

**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.**

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

1. Call to Order

The meeting was called to order at 6:30 pm., Mayor German presiding.

- 2. Roll Call.** Council Members: Jackie Baker, Buck Buchanan, Dee Jenkins, Brad Gordon; Vice Mayor Jessie Murdock; and Mayor Charles German were present. Councilor Robin Whatley was absent.

Also Present: Town Manager Russ Martin, Marshal Nancy Gardner, Community Development Director Carmen Howard, Planner Melinda Lee and Recording Secretary Marie Moore were present.

3. Pledge of Allegiance

Mayor German led the 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

On a motion by Councilor Gordon, seconded by Councilor Baker, the Consent Agenda was unanimously approved by the Council, as presented.

5. Special Announcements and presentations.

No special announcements and or presentations were heard.

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

There were no items brought forth to Council for consideration.

7. Business. Legal action can be taken.

7.1. Commission/Board (Planning and Zoning Commission and Board of Adjustment and Appeals) Quarterly Reports for April-June 2017.

No presentation was heard, Council accepted what was presented in the packet.

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

Community Development Director Carmen Howard informed Council that she and Deputy Director of Public Works, Troy Odell, have been working consistently with the applicant. The current permit dictates that the Council review the permit on a yearly basis. Due to the current rain, Troy Odell was unable to give an updated status on the progress of storm water compliance at the temporary operation site, therefore, Carmen Howard requested the Council give her an additional month to return to Council with sufficient information for the approval.

On a motion by Councilor Gordon, seconded by Councilor Baker, Council unanimously approves to reset Agenda Item 7.2 as a Consent Agenda item on August 16, 2017.

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.

Carmen Howard informed Council that the reason for the request to change the zoning classification is due to the filing of an application for a Use Permit on the parcel. Due to the nature of the use permit, a change in zoning classification is required before the permit can be considered and approved. The Planning and Zoning Commission and Staff recommend the approval of the change due to the R-R District being appropriate for the use of the property for Agri-tourism.

Councilor Gordon questioned the Prop 207 Waiver included and if it was due to the change of density. Carmen Howard explained that regardless of the situation, it is a good practice for the Town to include the Prop 207 Waiver.

Councilor Baker questioned the requirements of the Fire Department and expressed her concerns about the lack of turning radius area for the Fire Engines. Carmen Howard explained that as a condition of the Use Permit, the applicant must comply with the Fire Code.

On a motion by Councilor Gordon, seconded by Councilor Buchanan, Council unanimously approved the 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.

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.

Carmen Howard indicated to Council that the applicant has met all of the requirements for the Use Permit including a neighborhood meeting and public meeting. During the public meeting, a member of the community expressed concern regarding traffic in the area. The applicant is only proposing to have the facility open to the public on holidays and Saturdays between the hours of 10 am and 4 pm. The Planning and Zoning Commission has recommended approval of a permit in perpetuity with the condition of a review after one year to ensure there are no issues with potential operations and or traffic in the neighborhood, meeting the Fire Code restrictions and limited operation hours of Saturdays from 10 am to 4 pm and Holidays.

The applicant, Kevin Norton, presented a short PowerPoint presentation to Council, showing the property lines, current growing areas and restoration areas on the property, building use on the property, and an overview of their operation plan and how it will affect the neighborhood. There will be no after hour events on the property that will negatively affect the neighborhood and there will be a minimum of two staff people on the property at all times.

Councilor Gordon indicated that there are numerous wineries on Page Springs Road and the traffic is not an issue there, so he feels the concern for increased traffic in the area lacks validity. The applicant agreed with Councilor Gordon's assessment, especially when considering the short operating hours.

Vice Mayor Jessie Murdock confirmed that the applicant understood all of the possibilities included with his use permit and that he would be waiving his right to those. The applicant indicated that he resides on the property so he does not intend to rent the facilities out to the public for any type of after-hour events.

