

AGENDA



**COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, FEBRUARY 27, 2008
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. **Roll Call**

3. **Pledge of Allegiance** – *(Please remove your hat.)*

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) February 12, 2008 – Retreat

b) **Set Next Meeting, Date and Time:**

1) Joint Work Session – February 21, 2008 at 5:00 p.m.

2) Regular Session – March 5, 2008 at 6:30 p.m.

5) Joint Work Session with Library Advisory Commission – March 12, 2008 at 6:30 p.m.

6) Regular Session – March 19, 2008 at 6:30 p.m.

7) Council Hears Planning & Zoning – March 26, 2008 at 6:30 p.m.

c) **Possible authorization for the Mayor to sign the request to rescind the acquisition proposal between the Town and the USFS for 223+ acres under the Town Site Act Purchase and request a refund of the remaining Collection Agreement Account deposit of approximately \$5,000 and possible direction to staff to cancel the appraisal.** Staff Resource: Michael Scannell

5. **Call to the Public for Items not on the Agenda.**

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

Note: Requests may be identified, but no discussion of the item will occur at this time.

7. **Discussion, consideration, and possible appointment of three (3) Council members to serve on an Interview Panel with the Manager and a Judicial Branch Representative for the Magistrate position and direction to staff to set appointments for interviews as soon as possible. The HR Director will serve on the Interview Panel as a staff resource and non-voting member.** Staff Resource: Judge Harry Cipriano

8. **Public Hearing, discussion, consideration, and possible approval of a Roadway Abandonment (Vacation), STABNDMT 2007-02, for a portion of Pheasant Run Circle located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by JoAnn Sawyer, owner of parcel 404-03-026A adjacent to the proposed Abandonment (Vacation).** Staff Resource: Nancy Buckel

- **Call for STAFF PRESENTATION**

- **Declare PUBLIC HEARING OPEN**

- **Call for APPLICANT'S STATEMENT**

- **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**

- Call for **APPLICANT'S REBUTTAL** (if appropriate)
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
9. **Public Hearing, discussion, consideration, and possible approval of a Roadway Abandonment (Vacation), STABNDMT 2007-01, for a portion of Spruce Street located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by Carlos and June Trinidad, owners of parcel 404-03-042 adjacent to the proposed Abandonment (Vacation).** Staff Resource: Nancy Buckel
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS** (either in favor or against)
 - **Call for APPLICANT'S REBUTTAL** (if appropriate)
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
10. **Public Hearing, discussion, consideration, and possible approval of Resolution 2008-739 of the Town Council of the Town of Camp Verde, Arizona, approving General Plan Amendment (2007-02) that amends the Land Use Map of the General Plan for Parcel 404-18-161G from Rural Residential to Low Density Residential. This amendment is to accommodate a Minor Land Division.** This property is located off Arena Del Loma east of Esther Parkway on the south side of the roadway adjacent to Arena Del Loma Estates. Staff Resource: Nancy Buckel
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS** (either in favor or against)
 - **Call for APPLICANT'S REBUTTAL** (if appropriate)
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
11. **Public Hearing, discussion, consideration, and possible approval of Ordinance 2008-A347, an Ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for parcel 404-18-161G consisting of approximately 1.80 acres from R1L-70 to R1L-35. This rezoning is to allow for a minor land division.** This property is located off Arena Del Loma east of Esther Parkway on the south side of the roadway adjacent to Arena Del Loma Estates. Staff Resource: Nancy Buckel
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS** (either in favor or against)
 - **Call for APPLICANT'S REBUTTAL** (if appropriate)
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
12. **Public Hearing, discussion, consideration, and possible approval of Ordinance 2008-A348, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108D of the Zoning Ordinance to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, to change the Use Permit process for youth livestock activity on parcels smaller than ½ acre, and to add language for setback requirements for livestock activity as was previously stated in Section 109.** Staff Resource: Nancy Buckel

- Call for **STAFF PRESENTATION**
- Declare **PUBLIC HEARING OPEN**
 - Call for **APPLICANT'S STATEMENT**
 - Call for **COMMENT FROM OTHER PERSONS (either in favor or against)**
 - Call for **APPLICANT'S REBUTTAL (if appropriate)**
- Declare **PUBLIC HEARING CLOSED**
- Call for **COUNCIL DISCUSSION**

Councilor Smith asked for item #13:

13. **Discussion, consideration, and possible direction to staff concerning citizen complaints about Zellner's Woodyard. Complaints include, but are not limited to noise, vermin, fire danger, and zoning issues.** Staff Resource: Nancy Buckel *Note: Council may vote to go into executive session pursuant to A.R.S. §38-431.03.A.3 for discussion or consultation for legal advice with the Town Attorney and A.R.S. §38-431.03.A.4 for discussion or consultation with the Attorney regarding Council's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.*
14. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

15. **Advanced Approvals of Town Expenditures**
 a) **There are no advanced approvals.**
16. **Manager/Staff Report**
17. **Adjournment**

Posted by: *J. Jones*

Date/Time: *2-22-08* *9:00 a.m.*

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

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

MINUTES
RETREAT FOLLOW-UP
MAYOR and COMMON COUNCIL
of the
TOWN OF CAMP VERDE
CVMO TRAINING ROOM
646 S. First Street
Tuesday, February 12, 2008
5:00 p.m.

Working Together for the Future

Call to Order: Mayor Gioia called the meeting to order at 5:00 p.m. & introduced Lance Decker of the Institute for Community Involvement.

Roll Call:

Mayor Gioia, Vice Mayor Hauser, Councilors, German, Garrison, Kovacovich, Smith, and Elmer

Also Present:

Lance Decker, Assistant to the Manager Carol Brown, Town Manager Mike Scannell, Town Clerk Deborah Barber, Deputy Clerk Virginia Jones, and Receptionist Sharon McCormick

Mr. Decker welcomed the Council and gave a brief overview of the previous retreat and the objectives of this meeting:

- To determine if we were able to keep our personal commitments.
- To assess the success of our short-term action plan.
- To develop new, short-term actions to move us into the future.

Decker said he had heard about the election, resignation, and appointment, commenting that meant that there are still lots of issues for Council to address. At the request of Decker, Scannell and Councilors Elmer and German told a little about themselves. Decker then showed a video of the recent shooting that took place in Kirkwood, Missouri by a resident who had lost a free speech lawsuit against the City.

Decker emphasized that every Council is a mirror of their community. He noted that if citizens see Council members mistreating one another, then they believe it is also O.K. for them to mistreat Council. Decker stressed that it falls to the Mayor to set the standard because he is the one to allow the citizens to speak. He stressed that the Mayor should never allow the citizens to become abusive.

Council addressed relationships, with Decker emphasizing that relationships take time to build. He suggested that Council take 30 minutes prior to a meeting, devote that time to finding out and sharing what is going on their lives and the lives of your constituents, and try to learn to understand one another. Council agreed they should get together more often to find out what is going on in the others' lives.

Decker questioned Council about the method in which they get information out to the citizens regarding what is going on in the community. Council noted the meetings are televised on the

local cable channel, the audio of the meetings are posted on the web site, and the 'Town Page' in the local newspaper. Decker suggested that staff, Boards, and Commission members are the Town's best resources for getting information to the public. If they know what is going on in the community they can help get the word out to the public. He encouraged open communication with these resources.

Councilor Smith acknowledged that he and the Mayor continue to butt heads on occasion. Decker reminded the Mayor that it is his job to manage the meeting and get involved only when needed. Decker pointed out that the Mayor creates the agenda and suggested that if he was passionate about an issue that he should turn the meeting over to the Vice Mayor to even the playing field. Mayor Gioia responded that he always saves his comments for last and he would not relinquish his seat as Mayor.

Decker acknowledged that he was surprised when he learned that Councilor Smith rescinded his resignation, noting that it took a lot of courage. Councilor Smith explained that numerous phone calls from the public brought him back. He explained that he was frustrated because he believed that Council was not following the Town Code and state law, noting that the Mayor had circumvented the Code by leaving out the Library Commission in his efforts to form the non-profit organization; and that the Mayor, the Vice Mayor, the Interim Town Manager, the Attorney, and Councilor Garrison knew that Council Member Parry lived outside the Town limits when he was elected. He explained that he had followed procedures and laws, including speaking to the Mayor, the Town Manager, the Attorney, and contacting the Attorney General. He reported that when he confronted Parry with the evidence that he was being dishonest, that Parry had cursed at him and left the office. He said that the Attorney General said that the Town of Camp Verde was a "cesspool of politics" and they did not want to touch this issue with a 10-foot pole. The AG referred him to the County Attorney and the County Attorney referred him to the Town Clerk. Smith said that he made every attempt to attempt to correct a situation he knew was morally and legally wrong. He explained that they all took the same oath and they should all be held to the same standard and that was why he became so angry and frustrated that he walked out of the meeting.

Council discussed how they could handle a sensitive issue in the future and agreed that a 30-minute discussion during a monthly meeting about things such as what they are working on and what they would like to get accomplished in their term would be helpful, as would showing respect for each other and the opinions of others. Decker stressed that Council needs to build strong working relationship of trust and mutual respect and set the examples for staff and for the citizens.

Decker and Council reviewed the list of items from the previous retreat and formulated the list to current needs of the Town as follows:

- Acquire the water company & determine how to pay – Council agreed this was not feasible at this time.
- Continue to acquire water resources & rights.
- Staff should formulate a public information plan regarding infrastructure acquisitions and be fully appraised of sewer Intergovernmental Agreement and ACC responsibilities.
- Work with the Town Engineer regarding Highway 260 and keep it on top of the burner.

Council reviewed “A Code of Teamwork and Cooperation for Municipal Policy Makers” agreeing to the following:

- What happened in the past, stays in the past
- Dedicated to two-way communication with the formal leader and other members.
- Develop a personal understanding of individual long-range agendas
- Ask my partners if I want to know something they know
- If I have a position on an issue, I will let my policy partners know what it is.
- If I have a position on an issue and I change my mind, I will let everyone know as soon as possible.
- Before speaking or acting, I will check my assumptions; I will determine what collateral effect my words might have on my partners and the Town of Camp Verde.
- Because the leader has the formal responsibility for assuring frequent high quality communications, I will use the leader as sounding board to discuss or test ideas.

Council agreed in return for the commitment to the Code of Teamwork and Cooperation, all members of their policy team will reciprocate as follows:

- If you have concerns that involve me, call me.
- Keep public comment focused on issues and not toward members of the Team.
- If you are approached by the press for comment regarding your partners, refer them to that team member.
- Do not let me be surprised. If you know something that will have an affect on my issues, or me let me know.
- Do not accept being misquoted.
- Do not accept anything negative about a partner behind his back.
- Respect each other’s personal and physical space.

Decker advised Council he would like to see them set aside a time, once per month to allow conversations. Council agreed this is a great opportunity to move forward.

The meeting adjourned at 7:47 p.m.

Deborah Barber, 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 of the Town Council of Camp Verde, Arizona held on the 13th day of February 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____ 2008

Deborah Barber, Town Clerk

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Type: Regular

Meeting Date: February 27, 2008

Consent: **Executive Session/Confidential:** Type(s) of Presentation: Verbal Only

AGENDA TITLE: Discussion, consideration and possible authorization for the Mayor to sign attached letter rescinding the acquisition proposal between the Town and the USFS for 223+ acres under the Town Site Act Purchase Case and request a refund of the remaining Collection Agreement Account deposit of approximately \$5,000. – (Staff Resource: Michael K. Scannell)

PURPOSE AND BACKGROUND INFORMATION: With the recent acquisition of 118+ acres for a community park, USFS Realty Specialist Pete Mourtsen inquired as to the Town's current interest in the 223+ acres colloquially known as the old airstrip site, which is located off Hwy 260. Mr. Mourtsen suggested that if the Town is not interested in this property we should write to Joe Stringer, Acting Forest Supervisor, with a cc: to Pete Mourtsen requesting the following:

1. Rescind our prior offer to purchase 223+ acres from the USFS.
2. Request a reimbursement being held by the USFS.

STAFF RECOMMENDATION(S): Authorize the Mayor to sign the attached letter (and send same to USFS) rescinding the acquisition proposal between the Town and the USFS for 223+ acres under the Town Site Act Purchase Case and request a refund of the remaining Collection Agreement Account deposit of approximately \$5,000.

LIST ALL ATTACHMENTS: February 28, 2008 letter to Acting Forest Supervisor Joe Stringer

Type of Document Needing Approval (Check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Acceptance/Approval | <input type="checkbox"/> Agreement/Contract | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Grant Submission | <input type="checkbox"/> Intergovernmental Agreement |
| <input type="checkbox"/> Liquor/Bingo Application | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Resolution | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | <input checked="" type="checkbox"/> Other: | <input checked="" type="checkbox"/> Presentation/Report Only |

Finance Director Review

Budgeted/Amount N/A \$0

Comments:

Fund:

Line Item/:

Submitting Department: Administration Contact Person: Michael K. Scannell

Town Manager/Designee: Michael K. Scannell

DRAFT

February 28, 2008

Joseph P. Stringer
Acting Forest Supervisor
Coconino National Forest
1824 S. Thompson Street
Flagstaff, AZ 86001-2529

Re: Town of Camp Verde
Town Site Act Purchase Case
Collection Agreement Account

Dear Mr. Stringer,

On behalf of the Town Council and staff, I want to thank the United States Forest Service (USFS) for working with the Town of Camp Verde to purchase property for our Community Park.

As you may know, the USFS recently accepted the Town's bid for the Administrative Site, Parcel "A" consisting of 118+ acres. As a result of this acquisition, we no longer have an interest in obtaining the USFS owned 223+ acres colloquially known as the old airstrip site.

In addition, since we are no longer interested in acquiring the 223+ acres this letter will serve as the Town's formal request for a refund of the remaining Collection Agreement Account deposit of approximately \$5,000 being held by the USFS.

Please feel free to contact me via the information below, if you have any questions, comments or concerns regarding this matter.

