMETER CONTROLS, SEDIMENT BASINS, INLETS, EXIT POINTS ETC.) AND POLLUTION PREVENTION PRACTICES (E.G., POLLUTION PREVENTION PRACTICES FOR VEHICLE FUELING/MAINTENANCE AND WASHING, CONSTRUCTION PRODUCT STORAGE, HANDLING AND DISPOSAL, ETC.) AT THE SITE;
 - MATERIAL, WASTE, OR BORROW AREAS COVERED BY THE PERMIT, AND EQUIPMENT STORAGE AND MAINTENANCE AREAS;
 - AREAS WHERE STORMWATER FLOWS WITHIN THE SITE;
 - STORMWATER DISCHARGE POINTS; AND
 - AREAS WHERE STABILIZATION HAS BEEN IMPLEMENTED.
 - WHAT TO CHECK FOR DURING YOUR INSPECTION (SEE PART 4.1.6)
 - DURING YOUR SITE INSPECTION, YOU ARE REQUIRED TO CHECK:
 - WHETHER STORMWATER CONTROLS OR POLLUTION PREVENTION PRACTICES REQUIRE MAINTENANCE OR CORRECTIVE ACTION, OR WHETHER NEW OR MODIFIED CONTROLS ARE REQUIRED;
 - FOR THE PRESENCE OF CONDITIONS THAT COULD LEAD TO SPILLS, LEAKS, OR OTHER POLLUTANT ACCUMULATIONS AND DISCHARGES;
 - WHETHER THERE ARE VISIBLE SIGNS OF EROSION AND SEDIMENT ACCUMULATION AT POINTS OF DISCHARGE AND TO THE CHANNELS AND STREAMBANKS THAT ARE IN THE IMMEDIATE VICINITY OF THE DISCHARGE;
 - IF A STORMWATER DISCHARGE IS OCCURRING AT THE TIME OF THE INSPECTION, WHETHER THERE ARE OBVIOUS, VISUAL SIGNS OF POLLUTANT DISCHARGES; AND
 - IF ANY PERMIT VIOLATIONS HAVE OCCURRED ON THE SITE.
 - INSPECTION REPORTS (SEE PART 4.1.7)
 - WITHIN 24 HOURS OF COMPLETING EACH INSPECTION, YOU ARE REQUIRED TO COMPLETE AN INSPECTION REPORT THAT INCLUDES:
 - DATE OF INSPECTION;
 - NAMES AND TITLES OF PERSONS CONDUCTING THE INSPECTION;
 - SUMMARY OF INSPECTION FINDINGS;
 - RAIN GAUGE OR WEATHER STATION READINGS IF YOUR INSPECTION IS TRIGGERED BY THE 0.25 INCH STORM THRESHOLD; AND
 - IF YOU DETERMINE THAT A PORTION OF YOUR SITE IS UNSAFE TO ACCESS FOR THE INSPECTION, DOCUMENTATION OF WHAT CONDITIONS PREVENTED THE INSPECTION AND WHERE THESE CONDITIONS OCCURRED ON THE SITE.
14. REMOVAL OF TEMPORARY CONTROLS WHEN THE PROJECT IS COMPLETE IS THE RESPONSIBILITY OF THE CONTRACTOR. AFTER ALL CONSTRUCTION ACTIVITIES HAVE STOPPED, THE CONTRACTOR MUST KEEP A COPY OF THE STORM WATER POLLUTION PREVENTION PLAN. RECORDS OF ALL THE DATA USED TO COMPLETE THE NOTICE OF INTENT MUST ALSO BE KEPT FOR A PERIOD OF THREE YEARS FOLLOWING FINAL STABILIZATION. THE RETENTION PERIOD MAY BE EXTENDED BY THE EPA'S REQUEST.
15. AS A CONDITION OF THE GENERAL PERMIT, A COPY OF THE CONTRACTOR'S NOI AND A COPY OF THE SWPPP ARE TO REMAIN AT THE JOB SITE THROUGHOUT THE CONSTRUCTION PROCESS AND AVAILABLE DAILY TO THE ON-SITE PROJECT MANAGER.
16. DUST CONTROL IN ACCORDANCE WITH THE TOWN OF CAMP VERDE AND YAVAPAI COUNTY REQUIREMENTS SHALL BE PROVIDED AT ALL TIMES WHILE UNDER CONSTRUCTION. SEE HIGH VIEW SAND & GRAVEL MINING OPERATION SWPPP MANUAL FOR ADDITIONAL REQUIREMENTS.
17. THE CONTRACTOR SHALL KEEP THE SITE WATERED DOWN (OR OTHER APPROVED METHODS) TO PREVENT DUST MIGRATING OFF-SITE.
18. THE CONTRACTOR SHALL ON A DAILY OR AS NEEDED BASIS CLEAN ALL ROADS LEADING OUT OF THE SITE AND SHALL PLACE SAND BAGS (OR OTHER APPROVED METHODS) TO TRAP SEDIMENT BEFORE IT ENTERS INTO THE STORM DRAIN SYSTEM.
19. THE CONTRACTOR WILL PROVIDE THE COUNTY A SIGNED COPY OF THE SWPPP BEFORE BEGINNING CONSTRUCTION.
20. HYDRAULIC SEEDING USING 1500 POUNDS OF WOOD CELLULOSE FIBER PER ACRE SHALL BE UTILIZED ON EXPOSED DISTURBED SOILS.

I CERTIFY UNDER PENALTY OF LAW THAT I UNDERSTAND THE TERMS AND CONDITIONS OF THE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT THAT AUTHORIZES THE STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE CONSTRUCTION SITE IDENTIFIED AS PART OF THIS CERTIFICATION.

 FISHER SAND & GRAVEL CO.
 CONTRACTOR SIGNATURE PRINT NAME OF CONTRACTOR AND COMPANY



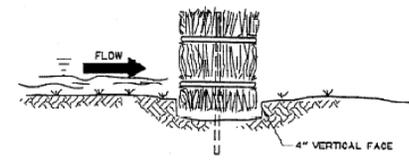
SEFTON ENGINEERING CONSULTANTS LLC
 20 STUTZ BEARCAT DR. #8
 SEDONA, ARIZONA 86336
 PH: (928) 202-3999
 FAX: (888) 229-2970
 LS@SEFTENGG.CO.COM

STORMWATER POLLUTION PREVENTION PLAN

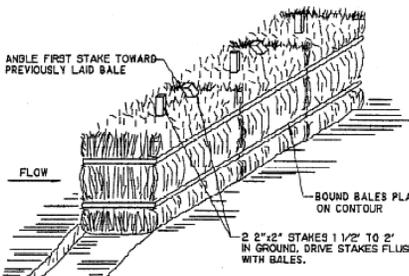
HIGH VIEW

SHEET TITLE:
 PROJECT TITLE:
 DRAWN BY: T.C.H.
 SCALE: 1"=200'
 DATE: 6/19/17
 PROJECT NO: 15-0904
 SHEET NO.

C-2

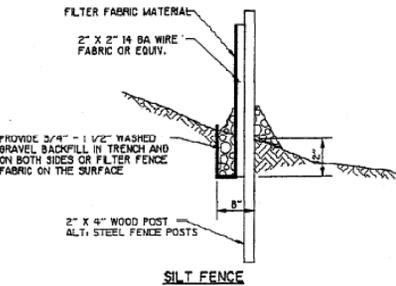
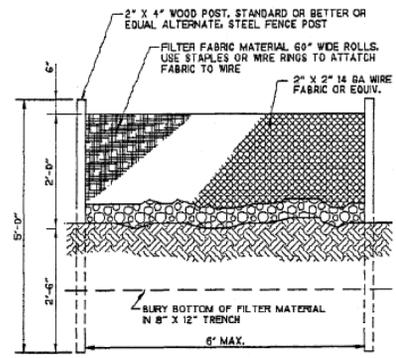


BEDDING DETAIL

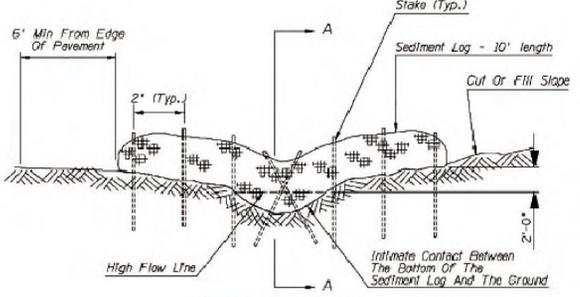


ANCHORING DETAIL

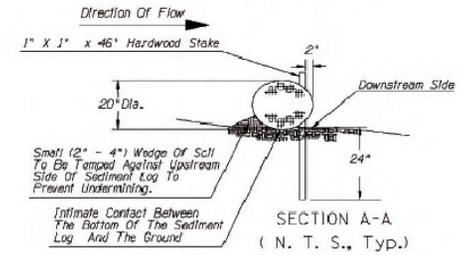
STRAW BALE BARRIERS



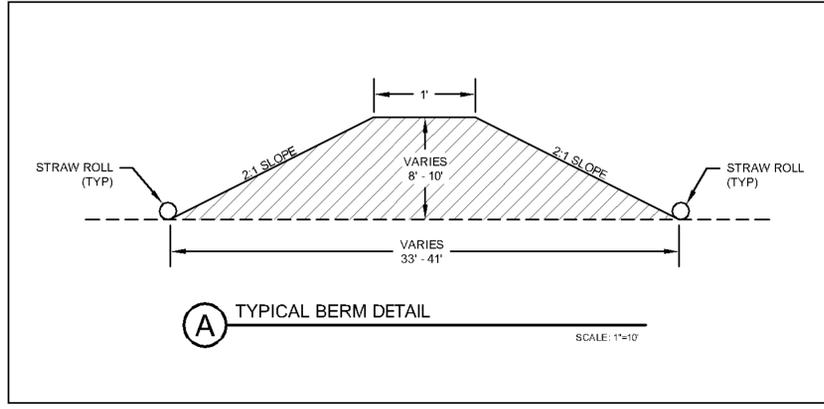
SILT FENCE



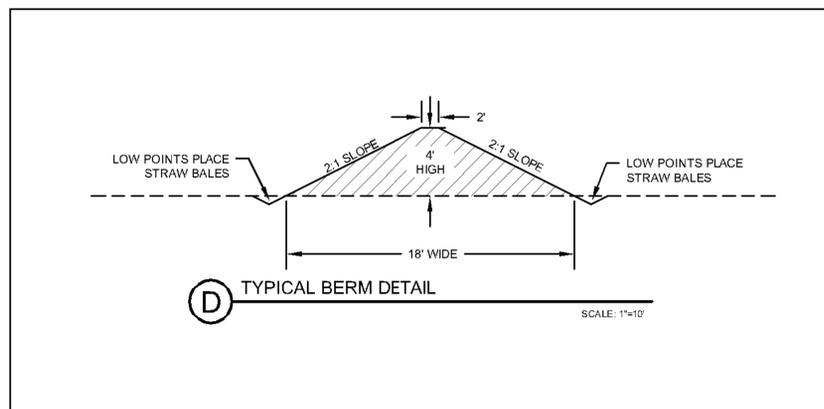
SEDIMENT LOG AND DITCH / CHANNEL SECTIONAL ELEVATION (N. T. S., Typ.)



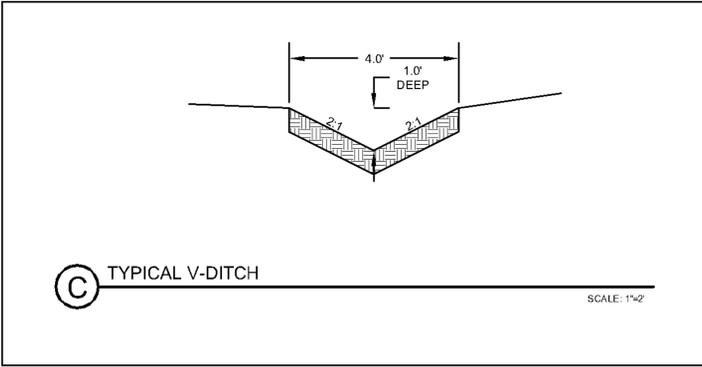
SECTION A-A (N. T. S., Typ.)



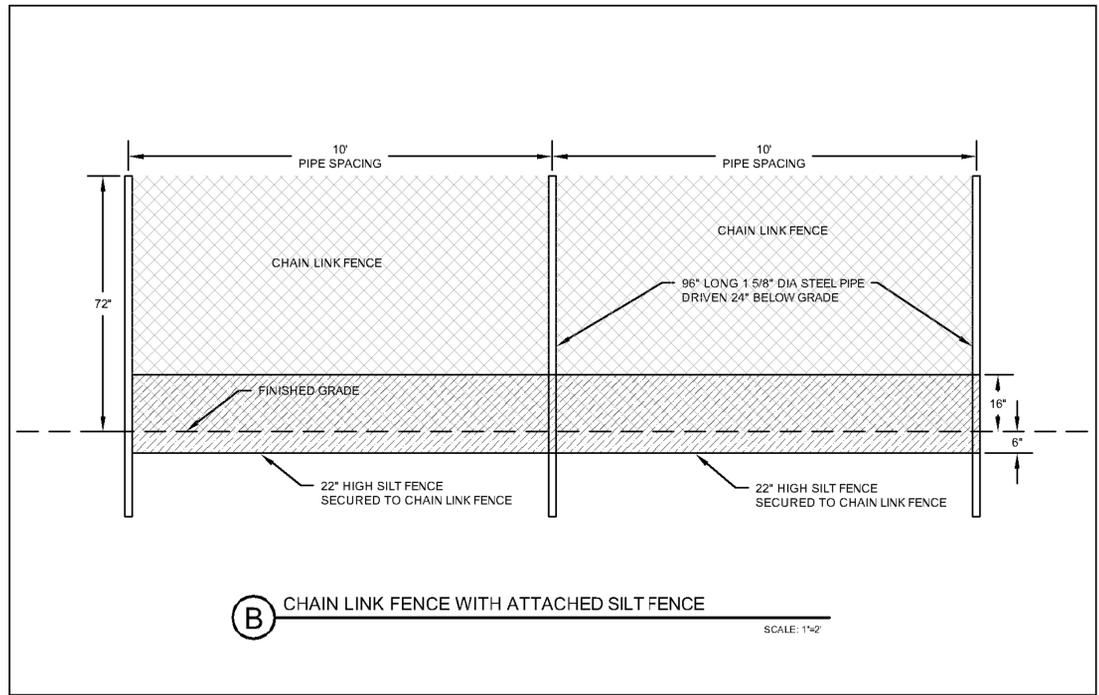
(A) TYPICAL BERM DETAIL



(D) TYPICAL BERM DETAIL



(C) TYPICAL V-DITCH



(B) CHAIN LINK FENCE WITH ATTACHED SILT FENCE



SEFTON ENGINEERING CONSULTANTS LLC
 20 STUTZ BEARCAT DR. #8
 SEDONA, ARIZONA 86336
 PH: (928) 202-3999
 FAX: (888) 229-2970
 LS@SEFENG.CO.COM

SWPPP DETAILS

HIGH VIEW

SHEET TITLE:

PROJECT TITLE:

DRAWN BY: T.C.H.