Mayor German questioned what the process would be to change the permit if the property is sold. Carmen Howard explained that the permit remains with the property and if any changes would be made, a new permit would need to be issued.

Mayor German commended the applicant for all the improvements he has done to the property and the opportunity he is bringing to the Town.

On a motion by Councilor Gordon, seconded by Councilor Baker, Council unanimously approved 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.

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

Carmen Howard explained to Council that the Ordinance includes certain standards, including a minimum lot size of 2 acres, the number and size of shipping containers allowed on the property depending on zoning, appearance standards of the containers and usage allowances, with the provision of a compliance date of January 2018.

Mayor German questioned the technology on the containers regarding safety factors. Carmen Howard explained that the units close from the outside and are only allowed for storage purposes, therefore, there is limited ventilation. Altered units will not pass the ordinance and will not be allowed on properties.

Councilor Baker questioned what process would be followed for containers that currently exist on properties that are less than the minimum 2-acre lot. Carmen Howard explained that those individuals would be in violation of the ordinance and asked Council to consider, rather than a 2-acre minimum, the RL-70 zoning district, which would reduce the acreage requirements.

Councilor Jenkins expressed her concern for the hardship the ordinance would place on those who have containers with less than 2 acres. Councilor Jenkins questioned if the Department knew the number of containers on small acreage. Jenkins also expressed her concern at the difficulties of removing the containers off properties.

Carmen Howard explained that the shipping containers are currently illegal and one of the decisions Council will need to make is the lot size restrictions for the containers.

Councilor Gordon indicated that he feels 1-acre lots are sufficient in size for the allowance of the shipping containers and that he personally had a unit on his one-acre property at one time.

Mayor German suggested taking into consideration the number of units on acreage smaller than the 2-acre minimum and possibly changing the minimum later if necessary. Carmen Howard explained that the Planning and Zoning Commission had originally considered a 1-acre minimum parcel and expressed that most small-acre properties are under CC&R restrictions which would

possibly restrict the use as well.

Councilor Gordon confirmed that the Department of Community Development works on a complaint basis and will not be actively looking for containers on properties. Carmen Howard confirmed that generally it is not Town initiated, but there have been certain circumstance that the Town has initiated the removal of a container.

Vice Mayor Jessie Murdock expressed her support in reducing the acreage minimum from 2-acres to 1-acre. Murdock also questioned if there was an avenue to waive or reduce fees for permits of already existing containers to help ensure public cooperation. Carmen Howard indicated that would be a decision made by Council and direct the Department to follow.

Councilor Jenkins expressed her support in reducing the minimum acreage size to one from two and indicated she thought this would help with compliance from the public.

Councilor Buchanan expressed his lack of support of the entire Ordinance and explained his experience with the topic while serving as a Commission member for Planning & Zoning. Buchanan expressed his serious concern regarding the safety of children around the containers, how easily the containers can be modified and indicated he could not support an approval, but if it is to be passed, he recommends the 2-acre minimum and impose fines to those who have had them placed illegally.

On a motion by Councilor Gordon, seconded by Councilor Baker, Council approved 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 with the addition of adding zoning allowance of 1-acre. The motion passed by a 5-1 vote in favor, with Councilor Buchanan opposed.

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

There were no items brought forth for Council consideration.

9. Council Informational Reports.

Mayor German attended Economic Development Specialist, Sebra Choe's graduation from Verde Valley Leadership.

10. Manager/Staff Report

Town Manager Russ Martin requested Council members let him know if they will be attending on Wednesday with the "Old Guys"; departure would be at 3:00 pm.

Russ presented an embroidered tapestry to the Council, which was received as a gift from the Town of Snowflake Chief of Police as a thank you for the donated dispatch equipment from the Town of Camp Verde, which CV was no longer using.

11. Adjournment

The meeting adjourned at 7:33 pm.



Charles German, Mayor

ATTEST:



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 Council Meeting of the Town Council of Camp Verde, Arizona, held on July 26, 2017. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 17th day of August, 2017.



Judy Morgan, Town Clerk