Sincerely,

Tony Gioia, Mayor
(928) 567-6631 x 307
mayorgioia@cvaz.org

Cc: Camp Verde Town Council
Town Manager Michael K. Scannell
Realty Specialist Pete Mourtsen

TG:cjb

TOWN OF CAMP VERDE Council Agenda Action Form

Meeting Type: Regular Meeting

Meeting Date: February 27, 2008

Submitting Department: Court

Contact Person: Judge Harry Cipriano

Consent:

Regular:

Requesting Action:

Report Only:

Type of Document Needing Approval (Check all that apply):

Public Hearing

Resolution

Ordinance

Agreement/Contract

Emergency Clause

Acceptance/Approval

Special Consideration

Intergovernmental Agreement

Preliminary Plat

Grant Submission

Liquor/Bingo License Application

Final Plat

Special Event Permit

Special/Temp Use Permit

Other:

Agenda Text (be exact): Consideration, discussion and possible approval of appointing an interview panel and scheduling interviews as soon as possible for the position of Presiding Magistrate.

Staff Recommendation: Approve

Budgeted/Amount: Yes \$ _____

Finance Director Review (if item is unbudgeted, under budgeted, or exceeds budgeted amt)

Line Item/Fund: _____

Purpose of Item and Background Information: The Court is asking for Council to reconsider their recent decision to postpone the interview and selection process for the new Presiding Magistrate position.

List All Attachments as Follows: Memo dated February 15, 2008

Type(s) of Presentation: Verbal Only

Special Equipment needed for Presentation:

Laptop Computer*

Overhead Projector

Remote Microphone

* Our laptop does NOT support a floppy disk (A-drive). All PowerPoint presentations must be saved to the hard drive or burned to a CD. Please advise any outside presenters of this requirement.

Please note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.

Signatures of Submitting Staff:

Name: Harry Cipriano

Title: MAGISTRATE

Town Manager/Designee: M. Annall 2/27/08

MEMO

CAMP VERDE MUNICIPAL COURT

(928) 567-6635

DATE: February 15, 2008

TO: Memo to Mayor, Council & Town Manager

FROM: Judge Harry Cipriano, Presiding Magistrate

SUBJECT: Appointment of New Presiding Magistrate

On January 2, 2008, the Council approved several agenda items involving the operations of the Court and the temporary appointment of myself and several other part-time Magistrates. These temporary appointments were necessary in order to fill the void left as a result of the appointment of Judge Bluff to the Superior Court.

The Council's recent decision to postpone the interview and selection process approved as part of those agenda items will delay the eventual appointment of a new Presiding Magistrate and potentially cause scheduling delays for many of the cases currently pending before the Court. For reasons more fully discussed below, I am requesting that the Town proceed with selecting a new Magistrate as previously approved by the Council. I am also confident this can be done without compromising the Town's ability to investigate and consider the possible options for consolidating with other Municipal or Justice Courts.

The Purpose and Background Information sections of the Agenda Items approved on January 2nd state that Judge Neil and myself agreed to take on the necessary Magistrate duties during the interim period while the Town advertised, interviewed and selected a new Presiding Magistrate. At the time, that process was estimate to take approximately 90 days. Given that this temporary assignment would last only a few months, both Judge Neil and myself were confident that a new Magistrate would be appointed by the end of March and that our prior commitments starting in April would not pose a problem for the smooth operation of the Court. Judge Neil has a prior commitment starting the first week in April and will not be back until May. Similarly, I need to return to my duties in Clarkdale so as not to adversely effect my obligations as Presiding Magistrate in that Court.

The Town has been fortunate to receive many well-qualified applicants for the position of Presiding Magistrate. As part of the negotiation process with a selected applicant, a contract provision can be included to address the possibility that the Presiding Magistrate position would be eliminated should the Town consolidate with another jurisdiction. This would not violate the requirement for a fixed “term” of employment as set forth in the statute. In addition, any intergovernmental agreement for consolidation will likely take several months to negotiate and finalize. Moving forward with the selection process of a new Magistrate now will ensure there is no lapse in Court coverage starting in April.

In anticipation of a new Presiding Magistrate coming on board at the end of March, we have already reserved an opening at the New Judge Orientation program scheduled for the second week of April. As you may know, New Judge Orientation is offered only twice a year and is required for all new judges appointed in Arizona.

The cost of employing a Presiding Magistrate for the Town will not change in the event of consolidation. The Camp Verde Municipal Court has one of the heaviest caseloads in Yavapai County. Having our cases handled by another Justice Court or Municipal Court judge will still involve paying a salary to that Judge. In addition, while moving our Municipal Court to another location will certainly free up much needed office space for other growing departments, the Town will either have to invest in improvements to other Town owned buildings, or lease space from another entity. Any such discussions and/or negotiations will take a significant amount of time to finalize. In the mean time, our Court needs to move forward with putting in place a permanent Presiding Magistrate while the Town works through this process.

Enclosed is a Council Agenda Action Form placing the interview process for the Presiding Magistrate back before the Council at the next meeting.

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Type: Regular

Meeting Date: February 27, 2008

Submitting Department: P&Z

**Contact Person: Michael Jenkins
Senior Planner**

Regular: **Requesting Action:**

Type of Document Needing Approval (Check all that apply):

- Approval or Disapproval
 Final Plat
 Rezoning
 Special/Temp Use Permit
 Public Hearing
 Other:
 Special Consideration

Agenda Text : Public Hearing, Discussion and possible Council approval or disapproval of a Roadway Abandonment (Vacation), STABNDMT 2007-02, for a portion of Pheasant Run Circle located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by Jo Ann Sawyer, owner of parcel 404-03-026A adjacent to the proposed Abandonment (Vacation).

Purpose of Item and Background Information:

As required by the Town of Camp Verde Resolution 89-97, A Resolution by the Mayor and Common Council outlining the procedures for Roadway Abandonment, a petition from property owners requesting the abandonment must contain at least 51% of the signatures of the owners that are adjacent to and fronting the parcel to be abandoned. This requirement has been met. The Town Council may approve or disapprove the proposed roadway abandonment at this hearing. If disapproved, no further action will be taken unless a new petition is submitted. If approved, the petitioners must submit a current title search, a legal description of the roadway to be abandoned (vacated), and an abandonment plat reflecting the division of the abandoned roadway pursuant to law, to be prepared on mylar by a Registered Land Surveyor to the size and scale required by the Yavapai County Recorder. The abandonment Resolution will not be placed on the Town Council Agenda until the Abandonment Plat is submitted and approved by Town Staff. The costs of all items listed in this paragraph are at the expense of the applicant, separate from the application fee.

A copy of the subject petition along with supporting documents were submitted to the Town of Camp Verde Town Engineer and Community Development Department for review. On January 24, 2008 the Town Engineer determined that the proposed roadway for abandonment does not provide any benefit to the Town and will never be used as a public Right-of-Way.

Agency -- Utility notifications of this hearing date were sent out to the following on January 07, 2008:

APS
QWEST
GAS CO.
CABLE TV CO.
FIRE DEPARTMENT
WATER CO.
SEWER DISTRICT

**TOWN ENGINEER
COMMENTS
&
APPROVAL TO PROCEED**

COMMENTS: The preliminary abandonment plat shows the location of a public ~~road~~ ROW that exists as a dead end "stubout" located at a corner of Pheasant Run Circle (recorded as the intersection of Pine and Elm streets). This 173.4-foot stub of ROW is currently public property and should be maintained by the Town. It is my recommendation that this ROW stub be abandoned, as shown on the Plat, back to Lot 1 since it will never be need as public ROW for the public Road system.



TOWN ENGINEER'S APPROVAL
TO PROCEED

1/24/08

DATE:

JOANN SAWYER ROAD ABANDONMENT - PORTION OF
PROJECT NAME & DESCRIPTION: PHEASANT RUN CIRCLE

9/07/07

Case# 2007-53
STABNDMT 2007-02

Town of Camp Verde
Community Development
Planning & Zoning Division
473 S. Main Street Suite 109
Camp Verde, AZ 86322
(928) 567-8513 Fax (928) 567-7401

12-04-07P12:05 RCVD

STREET ABANDONMENT Fee: \$110.00

Applicant Mailing Address:	Date: <u>12-4-07</u>
Name: <u>To ANN Sawyer</u>	Taken By: <u>J. Paulsen</u>
Address: <u>320 Pheasant Run Circle</u>	Fee: <u>110⁰⁰</u>
City: <u>Camp Verde</u> State: <u>AZ</u> Zip: <u>86322</u>	Subdivision: <u>Jordan Meadows</u>
Phone: <u>928-567-3600</u>	Book & Page: <u>404-03-026A</u>
	Date of Recordation: _____

Reason:
The unused unimproved extension of Pheasant Run Circle Road is adjacent to my parcel (404-03-026A) has never been developed, improved or maintained by the Town.
I am requesting the abandonment of the road, and title to this parcel (road) adjoining my property.

If the applicant is not the property owner, the owner shall complete and sign the following statement.
 I hereby authorize _____ to act as my agent in this application.
 (name of applicant) By: _____ Date: _____
 (Signature of applicant)

I hereby file the above request and declare that all of the 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 delay in its normal scheduling.
 By: J. Ann Sawyer Date: 11/19/07
 (Signature of applicant)

Planning & Zoning Commission	
Hearing Date: _____	Granted: _____
	Granted with Stipulations: _____
	Denied: _____
Town Council	
Hearing Date: _____	Granted: _____
Ordinance/Resolution Number: _____	Granted with Stipulations: _____
Effective Date: _____	Denied: _____

9-07-07

Petition for Roadway Abandonment

We, the undersigned adjacent property owners, hereby petition the Town Council of the Town of Camp Verde, Arizona, to abandon the public roadway right-of-way described as follows:

Attached is the legal description of the roadway prepared by Tim Hammes, Surveyor dated November 15, 2007. Also, included is a map showing the location of my property and the roadway I am requesting to be abandoned prepared by Tim Hammes, Surveyor dated November 15, 2007.

12-04-07P 12:05 RCVD

We request this abandonment for the following reasons:

The road is not improved
I have maintained weed control
The right away will never be expanded due to parcel development to the east.
It will provide additional area for agricultural activities

Print Name Assessor's Parcel Number Mailing Address Signature Date

JO ANN SAWYER 404-03-026A-1
320 Pheasant Run Circle, Camp Verde, AZ 86322
JoAnn Sawyer 12/3/07

CHRIS PIPER 404-03-018M 12-3-07
270 GRANDA VISTA DR CIV. AZ.
Chris Piper

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Type: Regular

Meeting Date: February 27, 2008

Submitting Department: P&Z

**Contact Person: Michael Jenkins
Senior Planner**

Regular: **Requesting Action:**

Type of Document Needing Approval (Check all that apply):

- Approval or Disapproval
 Final Plat
 Rezoning
 Special/Temp Use Permit
 Public Hearing
 Other:
 Special Consideration

Agenda Text : Public Hearing, Discussion and possible Council approval or disapproval of a Roadway Abandonment (Vacation), STABNDMT 2007-01, for a portion of Spruce Street located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by Carlos & June Trinidad, owners of parcel 404-03-042 adjacent to the proposed Abandonment (Vacation).

Purpose of Item and Background Information:

As required by the Town of Camp Verde Resolution 89-97, A Resolution by the Mayor and Common Council outlining the procedures for Roadway Abandonment, a petition from property owners requesting the abandonment must contain at least 51% of the signatures of the owners that are adjacent to and fronting the parcel to be abandoned. This requirement has been met. The Town Council may approve or disapprove the proposed roadway abandonment at this hearing. If disapproved, no further action will be taken unless a new petition is submitted. If approved, the petitioners must submit a current title search, a legal description of the roadway to be abandoned (vacated), and an abandonment plat reflecting the division of the abandoned roadway pursuant to law, to be prepared on mylar by a Registered Land Surveyor to the size and scale required by the Yavapai County Recorder. The abandonment Resolution will not be placed on the Town Council Agenda until the Abandonment Plat is submitted and approved by Town Staff. The costs of all items listed in this paragraph are at the expense of the applicant, separate from the application fee.

A copy of the subject petition along with supporting documents were submitted to the Town of Camp Verde Town Engineer and Community Development Department for review. On January 24, 2008 the Town Engineer determined that the proposed roadway for abandonment does not provide any benefit to the Town and will never be used as a public Right-of-Way.

Agency – Utility notifications of this hearing date were sent out to the following on January 07, 2008:

APS
QWEST
GAS CO.
CABLE TV CO.
FIRE DEPARTMENT
WATER CO.
SEWER DISTRICT

**TOWN ENGINEER
COMMENTS
&
APPROVAL TO PROCEED**

COMMENTS: The preliminary abandonment plat correctly shows that the final 168.3 feet of Spruce Court in the Jordan Meadows Subdivision currently exists as a dead end street that projects into lots 16 and 17. This ROW does not provide any benefit to the Town and will never be used as a public roadway. Therefore, as it exists now, the ROW is public property and should be maintained by the Town. I recommend the Town of Camp Verde abandon Parcel A to lot 17 and Parcel B to lot 16 removing this property from the public road system.

Ron Ing
TOWN ENGINEER'S APPROVAL
TO PROCEED

1/24/08
DATE:

TRINIDAD ROAD ABANDONMENT - PORTION OF
PROJECT NAME & DESCRIPTION: SPRUKE COURT

PETITION FOR ROADWAY ABANDONMENT

We, the undersigned adjacent property owners, hereby petition the Town Council of the Town of Camp Verde, Arizona, to abandon the public roadway right-of-way described as follows:

A portion of Spruce Court Right of way
Jordan Meadows Subdivision.

We request this abandonment for the following reasons:

The public roadway is no longer necessary
for public use. A portion of the requested
roadway encroaches on existing irrigated
yard.

<u>NAME</u>	<u>ASSESSOR'S PARCEL NUMBER</u>	<u>MAILING ADDRESS</u>	<u>SIGNATURE</u>	<u>DATE</u>
Dan Abel	404-03-041K	502 Pheasant Run	Michael Jacobson	10/2/07
Mike Jacobson	404-03-089K	469 W. Spruce St.	D. Abel (POA)	10/18/07

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Type: Regular

Meeting Date: 02/27/2008

Submitting Department: P&Z

Contact Person: Nancy Buckel

Regular: **Requesting Action:**

Type of Document Needing Approval (Check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Acceptance/Approval | |
| <input type="checkbox"/> Final Plat | |
| <input type="checkbox"/> Rezoning | Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | <input checked="" type="checkbox"/> Amendment to the General Plan land use map (MINOR): |

Agenda Text : Public Hearing, Discussion and possible Approval of Resolution 2008-739 by the Town of Camp Verde, Arizona, Town Council for a General Plan Amendment (2007-02) that amends the Land Use Map of the General Plan for Parcel 404-18-161G from Rural Residential to Low Density Residential. This amendment is to accommodate a Minor Land Division.