SCALE: AS SHOWN

DATE: 6/19/17

PROJECT NO: 15-0904

SHEET NO.

C-3



C-3 + KR-2A

Staff Use Only	
Application Number:	20170250
Received By:	SA
Date:	7/17/17
Fees Paid:	\$150.00
Complete:	Y N

Temporary Use Permit Application Instructions

Page 1 of 1

Temporary Use Permits are provided through Administrative Review and approval to facilitate short or restricted term uses (such as but not limited to: tents, carnivals, charitable events or similar uses/structures for public assembly in non-residential districts; and construction or sales-related offices, storage yards or similar facilities including model homes, and sales stands of crops or agricultural products produced on-site in any District.

Required for a Temporary Use Permit

Property owner:

Name: High View L.L.C.

Address: PO Box 3270 City: Camp Verde State: AZ

Zip Code: 86322 Hm.Phone: 567-9170 Cell: 301-5964

Applicant:

Name: Dugan Mc Donald

Address: P.O. Box 3270 City: Camp Verde State: AZ

Zip Code: 86322 Hm.Phone: 567-9170 Cell: 301-5964

Physical Address of event/sales

will take place: 3901 W. State Route 260, Camp Verde

Description of project: High View Materials Operations

Temporary Part-A-John Location * see below

I have read and agree to the above information and hereby file this application request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for revocation of this permit.

BY: [Signature] Date: July 12, 2017
Signature of Applicant

For official Use
Assessor's Parcel Number: _____ Subdivision & Lot: _____

Application Date: _____ Amount of Fees paid: _____

Application Taken By: _____ Approved By: Paul Howard 7/18/17
Community Development Director

* Temporary Construction Site
CH 7/18/17

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Town of Camp Verde

Agenda Item Submission Form / Section I: Cover Sheet
Norton Application for a Zoning Map Change

Meeting Date: July 26, 2017 Council Hears Planning & Zoning

- 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: Kevin Norton
Application: Zoning Map Change from R1L-35 (Residential, Single Family, Limited-35K SF Lot Sizes to R-R (Residential-Rural) District
Zoning Map Change - 20170167

Agenda Title (be exact): POSSIBLE APPROVAL OR DENIAL FOR AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA AMENDING THE TOWN ZONING MAP TO CHANGE THE ZONING CLASSIFICATION OF AN APPROXIMATELY 7.71 ACRE PARCEL, LOCATED AT 536 W. SALT MINE RD, APN 404-28-032B, FROM R1L-35 (RESIDENTIAL: SINGLE FAMILY LIMITED, 35,000-SQUARE-FOOT MINIMUM LOT SIZE) DISTRICT TO R-R (RESIDENTIAL-RURAL) DISTRICT; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

List Attached Documents:

- Staff Report, Sections I & II
Draft Ordinance 2017-A424; Legal Description, Vicinity Map, Waiver of Diminution in Value Claim
Zoning Map Change Application
ZMC & Use Permit Shared Documents:
Directions to Property & Zoning Map
Letter of Intent
Neighborhood Meeting Affidavit, Notification List & Letter, Summary & Comments
Comments from Agencies & Public
Draft Minutes from the July 6, 2017 Planning & Zoning Commission Public Hearing with Recommendation to Council

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

Reviews Completed by:

- Department Head: Carmen Howard, Town Attorney
Comments: In Staff Report, Waiver for Diminution in Value Claim

Meeting Date: July 26, 2017 Council Hears Planning & Zoning

Background:

The intent of this application is for a Zoning Map Change from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential-Rural) District, to allow for the application of an Agri-Tourism Use Permit. The proposal is to provide the sampling and sales of wine produced on the property, and tours of the vineyard. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.

The following has been completed by the applicant and staff:

- The applicant posted the subject property on April 21, 2017 and mailed out letters to the neighboring property owners within 300' of the subject property which invited them to attend a neighborhood meeting to express their comments and concerns on their Zoning Map Change application to change from R1L-35 to R-R Zoning Districts.
- The meeting was held on May 4, 2017 from 5:30PM-6:15PM on the subject property located at 536 W. Salt Mine Road, Camp Verde, Arizona. There were nine (19) people in attendance, including (4) members of the Norton family. The issues and concerns raised by the attendees is included within Exhibit C, Neighborhood Meeting Documentation.
- Community Development Staff mailed out (24) letters to properties within 300' of the subject parcel on June 8, 2017. This letter advised the neighbors of the Planning & Zoning Commission meeting date and time as well as the tentatively scheduled meeting date and time the item will appear before Town Council.
- A Notice of Public Hearings was posted on the subject property located at 536 W. Salt Mine Road, Camp Verde, Arizona on June 19, 2017 by Community Development Staff.
- A Notice of Hearings was placed in the Verde Independent – Camp Verde Bugle newspaper on Sunday, June 18, 2017 by Community Development Staff.
- Community Development has received one letter from a member of the public, in response to the letters mailed out on June 8, 2017 by Community Development Staff. This letter has been included as part of Exhibit D, Communications.

Agencies were notified and the responses are as follows:

Copper Canyon Fire & Medical Association-

Contact: Kristi Gagnon

Comment Received: 6/13/17

- *With the buildings changing to a commercial occupancy, an adequate emergency access roadway would need to be provided to within 150' of all portions of each commercial use building*
 - *All turns will need to meet the turning radius of 28' inside, and 50' outside.*

- *The road will need to be designed to be able to withstand 75,000 pounds driving load.*
- *The road surface will need to be an all-weather surface.*
- *The width of the road shall be a minimum of 20' wide.*
- *The grade of the road shall not exceed 10%.*
- *Additionally, considering the length of the new access roadway on the property, an approved turn-around will need to be provided.*
- *Lastly, we will need documentation regarding what potentially hazardous materials are on the property, i.e., pesticides, herbicides, fertilizer, etc.*

Town of Camp Verde Building Division-

Contact: Robert Foreman Comments Received: 6/21/17

- *Building Division has no comments or concerns on the zoning change.*

Town of Camp Verde Community Development Director-

Contact: Carmen Howard Comments Received: 6/21/2017

- *The property is currently zoned R1-L 35 and therefore requires re-zoning in order to qualify for an Agri-tourism Use Permit. Use Permit recommendation of approval will be dependent on successful re-zoning of the property to Rural Residential (RR).*
 - *These items will be reviewed and addressed in the staff report to the Planning & Zoning Commission.*
 - *Staff is recommending approval of this request for a Zoning Map Change.*

Camp Verde Water System-

Contact: Justin Bullard Comments Received: 6/9/2017

- *Camp Verde Water System had no comments.*

Current and Proposed Development Conditions:

- *The property is 7.71 acres in size and meets the minimum lot size of two (2) acres (87,120 square feet) for the R-R District. Surrounding properties typically range from one to ten acres in size, have agricultural uses throughout, and present a rural residential environment.*
- *The setbacks for the existing buildings appear to be well within the ordinance requirements for the current R1L-35 District standards of Front: 20 feet, Rear: 25 feet, Interior Sides: 7 feet. The proposed new zoning district of R-R will have standards of Front: 50 feet, Rear: 50 feet, Interior Sides: 25 feet. The buildings still meet these setbacks, with the exception of the winery building, which shows on the Yavapai County GIS site to be approximately 21 feet from the interior side property line to the east.*
- *As far as outdoor lighting and building height limitations are concerned, Staff will review for compliance when building permits for potential improvements are applied for, should the Use Permit be approved.*
- *Should the Zoning District be changed to R-R (Residential-Rural) and the Use Permit be approved, the Building Official has stated that a Commercial Tenant Improvement Building Permit Application will be required by the Building Division in order to change the use and*

occupancy of the existing R-3 (Residential Occupancy) into a Commercial Wine Tasting Room, either B (Business Occupancy) or A-2 (Assembly Occupancy).

General Plan:

The subject property is located in Salt Mine Character Area. The properties within this district are described as “low density residential”. Goal B of the Salt Mine Character Area states: “Maintain the rural, residential and agricultural character of the area”. The implementation strategy for this goal states, under B.8, “Protect the rural character and cultural resources, preserve open space, enhance agricultural opportunities, and reduce the loss of prime agricultural lands and important open spaces”.

This Character Area has been identified in the General Plan as a location in which to promote the rural lifestyle, which includes agriculture and the sale of goods produced at within its boundaries. The proposal for R-R (Residential-Rural) zoning is compatible with the Goal B, as described above, and will “enhance agricultural opportunities”. The R-R District allows the ability to apply for Agri-Tourism Use Permits to facilitate the sale of produce and other agriculture products within the district.

Recommended by the Planning & Zoning Commission:

On a motion by Commissioner George, seconded by Commissioner Blue, the Commission recommends approval of an application for Zoning Map Change, from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential-Rural) District, as presented by staff and requested by Mr. Kevin Norton. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.

Motion carried with a vote of 6-0; Commissioner Norton recused himself from the Commission discussion and vote.

If approved, this item will be followed by an application for an Agri-Tourism Use Permit for the sampling and sale of wine produced on the property, and tours of the vineyards by visitors.



ORDINANCE 2017 A424

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE TOWN ZONING MAP TO CHANGE THE ZONING CLASSIFICATION OF AN APPROXIMATELY 7.71 ACRE PARCEL, LOCATED AT 536 W. SALT MINE RD, APN 404-28-032B, FROM R1L-35 (RESIDENTIAL: SINGLE FAMILY LIMITED, 35,000-SQUARE-FOOT MINIMUM LOT SIZE) DISTRICT TO R-R (RESIDENTIAL-RURAL) DISTRICT; 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 boundaries by the Town Council of the Zoning Map of Camp Verde under the Planning & Zoning Ordinance, 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 allowing for zoning amendments after public hearings.

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. A request for **Zoning Map Change 20170167** was filed by Kevin Norton, owner for Parcel 404-28-032B to rezone the subject parcel from R1L-35 (Residential, Single Family, Limited-35K SF Lot Sizes to R-R (Residential-Rural) District. The legal description is attached as Exhibit "A" and the vicinity map as Exhibit "B".

B. The Planning & Zoning Commission reviewed the request on July 6, 2017 in a public hearing that was advertised and posted according to state law and recommended approval of **Zoning Map Change 20170167**.

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

D. The Waiver of Diminution of Value Claim has been signed by the owner and is attached as Exhibit "C".

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

Section 3. 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 4. 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 26TH DAY OF JULY, 2017.

Charles German - Mayor

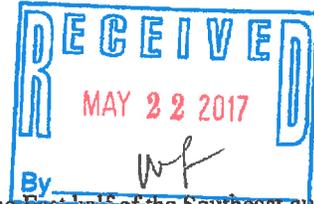
Date: _____

Approved as to form:

Attest: _____
Judith Morgan, Town Clerk

Bill Sims - Town Attorney

Exhibit A



PARCEL 1:

A tract of land in the West half of the Southwest quarter of the Southeast quarter and the East half of the Southeast quarter of the Southwest quarter of Section 31, Township 14 North, Range 5 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at Corner No. 1, which point is identical to the South quarter corner of said Section 31;
thence West on the South line of said Section 31, 250 feet to Corner No. 2;
thence North 0°12' West, 1034.79 feet to intersect the center line of the Black Canyon Access Road for Corner No. 3;
thence North 84°14' East on the center line of said access road, 333.70 feet to Corner No. 4;
thence South 0°12' East, 578.8 feet to Corner No. 5;
thence North 73°03' West, 85.75 feet to Corner No. 6;
thence South 0°12' East, 490 feet to the PLACE OF BEGINNING.

PARCEL 2:

All that portion of the Southwest quarter of the Southeast quarter of Section 31, Township 14 North, Range 5 East, Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows:

BEGINNING at the South quarter corner of said Section 31;
thence North 0°12' West, 490.0 feet;
thence South 73°03' East, 85.75 feet to the ACTUAL POINT OF BEGINNING;
thence South 73°03' East, 228.31 feet;
thence North 0°09' West, 673.79 feet to intersect the center line of the Black Canyon Access Road;
thence South 84°14' West, on the center of said access road to the Northeast corner of the Carter Tract as described in Deed recorded in Book 34 of Official Records, page 301;
thence South 0°12' East along the East line of said Carter Tract, 578.8 feet to the ACTUAL POINT OF BEGINNING.