Purpose of Item and Background Information:

This amendment is being requested so that the zoning can be changed from R1L-70 to R1L-35. This land use amendment would change the density of the land from one dwelling per two acres minimum to one dwelling per one acre minimum.

In 2005 the Town approved two General Plan amendments and re-zonings in the area. The parcels went from Rural Residential in the General Plan to Low Density Residential. These two previous General Plan amendments change the zoning from R1L-70 and RCU2A to R1L-35 and R1-35. These applications involved a 17 acre and a 3.1 acre site. Currently, this area has no water or sewer hook-up available and depends on well/septic systems.

This request is a minor amendment for the following reasons:

1. It is not greater than 25 acres even though it is outside the growth area and not contiguous.
2. Water usage will not be greater than 15 acre-feet of potable water per year as outlined in the General Plan.
3. No significant change to Circulation element. The project will not require any change to the Classification of existing public roadways. Arena Del Loma is considered as a minor arterial Roadway.
4. Is not **contiguous** to property previously amended through the minor amendment process.

North: Residential – R1L-70
South: Residential – R1L-70
East: Residential – R1L-70
West: Residential – R1L-70 & R1L-35

Agency Review: Ten agencies and the Town Engineer and the Town Chief Building Official were notified of this request and their comments are as follows:

Camp Verde Fire Department: Letter received stating the subject parcel is within the Camp Verde Fire District. Had no comment.

Yavapai County Flood Control District: Parcel not impacted by any delineated floodplains nor is it impacted by water courses with tributary drainage areas of 80 acres or larger. Therefore, the Flood Control District has no objection to this request.

Yavapai County Environmental Services: Has no objections to the proposed action.

Town of Camp Verde Chief Building Official: Had no comment.

Town of Camp Verde Engineer: Had no comment.

Staff sent out 13 letters to property owners within 300 feet for this hearing of February 7, 2008. As of the writing of this report, we have received no letters in opposition or in favor of this request. On January 22, 2008 the applicant held a neighborhood meeting that was notified, advertised and posted per the Town of Camp Verde Planning and Zoning Ordinance requirements. There were none in attendance. Additionally, the applicant circulated a petition to the surrounding property owners of the subject parcel and received 18 signatures with 17 of those that signed the petition being in favor of the proposed land use amendment and one that was neutral. A map showing those that signed the petition and their position of approval, neutral or opposition is included in the packet for the Council's review. Not all that signed the petition for Mr. Vandiver were within 300 feet of the subject property.

At the February 7th, 2008 Hearing of the Town of Camp Verde Planning & Zoning Commission, this agenda item received a vote of 2 in favor and 5 in opposition thus providing a recommendation of **non-approval**.

List All Attachments as Follows: Application, Staff Report, Land Use Map, Vicinity Map, Petition & Petition signer's location Map, Neighborhood Meeting Affidavit Summary, Letter of Intent, Directions to Property.

Type(s) of Presentation: Verbal & Overheads

ADDITIONAL INFORMATION
COUNCIL HEARS PLANNING & ZONING
FEBRUARY 27, 2008
ITEM #10 & 11

Town of Camp Verde
Attn: Community Development
473 S. Main St., Suite 108 & 109
Camp Verde, AZ 86322
Phone (928) 567-8513
Fax (928) 567-7401

www.cvaz.org

**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: 404-18-1614 Date: Feb. 22, 2008

Owner: Norman W. Vandiver

Address: 1846 Arcana Del Loma, Camp Verde, Az.

Phone: () 928-567-9881

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, from both the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspection, and permission to enter property.

NOW THEREFORE, the undersigned owner hereby designates Jugon Mc Donald, whose address is: 738 S. Parks Dr. as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to Feb. 29, 2008. Or the application process is complete, whichever is later, or as may be earlier revoked in writing.

Norman W. Vandiver Owners (s)

State of Arizona

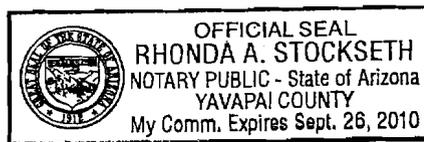
County of Yavapai, ss.

The forgoing special power of attorney for construction and zoning permit application was acknowledged before me this 22nd day of February, 2008, By Norman W. Vandiver, who is/are personally known by me or have produced identification.

Rhonda A. Stockseth Notary Public

My Commission Expires:

Sept. 26, 2010



ADDITIONAL INFORMATION

ITEM 10

RESOLUTION 2008-739

CORRECTING THE WORDING

WHEREAS, amending the existing General Plan is required in order that the rezoning proposed under ZMC 2007-03 from ~~RCU-2A~~ R1L-70 to R1L-35 will conform to and be consistent with the General Plan as stated in ARS.



RESOLUTION 2008-739

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING GENERAL PLAN AMENDMENT 2007-02 THAT AMENDS THE LAND USE MAP OF THE GENERAL PLAN FOR PARCEL 404-18-161G FROM RURAL RESIDENTIAL TO LOW DENSITY RESIDENTIAL. THIS AMENDMENT IS TO ACCOMMODATE A MINOR LAND DIVISION.

SITE LOCATION: 1862 ARENA DEL LOMA.

WHEREAS, the Town of Camp Verde adopted its General Plan on December 1, 2004 through Resolution 2004-614 and ratified by voters on March 8, 2005, and

WHEREAS, public notice and agency contact concerning General Plan Amendment 2006-01 has been accomplished as required by law, including holding at least one public hearing by the legislative body prior to amending a general plan pursuant to ARS, and

WHEREAS, amending the existing General Plan is required in order that the rezoning proposed under ZMC 2007-03 from R1L-70 to R1L-35 will conform to and be consistent with the General Plan as stated in ARS.

NOW, THEREFORE, be it ordained by the Common Council of the Town of Camp Verde.

The General Plan of the Town of Camp Verde is hereby amended to change the Land Use of parcel 404-18-161G from Rural Residential to Low Density Residential.

Passed and adopted the 27TH day of February 2008.

Tony Gioia, Mayor

Date

APPROVED AS TO FORM

Attest:

Debbie Barber, Town Clerk

Town Attorney



RESOLUTION 2008-739

REVISED

2:31 pm, Feb 22, 2008

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING GENERAL PLAN AMENDMENT 2007-02 THAT AMENDS THE LAND USE MAP OF THE GENERAL PLAN FOR PARCEL 404-18-161G FROM RURAL RESIDENTIAL TO LOW DENSITY RESIDENTIAL. THIS AMENDMENT IS TO ACCOMMODATE A MINOR LAND DIVISION.

SITE LOCATION: 1862 ARENA DEL LOMA.

WHEREAS, the Town of Camp Verde adopted its General Plan on December 1, 2004 through Resolution 2004-614 and ratified by voters on March 8, 2005, and

WHEREAS, public notice and agency contact concerning General Plan Amendment 2006-01 has been accomplished as required by law, including holding at least one public hearing by the legislative body prior to amending a general plan pursuant to ARS, and

WHEREAS, amending the existing General Plan is required in order that the rezoning proposed under ZMC 2007-03 from RCU 2A to R1L-35 will conform to and be consistent with the General Plan as stated in ARS.

NOW, THEREFORE, be it ordained by the Common Council of the Town of Camp Verde.

The General Plan of the Town of Camp Verde is hereby amended to change the Land Use of parcel 404-18-161G from Rural Residential to Low Density Residential.

Passed and adopted the 27TH day of February 2008.

Tony Gioia, Mayor

Date

APPROVED AS TO FORM

Attest:

Debbie Barber, Town Clerk

Town Attorney

**MINUTES
REGULAR SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY FEBRUARY 7, 2008
6:30 PM**

DRAFT

**Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motion to facilitate future research.
Public input, where appropriate, is heard prior to the motion**

- 1. Call to Order**
The meeting was called to order at 6:30 p.m.
- 2. Roll Call**
Chairperson Freeman, Vice Chairperson Butner, Commissioners Hisrich, Parrish, Buchanan, German and Burnside were present.
- 3. Pledge of Allegiance**
The Pledge was led by Hisrich.
- 4. Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
 - a. Approval of Minutes:**
January 3, 2007 – Regular Session
 - b. Set Next Meeting, Date and Time:**
March 6, 2008 – Regular SessionOn a motion by Butner, seconded by Hisrich, the Consent Agenda was unanimously approved as presented.
- 5. Call to the Public for Items not on the Agenda**
There was no public input.
- 6. Appointment of P & Z Commission Liaison to the Design Review Board for a 6 month term.**
On a motion by Buchanan, and seconded by Burnside, Carol German will serve as liaison to the Design Review Board for the next six months.
Burnside gave a summary of his experience as liaison for the Design Review Board. Freeman asked if someone would like to serve for the next six months. Carol German and Alan Buchanan were interested.
- 7. Public Hearing Discussion and possible Recommendation GPA 2007-02:** An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a General Plan Amendment to go from a rural residential (2 ac. min.) to low density residential (1 ac. min.) for approximately 1.82 acres located at 1862 Arena Del Loma.

Staff Report
Declare **PUBLIC HEARING OPEN**
1) Call for **APPLICANT'S STATEMENT**

- 2) Call for COMMENT FROM OTHER PERSONS (either in favor or against)
- 3) Call for APPLICANT'S REBUTTAL (if appropriate)

Declare **PUBLIC HEARING CLOSED**

- Call for BOARD DISCUSSION (may ask questions of applicant)
- Call for STAFFCOMMENTS
- Call for MOTION
- Call for DISCUSSION OF MOTION
- Call for QUESTION
- ANNOUNCE ACTION TAKEN with Findings of Fact

DRAFT

A motion was made by Burnside, that we approve the recommendation for GPA 2007-02 based on the discussed data, topographical restrictions, and surrounding property owners approval. seconded by Freeman.

The Commission voted 2-5 in opposition, with 'no' votes by Hisrich, Buchanan, Parrish, Butner and German.

There was a discussion between Commission and the applicant that covered the proposed lot split, who would live on property, shared well separation and setback requirements and the ability to enforce deed restriction. Two (2) petitions were submitted, one in favor and one opposed. Those opposed lived outside the 300' notification area.

8. Public Hearing Discussion and possible Recommendation ZMC 2007-03:

An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R11L-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

Staff Report

Declare **PUBLIC HEARING OPEN**

- 1) Call for APPLICANT'S STATEMENT
- 2) Call for COMMENT FROM OTHER PERSONS (either in favor or against)
- 3) Call for APPLICANT'S REBUTTAL (if appropriate)

Declare **PUBLIC HEARING CLOSED**

- Call for BOARD DISCUSSION (may ask questions of applicant)
- Call for STAFFCOMMENTS
- Call for MOTION
- Call for DISCUSSION OF MOTION
- Call for QUESTION
- ANNOUNCE ACTION TAKEN with Findings of Fact

On a motion by Freeman, to approve an application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R1L-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

The motion failed due to a lack of a second.

9. Discussion on AMD 07-05: Amendment to Section 118.IVA to prohibit A-Frame signs and Section 103 Definitions adding "A-Frame Sign".

A motion by Buchanan to table until the first meeting in March, seconded by Hisrich.

Buckel said that staff is still working on the A-Frame Sign language and would like to bring it back at the first meeting in March. She did mention that she has spoken with Lynda Moore, Director of Parks & Recreation and that she believes that using the light pole banners on the corners of Main Street would be ok. Buckel said that perhaps the merchants could contribute to the money needed to

make new banners reflecting information for the off Main Street businesses. German said that since A-Frame signs are currently not allowed by our code, that the signs that are on Main Street now, should not be allowed.

10. Discussion on AMD 2007-08 the use of shipping containers as accessory buildings in Camp Verde: Amendment to Section 108 F.2 Accessory Buildings. There was no action taken

Buckel said that she had made draft amendments to the code for shipping containers that addressed paint in similar color and screened by fencing. Commission discussed the number of containers allowed for a lot by lot size. Safety door concerns were discussed regarding the safety of adults and children along with ventilation. The following items are to be considered for the amendment draft:

- One container up to ½ acre and a maximum of two if over ½ acre. On two acres or more and more than two containers requested, special use permit.
- Door that opens from the inside, must meet IBC requirements
- Ventilation

Commission asked that staff bring back amendment draft to the next meeting.

There will be no Public input on the following items:

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

Buchanan hoped that everyone would have fun at the Pecan & Wine Festival. Parrish is working with the "Good Morning Arizona" crew for their visit to Camp Verde. He has a meeting with them on February 13th.

12. Staff Report

Buckel, Community Development Director reported that Town Council had directed her to have the Commission develop a water conservation plan. She mentioned that there would be two meetings a month on the Commission regular meeting dates to discuss this matter.

Buckel said that she would be bringing to the Commission discussion on the language on R1L district. Language over a period of time has been removed and needs to be put back in place.

13. Adjournment

On a motion by Buchanan, seconded by Hisrich, the meeting was adjourned at 8:36 pm.

DRAFT

Dave Freeman – Chairman

Planning & Zoning

CERTIFICATION

I hereby certify that the forgoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the regular meeting of the Planning & Zoning Commission of Camp Verde, Arizona, held on the 1st day of November 2007. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2008.

Jenna Paulsen – Recording Secretary

APPLICATION FEE: Minor \$1000.00 Major \$1550.00

Date Recv'd 10-24-07
 CASE No. 2007-48
 PROJECT NO. GPA 2007-02
 Fees: 1000.00
 Recv'd By J. PAUISEN

TOWN OF CAMP VERDE
 COMMUNITY DEVELOPMENT DEPT.
 473 S. MAIN STREET, SUITE 108
 CAMP VERDE, AZ 86322
 (928) 567-8513 - FAX (928) 567-7401

GENERAL PLAN AMENDMENT APPLICATION

APPLICANT INFORMATION	
<input type="checkbox"/> AGENT <input type="checkbox"/> OWNER	
Applicant Name	JEFFREY R. ADAMS
Mailing Address	1135 IRON SPRINGS RD.
City/Town	PRESCOTT AZ 86305
State	AZ
Zip	86305
Phone	928-445-5935
Cell	
Fax	928-445-5980
PROPERTY INFORMATION	
Physical Address	1862 ARENA DEL LOMA, CAMP VERDE, AZ 86322
Parcel No.	
Legal Description	
Current Zoning	R1L-70
Proposed Property Use	RESIDENTIAL
OWNER INFORMATION	
Owner Name	NORMAN W. VANDIVER & LORRAINE J. VANDIVER
Mailing Address	1862 ARENA DEL LOMA City CAMPVERDE
State	AZ
Zip	86322
Phone	928-567-9881
Cell	
TYPE OF GENERAL PLAN AMENDMENT REQUESTED	
RE-ZONE LOT 404-18-161G FROM R1L 70 TO R1L 35	
Please attach the following:	
<ol style="list-style-type: none"> 1. A signed letter of intent containing a narrative describing the proposed amendment. 2. The property owners written authorization. 3. Graphic depiction of the proposed land use amendment. 4. Explanation of how the request fits proposed development patterns, timing of the land use, proposal, comparison to the existing map and text, and benefits to the public. 5. Written analysis for the request, including but not limited to: <ol style="list-style-type: none"> a. Detailed description of proposed amendment. b. Impact on public infrastructure. c. Relationship to other adopted planning documents. d. Anticipated impact on area transportation (impact analysis). e. Unique characteristics of the proposal, such as impacts on the environment or water resources. 	

The undersigned swears and affirms that the information herein is true and accurate and acknowledges that the filing of an application containing false or incorrect information with the intent to avoid the licensing or tax requirements of the State or this Town is "unsworn falsification", a criminal misdemeanor Section 2704 of the Title 13, Arizona Revised Statutes.

Applicant Signature

Jeffrey R. Adams

Date

10-22-07

Town of Camp Verde
Attn: Community Development
473 S. Main St., Suite 102
Camp Verde, AZ 86322
Phone: (928) 567-8513
Fax: (928) 567-7401

<http://www.cvaz.org>

**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: 404-18-1616 Date: 10.24.07

Owner: Norman W. Vandiver & Lorraine J. Vandiver

Address: 1862 Arena Del Loma Camp Verde Az 86322

Phone: (928) 567-9881

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

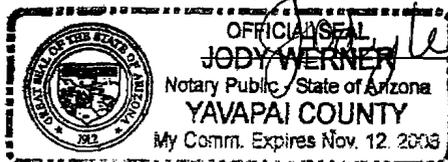
NOW THEREFORE, the undersigned owner hereby designates Jeffrey R. Adams, whose address is: 1135 Iron Springs Rd, Prescott Az

as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to December 31, 2008, or the application process is complete, whichever is later, or as may be earlier revoked in writing.

Norman W. Vandiver
Lorraine J. Vandiver, Owners (s)

State of Arizona
County of Yavapai, ss.

The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this 24th day of October, 2007, by Norman & Lorraine Vandiver, who is/are personally known by me or have produced identification.



My Commission Expires:
Nov 12, 2008

Jody Werner, Notary Public

10-24-07P03:55 RCVD

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING DIVISION

PERMISSION TO ENTER PROPERTY

Hearing Application Number _____ PARCEL NO: 404-18-1616

DATE: 10.24.07 LEGAL DESCRIPTION: See Attached

NAME: Norman W. Vandiver & Lorraine J. Vandiver

ADDRESS: 1862 Arena Del Loma Camp Verde Az 86322

I the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the adopted building codes and Planning and Zoning Ordinances of the Town of Camp Verde. Such investigation may be made to determine whether or not any portion of such property, building, grading or other structure is being placed, erected, maintained, constructed or used in violation of the Codes or Ordinances of the Town of Camp Verde or any other agencies that they have agreements with that pertain to the building, grading or placement of structures. Such entry shall be within 90 days of the date of my signature or within the active limitations of any permits issued to me by the Town of Camp Verde for building, grading, erecting, maintaining or constructing. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

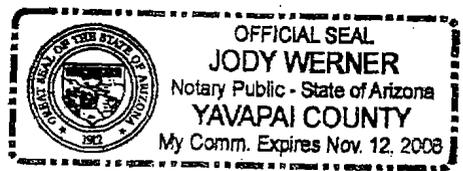
Lorraine J. Vandiver
Norman W. Vandiver
Applicant's Signature

10.24.07
Date

Agent for: _____
State of Arizona
Town of Camp Verde

On this 24th Day of October, 2007 before me, the undersigned Notary Public, personally appeared Norman & Lorraine Vandiver Who executed the forgoing instrument for the purpose therein contain.

In witness whereof, I hereby set my hand and official seal.



Jody Werner
Notary
Nov. 12 2008
Date of Commission Expires

DIRECTIONS TO PROPERTY

10-24-07P03:55 RCVD
05-29-07A03:35 RCVD

ASSESSOR'S PARCEL NUMBER 404-18-161G

APPLICANT'S NAME Norman W. Vandiver & Lorraine J. Vandiver

PROPERTY ADDRESS 1862 Arena Del Loma, Camp Verde, AZ 86322

DIRECTIONS TO PROPERTY From city center, take Montezuma Castle Highway toward I-17, passed the High School to Arena Del Loma, turn left on Arena Del Loma. Travel approximately 1/2 mile and take the sharp corner to the right (this is the junction of Boot Hill, Que Pasa and Arena Del Loma.) Go 100 yards passed the junction, to the right, until you come to the first driveway on the left, 1862 Arena Del Loma. The address is on a blue mailbox with a yellow ribbon on the base.



10-24-07P03:55 RCVD

Legal Description

Parcel 1

A portion of that certain parcel of land described in Book 3679 of Official Records, Page 265, Yavapai County Recorder's Office, located in the Northwest quarter of Section 19 Township 14 North, Range 5 East of the Gila and Salt River Base & Meridian, Yavapai County, Arizona and more particularly described as follows:

Commencing at the Northwest corner of said Section 19, being a found brass cap in handhole;

Thence S 01°41'58" W (S 01°49' W rec.) a distance of 661.92 feet (663.85 feet rec.) to a found 1/2" rebar with plastic cap stamped "LS 2626";

Thence S 89°49'17" E (S 89°53'25" E rec.) a distance of 433.63 feet (433.54 feet rec.) to the westerly Right of Way line of Arena Del Loma as shown in Book 17 Maps & Plats, Page 33, Yavapai County Recorder's Office, being a found 1/2" rebar with plastic cap stamped "LS 2626";

Thence S 35°19'00" E (S 35°19' E rec.) being the basis of bearings for this description, along said westerly Right of Way line for a distance of 118.11 feet (118.11 feet rec.) to a set 1/2" rebar with plastic cap stamped "LS 33873" and the TRUE POINT OF BEGINNING;

Thence departing said westerly Right of Way line S 54°33'54" W (S 54°28' W rec.) a distance of 220.00 feet (220.00 feet rec.) to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence S 35°29'40" E (S 35°32' E rec.) a distance of 320.63 feet (320.00 feet rec.) to a found 1/2" rebar with plastic cap stamped "LS 2626";

Thence N 79°13'14" E (N 79°17'50" E rec.) a distance of 192.71 feet to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence N 06°32'18" W a distance 77.14 feet to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence N 54°41'00" E a distance of 6.56 feet to said westerly Right of Way line of Arena Del Loma to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence N 35°19'00" W (N 35°19' W rec.) a distance of 333.50 feet along said westerly Right of Way line to the TRUE POINT OF BEGINNING.

Parcel contains 1.8192 acres more or less.



Martin T. Etcheverry



03-29-07ADAMS 135 1010

State of ARIZONA)
County of YAVAPAI) ss.

ACKNOWLEDGMENT

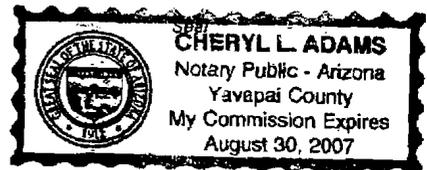
On this 3 day of OCTOBER, 2005, before me, the undersigned Notary Public, personally appeared NORMAN W. VANDIVER
LORRAINE J. VANDIVER

known to me to be the individual(s) who executed the foregoing instrument and acknowledged the same to be his(her)(their) free act and deed.

My Commission Expires: 8-30-2007

[Signature]
Notary Public

If acknowledged in State of Florida, complete section below:
(Check One) Personally Known (or) Produced Identification
If applicable, Type of Identification Produced: _____



The foregoing **JOINT TENANCY DEED** is accepted and approved by the undersigned grantee(s), it being their intention to acquire fee simple title to said property as Joint Tenants with the right of survivorship, and not as community property or as tenants in common.

Dated: Oct 3 - 05

NORMAN W. VANDIVER
Printed Name of Grantee
LORRAINE J. VANDIVER
Printed Name of Grantee

[Signature]
Signature of Grantee
[Signature]
Signature of Grantee

State of ARIZONA)
County of YAVAPAI) ss.

ACKNOWLEDGMENT

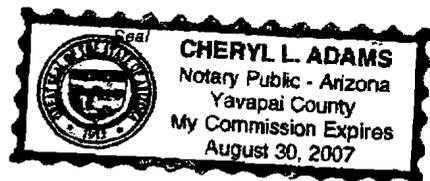
On this 3 day of OCTOBER, 2005, before me, the undersigned Notary Public, personally appeared NORMAN W. VANDIVER
LORRAINE J. VANDIVER

known to me to be the individual(s) who executed the foregoing instrument and acknowledged that he(he)(she)(they) executed the same for the purposes therein contained.

My Commission Expires: 8-30-2007

[Signature]
Notary Public

If acknowledged in State of Florida, complete section below:
(Check One) Personally Known (or) Produced Identification
If applicable, Type of Identification Produced: _____



When recorded, mail to:

Name: NORMAN W. VANDIVER

Address: 1862 ARENA DEL LOMA

City/State/Zip Code: CAMP VERDE, AZ
86322

Space above this line for Recorder's use



B-4318 P-892
Page: 1 of 3
JTD 3922998

05-29-07A00135 7013

FEE
\$5
\$8
\$5
\$1

JOINT TENANCY DEED

KNOW ALL MEN BY THESE PRESENTS:

That I(we), NORMAN VANDIVER & JEANETTE VANDIVER

the undersigned grantor(s), for the consideration of Ten Dollars (\$10.00) and other valuable considerations, do hereby convey unto NORMAN W. VANDIVER & LORRAINE J. VANDIVER the grantee(s), as joint tenants with rights of survivorship, all rights, title and interest in that certain Real Property situated in YAVAPAI County, State of ARIZONA and described as follows:

SEE ATTACHMENT, PARCEL 1

NO TRANSFER FEE NECESSARY
EXEMPT UNDER ARS 11-1134
B-5

And I(we) do warrant title against all persons whomsoever, subject to any liens or encumbrances of record, or as may be set forth above unto said grantee(s), their assigns, the survivors of them, and the heirs and assigns of each survivor.

IN WITNESS WHEREOF, I(we) have hereunto set my(our) hand(s) and seal this _____ day of _____

NORMAN VANDIVER
Printed Name of Grantor

JEANETTE VANDIVER
Printed Name of Grantor

Norman Vandiver
Signature of Grantor

Jeanette Vandiver
Signature of Grantor

Printed Name of Witness

Printed Name of Witness

Signature of Witness (if required under State Laws)

Signature of Witness (if required under State Laws)

MUSGROVE, DRUTZ & KACK, P.C.
ATTORNEYS AT LAW
POST OFFICE BOX 2720, PRESCOTT, ARIZONA 86302-2720

JAMES B. MUSGROVE
MARK W. DRUTZ
THOMAS P. KACK
JOHN G. MULL
JEFFREY R. ADAMS
CATHY L. KNAPP
SHARON SARGENT-FLACK
STACIE B. ROBB

PRESCOTT VALLEY OFFICE
3001 MAIN STREET, SUITE 2C
PRESCOTT VALLEY, ARIZONA 86314

PRESCOTT OFFICE
1135 IRON SPRINGS ROAD
PRESCOTT, ARIZONA 86305

TELEPHONE
(928) 775-9565
(928) 775-9550 (FAX)

TELEPHONE
(928) 445-5935
(928) 445-5980 (FAX)

GRANT K. MCGREGOR (1959-2005)

June 26, 2007

File No. PV 571-1

TRANSMITTED VIA FEDERAL EXPRESS

Community Development Department
Town of Camp Verde
473 South Main Street
Suite 108
Camp Verde, Arizona 86322
Attn: Nancy Buckel, Community
Development Director

Re: Request for Rezone of 1862 Arena Del Loma, Camp Verde, Arizona 86322
("Property") from R1L-70 to R1L35

Dear Ms. Buckel:

This Firm represents Norman W. Vandiver and Lorraine J. Vandiver. The Vandivers are the owners of the above-referenced Property pursuant to the Joint Tenancy Deed attached hereto as Exhibit "1", which has been assigned Yavapai County Tax Assessor's Parcel Number 404-18-161 G. Directions to the Property are attached hereto as Exhibit "2".

Enclosed please find our clients' request for a change of zoning and request for a General Plan Amendment with respect to the above-referenced Property. In connection with the foregoing, our clients request a change in zoning for the Property to R1L-35. This letter and the Exhibits included herewith shall constitute our clients' Letter of Intent and include the remaining items required in connection with our clients' request.

As an introductory comment, the Department will note that our clients previously requested a zoning change and General Plan Amendment in December, 2005, pursuant to which they requested permission from the Town to split two lots into four. That request was denied. The purpose of our clients' current request is much more limited than their request in 2005. The current request is to allow a split of the Property to allow the construction of one (1) single family home on a single newly created lot.

05-22-0140012, 2007

As is evident from the demographic data included with the Yavapai County GIS Map depicting the Property attached hereto as Exhibit "3", the Property that is the subject of the current request consists of 1.852 acres. The Property is not included in any of the planned subdivisions that are in close proximity to the Property. However, as the Department will note, numerous parcels in and around the Property currently benefit from the R1L-35 zoning classification.

Our clients propose that the Property be split as depicted on the survey map attached hereto as Exhibit "4". The new parcel that would be created in connection with the re-zoning of the Property and the proposed General Plan Amendment would consist of 35,100 square feet or .8058 acres and would derive its access from Esther Parkway as opposed to Arena Del Loma. In splitting the Property in the foregoing manner, in limiting the development of that parcel to one (1) single family home and in limiting the ingress and egress to the new parcel to Esther Parkway, there would very limited traffic impact on Esther Parkway and there would be virtually no impact on, or additional entry ways onto, Arena Del Loma thereby maintaining the status quo in terms of safety and lines of sight of that public roadway.