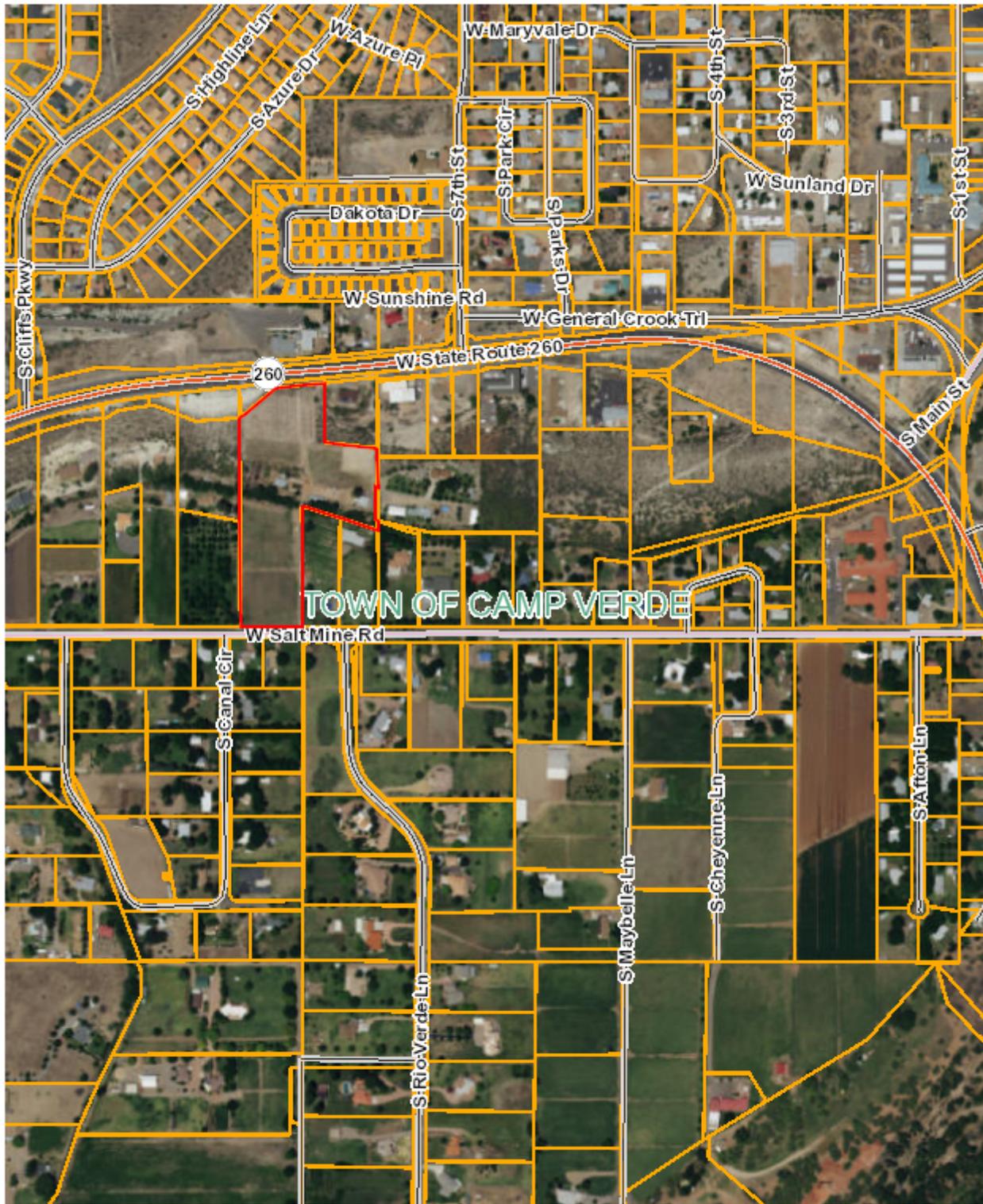
EXCEPTING THEREFROM the following described property:

BEGINNING at the South quarter corner of said Section 31;
thence North 0°12' West, 490.0 feet;
thence South 73°03' East, 85.75 feet;
thence North 0°12' West, 289.4 feet to the TRUE POINT OF BEGINNING;
thence North 0°12' West, 289.4 feet;
thence North 84°14' East, 219.5 feet;

thence South 0°09' East, 336.9 feet;

thence North 84°33' West, 219.3 feet to the POINT OF BEGINNING.

EXCEPT any portion lying within property conveyed to the State of Arizona and described in Book 3970 of Official Records, page 672.



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: 6.22.2017

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 _____ day of _____, 20____, by and between the Town of Camp Verde, a municipal corporation of Arizona (“Town”) and:

Kevin Norton and Delbert L. Norton, Jr., (“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:

#20170167: Zoning Map Change
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

Dated this 13 day of July, 2017

OWNER:

KEVIN NORTON

Print Name

Signature

OWNER:

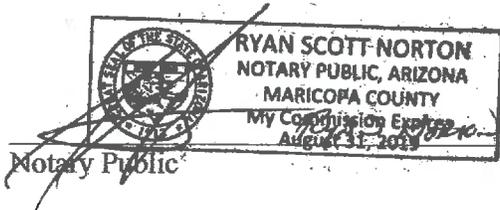
DEWEET NORTON JR.

Print Name

Signature

STATE OF ARIZONA)
County of MARICOPA) ss.

On this 13 day of July, 2017, before me, the undersigned Notary Public, personally appeared KEVIN NORTON, who acknowledged that this document was executed for the purposes therein contained.



My Commission Expires: Aug. 31, 2017



#1700 ZMC

Land Use

Project #: 201701607

Application Form

1. Application is made for:

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

2. Project Name: 536 W. SALT MINING REZONING

Please print or type legibly

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

Owner Name: <u>KEVIN/CHIP NORTON</u>	Applicant Name: <u>SAME AS OWNER</u>
Address: <u>536 W. SALT MINE RD</u>	Address: _____
City: <u>CAMP VERDE</u> State: <u>AZ</u> Zip: <u>86322</u>	City: _____ State: _____ Zip: _____
Phone: <u>602 568 7555</u>	Phone: <u>SAME</u>
E-mail: <u>KEVINNORTON@COX.NET</u>	E-Mail: _____

4. Property Description: Parcel Number 404-28-032B Acres: 7.71
 Address or Location: 536 W. SALT MINE RD CAMP VERDE, AZ 86322
 Existing Zoning: RIL-35 Existing Use: RESIDENTIAL
 Proposed Zoning: R-R Proposed Use: AGRI-TOURISM

5. Purpose: (describe intent of this application in 1-2 sentences)
R-R ZONING IS REQUIRED TO OBTAIN AN AGRI-TOURISM USE PERMIT

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: 5/19/17 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: 5/19/17



Directions to Property

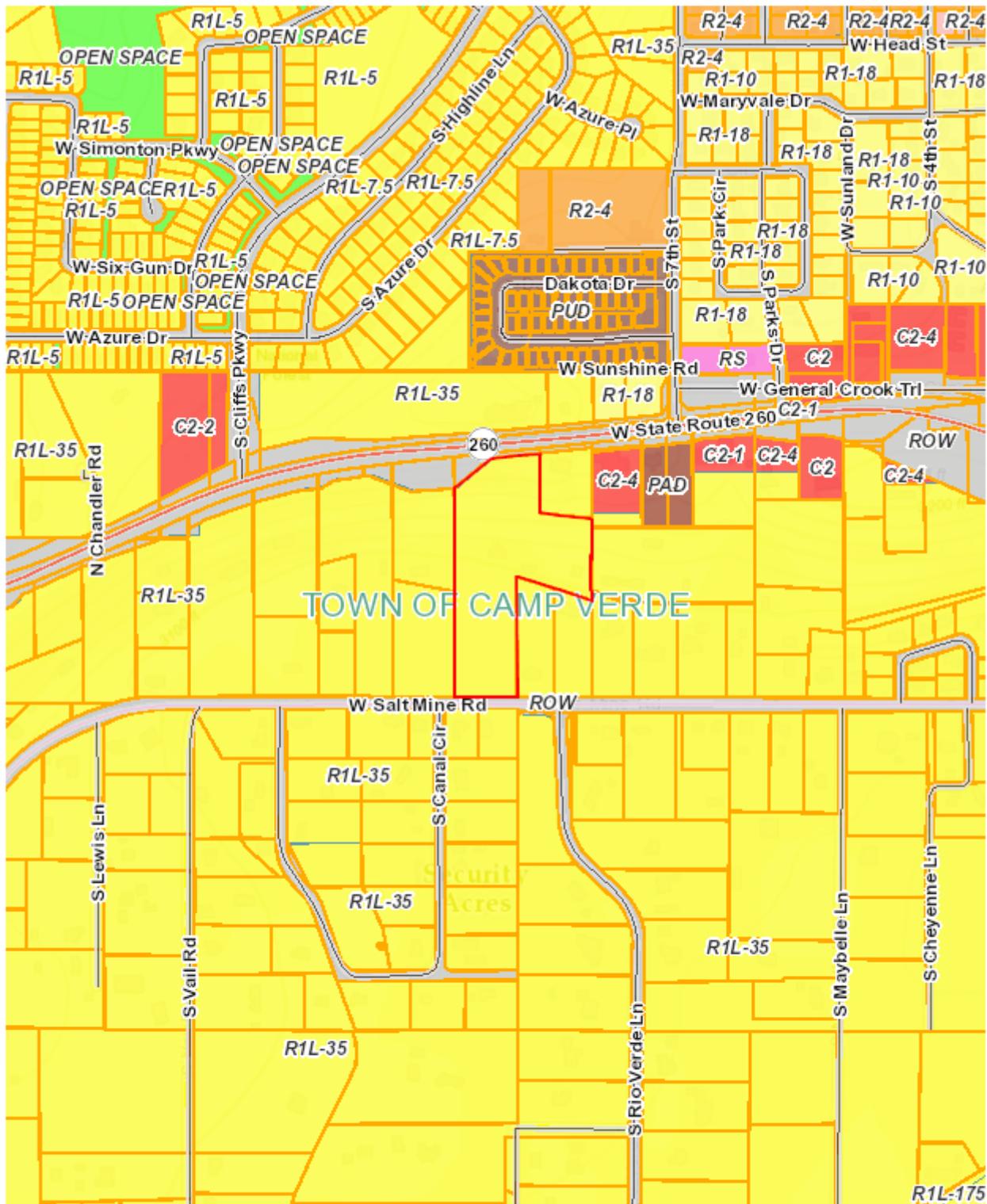
Assessor's Parcel Number 404-28-032B

Applicants Name KEVIN/CITIP NOLTON

Property Address 586 W. SALT MINE RD

Directions To Property:

Approximately 1/2 mile south of Highway
260 on SALT MINE RD. LOCATED ON
NORTH SIDE of SALT MINE RD.



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: 6.21.2017

Salt Mine Vineyard and Winery

Revised Letter of Intent

The proposed use will be as follows:

We will be open to the public on Saturdays and holidays between 10:00 a.m. and 4:00 p.m. for visitors that would like to tour our lower vineyard and winery and purchase our wine. Visitors will park in the common parking area between the residence and the winery. The permanent rest room facilities are in the existing guest house, which will also be the location where visitors may purchase wine. Wine sampling, as a precursor to purchases of bottled wine, will also be available at the existing guest house. Bottled wine may not be opened and consumed on the premises. Open containers of alcohol, such as wine sampling glasses containing wine, may not be carried beyond the designated point of sale area. In this case, that would be the immediate area of the guest house and winery.

Tours of the lower vineyard, which is the vineyard between the Verde Ditch and Salt Mine Road, and the Home Vineyard, which is the quite small vineyard located west of the Norton residence, will occur during the operating hours stated above. We are currently developing a Monarch Butterfly Way Station at the lower vineyard. This will also be a focus of the vineyard tours. The Upper Vineyard, which is the vineyard located between the winery parking area and Highway 260, is not open to the public due to steep terrain and difficult footing.

The residence, guest house and winery are hooked up to Camp Verde Water Company service.

Neighborhood Meeting Documents



Affidavit

I KEVIN NORTON owner of parcel #404-28-052B have notified my neighbors within 300' of my residence, by sending letters on April 21, 2017 to notify them of the neighborhood meeting that I conducted on the 4TH day of May 2017.

I posted my property with meeting date and time on the 21ST day of April 2017.

I KEVIN NORTON owner of parcel #404-28-052B have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 4TH day of May 2017.

Summary Statement:

SEE ATTACHED COPY

If Summary statement is too long, attach a copy.

State of Arizona}

County of Yavapai}

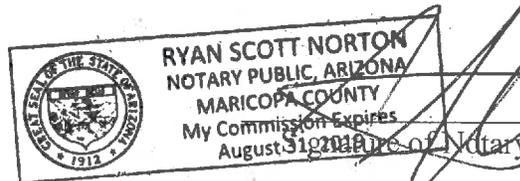
[Handwritten signature]

Signature of Document Signer No. 1

[Handwritten signature]

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 6TH day of May 2017.



Parcel, Owner, Address, City, State, Zip

404-28-041H, Pollock Investments Llc, Po Box 1810, Camp Verde, AZ, 86322 OK

404-28-033C, Fortner Penny (bd), 724 N Balboa St, Cottonwood, AZ, 863264016 OK

404-28-163, Accretion Capital Llc , 4222 E Thomas Rd Ste 330, Phoenix, AZ, 850187618 OK

404-28-041G, Accretion Capital Llc, 4222 E Thomas Rd Ste 330, Phoenix, AZ, 850187618 OK

404-28-043A, Jackson Darrel D & Pam Jt, 455 W Sunshine Rd, Camp Verde, AZ, 86322 OK

404-28-044E, Zeiter Michael E, 435 W Sunshine Rd, Camp Verde, AZ, 863227297 OK

404-01-007, Byrne Rhianna, 585 W Salt Mine Rd, Camp Verde, AZ, 863227010 OK

404-28-036C, Plunkett Marc, 466 W Saltmine Rd, Camp Verde, AZ, 86322 OK

404-28-034A, Plunkett Marc, 466 W Saltmine Rd, Camp Verde, AZ, 86322 OK

404-01-010, Haney Jacob, 1068 S Canal Cir, Camp Verde, AZ, 863227028 OK

404-01-003, Wright Ronald G & Arleen S Jt, Box 950, Camp Verde, AZ, 86322 OK

404-35-021B, Rio Verde Rancho Property Owners Assoc, Po Box 4425, Camp Verde, AZ, 863224425 OK

404-35-022B, Smith Vincent G & Rhonda L Jt, 5408 W Eugie Ave, Glendale, AZ, 85304 OK

404-28-031G, Zarlingo Family Living Trust, 586 W Salt Mine Rd, Camp Verde, AZ, 863227009 OK

404-01-002, Lovato Roger & Vadastine Rs (bd), 545 W Salt Mine Rd, Camp Verde, AZ, 86322 OK

404-01-008, Blanton William C, Po Box 2780, Camp Verde, AZ, 86322 OK

404-28-031F, Zarlingo Family Living Trust, 586 W Salt Mine Rd, Camp Verde, AZ, 863227009 OK

404-28-035B, Janis Robert Phillip, 295 W Salt Mine Rd, Camp Verde, AZ, 863227038 OK

404-28-042A, St Francis Cabrini Roman, 400 E Monroe St, Phoenix, AZ, 850042336 OK

404-28-038A, Plunkett Marc Leon &, Po Box 668, Camp Verde, AZ, 863227030 OK

404-01-055H, Mcneff Terry D & Irma D Rs, 437 W Salt Mine Rd, Camp Verde, AZ, 863227031 OK

404-35-022A, Rio Verde Ranchos Property Owners Association , Po Box 4425, Camp Verde, AZ, 863224425 OK

404-01-055J, Teets Living Trust, 451 W Salt Mine Rd, Camp Verde, AZ, 863227031 OK

404-28-036A, Decker Joe A & Laura D Rs, 420 W Salt Mine Rd, Camp Verde, AZ, 86322 OK

404-28-036D, Pardo Family Revocable Living Trust, 436 W Salt Mine Rd, Camp Verde, AZ, 863227030 OK

404-28-029F, Allen Dexter L & Joanne Rs (bd), 626 W Salt Mine Rd, Camp Verde, AZ, 86322 OK

404-28-035A, Mina Revocable Trust, 486 W Salt Mine Rd, Camp Verde, AZ, 863227030 OK

404-01-001, Kirkham Thomas M & Tina M Jt, Po Box 1915, Camp Verde, AZ, 86322 OK

Notification of Neighborhood Meeting

April 21, 2017

Dear Property Owner,

Please be advised that a formal application is being submitted to The Town of Camp Verde seeking approval of a Zoning Map Change and Use Permit for the following described property:

536 West Salt Mine Rd. Camp Verde, AZ 86322

The petitioner is asking the Town to approve an application to change the existing zoning from R1L (Residential: Single-Family Limited) to R-R (Residential Rural) and to issue an Agri-Tourism Use Permit for the described property.

In compliance with the Zoning Map Change and Use Permit requirements, a Neighborhood Information Meeting will be held to provide you an opportunity to become fully aware of these requests and to give you an opportunity to ask questions. The Neighborhood Information Meeting will be held on May 4th, 2017 at 536 West Salt Mine Rd., Camp Verde, Arizona 86322 and will begin at 5:30 PM.

Sincerely,

Chip Norton
536 W. Mine Rd.
Camp Verde, AZ 86322
928-300-9013



Neighborhood Meeting

Sign in Sheet

PLEASE PRINT

	Name	Address	E-Mail
2	TERRY + Irma McNeff	437 W Salt Mine	idahocuz@msn.com
2	Pat + BOB JANIS	295 W. SALT Mine	
2	LARRY + JEANNETTE TEETS	451 W. SALT MINE	LETTEETS451@gmail.com
1	Mary Jo Stinger	407 W Salt Mine	mjkscampverde@yahoo
1	Carolyn Sargent (visitor)	6175 Clireman 121 Rockford IL	
2	Roger + Bode Kovate	545 Salt Mine Rd. Camp Verde	rogvada@g.com
2	Tom and Tina Kirkham	515 Salt Mine Rd Camp Verde	tmkirkham@gmail.com
1	Marc + Connie Plunkett	Alca W. Salt Mine Rd. Camp Verde AZ 86322	grassconnie@gmail.com
1	Kathy Davis	1825 Monroe Lane CV AZ 86322	kdavis1247@gmail.com
2	Kay Zatlino	586 Salt Mine Rd.	
2	Leann + Kevin Norton	536 W. Salt Mine Rd CV AZ 86322	leannnorton@cox.net

Summary Statement

May 4th Neighborhood meeting

The neighborhood meeting commenced at 5:30 p.m. on May 4th, 2017. Fifteen neighbors attended the meeting, as well as four members of the Norton family, for a total of nineteen people in attendance. The neighbors in attendance represented seven properties located within 300' of the applicant's property and one property located on Salt Mine Road outside of the 300' designation. Additionally, two owners of property located within 300' of the applicant's property were unable to attend the meeting, but contacted the applicant and provided comments regarding the rezoning and special use permit application. In total, neighbors from nine residences located within 300' of the applicant's property, and one residence located beyond the 300' designation attended the meeting or provided comments on the rezoning and special use permit application.

Chip Norton facilitated the meeting and described to the attendees what the applicant proposed to do on the property, along with a brief description of the rezoning and special use permit application process. Following the introduction, he described the purpose of the neighborhood meeting and asked the neighbors to ask questions and to express concerns. A summary of neighbor questions and applicant answers follows:

Q: Why didn't my next-door neighbor receive a letter regarding the neighborhood meeting?

A: You are the furthest house east of the vineyard property that falls within 300' of the vineyard property. Rezoning and special use permit applications require that all neighbors within 300' of the applicant's property be notified of the neighborhood meeting. Your next door neighbor was not notified because they don't fall within the 300' designation. All property owners in Camp Verde, however, can contact the Community Development Department to discuss rezoning and special use permit applications, regardless of how close they live to the applicant's property.

Q: What will the impact be on neighborhood traffic?

A: We plan to open for visitors during the day on Saturdays and holidays. Additionally, we want to hold special events, none of which would last beyond 7:00 p.m. We don't anticipate large numbers of visitors with associated traffic, as we have limited parking and limited capacity to provide an agri-tourism experience to visitors.

Q: Will there be bus traffic?

A: No, we do not have parking or turn-around capacity for buses

Q: Will there be street parking?

A: No. No street parking allowed.

Q: How many people per day do you think will visit the vineyard.

A: Again, we are planning to be open for visitors on Saturdays and holidays. We are limited by our size, so we would guess that it would be like the visitation at the U-Pick'm produce stand here.

Q: Will your rezoning and special use permit affect our zoning or land use.

A: Not that we are aware of.

Q: How much drinking and partying will be taking place?

A: Again, we don't have the facilities for a full tasting room, nor do we intend to build facilities for that purpose at the vineyard site. We are currently looking for an appropriate location on Main Street in Camp Verde for a full tasting room. We *would* like to provide visitors the opportunity to sample and purchase our bottled wine when they visit the vineyard site.

Q: The rezoning and special use permit changes allow for uses that could have a greater impact on the neighbors than your proposed use. What would protect us from that happening?

A: During the special use permit application process, conditions on the use can be recommended by the Camp Verde Planning and Zoning Commission and adopted by the Camp Verde Town Council. Additionally, special use permits can be revoked or not be renewed if it is determined that the use is having a negative impact on the neighbors or the community. We don't speak on behalf of the Community Development Department, so it would be best to have a conversation with them for more specifics.

Q: Will you be making wine at the vineyard site?

A: Yes, we have a small on-site winery. It is an existing building, originally used as an indoor stable for breed horses. Currently, we are fermenting our first batch of estate wine in the winery, and it will be bottled soon.

Q: Do you have a liquor license, and are you bound by laws pertaining to the sale of liquor.

A: Yes, we have a liquor license, and we are bound by laws pertaining to the sale of liquor.

Q: How much additional water is your vineyard using?

A: Our vineyard, although occupying more area than the historically irrigated pasture on the property, is using significantly less water than before. Vineyards on drip systems, which we have, use only 25-40% of the water used for flood irrigated pasture. Additionally, we stopped irrigating another parcel of land with Verde Ditch shares to compensate for the additional acreage now using drip irrigation on the hillside above the Verde Ditch. It is our goal to permanently transfer water rights to the hillside vineyard.

At 6:15 p.m. there were no further questions. Chip Norton explained to the meeting attendees that there were several more opportunities in the public process for their voices to be heard; they could contact the Community Development Department and ask questions, they could attend the Planning and Zoning Commission hearing on this application and make public comment, and they could attend the Town Council meeting in which this application is agendaized and make public comment. Please contact the Community Development Department for more specific information

Chip then asked attendees to submit any final comments or concerns in writing before leaving, and that the applicant would provide these as part of the neighborhood meeting summary. The meeting adjourned at 6:15 p.m.

Attachments:

- Neighborhood meeting sign-in sheet
- Photograph of neighborhood meeting posting
- List of neighbors notified in writing
- Summary of written comments
- Scanned copies of written comments

Neighborhood Meeting Attendee Written Comments

Concerns:

- Traffic impact on Salt Mine Road
- Control of alcohol consumption in a residential area

---Pat and Bob Janis (Representing their son, Robert P. Janis)

We live almost across the road. We see no problem with the rezoning change.
Increased traffic is only concern.

---Terry and Irma McNeff

We support the proposed zoning change!
Concern: Secure access to private property to the east to keep between us as neighbors only.

---Marc and Connie Plunkett

We are delighted to have the vineyard/winery across the road from us.

---Roger and Vada Lovato

We would like to see an approval of the zoning map change and use permit at 536 W. Salt Mine Rd., Camp Verde, AZ 86322. We were unable to attend the meeting May 4th, 2017, but both my wife and I, who live just two properties down, totally applaud the Norton's for their low water use vineyard and for offering tours to their farm.

---Dex Allan

Pam Jackson called on Wednesday evening to say that they would not make the meeting on Thursday, but that they are happy that we have a vineyard here and that they support whatever we want to do here

---Darryl and Pam Jackson

We think your idea is wonderful!

---Larry and Jeannette Teets

We attended the meeting regarding rezoning the vineyard on Salt Mine Road. We live directly across from the property and have watched the progress. We see first-hand how efficient the irrigation is, how well-maintained the property is, and the incredible improvements. We are pleased to offer our support of the Nortons.

---Tom and Tina Kirkhem



Town of Camp Verde

Community Development Department – Planning Division

◆ 473 S. Main Street, Suite 108 & 109 ◆ Camp Verde, Arizona 86322 ◆

◆ Telephone: 928.554.0050 ◆ Fax: 928.567.7401 ◆

◆ www.campverde.az.gov ◆

June 8, 2017

TO:

Copper Canyon Fire & Medical Authority
Camp Verde Water District
Town of Camp Verde Building Official
Town of Camp Verde Marshal's Office
Town of Camp Verde Public Works

FROM:

Name: **Carmen Howard** Title: **Community Development Director**
Telephone: (928) 554-0050
E-Mail: carmen.howard@campverde.az.gov

Project Numbers: 20170167 & 20170168

Application Types: Zoning Map Change & Use Permit

Project Name: Kevin Norton

Project Address: 536 W. Salt Mine Road

Project Parcel: 404-28-032B

Description of Project:

This Zoning Map Change/Use Permit agency review is for a proposed change of zoning for a 7.71-acre parcel from R1L-35 (Residential: Single Family, Limited, 35,000 square foot minimum lot size) to R-R (Residential-Rural) and a request for a Use Permit for Agri-Tourism to conduct wine tasting and related events, at the location described above.

A copy of the proposed project is attached for your review and comment. Written comments are due to the Community Development Department by **Friday, June 23, 2017**. If you do not have any comments on the proposed project, please reply back to me with a "NO COMMENT".

Attached Documents: **[Application, Directions to Property, Letter of Intent, and Property Information]**.

Thank you in advance for taking the time to review this proposed project!



From: [Camp Verde Water System](#)
To: [Melinda Lee](#)
Subject: Re: Agency Review for Norton ZMC & Use Permit Applications
Date: Friday, June 09, 2017 7:34:12 AM

No Comment

Justin Bullard

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

From: Melinda Lee <Melinda.Lee@campverde.az.gov>
To: "Kristi Gagnon (KGagnon@CC-FMA.org)" <KGagnon@CC-FMA.org>; "Camp Verde Water (cvwsinc@yahoo.com)" <cvwsinc@yahoo.com>; Robert Foreman <Robert.Foreman@campverde.az.gov>; Nancy Gardner <Nancy.Gardner@campverde.az.gov>; Ron Long <Ron.Long@campverde.az.gov>
Cc: Carmen Howard <Carmen.Howard@campverde.az.gov>; Destiney Jones <Destiney.Jones@campverde.az.gov>; Sandra Farrar <Sandra.Farrar@campverde.az.gov>
Sent: Thursday, June 8, 2017 4:20 PM
Subject: Agency Review for Norton ZMC & Use Permit Applications

Greetings~

Please see the attached applications for a Zoning Map Change & Use Permit, submitted by Kevin Norton.

The comment deadline is Friday, June 23rd. Feel free to give us a call or drop by the office if you need further information.

Thank you for your help with this review. Enjoy your day!

Melinda Lee

Planner / Addressing Official
Town of Camp Verde
Community Development
(928)554-0053
Melinda.lee@campverde.az.gov

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

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TOWN OF CAMP VERDE



Memorandum

To: Melinda Lee, Planner

Cc: Sandy Farrar, Permit Technician
Kristi Gagnon, Fire Marshal

From: Robert Foreman, Building Official

Date: June 21st, 2017

Re: Zoning Map Change/Use Permit, Project #s 20170167 & 20170168

Building Department has the following comments on the Use Permit application. These comments are preliminary in nature only, and are subject to change.

- Building Division has no comments or concerns on zoning change.
- Town business license will be needed for new operations beyond current license for winery.
- If the current SFR use and occupancy is changed from R- 3 (residential) to either a B (business) or A-2 (assembly) a commercial T.I. Permit will be needed to meet current building codes for those occupancies. Including, but not limited to ingress/egress, emergency lighting, exiting signage, ventilation, fire and smoke protection, accessibility, safety glazing.
- Emergency vehicle access and fire flow will need to be coordinated with the Fire District.

A handwritten signature in black ink, appearing to read "Robert L. Foreman".

Robert L. Foreman
Building Official
Town of Camp Verde
473 S. Main St. Ste 108
928-554-0050
Robert.foreman@campverde.az.gov

Re-zoning and Use Permit Norton

Town of Camp Verde Community Development Director-

Contact: Carmen Howard Comments Received: 6/21/2017

- *On July 24, 2015, the Town Council approved a text amendment to the Residential-Rural (RR) Zoning District that will allow for Agri-Tourism Uses with an approved Use Permit. The Use Permit is subject to criteria and specific showings of:*
 - *Adequate points of direct ingress and egress for patron safety and direct emergency vehicle access;*
 - *Ample improved on-site parking for normal business activity and provisions on site for special event overflow parking;*
 - *Adequate separation distance, limitation of hours of operation, and/or additional impact mitigation to negative effects of lighting, noise, traffic, dust and other detrimental environmental factors on nearby residential uses or vacant residentially zoned property.*
 - *Provisions for patrons health, safety and comfort, such as shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, security for persons and property.*
 - *A full two (2) acres (87,120 square feet) parcel is required to obtain a Use Permit for Agri-Tourism.*

The property is currently zoned R1-L 35 and therefore requires re-zoning in order to qualify for an Agri-tourism Use Permit. Use Permit recommendation of approval will be dependent on successful re-zoning of the property to Rural Residential (RR).