As your engineers will attest upon review of the topographical map attached as Exhibit "5" and as a visual inspection of the Property and review of the photographs attached hereto as Exhibit "6" will confirm, the newly proposed lot will be relatively flat, will provide a good building site and will benefit from a natural barrier, in the form a hillside, from the other portion of the Property. A review of the January 3, 2006, letter to you from Yavapai County Development Services Department attached as Exhibit "7" indicates that the Property is not impacted by "any delineated floodplains, nor is it impacted by watercourses with tributary drainage areas of 80 acres or larger." As such, Yavapai County had no objection to our clients' previous request and, therefore, we expect that Yavapai County would have no objection to the current request.

Additionally, as evident from the Purchase and Sale Agreement attached hereto as Exhibit "8", our client has the Property under contract for sale. You will note also that the Purchase and Sale Agreement provides that the buyers are limited to building one (1) single family home on the Property that also must be limited in size while providing that any home be built in accordance with all applicable State, County and local building codes. See Article 4, Paragraphs 4.1 and 4.2 of the Purchase and Sale Agreement. The Purchase and Sale Agreement provides further that the development of the new lot must be in conformance with the neighborhood and states as follows:

4.5 Conformity With Neighborhood. Buyers agree and acknowledge that, in addition to building their home on the Property

05-29-071000124 4000

in accordance with all applicable building codes and the zoning ordinance, including set back requirements, they will build the home in conformity with the manner in which homes in the neighborhood have been constructed including building their home consistent with the distances between their home and neighboring homes.

Our clients and their buyers further have agreed that they will limit the building site for the home to be constructed on the new lot to be created on Property to the location generally depicted on Exhibit "9". As should be evident from Exhibit "9" and the photographs attached as Exhibit "6", the placement of the one (1) home to be built on the new lot will be consistent with the surrounding neighborhood in terms of set-backs and distances between residences, will not cause any disruption or impediments to any of the neighbors' views from their respective properties and will be consistent with the general development of other lots in the area. Further, pursuant to Article 4, Paragraph 4.3, of the Purchase and Sale Agreement, the well located on the Property would be shared by both parcels of the Property following the proposed split, which will mitigate and extremely limit the water usage resulting from the proposed new lot.

Obviously, our clients would prefer to maximize the use and economic potential of their Property. The proposed request would allow our clients to do just that. However, because our clients live on the Property and plan on continuing to do so, our clients are not interested in being bad neighbors. In this regard, our clients are sensitive to the concerns of their neighbors and the Town as far as density and growth are concerned. It is for the foregoing reasons that our clients incorporated all of the development provisions and limitations currently included in the Purchase and Sale Agreement. And in an effort to ensure that any future owners of the proposed new lot conform to the provisions of the Purchase and Sale Agreement, our clients would be willing to (i) record restrictive covenants consistent with the provisions set forth in the Purchase and Sale Agreement and (ii) concede to certain conditions deemed appropriate by the Town in connection with the development of the Property, the location of the one (1) home to be built, and the location for ingress and egress to and from the Property if the Town deemed such conditions necessary in approving our clients' request.

As should be noted from our clients' previous re-zoning request, our clients previously had the support of a sheer majority of their neighbors, see Exhibit "10" attached hereto, and our clients have that same support in connection with this request. It also should be noted our clients specifically took into consideration the concerns of those people, including members of the Planning and Zoning Department and Commission and the Town Council, who raised concerns about our

05-20-07403104 1010

clients' previous request based upon density, water usage and safety. Hence, our clients' placement of specific limitations and guidelines on the future development of the proposed new lot in their Purchase and Sale Agreement and in connection with our clients' agreement to impose restrictive covenants or developmental limitations on the Property if that is deemed necessary by the Town in approving the request.

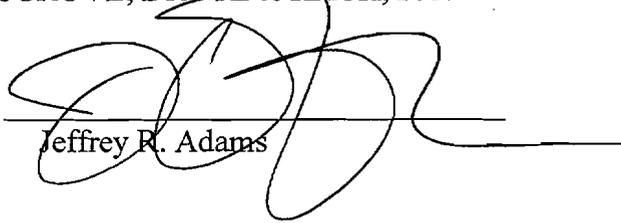
Based on the foregoing, we believe that our clients' request is reasonable and consistent with the neighborhood and the development plan for the Town. If there is any additional information the Department needs in connection with our clients' request, please feel free to call or contact me at your convenience. We do possess video and additional photographs of the area of the Property that may aid in the consideration of our clients' request and if you, the Commission or the Council deem review of those items necessary, we will be more than happy to accommodate the review of the same. Also, we invite you, the Commission or the Council to contact the potential buyers of the proposed lot if that is deemed necessary for purposes of discussing the Purchase and Sale Agreement, the development restrictions contained therein or our clients' request. As the Purchase and Sale Agreement indicates, the potential buyers are fully aware of our clients' request of the Town and have indicated a willingness to cooperate with that process accordingly.

Again, we sincerely appreciate your consideration of our clients' proposal and request and welcome any inquiries as we move through the application process.

Sincerely,

MUSGROVE, DRUTZ & KACK, P.C.

By:


Jeffrey R. Adams

JRA/cnr
Enclosures

Affadavit

I Norman W Vandiver owner of parcel 404-18-161-G have notified my neighbors within 300' of my residence, by sending letters on _____ to notify them of the neighborhood meeting that I conducted on the 22 day of Jan 2008.

I posted my property with meeting date and time on the 14 day of Jan 2008.

I Norman W Vandiver owner of parcel 404-18-161-G 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 30 day of Jan 2008.

Summary

Statement: attatched

If Summary statement is too long, attach a copy.

State of Arizona }

County of Yavapai }

Norman W Vandiver
Signature of Document Signer No. 1

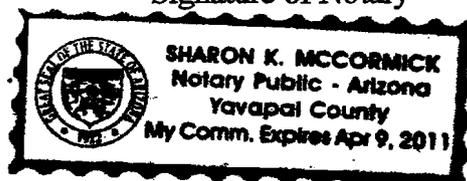
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 30th day of January 2008.

(1) Norman W Vandiver
Name of Signer

(2) _____
Name of Signer

Sharon K. McCormick
Signature of Notary



Dear : *Neighbor*

Date Jan. 14 -08

You are cordially invited to attend a neighborhood meeting in regard to the petition of Norman Vandiver and Jeanette Vandiver requesting the town approve our request to rezone one lot #404-18-161 G from RL-70 to RL-35 and approval of a General plan amendment from rural residential to low density residential.

This property is located on the SE Corner of Arena Del Loma and Esther Parkway.

This meeting will be held January 22 at 7:00 P.M. at 1846 Arena Del Loma. Coffee and tea provided.

We would like interested neighbors to attend. If there are issues we will explore solutions.

If you are unable to attend and would like more information please call so we can make arrangements to answer questions.

Thank you,

Norman & Jeanette Vandiver

Norman and Jeanette Vandiver
928-567-9881

Jan. 24 , 08

To; Town of Camp Verde.

Attention ; Mike Jenkins SR Planner.

We have completed each item requested for the neighborhood meeting.

The meeting was held as scheduled on Jan. 22, 08 7:00 PM at

1846 Arena Del Loma Camp Verde.

No one came to the meeting.

Three people phoned to say they would not be able to attend.

Jim Ward, Jesse Maggard , and Nancy Swan.

In addition to the letters I made personal visits inviting those on the attached list.

With no attendees we have no summery and no issues to resolve

Norman W Vandiver



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Norman W Vandiver

A handwritten signature in cursive script that reads "Norman W Vandiver".

Prior the meeting I visited the people on this list, giving them a personal invitation in addition to their letter.

Childress , David

Ward , Jim

Maggard , Jesse

Weber , Joshua & Johanna

Saab , Charles & Daina

Sullivan , Richard & Shirley

Stoll , Will & Katie

Morgan , George

Middelton , Carroll & Rivon

Norman W Vandiver

Jan.24, 08

Norman W Vandiver

Buffer Results

Returned 17 parcels within 300 Feet of parcel 404-18-161g.

Download

Parcel	Owner	Mailing Address	City	State	Zip
1 404-18-178U	CHILDRESS DAVID H &	PO BOX 74	KEMPTON	IL	60946
2 404-18-178R	WARD JIM R UI &	PO BOX 2373	CAMP VERDE	AZ	86322
3 404-18-162A	MAGGARD JESSE R &	PO BOX 3492	CAMP VERDE	AZ	86322
4 404-18-174A	WILLIAMS MARION F & NEVA LOIS REV LIV TR	PO BOX 1394	CAMP VERDE	AZ	86322
5 404-18-161J	VANDIVER NORMAN & LORRAINE J JT(BD)	1846 ARENA DEL LOMA	CAMP VERDE	AZ	86322
6 404-18-174A	WILLIAMS MARION F & NEVA LOIS REV LIV TR	PO BOX 1394	CAMP VERDE	AZ	86322
7 404-18-197	SCHROCK JACK R & DELORES P RS	993 ESTHER PKWY	CAMP VERDE	AZ	86322
8 404-18-198	WEBER JOSHUA JACOB & JOHANNA E RS	953 N ESTHER PKWY	CAMP VERDE	AZ	86322
9 404-18-161G	VANDIVER NORMAN W & LORRAINE J JT AKA BD	1862 N ARENA DEL LOMA	CAMP VERDE	AZ	86322
10 404-18-188	AISPURO MARTHA P	PO BOX 843	COTTONWOOD	AZ	86326
11 404-18-189	SAAB CHARLES P & DINA JT	1016 ESTHER PARKWAY	CAMP VERDE	AZ	86322
12 404-18-160A	SULLIVAN RICHARD J & SHIRLEY L JT	PO BOX 2902	CAMP VERDE	AZ	86322
13 404-18-175A	STRATEN JACK R & RONDA R RS	1842 N MONTEZUMA HEIGHTS RD	CAMP VERDE	AZ	86322
14 404-18-158A	STOLL CHAD W & KATIE JT	PO BOX 1998	CAMP VERDE	AZ	86322
15 404-18-201A	SWAN NANCY A	2020 S GENROSE DR	CAMP VERDE	AZ	86322
16 404-18-201	STOLL CHAD WILLIAM & KATIE RS	2072 S DIAMOND CREEK LN	CAMP VERDE	AZ	86322
17 404-18-158C	SHAW THOMAS G	13923 E ELDORADO LN	GILBERT	AZ	85296

815-253-6390

567-651

567-717

649-1115

567-6333

567-3502

567-3841

unlisted

Deep

Development

ALL THESE PEOPLE WERE NOTICED FOR THE NEIGHBORHOOD MEETING

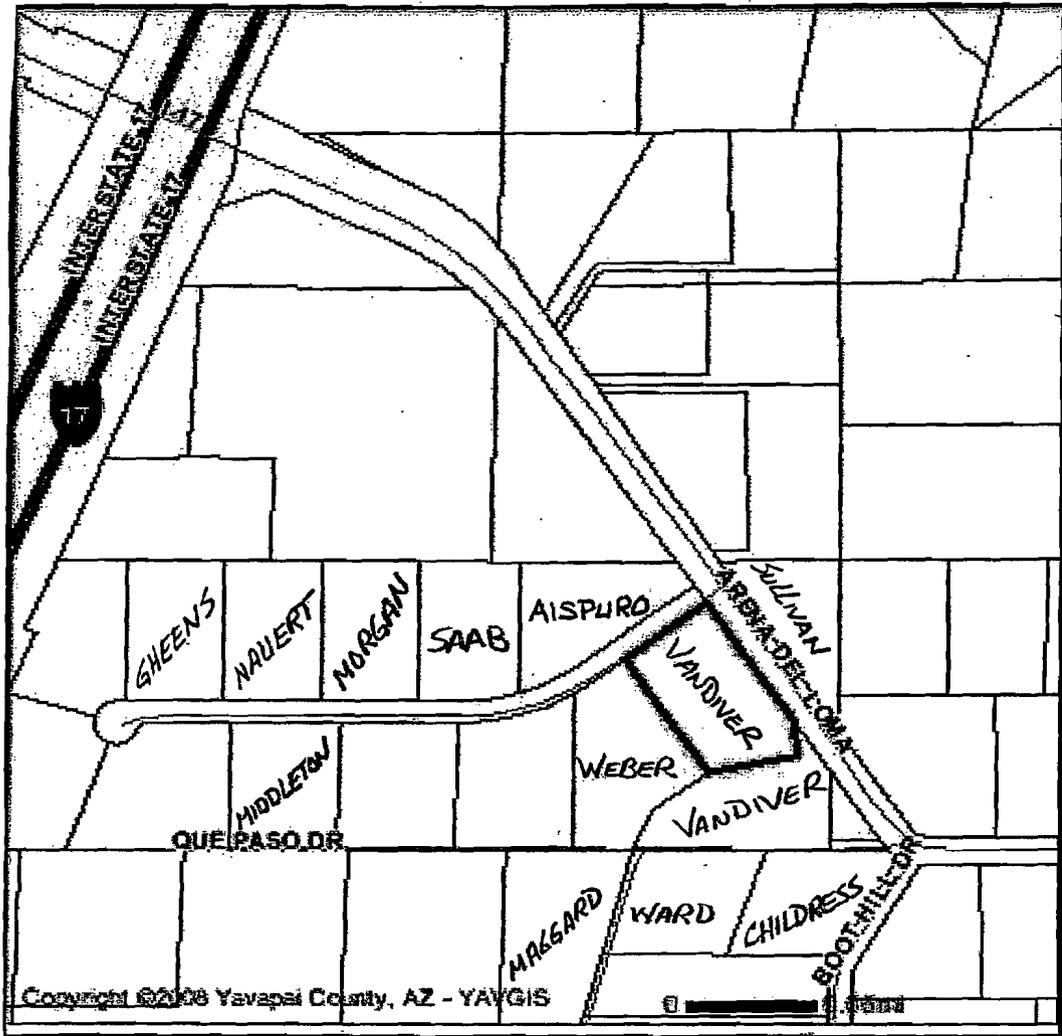
9-9-07

Pet of Norman and Jeanette Vandiver, requesting (1) the town of Ca Verde approve our request to rezone our property (Lot 404-18-16) from RL-70 to RL-35 and (2) approve a General Plan amenument from Rural Residential to Low-Density Residential

Name	Address	Signature	Favor	Neutral	Oppose
✓ HILARIO ASPURO	976 ESTHER PKWY		✓		
✓ MARTHA P. ASPURO	976 ESTHER PKWY		✓		
✓ CHUCK SAAB	1016 ESTHER PARKWAY		✓		
✓ DINA SAAB	1016 ESTHER PARKWAY		✓		
✓ LYN WARD	869 QUE PASA DR		✓		
✓ D. H. CHIDRESS	1718 BOOTHILL DR.		✓		
Michael Fick (Fick)	1862 ARENA DEL LOMA		✓		
Linda Fick	1862 ARENA DEL LOMA		✓		
✓ ROY D. MORGAN	1046 ESTHER PARKWAY		✓		
✓ CARROLL & RIVON MIDDLETON	1093 ESTER PARKWAY		✓		
✓ DONALD D. GHEENS	1146 ESTHER PARKWAY		✓		
✓ JEANNEA GHEENS	1146 ESTHER PARKWAY		✓		
✓ SHANE NAUERT	1096 N ESTHER PKWY		✓		
✓ JOSH WEBER	953 N ESTHER PKWY		✓		
✓ RICHARD SULLIVAN	1861 ARENA DEL LOMA		✓		
✓ SPIRLEY SULLIVAN	1861 ARENA DEL LOMA		✓		
✓ JESSE MORGAN	983 QUE PASA				✓
✓ GARY PETER	115 ARENA DEL LOMA				✓

RECEIVED
JAN 30 2008

BY:



RECEIVED
FEB 07 2008

TO: Camp Verde Planning and Zoning Commission
RE: GPA 2007-02 1862 Arena Del Loma

BY: 

The signers below oppose the land division being requested by Norman Vandiver. When the residents of this area purchased their property, they agreed to the zoning and purposely bought in a high density area. If we wanted to live in a low density area, we would have bought in an area zoned for that. Mr. Vandiver should have purchased property where he would have no problem sub-dividing.