- *These items will be reviewed and addressed in the staff report to the Planning & Zoning Commission.*
- *Staff is recommending approval of the Use Permit with all conditions met.*

From: Penny Fortner
To: Melinda Lee
Subject: Project #20170167 and #20170168 - Norton
Date: Thursday, June 22, 2017 7:38:03 AM

Penny Fortner
 724 N. Balboa Street (mailing address)
 Cottonwood, AZ 86326
 (928) 634-0544 (Office)

To the members of the City Council and Dept.
 of Planning and Zoning:

My name is Penny Fortner. I live at 477 W. Hwy 260 next door to Sweet Pea Antiques. They have NO WINDOWS through which to look down onto my property (on the side facing my house.) Much of my (roughly) 2 acres is hillside. Below, at the bottom of my hill and beside me to the west, is over 7 acres owned by Mr. Norton, the permits applicant. The ONLY reason I bought my property was because it was zoned R1 and beside me, vacant Residential land but MOST IMPORTANTLY..... PRIVATE. If I had known then that the City would one day consider turning those 7 acres into a TOURIST ATTRACTION with "related EVENTS" I would NEVER have considered buying that house in the first place.

I paid under \$200,000 for this home, used my life savings to buy and improve it. My plan was to spend (these) my "golden years," in my dream home, enjoying PRIVACY, peace and quiet. I am 68 years old and God forbid, if I had to move again for any reason, I would never be able to build or afford another home comparable to this one, especially one with an indoor pool and what I cherish most - TOTAL PRIVACY.

About a year after I bought my home I encountered Mr. Norton at the edge of my property. He proceeded to inform me his intentions of planting a vineyard, wine tasting room AND a platform at the highest point of his land which borders my land and which looks right down into my FRONT, SIDE AND BACK YARDS where people can sit and enjoy the view!

What I then envisioned was these "people" drinking, carrying on with conversations I can clearly hear from inside my home, my dogs barking like crazy at these intruders they want to scare off, all of these tourists LOOKING ONTO ALL 3 OF MY YARDS, dropping napkins, (it's very windy on this hillside) that will get caught up in my almost 2 acres of mesquite and tumbleweed bushes with millions of pickers to permanently affix them; cups, trash, cigarette butts and god only knows what else all over the place! I'm not a smoker and abhor the smell of cigarette smoke, especially if it's wafting into my windows and yard! Not once did Mr. Norton ask my opinion or if I had any objections. He acted as if he had already been given the green light for his project(s) and if I or anyone did have objections, they would not be relevant. In other words, he seemed very confident this was a done deal.

Then, several days ago I got a letter from the City notifying me of Mr. Norton's applications for the "Agro-tourism and related events plus wine tasting" permits. (I haven't been able to sleep since!) So, this wasn't a done deal? Or are the applications just a formality.

I couldn't understand WHY the City would even entertain granting such a permit in a quiet little area with no sidewalks, hidden away from public view for the most part, where families' kids were riding their bicycles and skateboards on the quiet residential streets, many of which are dead ends. My conclusion was it had to be financial gain for the City, a source of revenue. The City would STILL derive REVENUE WITHOUT granting the Agro-Tourism, wine tasting and related events permits.

YOU MUST REALIZE: Mr. Norton can sell his wine online, to local stores, individuals, businesses or restaurants WITHOUT this Agro-tourism permit. YOU WILL STILL GET YOUR REVENUE. So I see no reason beyond revenue to approve his applications. I beg you to think about this when making a decision that would add traffic, encourage unwanted sightseers on our residential streets (who've also been drinking,) absolutely end my privacy, disturb my peace and quiet, reduce the value of my home, cause my dogs to bark every time people came up my hill and sat at the edge of my yard drinking and disturbing my peace and quiet. This would cause me an inordinate amount distress. I purposely did my homework before I bought my home because I never wanted to have my privacy violated. Because of the zoning of Mr. Norton's property, I felt confident my privacy was assured.

I want to break down the components of the permits you're contemplating. Simply defined and Refined to it's simplest form: "Tourism" implies people from elsewhere DRIVING. A "wine tasting" room is where people CONSUME ALCOHOL. A vote for Mr. Norton's applications is nothing less than the voters' approvals of DRINKING and DRIVING! Do you really approve of this? Call me crazy but I find this unconscionable. Also, If these tourists who would be in varying degrees of drunk, ventured onto my land and got hurt, whose responsibility would that be? One law suit can destroy a person financially. This could put me in a very bad position, especially since there are no fences between our properties.

We all know the potential for accidents when people drink and drive. The results can be catastrophic and often times lead to:

ACCIDENTS, INJURIES or DEATH!

By approving Mr. Norton's application you are condoning and supporting DRINKING and DRIVING, KNOWING full well the possibility, if not PROBABILITY for disaster. I would think part of your job is keeping our community and residents SAFE. I feel it's a moral imperative to reject Mr. Norton's applications in order to reduce and prevent the risks associated with drinking and driving. God forbid one of these people after leaving the facility you gave permits for ran over a neighborhood child, hurt or killed them. You would never forgive yourselves for having facilitated such a tragedy.

I am by no means trying to deprive the City of revenue. He can still sell his wine without the permits he's applied for. You will STILL get your REVENUE and I feel it unfair and wrong to turn a peaceful, quiet community into a commercialized tourist attraction and compromise our way of life and the privacy I felt confident I'd always be assured by the zoning that was in place when I bought my property.

Respectfully submitted for consideration,
Penny Fortner

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

Please consider our environment before printing this email. P

DRAFT MINUTES
Regular Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY, JULY 6, 2017
5:30 PM

Note: Planning Commission meetings end no later than 9:00 pm; therefore, it is possible that some items will be carried over to a subsequent meeting.

1. Call to Order

Vice Chairman Teresa Helm called the meeting to order at 5:46 p.m.

2. Roll Call

Vice Chairman Teresa Helm, Commissioners Dave Freeman (5:48), Greg Blue, Chip Norton, Jim Hisrich (5:58) and Bruce George are present. Chairman B.J. Davis was absent for the Work Session but joined the regular session at 6:30.

Also Present

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

3. Pledge of Allegiance

Vice Chairman Teresa Helm led the Pledge of Allegiance

4. Work Session to Discuss Criteria for the Use of Shipping Containers within Town Limits

Actions:

▪ **Vice Chairman Helm opened the Work Session**

CDD Carmen Howard explained that there were only four commissioners at the last scheduled meeting and commissioners wanted to have more input on this topic so this item was pushed back to this meeting. Ms. Howard stated that staff recommended doing something relating to shipping containers and provided proposed standards. Commissioner Norton stated that prior to the last meeting he received phone calls relating to shipping containers in residential areas. He felt it would be a good idea to revisit this topic so the public could have more input and feels a 1 acre lot is too small to allow shipping containers. The Commissioners discussed different lot sizes that could work and after a lengthy discussion, an agreement was made that a 2 acre minimum sounded like the most logical, natural division.

▪ **Public Comment-**

Tammy Woodward- appreciates the commission doing more work on this topic. She originally didn't care for these units in residential areas; however, she has done more research and has found that these containers are a popular way to store items. She thinks it is important to stick to strict guidelines as to the placement on property and the number that is allowed.

Cathy Davis- asked what about the difference between a storage container and a shipping container. Ms. Howard read the definition that is listed in the guidelines. Ms. Davis would also like to know the number of units that will be allowed on the properties. Commissioner Blue gave the members of the public a copy of the guidelines so they could reference it to their questions.

Commissioner George stated he felt these guidelines are well thought out, and agrees with the 2 acre minimum change that is suggested.

Commissioner Freeman stated that he lives in a CCR-restrictive area. One person was approved to have a storage container which was framed in to look like a small cottage, with stucco on the outside. No one would guess it was a storage container. He felt this was a good idea and it was also on a two acre lot. He suggested to look at the entire picture and look at the positives. He felt that enforcement will be important.

Commissioner Hisrich thinks changing it from 1 to 2 acres is a great idea.

▪ **Vice Chairman Helm closed the Work Session at 6:17 pm.**

- **Vice Chairman Helm reconvened meeting at 6:30 pm. Chairman Davis resumed presiding over the meeting upon his arrival.**

5. **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:

June 8, 2017 – Public Hearing

b. Set Next Meeting, Date and Time: TBD

Motion was made by Commissioner Blue to accept the consent agenda as presented. Second was made by Commissioner Hisrich. Motion carried unanimously.

6. **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 wanted to speak.

7. **Public Hearing and Discussion for an application, submitted by property owner Kevin Norton, for a Zoning Map Change from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential- Rural) District, to allow for the application of an Agri-Tourism Use Permit for wine tasting and related events. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.**

Actions:

- **Chairman Davis declared public hearing open at 6:33. Commissioner Chip Norton recused himself from the Commission.**

- **Call for Staff Presentation: Planner Melinda Lee**

Planner Melinda Lee explained the zoning map change for this item and stated that the applicant Kevin Norton is present. Ms. Lee reviewed the staff report and stated the notices for the public meeting were mailed to each of the neighbors within 300 ft the above mentioned property, and notices were posted and advertised in the newspaper. Ms. Lee reported the Neighborhood Meeting was held May 4th and 19 people attended. Ms. Lee reported that only 1 response was received from the public which is included in the packet each Commissioner has. Copper Canyon Fire and Medical (CCFM) reviewed the request and only commented regarding emergency vehicle access requirements and would need to know any hazardous materials that will be on the property. Ms. Howard stated the applicant and the fire department met today and reviewed the fire code. Staff recommends that a note be included that the Use Permit must follow the Town adopted fire code; Ms. Howard stated the applicant is working with the Building Official to comply with the fire code. The Building Official's comments included compliance with the fire code and the possible need for permits with a change of occupancy, which may increase code requirements. CDD Howard's comments described the need to rezone the property from R1L35 to R-R in order to apply for a Use Permit for Agri-Tourism, with staff's support of such action; and Camp Verde Water System had no comments.

- **Call for Comments from Other Persons-**

Co-Applicant Chip Norton stated that he and his brother Kevin Norton are owners of Salt Mine Vineyard. He gave a presentation that included maps and goals for the winery. Mr. Norton stated they do have a liquor license in order to have alcohol but there is a 5 ounce limit on consumption of wine. A consumer cannot open the wine they purchase and then walk around the grounds. This will not be a place for afterhours events. No visitors will be allowed in the Upper Vineyard as it is a steep area. Parking would be by the tasting room and is very limited. Visitation will be allowed during daylight hours only. Any other "events" would be invitation only and not directly related to the business operation. There would always be someone at the point of sale. Mr. Norton stated the tasting room occupancy will only allow for small gatherings. The proposed hours of operation would be Saturdays and holidays from 10am to 4pm.

Neighbor Louis DeMiguel owner of 316 Salt Mine is concerned about more traffic on Salt Mine Road and is worried about inebriated people walking down his street; asking about possible access of Highway 260 instead of Salt Mine Road. He stated he is very concerned about safety in the neighborhood and if there will be additional fire hydrants needed.

Neighbor Emily DeMiguel is concerned about how many people will be at wine tasting events. She also feels this topic should not be voted on tonight before her neighbors had time to really review the proposal and voice their opinion on this topic. Ms. DeMiguel is also concerned about the speed in which people will be driving up and down the road and suggested that speed bumps be placed on Salt Mine Road. Chairman Davis explained the process for the Public Hearings and stated there will be more time for public to speak.

Neighbor Sandy Vanlandingham is a new resident to Camp Verde. She loves the idea of a vineyard in her neighborhood. She also noticed the traffic on the road and feels the DeMiguel's worry is out of proportion. Ms. Vanlandingham believes it will not be a problem to have the vineyard open one day a week and only serve 5 ounces of wine.

Neighbor Tammy Woodward stated she is also a walker, biker, and runner on this road. She stated the traffic is bad, but doesn't feel like it will be part of the problem. She thinks this vineyard will have a positive impact on Camp Verde. Ms. Woodward feels that the planned State Park on this road will cause more of a traffic problem. She supports this application.

Neighbor Louis DeMiguel didn't know about the planned State Park. He doesn't feel 300 feet is large enough area and doesn't feel like the neighbors know about this plan. He feels they need to have the opportunity to voice their opinion. Chairman Davis explained there will be more opportunity for neighbors to voice their opinion as the item continues to Town Council.

Commissioner George stated that Camp Verde is putting out new signs to try to keep traffic off of Salt Mine Road and use alternate routes.

Chip Norton doesn't feel this will cause more people to come down Salt Mine Road and offered to speak to any concerned citizens outside the meeting to review their concerns. He feels more people will be going down the road for state park. Commissioner Helm wanted to confirm that Kevin Norton would still be living on property and that the Building Department will be giving occupancy. Commissioner Hisrich asked about the 22 parking spots that were included in the application. Chip Norton stated that there will be a limited number of people entering tasting room but other people can walk through the vineyard. Parking will limit how many people will be able to be on the property. Commissioner Blue stated the Norton's should be promoting zoning to "Agriculture (AG)", and this could be a missed opportunity. CCD Carmen Howard stated there will still be a requirement to get a Use Permit with Agriculture zoning. Requiring a Use Permit provides the commission the chance to review the use's progress and make sure there are no issues. Chairman Davis restated there are 2 issues on the table, rezoning and use permits that have restrictions. Both of these will be going to council before it's approved. Chip Norton stated that at the neighborhood meeting the responses were overwhelmingly positive.

- **Call for Staff Rebuttal/Clarification:** None
- **Chairman Davis declared the public hearing closed 7:36pm**
- **Call for Commission Discussion-**None
- **Call for Staff Comments-**None

8. **Recommendation of Approval (or Denial) to Town Council for an application, submitted by property owner Kevin Norton, for a Zoning Map Change from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential-Rural) District, to allow for the application of an Agri-Tourism Use Permit for wine tasting and related events. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.**

***Motion** was made by Commissioner George to recommend approval to Town Council for a Zoning Map Change as requested from Kevin Norton from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential-Rural) District, to allow for the application of an Agri-Tourism Use Permit for wine tasting and related events. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B. Second was made by Commissioner Blue. **Motion** passed unanimously.*

9. **Public Hearing and Discussion for an application, submitted by property owner Kevin Norton, for an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine tasting and related events at the existing vineyard property. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.**

Actions:

- **Chairman Davis declared the public hearing open 7:40pm.**
- **Call for Staff Presentation: Planner Melinda Lee**

Ms. Lee reviewed the differences between the two applications, providing an overview of the Agri-Tourism definition and intended purpose. She stated that procedures were followed with publications, and notices in a timely matter. A Town Business License for the expanded use and a Use Permit for Agri-Tourism will be required for the proposed use on the property and Building Codes will have to be followed for the change in occupancy. Parking requirements will be determined through the building permit process. She recommends to include a condition stating compliance to the Town's adopted Fire Code.