Michael Costello 1155 Que Pasa
Name Address

Sharon Costello 1155 QUE PASA
Name Address

Mark F. Hunsler 1165 Que Pasa Dr
Name Address

Donna K Hornoda 1165 Que Pasa Dr
Name Address

Jim Pearson 1098 Que Pasa
Name Address

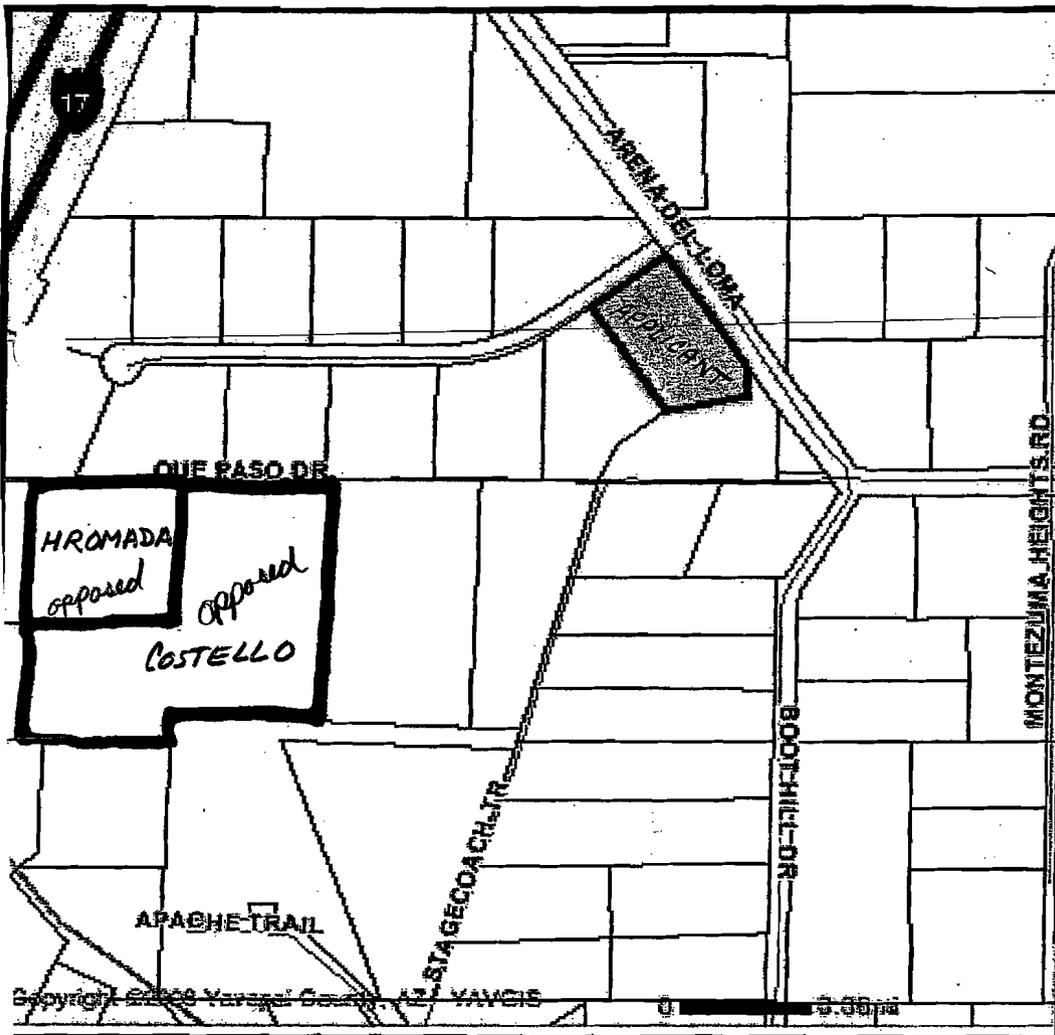
Could not locate info on owner's web

Name Address

Name Address

Name Address

Name Address



Camp Verde Fire Department

26 W. Salt Mine Rd.

P.O. BOX 386 • CAMP VERDE, AZ 86322-0386

Phillip R. Harbeson Sr.
Fire Chief

BUSINESS 567-9401 • EMERGENCY 567-4123 OR 911

Jack E. Blum
Secretary-Treasurer

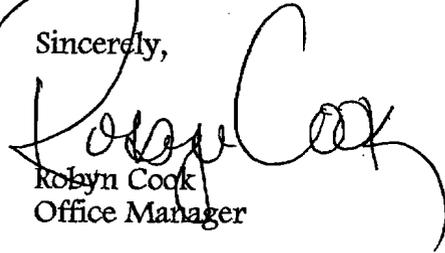
October 24, 2007

Town of Camp Verde
473 South Main Street
Camp Verde, AZ 86322

Dear Jenna:

Norman W. Vandiver and Lorraine J. Vandiver's property at 1862 Arena del Loma is in Camp Verde Fire District. If you need more information please feel free to contact me at 928-567-9401.

Sincerely,



Robyn Cook
Office Manager

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

RECEIVED
JAN 17 2008

DATE: December 27, 2007

BY: K

TO:

- | | |
|--|--|
| <input type="checkbox"/> Public Works Department | <input type="checkbox"/> ADOT |
| <input checked="" type="checkbox"/> Town Engineer | <input type="checkbox"/> Camp Verde Water District |
| <input type="checkbox"/> Park and Recreation Department | <input type="checkbox"/> Camp Verde Sanitary District |
| <input type="checkbox"/> Community Development Director | <input type="checkbox"/> Verde Lakes Water District |
| <input type="checkbox"/> Building Official | <input type="checkbox"/> Marshal's Department |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> School District |
| <input type="checkbox"/> Verde Valley Fire Department | <input type="checkbox"/> U.S Forest Service |
| <input type="checkbox"/> Yavapai County Planning | <input type="checkbox"/> City of Cottonwood Planning |
| <input type="checkbox"/> Yavapai County Flood Control | <input type="checkbox"/> Trails Committee |
| <input type="checkbox"/> Yavapai County Development Services -
Environmental Services Dept. | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Yavapai County Environmental Unit | Project Review: Contact Agent,
Owner & Engineer |

FROM: Jenna Paulsen – Admin. Assistant
Town of Camp Verde
473 S. Main Street Suite 108 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jpaulsen@cvaz.org

GPA 2007-02: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a General Plan Amendment to go from a rural residential (2 ac. min.) to low density residential (1 ac. min.) for approximately 1.82 acres located at 1862 Arena Del Loma.

ZMC 2007-03: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R11L-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

A copy of the application is attached and has been forwarded to you for your review and comment. For additional information regarding zoning classification and/or land use, please visit our website at www.cvaz.org. Please write your comments below and return your comments to my attention by **January 23, 2008**. **If you have no comments, please send us a letter stating "no comment" or our department will be contacting you for a verbal.**

COMMENTS: *No Comments.*

Printed Name Ron Long
Phone 567-0534

Signature *Ron Long* 1/17/07

YAVAPAI COUNTY

Development Services

Prescott - (928) 771-3214 Fax: (928) 771-3432
Cottonwood - (928) 639-8151 Fax: (928) 639-8153



Flood Control District

Prescott - (928) 771-3197 Fax: (928) 771-3427
Cottonwood - (928) 639-8151 Fax: (928) 639-8118

500 S. Marina Street, Prescott, AZ 86303 and 10 S. 6th Street, Cottonwood, AZ 86326

Addressing - Building Safety - Customer Service & Permitting - Environmental - Flood Control District - Land Use - Planning & Design Rev

December 31, 2007

Jenna Paulsen
Community Development Department
Town of Camp Verde
473 S. Main Street, Suite 108
Camp Verde, Arizona 86322

RECEIVED
JAN 04 2008

BY: *K*

Re: GPA 2007-02 and ZMC 2007-03 for Zoning Map Change from R1L-70 to R1L-35 at 1862 Arena Del Loma; (Parcel 404-18-161G)

Dear Jenna:

The parcel is not impacted by a FEMA designated special flood hazard area or a watercourse with a drainage area greater than 80 acres. The Flood Control District has completed its review of the aforementioned submittal for the General Plan Amendment and Zoning Map Change and has no objections to the request.

The Town should be aware that future development may increase the runoff from the site, the developer should be required to obtain an Arizona Registered Civil Engineer to detail runoff is not being increased from the site and that drainage is routed to the appropriate drainage facilities. All drainage facilities should be detailed within a drainage easement. All aspects of storm water management, including onsite routing of runoff, detention/retention requirements, and stormwater pollution prevention requirements are the responsibility of the Town of Camp Verde and should be reviewed accordingly.

If you have any questions or need clarification on any of these items, please contact me at the District office in Prescott.

Sincerely,
YAVAPAI COUNTY DEVELOPMENT SERVICES

Jeff M. Low

Jeff M. Low, CFM
Floodplain Unit Manager
(928) 771-3197

c: Jeffrey Adams
1135 Iron Springs Road
Prescott, Arizona 86305

Norman & Lorraine Vandiver
1862 Arena Del Loma
Camp Verde, Arizona 86322

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM

RECEIVED
DEC 28 2007

BY: *[Signature]*

DATE: December 27, 2007

TO:

- Public Works Department
- Town Engineer
- Park and Recreation Department
- Community Development Director
- Building Official
- Fire Department
- Verde Valley Fire Department
- Yavapai County Planning
- Yavapai County Flood Control
- Yavapai County Development Services -
Environmental Services Dept.
- Yavapai County Environmental Unit

- ADOT
- Camp Verde Water District
- Camp Verde Sanitary District
- Verde Lakes Water District
- Marshal's Department
- School District
- U.S Forest Service
- City of Cottonwood Planning
- Trails Committee
- Other _____

RECEIVED
DEC 28 2007
YCDS - EU COTTONWOOD

Project Review; Contact Agent,
Owner & Engineer

FROM: Jenna Paulsen -- Admin. Assistant
Town of Camp Verde
473 S. Main Street Suite 108 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jpaulsen@cvaz.org

GPA 2007-02: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a General Plan Amendment to go from a rural residential (2 ac. min.) to low density residential (1 ac. min.) for approximately 1.82 acres located at 1862 Arena Del Loma.

ZMC 2007-03: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R1IL-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

A copy of the application is attached and has been forwarded to you for your review and comment. For additional information regarding zoning classification and/or land use, please visit our website at www.cvaz.org. Please write your comments below and return your comments to my attention by **January 23, 2008**. **If you have no comments, please send us a letter stating "no comment" or our department will be contacting you for a verbal.**

COMMENTS: *YCEU HAS NO OBJECTIONS TO THE PROPOSED ACTION.*

Printed Name _____
Phone _____
Jack R. DeWitt
Environmental Health Specialist II
Yavapai County 928-639-8151

Signature *[Signature]*

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

RECEIVED
DEC 27 2007

DATE: December 27, 2007

TO:

BY: [Signature]

- | | |
|--|--|
| <input type="checkbox"/> Public Works Department | <input type="checkbox"/> ADOT |
| <input type="checkbox"/> Town Engineer | <input type="checkbox"/> Camp Verde Water District |
| <input type="checkbox"/> Park and Recreation Department | <input type="checkbox"/> Camp Verde Sanitary District |
| <input type="checkbox"/> Community Development Director | <input type="checkbox"/> Verde Lakes Water District |
| <input type="checkbox"/> Building Official | <input type="checkbox"/> Marshal's Department |
| <input checked="" type="checkbox"/> Fire Department | <input type="checkbox"/> School District |
| <input type="checkbox"/> Verde Valley Fire Department | <input type="checkbox"/> U.S Forest Service |
| <input type="checkbox"/> Yavapai County Planning | <input type="checkbox"/> City of Cottonwood Planning |
| <input type="checkbox"/> Yavapai County Flood Control | <input type="checkbox"/> Trails Committee |
| <input type="checkbox"/> Yavapai County Development Services -
Environmental Services Dept. | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Yavapai County Environmental Unit | Project Review: Contact Agent,
Owner & Engineer |

FROM: Jenna Paulsen – Admin. Assistant
Town of Camp Verde
473 S. Main Street Suite 108 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jpaulsen@cvaz.org

GPA 2007-02: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a General Plan Amendment to go from a rural residential (2 ac. min.) to low density residential (1 ac. min.) for approximately 1.82 acres located at 1862 Arena Del Loma.

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COMMENTS:

Printed Name _____

Signature _____

Phone _____

None
Barbara Rice
928-567-9401

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

DATE: December 27, 2007

RECEIVED
DEC 27 2007
BY: [Signature]

TO:

- | | |
|--|--|
| <input type="checkbox"/> Public Works Department | <input type="checkbox"/> ADOT |
| <input type="checkbox"/> Town Engineer | <input type="checkbox"/> Camp Verde Water District |
| <input type="checkbox"/> Park and Recreation Department | <input type="checkbox"/> Camp Verde Sanitary District |
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| <input checked="" type="checkbox"/> Building Official | <input type="checkbox"/> Marshal's Department |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> School District |
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Environmental Services Dept. | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Yavapai County Environmental Unit | Project Review: Contact Agent,
Owner & Engineer |

FROM: Jenna Paulsen – Admin. Assistant
Town of Camp Verde
473 S. Main Street Suite 108 • Camp Verde, AZ 86322
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COMMENTS: *No Comments*

Printed Name C. FELDMANN

Signature [Signature]

Phone _____

Camp Verde Fire Department

26 W. Salt Mine Rd.

P.O. BOX 386 • CAMP VERDE, AZ 86322-0386

Phillip R. Harbeson Sr.
Fire Chief

BUSINESS 567-9401 • EMERGENCY 567-4123 OR 911

Jack E. Blum
Secretary-Treasurer

October 24, 2007

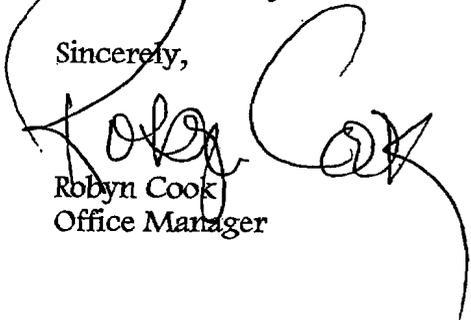
*Received
10-24-07
J*

Town of Camp Verde
473 South Main Street
Camp Verde, AZ 86322

Dear Jenna:

Norman W. Vandiver and Lorraine J. Vandiver's property at 1862 Arena del Loma is in Camp Verde Fire District. If you need more information please feel free to contact me at 928-567-9401.

Sincerely,


Robyn Cook
Office Manager

**TOWN OF CAMP VERDE
Council Agenda Action Form**

#11

Meeting Type: Regular

Meeting Date: 02/27/2008

Submitting Department: P&Z

Contact Person: Nancy Buckel

Regular: **Requesting Action:**

Type of Document Needing Approval (Check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> Acceptance/Approval | |
| <input type="checkbox"/> Final Plat | |
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | <input type="checkbox"/> Other |

Agenda Text : Public Hearing, Discussion and possible Approval of Ordinance 2008 A347 adopting an amendment to the Zoning Map of the Planning and Zoning Ordinance for parcel 404-18-161G consisting of approximately 1.80 acres from R1L-70 to R1L-35 for the purpose of allowing a minor land division.

Purpose of Item and Background Information:

The application was submitted by Jeffrey R. Adams, agent for Norman & Lorraine J. Vandiver, owners of the subject parcel. This property is located off of Arena Del Loma East of Esther Parkway on the South side of the roadway adjacent to Arena Del Loma Estates.

This rezoning is being requested to accommodate a proposed split and sale of the property for a single family residence. This application is being heard at the same time as the application for a general plan land use map amendment for this same property. The general plan land use map amendment must be approved by Council before Council can act on this request for the resulting zoning to be in compliance with state law.

In 2005 the Town approved two minor general plan amendments and re-zonings for property fronting Arena Del Loma but not adjacent to this property. They were granted the same Low Density designation on the General Plan Land Use Map and a rezoning to R1L-35 and R1-35. The property included 17 acres and 3.1 acres respectively.

The following is a list of the zoning and the uses on surrounding properties:

- North:** Residential – R1L-70
- South:** Residential – R1L-70
- East:** Residential – R1L-70
- West:** Residential – R1L-70 & R1L-35

Agency Review: Ten agencies and the Town Engineer and the Town Chief Building Official were notified of this request and their comments are as follows:

Camp Verde Fire Department: Letter received stating the subject parcel is within the Camp Verde Fire District. Had no comment.

Yavapai County Flood Control District: Parcel not impacted by any delineated floodplains nor is it impacted by water courses with tributary drainage areas of 80 acres or larger. Therefore, the Flood Control District has no objection to this request.

Yavapai County Environmental Services: Has no objections to the proposed action.

Town of Camp Verde Chief Building Official: Had no comment.

Town of Camp Verde Engineer: Had no comment.

Staff sent out 13 notification letters to property owners within 300 feet for this application. As of the writing of this report, staff has received two petitions, one in favor that contains 10 reside within 300 feet buffer 8 outside that contained in opposition or in favor of this request. On January 22, 2008 the applicant held a neighborhood meeting that was notified, advertised and posted per the Town of Camp Verde Planning and Zoning Ordinance requirements. There were none in attendance. Additionally, the applicant circulated a petition to the surrounding property owners of the subject parcel and received 18 signatures with 17 of those that signed the petition being in favor of the proposed land use amendment and one that was neutral. A map showing those that signed the petition and their position of approval, neutral or opposition is included in the packet for the Council's review. Not all that signed the petition for Mr. Vandiver were within 300 feet of the subject property.

At the February 7th, 2008 Hearing of the Town of Camp Verde Planning & Zoning Commission, this agenda item failed **due to a lack of a second** on a motion to approve.

List All Attachments as Follows: Application, Staff Report, Vicinity Map, Petition & Petition signer's location Map, Neighborhood Meeting Affidavit Summary, Letter of Intent, Directions to Property.

Type(s) of Presentation: Verbal & Overheads



ORDINANCE 2008 A 347

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO THE ZONING MAP OF THE PLANNING AND ZONING ORDINANCE FOR PARCEL 404-18-161G CONSISTING OF APPROXIMATELY 1.80 ACRES FROM R1L-70 TO R1L-35. THIS REZONING IS TO ALLOW FOR A MINOR LAND DIVISION.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulations of the Planning and Zoning Ordinance by the Town Council and,

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

Section 1:

I The Town Council hereby finds as follows:

- A. A request for **Zoning Map Change 2007-03** was filed by Jeffrey R. Adams, agent for Norman & Lorraine Vandiver, owners, for the purpose of rezoning the parcel **404-18-161G FROM R1L-70 TO R1L-35**. The legal description is attached as **Exhibit A** and the **Map as Exhibit B**.
- B. The Zoning Map Change was reviewed by the Planning Commission on **February 7, 2008** in public hearing that was advertised and posted according to state law.
- C. A neighborhood Meeting was held by the applicant on January 22, 2008 as required by ARS 9-462.03B.
- D. The Waiver of Diminution of Value Claim has been signed by the owner and is attached as Exhibit C.
- E. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

- II. **Zoning Map Change 2007-03** is approved, based upon the following findings:
- A. The property has been reclassified on the Town's General Plan Land Use Map as Low Density Residential by Resolution 2008-739; therefore, the proposed zoning map change is consistent with State Planning Law and the requirements of the Camp Verde Zoning Ordinance.
 - B. The Zoning Change will promote the public health, safety, and welfare of the general public.
-

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. This ordinance is effective upon completion of publication and any posting as required by law.

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.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 27TH day of February 2008, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: _____
Tony Gioia, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

EXHIBIT A
LEGAL DESCRIPTION

Legal Description

Parcel 1

A portion of that certain parcel of land described in Book 3679 of Official Records, Page 265, Yavapai County Recorder's Office, located in the Northwest quarter of Section 19 Township 14 North, Range 5 East of the Gila and Salt River Base & Meridian, Yavapai County, Arizona and more particularly described as follows:

Commencing at the Northwest corner of said Section 19, being a found brass cap in handhole;

Thence S 01°41'58" W (S 01°49' W rec.) a distance of 661.92 feet (663.85 feet rec.) to a found ½" rebar with plastic cap stamped "LS 2626";

Thence S 89°49'17" E (S 89°53'25" E rec.) a distance of 433.63 feet (433.54 feet rec.) to the westerly Right of Way line of Arena Del Loma as shown in Book 17 Maps & Plats, Page 33, Yavapai County Recorder's Office, being a found ½" rebar with plastic cap stamped "LS 2626"

Thence S 35°19'00" E (S 35°19' E rec.) being the basis of bearings for this description, along said westerly Right of Way line for a distance of 118.11 feet (118.11 feet rec.) to a set ½" rebar with plastic cap stamped "LS 33873" and the TRUE POINT OF BEGINNING;

Thence departing said westerly Right of Way line S 54°33'54" W (S 54°28' W rec.) a distance of 220.00 feet (220.00 feet rec.) to a set ½" rebar with plastic cap stamped "LS 33873";

Thence S 35°29'40" E (S 35°32' E rec.) a distance of 320.63 feet (320.00 feet rec.) to a found ½" rebar with plastic cap stamped "LS 2626";

Thence N 79°13'14" E (N 79°17'50" E rec.) a distance of 192.71 feet to a set ½" rebar with plastic cap stamped "LS 33873";

Thence N 06°32'18" W a distance 77.14 feet to a set ½" rebar with plastic cap stamped "LS 33873";

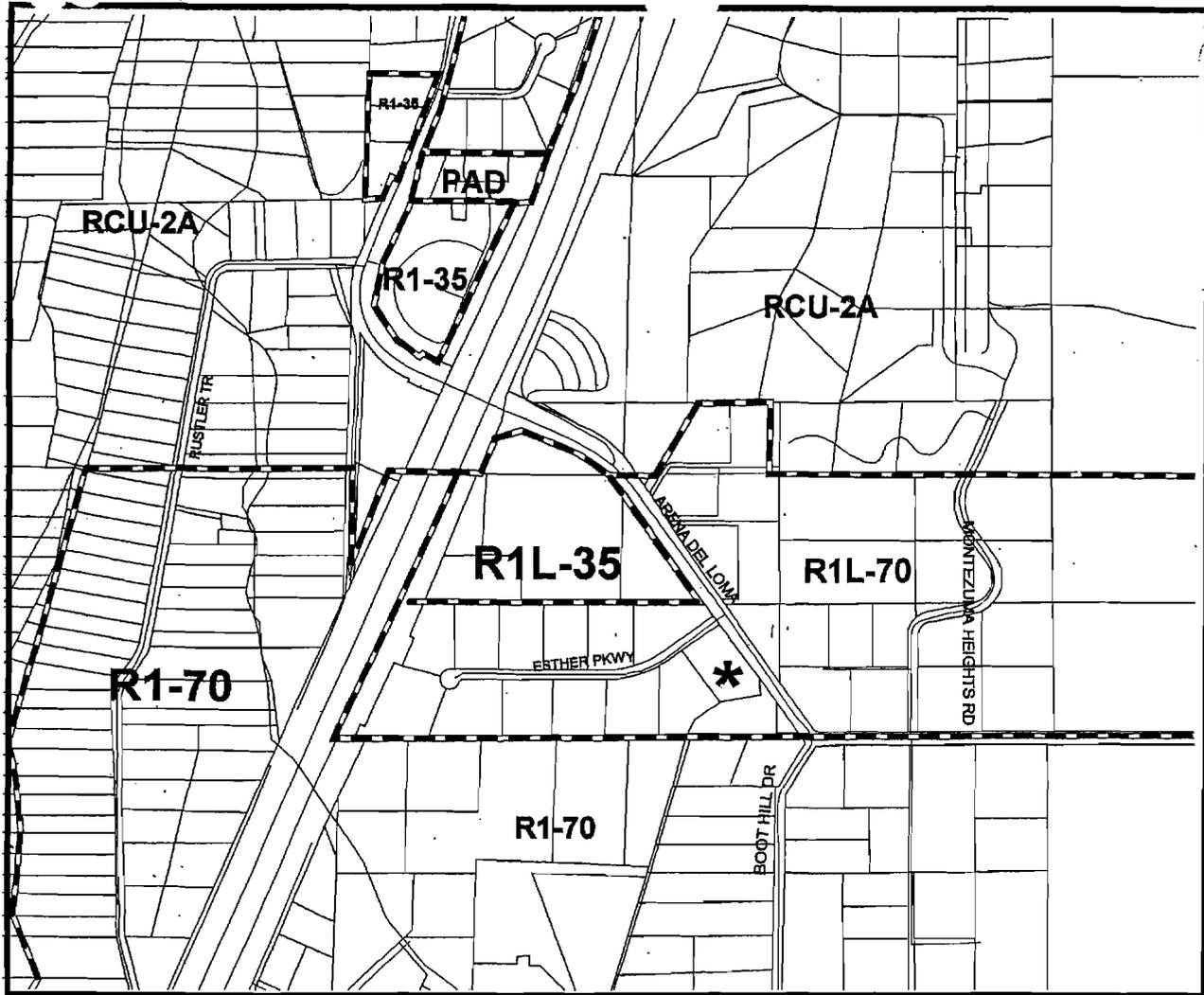
Thence N 54°41'00" E a distance of 6.58 feet to said westerly Right of Way line of Arena Del Loma to a set ½" rebar with plastic cap stamped "LS 33873";

Thence N 35°19'00" W (N 35°19' W rec.) a distance of 333.50 feet along said westerly Right of Way line to the TRUE POINT OF BEGINNING.

Parcel contains 1.8192 acres more or less.



EXHIBIT B
MAP



0.2 0 0.2 0.4 Miles

ZONING MAP FOR
ZMC 2007-03 FOR PARCEL 404-18-161G
FROM R1L-70 TO R1L-35

EXHIBIT C
WAIVER

CONSENT TO CONDITIONS/WAIVER FOR DIMINUTION OF VALUE

The undersigned is the owner of the parcel of land described in EXHIBIT A hereto that is the subject of the Zoning Map Change 2007-02 for parcels 404-28-014U, -014V, -014W and -014Z. I have reviewed the conditions of rezoning and by signing this document, the undersigned agrees and consents to all the conditions imposed by the Town of Camp Verde in conjunction with the approval of the Rezoning Application and waives any right to compensation for diminution in value pursuant to Arizona Revised Statutes § 12-1134 that may now or in the future exist as a result of the approval of the rezoning and conditions.

Dated this 20 day of Feb, 2008.