- **Call for Comments from Other Persons**
- **Call for Staff Rebuttal/Clarification:** None
- **Chairman Davis declared the public hearing closed at 7:50pm.**

- **Call for Commission Discussion:**

Commissioners asked about the length of time for a Use Permit. Kevin Norton requested a 10 year Permit. Commissioner Blue thinks a 5 year permit would be appropriate because of the sensitivity of the neighbors, then come back and ask for perpetuity. CCD Carmen Howard stated that they could do perpetuity now and include a review in 1 year to address any potential concerns.

- **Call for Staff Comments:** None

10. Possible Recommendation of Approval (or Denial) to Town Council for an application, submitted by property owner Kevin Norton, for an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine tasting and related events at the existing vineyard property. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.

Commissioner Helm wanted to confirm the intent of the vineyard is to visit and learn about a winery but no big events will be held there. Applicant Kevin Norton stated yes but he also wants to sell wine. He doesn't want a traditional tasting room atmosphere and people can't sit and drink wine all day. It will be just taste and then buy. They plan to attract butterflies to the property as part of the visitor's tour experiences. Commissioner Helm would like to hear more of the Agri-Tourism aspect and not just about drinking wine. She would like to know more about educational experiences.

***Motion** was made by Chairman Davis to recommendation of approval to Town Council for an application, submitted by property owner Kevin Norton, for an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine tasting and related events at the existing vineyard property. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B. Adding conditions that the applicant comply with the Town of Camp Verde Fire Code as interpreted by the Fire Marshal, the Use Permit is in perpetuity with a 1 year review of use, and the Use Permit will have an attachment that shows the intent of the amount of wine to be served, and the hours and days of operation. Second was made by Commissioner Hisrich. **Motion** passed unanimously.*

11. Reconvene Work Session: Not needed.

Commissioner Norton resumed his seat on the board for continued discussion.

12. Discussion and Possible Recommendation of Approval (or Denial) to Town Council for a Text Amendment to the Planning & Zoning Ordinance, adding a new Section 311, Shipping Containers.

***Motion** was made by Commissioner Helm recommend approval to Town Council for a Text Amendment to the Planning & Zoning Ordinance, adding a new Section 312, Shipping Containers, with the change to the acreage allowance to 2 acre minimum and add a definition. Second was made by Hisrich. **Motion** passed unanimously.*

**** There Will Be No Public Input on the Following Items:***

13. Current Events

Commissioner Helm reminded everyone that Cornfest is July 15th. The vintage baseball game will start at 10am Saturday.

14. Staff Comments

None

15. Adjournment

***Motion** was made by Commissioner Blue to adjourn the meeting. Second was made by Commissioner Freeman. **Motion** carried unanimously. Meeting was adjourned at 8:09 PM*

Chairman B.J. Davis
Planning & Zoning Commission

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 of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 6th day of July, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of July, 2017.

Jennifer Shilling

Jennifer Shilling, Recording Secretary

DRAFT

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Town of Camp Verde

Agenda Item Submission Form / Section I: Cover Sheet
Norton Application for an Agri-Tourism Use Permit

Meeting Date: July 26, 2017 Council Hears Planning & Zoning

- 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: Kevin Norton
Application: Use Permit for Agri-Tourism in an R-R (Residential: Rural) District #20170168

Agenda Title (be exact): POSSIBLE APPROVAL OR DENIAL FOR A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ON USE PERMIT 20170168, AN APPLICATION SUBMITTED BY KEVIN NORTON, OWNER OF SALT MINE WINERY, PARCEL 404-28-032B, LOCATED AT 536 W SALT MINE RD WHICH IS APPROXIMATELY 7.71 ACRES. THE PROPERTY OWNER IS REQUESTING A USE PERMIT TO ALLOW FOR AGRITOURISM IN A RESIDENTIAL NEIGHBORHOOD ZONED R-R (RESIDENTIAL-RURAL) FOR THE PURPOSE OF SAMPLING AND SELLING WINE PRODUCED ON THE PROPERTY AND VINEYARD TOURS

List Attached Documents:

- Staff Report, Sections I & II
Draft Resolution 2017-982: Waiver for Diminution in Value Claim
Use Permit Application: Town Business License, Arizona Liquor License
ZMC & Use Permit Shared Documents:
Directions to Property & Zoning Map
Letter of Intent
Neighborhood Meeting Affidavit, Notification List & Letter, Summary & Comments
Comments from Agencies & Public
Draft Minutes from the July 6, 2017 Planning & Zoning Commission Public Hearing with Recommendation to Council

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

Reviews Completed by:

- Department Head: Carmen Howard, Comments: In Staff Report
Town Attorney, Comments: Waiver for Diminution in Value Claim

Meeting Date: July 26, 2017 Council Hears Planning & Zoning Commission

Background:

The intent of this application is for the applicant to obtain an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine sampling and sales, and tours for visitors at the existing vineyard property. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.

Agri-Tourism is an allowed use under the R-R (Residential-Rural) District in the current Planning & Zoning Ordinance with a Use Permit. The applicant has a current license for the production and sales of wine, under Arizona Winery License #13133044.

As defined in Section 103 of the Planning & Zoning Ordinance, Agri-tourism is:

“The act of visiting a working farm, ranch, agricultural or horticultural agribusiness operation for the purpose of enjoyment, education, or active involvement of visitors to experience a rural lifestyle. Visitors may participate in events and services related to agriculture which may take place on or off the farm or ranch, and that connect consumers with the heritage, natural resource or culinary experience they value. This may include, but is not limited to; farm stands or shops, U-pick, on-farm classes, fairs, festivals, pumpkin patches, wineries, barn dances, corn maze, hunting, fishing, guest ranches, agricultural tours, wildlife viewing or bird watching, wine tasting”.

The following has been completed by the applicant and staff:

- The applicant posted the subject property on April 21, 2017 and mailed out letters to the neighboring property owners within 300’ of the subject property which invited them to attend a neighborhood meeting to express their comments and concerns on their Use Permit application to allow for Agri-Tourism.
- The meeting was held on May 4, 2017 from 5:30PM-6:15PM on the subject property located at 536 W. Salt Mine Road, Camp Verde, Arizona. There were nine (19) people in attendance, including (4) members of the Norton family. The issues and concerns raised by the attendees are included within Exhibit C, Neighborhood Meeting Documentation.
- Community Development Staff mailed out (24) letters to properties within 300’ of the subject parcel on June 8, 2017. This letter advised the neighbors of the Planning & Zoning Commission meeting date and time as well as the tentatively scheduled meeting date and time the item will appear before Town Council. One written comment was received from an adjoining property owner, Penny Fortner, and is included in Exhibit D, Communications.
- A Notice of Hearings was placed in the Verde Independent – Camp Verde Bugle newspaper on Sunday, June 18, 2017 by Community Development Staff.

- A Notice of Public Hearings was posted on the subject property located at 536 W. Salt Mine Road, Camp Verde, Arizona on June 19, 2017 by Community Development Staff.

Agencies were notified and the responses are as follows:

Copper Canyon Fire & Medical Association-

Contact: Kristi Gagnon Comments Received: 6/13/17

- *With the buildings changing to a commercial occupancy, an adequate emergency access roadway would need to be provided to within 150' of all portions of each commercial use building*
 - *All turns will need to meet the turning radius of 28' inside, and 50' outside.*
 - *The road will need to be designed to be able to withstand 75,000 pounds driving load.*
 - *The road surface will need to be an all-weather surface.*
 - *The width of the road shall be a minimum of 20' wide.*
 - *The grade of the road shall not exceed 10%.*
- *Additionally, considering the length of the new access roadway on the property, an approved turn-around will need to be provided.*
- *Lastly, we will need documentation regarding what potentially hazardous materials are on the property, i.e., pesticides, herbicides, fertilizer, etc.*

Comment Received (in part): July 5, 2017

- *Chief Keller and I did a site inspection of the Norton's property, and we are willing to discuss access alternatives with the Nortons.*

Town of Camp Verde Building Division-

Contact: Robert Foreman Comments Received: 6/21/17

- *Town business license will be needed for new operations beyond current license for winery.*
- *If the current SFR use and occupancy is changed from R-3 (residential) to either a B (business) or A-2 (assembly) a commercial T.I. (tenant improvement) Permit will be needed to meet current building codes for those occupancies. Including, but not limited to, ingress/egress, emergency lighting, exiting signage, ventilation, fire and smoke protection, accessibility, safety glazing.*
- *Emergency vehicle access and fire flow will need to be coordinated with the Fire District.*
- *These comments are preliminary in nature only, and are subject to change.*

Town of Camp Verde Community Development Director-

Contact: Carmen Howard Comments Received: 6/21/2017

- *On July 24, 2015, the Town Council approved a text amendment to the Residential-Rural (RR) Zoning District that will allow for Agri-Tourism Uses with an approved Use Permit. The Use Permit is subject to criteria and specific showings of:*
 - *Adequate points of direct ingress and egress for patron safety and direct emergency vehicle access;*
 - *Ample improved on-site parking for normal business activity and provisions on site for special event overflow parking;*
 - *Adequate separation distance, limitation of hours of operation, and/or additional impact mitigation to negative effects of lighting, noise, traffic, dust and other*

detrimental environmental factors on nearby residential uses or vacant residentially zoned property.

- *Provisions for patrons health, safety and comfort, such as shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, security for persons and property.*
- *A full two (2) acres (87,120 square feet) parcel is required to obtain a Use Permit for Agri-Tourism.*
- *Staff is recommending approval of the Use Permit with all conditions met.*

Camp Verde Water System-

Contact: Justin Bullard

Comments Received: 6/9/2017

- *Camp Verde Water System had no comments.*

Current and Proposed Development Conditions:

- The applicant has a current Town of Camp Verde business license for the operation of the winery, issued under the name of “Salt Mine Wine”.
- The applicant has a current Alcoholic Beverage License #13133044 from the State of Arizona Department of Liquor Licenses and Control, issued under the name of “Salt Mine Wine”, with the location of “Salt Mine Vineyards” at 536 W. Salt Mine Road.
- The property is located in an area with a rural residential environment, with parcels that typically range from one and ten acres in size; agricultural uses are present throughout. (See Vicinity Map).
- The property is 7.71 acres in size and meets the minimum lot size requirement of two (2) acres (87,120 square feet) for an Agri-Tourism Use Permit.
- The setbacks for the existing buildings appear to be well within the ordinance requirements for the current R1L-35 District standards of Front: 20 feet, Rear: 25 feet, Interior Sides: 7 feet. The proposed new zoning district of R-R would have standards of Front: 50 feet, Rear: 50 feet, Interior Sides: 25 feet. The buildings still meet these setbacks, with the exception of the winery building, which shows on the Yavapai County GIS site to be approximately 21 feet from the interior side property line to the east.
- As far as outdoor lighting and building height limitations are concerned, Staff will review for compliance when building permits are applied for should the Use Permit be approved.
- Per the Building Official, a Commercial Tenant Improvement Building Permit Application will be required by the Building Division in order to change the use and occupancy of the existing R-3 (Residential Occupancy) into a Commercial Wine Tasting Room, either B (Business Occupancy) or A-2 (Assembly Occupancy). The new use will need to meet current building codes for these occupancies. The emergency vehicle access and fire flow will need to be coordinated with the Fire District. The Building Official’s comments are preliminary in nature and are subject to change.

General Plan:

The subject property is located in Salt Mine Character Area. The proposed Use Permit for Agri-Tourism is compatible with Goal B of the Salt Mine Character Area, which states: "Maintain the rural, residential and agricultural character of the area". The implementation strategy for this goal states under B.1 "Encourage farmer's markets, community gardens, and roadside stands for the sale of locally grown produce and agricultural products".

This Character Area has been identified in the General Plan as a location in which to promote the rural lifestyle, which includes agriculture and the sale of goods produced at within its boundaries. If approved, the R-R (Residential-Rural) District allows the ability to consider this application for an Agri-Tourism Use Permit, to facilitate the sale and sampling of wine produced on the property, at the Salt Mine Vineyards.

Recommended by the Planning & Zoning Commission:

On a motion by Chairman Davis, seconded by Commissioner Hisrich, the Commission recommends approval of an application for an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine sampling, sales, and visitor tours at the existing vineyard property, in compliance with applicable codes and regulations, and as requested by Mr. Kevin Norton. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.

The following conditions of approval shall apply:

- **The use shall be conditional, based on compliance with the Town of Camp Verde adopted Fire Code.**
- **Operation will be in accordance with the Applicant's Letter of Intent (attached).**
- **This Use Permit shall be in perpetuity, with a review in one year to evaluate potential impacts on the surrounding neighborhood.**

The motion carried with a vote of 6-0; Commissioner Norton recused himself from the Commission discussion and vote.

Agri-Tourism is an allowed use, with a Use Permit, under the R-R (Residential-Rural) District, subject to a showing of specific criteria, as outlined in the current Planning & Zoning Ordinance. The production, sales, and sampling of wine is authorized under the applicant's Arizona Winery License #13133044.



RESOLUTION NO. 2017-982

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ON USE PERMIT 20170168, AN APPLICATION SUBMITTED BY KEVIN NORTON, OWNER OF SALT MINE WINERY, PARCEL 404-28-032B, LOCATED AT 536 W SALT MINE RD WHICH IS APPROXIMATELY 7.71 ACRES. THE PROPERTY OWNER IS REQUESTING A USE PERMIT TO ALLOW FOR AGRI-TOURISM IN A RESIDENTIAL NEIGHBORHOOD ZONED R-R (RESIDENTIAL-RURAL) FOR THE PURPOSE OF SAMPLING AND SELLING WINE PRODUCED ON THE PROPERTY AND VINEYARD TOURS.

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 20170168 was filed by Kevin Norton, owner of Parcel 404-28-032B, located at 536 W Salt Mine Rd, Camp Verde, Arizona. The parcel is zoned R-R (Residential-Rural) and the proposed uses (Agri-Tourism) are permitted under such zoning with a Use Permit.
 - B. The request was reviewed by the Planning and Zoning Commission on July 6, 2017 and by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on July 26, 2017 in public hearings that were advertised and posted according to State Law.
 - C. A neighborhood meeting was held on May 4, 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) A. – Zoning Ordinance Amendment Applications and Hearings, 3.a-e.
 - 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 in Value Claim 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 20170168 in perpetuity, subject to the limitations of Part Six, Section 601 – Zoning Decisions, C – Use Permit Approvals, Subsection 2, for the purpose of selling and operating a wine tasting room as authorized by Arizona Domestic Farm Winery License #13133013 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.

Resolution 2017-982
July 26, 2017

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 would be in place:

1. This Use Permit shall be in perpetuity, with a review in one year to evaluate potential impacts on the surrounding neighborhood.
2. The use will be conditional based on compliance with the Town of Camp Verde adopted Fire Code.
3. Hours open to the public are limited to Saturdays and Holidays from 10 am to 4 pm.

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 JULY 26, 2017.

Charles C. German, Mayor Date:

Attest:

Approved As To Form:

Judith Morgan, Town Clerk Date:

Town Attorney

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 _____ day of _____, 20____, by and between the Town of Camp Verde, a municipal corporation of Arizona (“Town”) and:

Kevin Norton and Delbert L. Norton, Jr., (“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:

#20170168: Use Permit for Agri-Tourism
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

Dated this 13 day of July, 2017

OWNER:

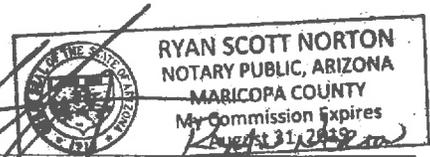
KEVIN NORTON
Print Name
[Signature]
Signature

OWNER:

DELBERT NORTON JR.
Print Name
[Signature]
Signature

STATE OF ARIZONA)
) ss.
County of MARICOPA)

On this 13 day of July, 2017, before me, the undersigned Notary Public, personally appeared KEVIN Norton, who acknowledged that this document was executed for the purposes therein contained.


Notary Public

My Commission Expires: Aug 31, 2019



\$1860
Use Permit

Land Use

Project #: 20170168

Application Form

1. Application is made for:

- | | | |
|---|------------------------------------|------------------------|
| Zoning Map Change | <u>Use Permit</u> | General Plan Amendment |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PUD Zoning | Variance | Sign |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Appeal | Verification of Non-Conforming Use | |
| Site Plan Compatibility Review (Commercial) | | |

Other: _____

2. Project Name: 536 W. SALT MINE USE PERMIT

Please print or type legibly

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

Owner Name: KEVIN CHIP NORTON

Applicant Name: SAME AS OWNER

Address: 536 W. SALT MINE RD

Address: _____

City: Camp Verde State: AZ Zip: 86322

City: _____ State: _____ Zip: _____

Phone: 602-568-7555

Phone: _____

E-mail: KEVINNORTON@COX.NET

E-Mail: _____

4. Property Description: Parcel Number 404-28-032B Acres: 7.71

Address or Location: 536 W. SALT MINE RD CAMP VERDE, AZ 86322

Existing Zoning: RIL-35 Existing Use: RESIDENTIAL

Proposed Zoning: R-R Proposed Use: AGRI-TOURISM

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

AGRI-TOURISM ; VINEYARDS/WINERY/SALES

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: 5/19/17 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: 5/19/17

#3243

BUSINESS LICENSE/SPECIAL EVENT LICENSE AND/OR HOME OCCUPATION APPLICATION
INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED

Town of Camp Verde
473 S Main Street, Suite 102
Camp Verde, AZ 86322
Clerk's Office 928-554-0000
www.campverde.az.gov



BUSINESS/VENDOR INFORMATION		TYPE OF OWNERSHIP	TYPE OF SERVICE
Company name	SALT MINE WINE	<input type="checkbox"/> Sole proprietorship	<input checked="" type="checkbox"/> Retail
Phone Number	602 568 7555	<input type="checkbox"/> Partnership	<input type="checkbox"/> Service
E-mail address:	KEVIN.NOLTON@COF.NET	<input checked="" type="checkbox"/> Corporation	<input type="checkbox"/> Food
Would you like your renewal notice e-mailed to you <input checked="" type="checkbox"/> yes <input type="checkbox"/> no		<input type="checkbox"/> Other	<input type="checkbox"/> Non Profit/Civic Organization (No Fee)
Mailing Address	PO Box 2840		
City, State ZIP Code	CAMP VERDE, AZ 86322		
Address of Business City, State ZIP Code	536 W. SALT MINE RD	CAMP VERDE, AZ 86322	
Description of Business/Promotional Item/Hours of Operation	Winery		
Emergency Contact Name	KEVIN NOLTON	Emergency Contact Phone #	602 568 7555
State Tax #	21028178-Q		
Contractor License #		Square footage of Building if located in CV:	1400 sq
# of Signs in CV	1	Number of Parking Spaces	10
# of Employees	0	Driver's License Number	D02848262
Is this Rental Property <input type="checkbox"/> yes <input checked="" type="checkbox"/> no	If Yes Who is Owner of Property where Business is located:		

Issuance of a business license does not constitute a waiver of any existing Zoning Ordinance, other laws, or any deed restrictions (PER TOWN CODE, CHAPTER 9 ARTICLE 9-3-2). BEFORE A LICENSE IS ISSUED, IT WILL BE REVIEWED BY COMMUNITY DEVELOPMENT DEPARTMENT.

All Vendors shall obtain any necessary health or regulatory permits required by law and obtain the written permission of the property owner for the operation prior to setting up a display.

I hereby certify that the statements made herein have been examined by me and are to the best of my belief and knowledge, true and complete. I further certify that I understand that a "Use Permit" or a "Change of Use Permit" may be required prior to the issuance of a Business License.

COMPLETE THIS SECTION ONLY IF YOU HAVE A HOME OCCUPATION BUSINESS

I hereby declare that, in the conduct of my home occupation at the above address, I will comply with the requirements pertaining to such occupations as set forth in the Town of Camp Verde Planning & Zoning Ordinance Part 3 Section 303 "Home Occupations". A home occupation shall be deemed an accessory use to a residential dwelling and shall be subject to the following standards:

Please mark (X) each statement that applies to your home occupation business:

- The occupation is clearly incidental and secondary to the principal use of the residence; Not more than one outside employee (not residing on the premises).
- The occupation is not disruptive of the residential character of the neighborhood; The occupation shall not create a traffic or parking problem;
- The occupation shall not create any disturbing or offensive activity, noise, vibration, smoke, dust, odor, heat, glare, or other unhealthy or unsightly condition;
- Signage shall be limited to identification as specified in the Planning & Zoning Ordinance Section 404 F, identification signs.
- Floor area for the Home Occupation is limited to 25% of the total floor areas of the structure(s) on the premises in which the home occupation is conducted.

By signing below I declare that I have read, understand and agree to abide by the standards set forth in Part 3 Section 303 "Home Occupations" as stated above:

I hereby certify that the statements made herein have been examined by me and are to the best of my belief and knowledge, true and complete. I further certify that I understand that a "Use Permit" or a "Change of Use Permit" may be required prior to the issuance of a Business License. **TIME FRAME** as required by ARS 9-835 - All Applications will be processed within 10 Business Days unless additional inspections are required by the Building Official. If a Use permit or Change of Use Permit is required, the application will be processed within 10 Business Days after Use Permit is approved and fees paid. A License WILL NOT be issued without the Building Officials Approval.

SIGNATURES FOR BUSINESS LICENSE/SPECIAL EVENT AND HOME OCCUPATION

Signature		Signature	
Title and Date	Member 12/12/16	Title and Date	

***Note: Business license numbers must be included on all correspondence, invoices and Certificates of Insurance's.**

TIME FRAME as required by ARS 9-835 - All Applications will be processed within 10 Business Days unless additional inspections are required by the Building Official. If a Use permit or Change of Use Permit is required, the application will be processed within 10 Business Days after Use Permit is approved and fees paid. A License WILL NOT be issued without the Building Officials Approval.

FOR OFFICE USE ONLY	
Date sent to Community Development <u>09 12-14-2016</u>	Planning & Zoning Review: <u>Car Howard 12/15/16</u>
Parcel # _____	Building Review: <u>L. Jensen</u>
Zoning _____	Code Enforcement Review: <u>Car Howard 12/15/16</u>
	Marshal's Office Notified: <u>Copy 12-15-2016</u>
	Town Clerk: <u>Deanna Lee 12-15-2016</u>
	Date

Business License Fees:

New or Change in Ownership or Location	
New Business License Fee/Inspection/Setup Fee	\$50.00
Peddler/Solicitor's License (in addition to \$1,000 Bond & Cost of Background Check)	\$25.00 Per day
Special Event Promoter (Per Event)	No Charge
Special Event Vendor (Non-Profits)	No Charge
Special Event Vendor	\$25.00 Per Event
Renewal	
Business License Fee (annual)	\$25.00
Name Change in Addition to Annual Fee	No Charge
Liquor License Permits	
Application/Posting/Inspection Fee	\$250.00
Business License (annually) + the following:	
Series 01 through 14 and Series 16 & 17	\$50.00
Series 15 Special Event (Temporary License - Annually)	\$100.00
One-time Special Event Permit	\$50.00

I hereby acknowledge the above restrictions and conditions on this permit.

Signature: _____

Date 12/12/16

STATE OF ARIZONA
DEPARTMENT OF LIQUOR LICENSES
AND CONTROL
ALCOHOLIC BEVERAGE LICENSE
License 13133044

Issue Date: 3/18/2014

Expiration Date: 8/31/2017

Issued To:
KEVIN NORTON, Agent
SALT MINE WINE LLC, Owner

Location:
SALT MINE VINEYARDS
536 W SALT MINE RD
CAMP VERDE, AZ 86322

Mailing Address:
KEVIN NORTON
SALT MINE WINE LLC
SALT MINE VINEYARDS
536 W SALT MINE RD
CAMP VERDE, AZ 86322



EXP 8/31/2017

POST THIS LICENSE IN A CONSPICUOUS PLACE

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Exhibit A - Agenda Item Submission Form – Section I

Meeting Date: Council Hears P&Z, June 28, 2017

- 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): POSSIBLE APPROVAL (OR DENIAL) FOR 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 BY ADDING A NEW SECTION 312, "SHIPPING CONTAINERS" TO PART 3, GENERAL REGULATIONS/PROVISIONS AND A NEW DEFINITION FOR "SHIPPING CONTAINER" UNDER PART ONE, SECTION 103 (DEFINITION OF TERMS); THIS AMENDMENT WILL ALLOW FOR THE USE OF SHIPPING CONTAINERS FOR STORAGE AS SPECIFIED; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

List Attached Documents:

- Ordinance 2017A425
- Draft minutes from June 8 Planning and Zoning Commission meeting

Estimated Presentation Time: 5

Estimated Discussion Time: 10 minutes

Reviews Completed by:

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

Background Information:

The Planning and Zoning Ordinance has historically prohibited the use of shipping containers for storage throughout the Town. Current trends and the popularity of using Shipping Containers for storage has brought this issue to the attention of the Community Development Department. The desire of the Community to use these units for storage has resulted in the review and consideration by the Planning Commission and Council to potentially amend the Zoning Code to allow the use with performance standards. The Council should note that this item was heard before the Planning & Zoning Commission and a Public Hearing was held as per A.R.S. 9-462.04 on Thursday, June 8, 2017. The item was tabled to allow for further discussion with a full commission due to the absence of three commissioners at that meeting. The Commission revisited the item on July 6, 2017 and on a motion made by Vice Chairman Helm, seconded by Commission Hisrich, the Planning & Zoning Commission unanimously made a recommendation of approval to Council for this proposed text amendment.

Recommended Action (Motion): A MOTION TO APPROVE (OR DENY) ORDINANCE 2017A425, 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 BY ADDING A NEW SECTION 312, "SHIPPING

CONTAINERS" TO PART 3, GENERAL REGULATIONS/PROVISIONS AND A NEW DEFINITION FOR "SHIPPING CONTAINER" UNDER PART ONE, SECTION 103 (DEFINITION OF TERMS); THIS AMENDMENT WILL ALLOW FOR THE USE OF SHIPPING CONTAINERS FOR STORAGE AS SPECIFIED; AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW



ORDINANCE 2017A425

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 BY ADDING A NEW SECTION 312, “SHIPPING CONTAINERS” TO PART 3, GENERAL REGULATIONS/PROVISIONS AND A NEW DEFINITION FOR “SHIPPING CONTAINER” UNDER PART ONE, SECTION 103 (DEFINITION OF TERMS); THIS AMENDMENT WILL ALLOW FOR THE USE OF SHIPPING CONTAINERS FOR STORAGE AS SPECIFIED; 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 8, 2017 in public hearing that was advertised and posted according to state law. The item was tabled and brought back for review and recommendation for approval to the Town Council by the Planning and Zoning Commission on July 6, 2017.

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 definition for “Shipping Container” will be added to Part One, Section 103 of the Planning and Zoning Ordinance and requirements for information and procedures for “Shipping Containers” shall be inserted in Part Three, General Regulations/Provisions under a new Section 312, “Shipping Containers”, of the Camp Verde Planning & Zoning Ordinance:

PART ONE. SECTION 103 – DEFINITIONS:

SHIPPING CONTAINER: A standardized metal storage container designed and built for intermodal freight transport used to store and transport materials and products using different modes of transport. Also known as cargo container, freight container, ISO container, shipping, sea or ocean container or Conex box.

PART THREE. SECTION 312- SHIPPING CONTAINERS

A. Residential and Commercial Zones: (R1L, R1, R2, RR, RS, C1, C2)

Shipping Containers are permitted in Residential Zones on properties of two (2) acres or more subject to the following standards:

- a. One (1) 320 or two (2) 160 square foot Shipping Container may be established with an approved zoning clearance.
- b. Shipping Containers are required to meet all Zoning District and Building Permit requirements.
- c. There shall be no signage on the Shipping Container.
- d. All containers shall be painted and maintained with either the principal structure color or a solid, subdued color consistent with the surrounding terrain prior to placement.
- e. Use of the unit is for the storage of personal effects owned by the property owner or tenant. There shall be no commercial use or renting of the unit.
- f. The unit shall not be used for residential use or for the keeping of animals.
- g. Nothing shall be stored on top of the unit.

B. Commercial and Industrial Zones: (C3, PM)

Shipping Containers are permitted in Commercial Zones subject to the following standards:

- a. Two (2) 320 or four (4) 160 square foot Shipping Containers may be established with an approved zoning clearance.
- b. Shipping Containers are required to meet all Zoning District and Building Permit requirements.

- c. There shall be no signage on the Shipping Container.
- d. All containers shall be painted and maintained with either the principal structure color or solid, subdued color consistent with the surrounding terrain prior to placement.
- e. The unit shall not be used for residential use or for the keeping of animals.
- f. Nothing shall be stored on top of the unit.

C. Industrial Zones: (M1, M2)

Shipping Containers are permitted in Industrial Zones subject to the following standards:

- a. Shipping Containers may be established with an approved zoning clearance.
- b. Shipping Containers are required to meet all Zoning District and Building Permit requirements.
- c. There shall be no signage on the Shipping Container.
- d. The unit shall not be used for residential use or for the keeping of animals.
- e. Nothing shall be stored on top of the unit but stacking two (2) high is permitted.

Shipping containers existing prior to the adoption of this Ordinance will have until January 1, 2018 to meet these requirements.

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 26TH DAY OF JULY 2017.

Charles German - Mayor

Date: _____

Approved as to form:

Attest: _____
Judith Morgan, Town Clerk

Bill Sims - Town Attorney

2.

DRAFT MINUTES
Regular Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY, JULY 6, 2017
5:30 PM

Note: Planning Commission meetings end no later than 9:00 pm; therefore, it is possible that some items will be carried over to a subsequent meeting.

1. Call to Order

Vice Chairman Teresa Helm called the meeting to order at 5:46 p.m.

2. Roll Call

Vice Chairman Teresa Helm, Commissioners Dave Freeman (5:48), Greg Blue, Chip Norton, Jim Hisrich (5:58) and Bruce George are present. Chairman B.J. Davis was absent for the Work Session but joined the regular session at 6:30.

Also Present

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

3. Pledge of Allegiance

Vice Chairman Teresa Helm led the Pledge of Allegiance

4. Work Session to Discuss Criteria for the Use of Shipping Containers within Town Limits

Actions:

▪ **Vice Chairman Helm opened the Work Session**

CDD Carmen Howard explained that there were only four commissioners at the last scheduled meeting and commissioners wanted to have more input on this topic so this item was pushed back to this meeting. Ms. Howard stated that staff recommended doing something relating to shipping containers and provided proposed standards. Commissioner Norton stated that prior to the last meeting he received phone calls relating to shipping containers in residential areas. He felt it would be a good idea to revisit this topic so the public could have more input and feels a 1 acre lot is too small to allow shipping containers. The Commissioners discussed different lot sizes that could work and after a lengthy discussion, an agreement was made that a 2 acre minimum sounded like the most logical, natural division.

▪ **Public Comment-**

Tammy Woodward- appreciates the commission doing more work on this topic. She originally didn't care for these units in residential areas; however, she has done more research and has found that these containers are a popular way to store items. She thinks it is important to stick to strict guidelines as to the placement on property and the number that is allowed.

Cathy Davis- asked what about the difference between a storage container and a shipping container. Ms. Howard read the definition that is listed in the guidelines. Ms. Davis would also like to know the number of units that will be allowed on the properties. Commissioner Blue gave the members of the public a copy of the guidelines so they could reference it to their questions.

Commissioner George stated he felt these guidelines are well thought out, and agrees with the 2 acre minimum change that is suggested.

Commissioner Freeman stated that he lives in a CCR-restrictive area. One person was approved to have a storage container which was framed in to look like a small cottage, with stucco on the outside. No one would guess it was a storage container. He felt this was a good idea and it was also on a two acre lot. He suggested to look at the entire picture and look at the positives. He felt that enforcement will be important.

Commissioner Hisrich thinks changing it from 1 to 2 acres is a great idea.

▪ **Vice Chairman Helm closed the Work Session at 6:17 pm.**

- **Vice Chairman Helm reconvened meeting at 6:30 pm. Chairman Davis resumed presiding over the meeting upon his arrival.**

5. **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:

June 8, 2017 – Public Hearing

b. Set Next Meeting, Date and Time: TBD

Motion was made by Commissioner Blue to accept the consent agenda as presented. Second was made by Commissioner Hisrich. Motion carried unanimously.

6. **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 wanted to speak.

7. **Public Hearing and Discussion for an application, submitted by property owner Kevin Norton, for a Zoning Map Change from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential- Rural) District, to allow for the application of an Agri-Tourism Use Permit for wine tasting and related events. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.**

Actions:

- **Chairman Davis declared public hearing open at 6:33. Commissioner Chip Norton recused himself from the Commission.**

- **Call for Staff Presentation: Planner Melinda Lee**

Planner Melinda Lee explained the zoning map change for this item and stated that the applicant Kevin Norton is present. Ms. Lee reviewed the staff report and stated the notices for the public meeting were mailed to each of the neighbors within 300 ft the above mentioned property, and notices were posted and advertised in the newspaper. Ms. Lee reported the Neighborhood Meeting was held May 4th and 19 people attended. Ms. Lee reported that only 1 response was received from the public which is included in the packet each Commissioner has. Copper Canyon Fire and Medical (CCFM) reviewed the request and only commented regarding emergency vehicle access requirements and would need to know any hazardous materials that will be on the property. Ms. Howard stated the applicant and the fire department met today and reviewed the fire code. Staff recommends that a note be included that the Use Permit must follow the Town adopted fire code; Ms. Howard stated the applicant is working with the Building Official to comply with the fire code. The Building Official's comments included compliance with the fire code and the possible need for permits with a change of occupancy, which may increase code requirements. CDD Howard's comments described the need to rezone the property from R1L35 to R-R in order to apply for a Use Permit for Agri-Tourism, with staff's support of such action; and Camp Verde Water System had no comments.

- **Call for Comments from Other Persons-**

Co-Applicant Chip Norton stated that he and his brother Kevin Norton are owners of Salt Mine Vineyard. He gave a presentation that included maps and goals for the winery. Mr. Norton stated they do have a liquor license in order to have alcohol but there is a 5 ounce limit on consumption of wine. A consumer cannot open the wine they purchase and then walk around the grounds. This will not be a place for afterhours events. No visitors will be allowed in the Upper Vineyard as it is a steep area. Parking would be by the tasting room and is very limited. Visitation will be allowed during daylight hours only. Any other "events" would be invitation only and not directly related to the business operation. There would always be someone at the point of sale. Mr. Norton stated the tasting room occupancy will only allow for small gatherings. The proposed hours of operation would be Saturdays and holidays from 10am to 4pm.

Neighbor Louis DeMiguel owner of 316 Salt Mine is concerned about more traffic on Salt Mine Road and is worried about inebriated people walking down his street; asking about possible access of Highway 260 instead of Salt Mine Road. He stated he is very concerned about safety in the neighborhood and if there will be additional fire hydrants needed.

Neighbor Emily DeMiguel is concerned about how many people will be at wine tasting events. She also feels this topic should not be voted on tonight before her neighbors had time to really review the proposal and voice their opinion on this topic. Ms. DeMiguel is also concerned about the speed in which people will be driving up and down the road and suggested that speed bumps be placed on Salt Mine Road. Chairman Davis explained the process for the Public Hearings and stated there will be more time for public to speak.

Neighbor Sandy Vanlandingham is a new resident to Camp Verde. She loves the idea of a vineyard in her neighborhood. She also noticed the traffic on the road and feels the DeMiguel's worry is out of proportion. Ms. Vanlandingham believes it will not be a problem to have the vineyard open one day a week and only serve 5 ounces of wine.

Neighbor Tammy Woodward stated she is also a walker, biker, and runner on this road. She stated the traffic is bad, but doesn't feel like it will be part of the problem. She thinks this vineyard will have a positive impact on Camp Verde. Ms. Woodward feels that the planned State Park on this road will cause more of a traffic problem. She supports this application.

Neighbor Louis DeMiguel didn't know about the planned State Park. He doesn't feel 300 feet is large enough area and doesn't feel like the neighbors know about this plan. He feels they need to have the opportunity to voice their opinion. Chairman Davis explained there will be more opportunity for neighbors to voice their opinion as the item continues to Town Council.

Commissioner George stated that Camp Verde is putting out new signs to try to keep traffic off of Salt Mine Road and use alternate routes.

Chip Norton doesn't feel this will cause more people to come down Salt Mine Road and offered to speak to any concerned citizens outside the meeting to review their concerns. He feels more people will be going down the road for state park. Commissioner Helm wanted to confirm that Kevin Norton would still be living on property and that the Building Department will be giving occupancy. Commissioner Hisrich asked about the 22 parking spots that were included in the application. Chip Norton stated that there will be a limited number of people entering tasting room but other people can walk through the vineyard. Parking will limit how many people will be able to be on the property. Commissioner Blue stated the Norton's should be promoting zoning to "Agriculture (AG)", and this could be a missed opportunity. CCD Carmen Howard stated there will still be a requirement to get a Use Permit with Agriculture zoning. Requiring a Use Permit provides the commission the chance to review the use's progress and make sure there are no issues. Chairman Davis restated there are 2 issues on the table, rezoning and use permits that have restrictions. Both of these will be going to council before it's approved. Chip Norton stated that at the neighborhood meeting the responses were overwhelmingly positive.

- **Call for Staff Rebuttal/Clarification:** None
- **Chairman Davis declared the public hearing closed 7:36pm**
- **Call for Commission Discussion-**None
- **Call for Staff Comments-**None

8. **Recommendation of Approval (or Denial) to Town Council for an application, submitted by property owner Kevin Norton, for a Zoning Map Change from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential-Rural) District, to allow for the application of an Agri-Tourism Use Permit for wine tasting and related events. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.**

***Motion** was made by Commissioner George to recommend approval to Town Council for a Zoning Map Change as requested from Kevin Norton from R1L-35 (Residential: Single Family Limited, 35,000-Square-Foot Minimum Lot Size) District to R-R (Residential-Rural) District, to allow for the application of an Agri-Tourism Use Permit for wine tasting and related events. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B. Second was made by Commissioner Blue. **Motion** passed unanimously.*

9. **Public Hearing and Discussion for an application, submitted by property owner Kevin Norton, for an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine tasting and related events at the existing vineyard property. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.**

Actions:

- **Chairman Davis declared the public hearing open 7:40pm.**
- **Call for Staff Presentation: Planner Melinda Lee**

Ms. Lee reviewed the differences between the two applications, providing an overview of the Agri-Tourism definition and intended purpose. She stated that procedures were followed with publications, and notices in a timely matter. A Town Business License for the expanded use and a Use Permit for Agri-Tourism will be required for the proposed use on the property and Building Codes will have to be followed for the change in occupancy. Parking requirements will be determined through the building permit process. She recommends to include a condition stating compliance to the Town's adopted Fire Code.

- **Call for Comments from Other Persons**
- **Call for Staff Rebuttal/Clarification:** None
- **Chairman Davis declared the public hearing closed at 7:50pm.**

- **Call for Commission Discussion:**

Commissioners asked about the length of time for a Use Permit. Kevin Norton requested a 10 year Permit. Commissioner Blue thinks a 5 year permit would be appropriate because of the sensitivity of the neighbors, then come back and ask for perpetuity. CCD Carmen Howard stated that they could do perpetuity now and include a review in 1 year to address any potential concerns.

- **Call for Staff Comments:** None

10. Possible Recommendation of Approval (or Denial) to Town Council for an application, submitted by property owner Kevin Norton, for an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine tasting and related events at the existing vineyard property. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B.

Commissioner Helm wanted to confirm the intent of the vineyard is to visit and learn about a winery but no big events will be held there. Applicant Kevin Norton stated yes but he also wants to sell wine. He doesn't want a traditional tasting room atmosphere and people can't sit and drink wine all day. It will be just taste and then buy. They plan to attract butterflies to the property as part of the visitor's tour experiences. Commissioner Helm would like to hear more of the Agri-Tourism aspect and not just about drinking wine. She would like to know more about educational experiences.

***Motion** was made by Chairman Davis to recommendation of approval to Town Council for an application, submitted by property owner Kevin Norton, for an Agri-Tourism Use Permit in an R-R (Residential-Rural) District, to conduct wine tasting and related events at the existing vineyard property. The property is located at 536 W. Salt Mine Rd, on parcel 404-28-032B. Adding conditions that the applicant comply with the Town of Camp Verde Fire Code as interpreted by the Fire Marshal, the Use Permit is in perpetuity with a 1 year review of use, and the Use Permit will have an attachment that shows the intent of the amount of wine to be served, and the hours and days of operation. Second was made by Commissioner Hisrich. **Motion** passed unanimously.*

11. Reconvene Work Session: Not needed.

Commissioner Norton resumed his seat on the board for continued discussion.

12. Discussion and Possible Recommendation of Approval (or Denial) to Town Council for a Text Amendment to the Planning & Zoning Ordinance, adding a new Section 311, Shipping Containers.

***Motion** was made by Commissioner Helm recommend approval to Town Council for a Text Amendment to the Planning & Zoning Ordinance, adding a new Section 312, Shipping Containers, with the change to the acreage allowance to 2 acre minimum and add a definition. Second was made by Hisrich. **Motion** passed unanimously.*

** There Will Be No Public Input on the Following Items:*

13. Current Events

Commissioner Helm reminded everyone that Cornfest is July 15th. The vintage baseball game will start at 10am Saturday.

14. Staff Comments

None

15. Adjournment

***Motion** was made by Commissioner Blue to adjourn the meeting. Second was made by Commissioner Freeman. **Motion** carried unanimously. Meeting was adjourned at 8:09 PM*

Chairman B.J. Davis
Planning & Zoning Commission

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 of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 6th day of July, 2017. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 6th day of July, 2017.

Jennifer Shilling

Jennifer Shilling, Recording Secretary

DRAFT