OWNER:

Norman Wandiver
Print Name

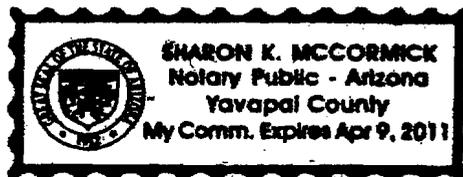
Norman Wandiver
Sign Name

STATE OF ARIZONA)
) ss.
County of Yavapai)

On this 20th day of February, 2008, before me, the undersigned Notary Public, personally appeared Norman Wandiver, who acknowledged that this document was executed for the purposes therein contained.

Sharon K. McCormick
Notary Public

My Commission Expires:
4.9.2011



**MINUTES
REGULAR SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY FEBRUARY 7, 2008
6:30 PM**

DRAFT

**Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motion to facilitate future research.
Public input, where appropriate, is heard prior to the motion**

- 1. Call to Order**
The meeting was called to order at 6:30 p.m.
- 2. Roll Call**
Chairperson Freeman, Vice Chairperson Butner, Commissioners Hisrich, Parrish, Buchanan, German and Burnside were present.
- 3. Pledge of Allegiance**
The Pledge was led by Hisrich.
- 4. Consent Agenda - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.**
 - a. Approval of Minutes:**
January 3, 2007 – Regular Session
 - b. Set Next Meeting, Date and Time:**
March 6, 2008 – Regular Session

On a motion by Butner, seconded by Hisrich, the Consent Agenda was unanimously approved as presented.
- 5. Call to the Public for Items not on the Agenda**
There was no public input.
- 6. Appointment of P & Z Commission Liaison to the Design Review Board for a 6 month term.**
On a motion by Buchanan, and seconded by Burnside, Carol German will serve as liaison to the Design Review Board for the next six months.
Burnside gave a summary of his experience as liaison for the Design Review Board. Freeman asked if someone would like to serve for the next six months. Carol German and Alan Buchanan were interested.
- 7. Public Hearing Discussion and possible Recommendation GPA 2007-02:** An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a General Plan Amendment to go from a rural residential (2 ac. min.) to low density residential (1 ac. min.) for approximately 1.82 acres located at 1862 Arena Del Loma.

Staff Report
Declare **PUBLIC HEARING OPEN**
1) Call for APPLICANT'S STATEMENT

- 2) Call for COMMENT FROM OTHER PERSONS (either in favor or against)
- 3) Call for APPLICANT'S REBUTTAL (if appropriate)

Declare PUBLIC HEARING CLOSED

- Call for BOARD DISCUSSION (may ask questions of applicant)
- Call for STAFFCOMMENTS
- Call for MOTION
- Call for DISCUSSION OF MOTION
- Call for QUESTION
- ANNOUNCE ACTION TAKEN with Findings of Fact

DRAFT

A motion was made by Burnside, that we approve the recommendation for GPA 2007-02 based on the discussed data, topographical restrictions, and surrounding property owners approval. seconded by Freeman.

The Commission voted 2-5 in opposition, with 'no' votes by Hisrich, Buchanan, Parrish, Butner and German.

There was a discussion between Commission and the applicant that covered the proposed lot split, who would live on property, shared well separation and setback requirements and the ability to enforce deed restriction. Two (2) petitions were submitted, one in favor and one opposed. Those opposed lived outside the 300' notification area.

8. Public Hearing Discussion and possible Recommendation ZMC 2007-03:

An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R1L-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

Staff Report

Declare PUBLIC HEARING OPEN

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Declare PUBLIC HEARING CLOSED

- Call for BOARD DISCUSSION (may ask questions of applicant)
- Call for STAFFCOMMENTS
- Call for MOTION
- Call for DISCUSSION OF MOTION
- Call for QUESTION
- ANNOUNCE ACTION TAKEN with Findings of Fact

On a motion by Freeman, to approve an application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R1L-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

The motion failed due to a lack of a second.

9. Discussion on AMD 07-05: Amendment to Section 118.IVA to prohibit A-Frame signs and Section 103 Definitions adding "A-Frame Sign".

A motion by Buchanan to table until the first meeting in March, seconded by Hisrich.

Buckel said that staff is still working on the A-Frame Sign language and would like to bring it back at the first meeting in March. She did mention that she has spoken with Lynda Moore, Director of Parks & Recreation and that she believes that using the light pole banners on the corners of Main Street would be ok. Buckel said that perhaps the merchants could contribute to the money needed to

make new banners reflecting information for the off Main Street businesses. German said that since A-Frame signs are currently not allowed by our code, that the signs that are on Main Street now, should not be allowed.

10. Discussion on AMD 2007-08 the use of shipping containers as accessory buildings in Camp Verde: Amendment to Section 108 F.2 Accessory Buildings. There was no action taken

Buckel said that she had made draft amendments to the code for shipping containers that addressed paint in similar color and screened by fencing. Commission discussed the number of containers allowed for a lot by lot size. Safety door concerns were discussed regarding the safety of adults and children along with ventilation. The following items are to be considered for the amendment draft:

- One container up to ½ acre and a maximum of two if over ½ acre. On two acres or more and more than two containers requested, special use permit.
- Door that opens from the inside, must meet IBC requirements
- Ventilation

Commission asked that staff bring back amendment draft to the next meeting.

There will be no Public input on the following items:

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

Buchanan hoped that everyone would have fun at the Pecan & Wine Festival. Parrish is working with the "Good Morning Arizona" crew for their visit to Camp Verde. He has a meeting with them on February 13th.

12. Staff Report

Buckel, Community Development Director reported that Town Council had directed her to have the Commission develop a water conservation plan. She mentioned that there would be two meetings a month on the Commission regular meeting dates to discuss this matter.

Buckel said that she would be bringing to the Commission discussion on the language on R1L district. Language over a period of time has been removed and needs to be put back in place.

13. Adjournment

On a motion by Buchanan, seconded by Hisrich, the meeting was adjourned at 8:36 pm.

DRAFT

Dave Freeman – Chairman

Planning & Zoning

CERTIFICATION

I hereby certify that the forgoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the regular meeting of the Planning & Zoning Commission of Camp Verde, Arizona, held on the 1st day of November 2007. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2008.

Jenna Paulsen – Recording Secretary

CASE NO. 2007-49

PROJECT NO. ZMC 07-03

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401
CHANGE OF ZONING MAP OR DENSITY APPLICATION

10-24-07P03:57 RCVD

APPLICATION DATE JUNE 22, 2007 TAKEN BY _____
 ASSESOR'S PARCEL NO. 404-18-161G FEES _____
 PRESENT ZONING RIL-70 HEARING DATE _____
 SUBDIVISION _____ LAND USE DESIGNATION _____
 ADDRESS OF PROPERTY 1862 ARENA DEL LOMA, CAMP VERDE, AZ 86322

REQUEST:

Change zoning from RIL70 to RIL35

OWNER Norman W. Vandiver & Lorraine J. Vandiver PHONE 928-567-9881 FAX NA
 ADDRESS 1862 Arena Del Loma CITY Camp Verde STATE AZ ZIP 86322
 CONTACT PERSON _____

If the applicant is not the property owner, the owner shall complete and sign the following statement. I hereby authorize Jeffrey R. Adams to act as my agent in the application.
 Name of Agent _____
 Signature of Owner Norman W. Vandiver Date 10-24-07

AGENT JEFFREY R. ADAMS PHONE 928-445-5935 FAX 928-445-5980
 ADDRESS 1135 IRON SPRINGS RD CITY PRESCOTT STATE AZ ZIP 86305
 CONTACT PERSON JEFFREY R. ADAMS

I hereby file the above 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 delay in it's normal scheduling.
 Signature of Applicant Jeffrey R. Adams Date 10.24.07

Town of Camp Verde
Attn: Community Development
473 S. Main St., Suite 102
Camp Verde, AZ 86322
Phone: (928) 567-8513
Fax: (928) 567-7401

<http://www.cvaz.org>

10-24-07 P03:57 RCVD

**Special Power of Attorney
Authorization for Permit Application.**

Parcel Number: 404-18-1616 Date: 10.24.07
Owner: Norman W. Vandiver & Lorraine J. Vandiver
Address: 1862 Arena Del Loma Camp Verde Az 86322
Phone: 928.567.9881

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

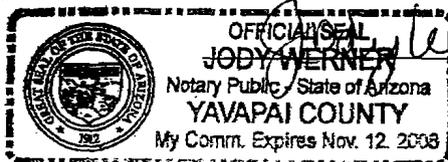
WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

NOW THEREFORE, the undersigned owner hereby designates Jeffrey R. Adams, whose address is: 1135 Iron Springs Rd, Prescott Az as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to December 31, 2008, or the application process is complete, whichever is later, or as may be earlier revoked in writing.

Norman W. Vandiver
Lorraine J. Vandiver, Owners (s)

State of Arizona
County of Yavapai, ss.

The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this 24th day of October, 2007, by Norman Lorraine Vandiver, who is/are personally known by me or have produced identification.



My Commission Expires:
Nov 12, 2008

Jody Werner, Notary Public

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING DIVISION

10-24-07P03:57 RCVD

PERMISSION TO ENTER PROPERTY

Hearing Application Number _____ PARCEL NO: 404-18-1616

DATE: 10.24.07 LEGAL DESCRIPTION: See Attached

NAME: Norman W. Vandiver & Lorraine J. Vandiver

ADDRESS: 1862 Arena Del Loma Camp Verde AZ 86322

I the undersigned, herby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the adopted building codes and Planning and Zoning Ordinances of the Town of Camp Verde. Such investigation may be made to determine whether or not any portion of such property, building, grading or other structure is being placed, erected, maintained, constructed or used in violation of the Codes or Ordinances of the Town of Camp Verde or any other agencies that they have agreements with that pertain to the building, grading or placement of structures. Such entry shall be within 90 days of the date of my signature or within the active limitations of any permits issued to me by the Town of Camp Verde for building, grading, erecting, maintaining or constructing. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

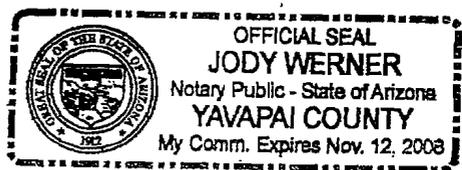
Lorraine J. Vandiver
Norman W. Vandiver
Applicant's Signature

10.24.07
Date

Agent for: _____
State of Arizona
Town of Camp Verde

On this 24th Day of October, 2007 before me, the undersigned Notary Public, personally appeared Norman & Lorraine Vandiver Who executed the forgoing instrument for the purpose theirin contain.

In witness whereof, I hereby set my hand and official seal.



Jody Werner
Notary

Nov. 12, 2008
Date of Commission Expires

DIRECTIONS TO PROPERTY

05-29-07A22135 POW

ASSESSOR'S PARCEL NUMBER 404-18-161G

APPLICANT'S NAME Norman W. Vandiver & Lorraine J. Vandiver

PROPERTY ADDRESS 1862 Arena Del Loma, Camp Verde, AZ 86322

DIRECTIONS TO PROPERTY From city center, take Montezuma Castle Highway toward I-17, passed the High School to Arena Del Loma, turn left on Arena Del Loma. Travel approximately 1/2 mile and take the sharp corner to the right (this is the junction of Boot Hill, Que Pasa and Arena Del Loma.) Go 100 yards passed the junction, to the right, until you come to the first driveway on the left, 1862 Arena Del Loma. The address is on a blue mailbox with a yellow ribbon on the base.



10-24-07P03:57 RCVD

Legal Description

Parcel 1

A portion of that certain parcel of land described in Book 3579 of Official Records, Page 265, Yavapai County Recorder's Office, located in the Northwest quarter of Section 19 Township 14 North, Range 5 East of the Gila and Salt River Base & Meridian, Yavapai County, Arizona and more particularly described as follows:

Commencing at the Northwest corner of said Section 19, being a found brass cap in handhole;

Thence S 01°41'58" W (S 01°49' W rec.) a distance of 661.92 feet (663.85 feet rec.) to a found 1/2" rebar with plastic cap stamped "LS 2626";

Thence S 89°49'17" E (S 89°53'25" E rec.) a distance of 433.63 feet (433.54 feet rec.) to the westerly Right of Way line of Arena Del Loma as shown in Book 17 Maps & Plats, Page 33, Yavapai County Recorder's Office, being a found 1/2" rebar with plastic cap stamped "LS 2626";

Thence S 35°19'00" E (S 35°19' E rec.) being the basis of bearings for this description, along said westerly Right of Way line for a distance of 118.11 feet (118.11 feet rec.) to a set 1/2" rebar with plastic cap stamped "LS 33873" and the TRUE POINT OF BEGINNING;

Thence departing said westerly Right of Way line S 54°33'54" W (S 54°28' W rec.) a distance of 220.00 feet (220.00 feet rec.) to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence S 35°29'40" E (S 35°32' E rec.) a distance of 320.63 feet (320.00 feet rec.) to a found 1/2" rebar with plastic cap stamped "LS 2626";

Thence N 79°13'14" E (N 79°17'50" E rec.) a distance of 192.71 feet to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence N 06°32'18" W a distance 77.14 feet to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence N 54°41'00" E a distance of 6.56 feet to said westerly Right of Way line of Arena Del Loma to a set 1/2" rebar with plastic cap stamped "LS 33873";

Thence N 35°19'00" W (N 35°19' W rec.) a distance of 333.50 feet along said westerly Right of Way line to the TRUE POINT OF BEGINNING.

Parcel contains 1.8192 acres more or less.



When recorded, mail to:

Name: NORMAN W. VANDIVER

Address: 1862 ARENA DEL LOMA

City/State/Zip Code: CAMP VERDE, AZ

86322



B-4318 P-892
Page: 1 of 3
JTD 3922998

05-29-07A03:35 RCVD

Space above this line for Recorder's use

JOINT TENANCY DEED

KNOW ALL MEN BY THESE PRESENTS:

That I (we), NORMAN VANDIVER & JEANETTE VANDIVER

the undersigned grantor(s), for the consideration of Ten Dollars (\$10.00) and other valuable considerations, do hereby convey unto

NORMAN W. VANDIVER & LORRAINE J. VANDIVER

the grantee(s), as joint tenants with rights of survivorship, all rights, title and interest in that certain Real Property situated in YAVAPAI County, State of ARIZONA, and described as follows:

SEE ATTACHMENT, PARCEL 1

**NO TRANSFER FEE NECESSARY
EXEMPT UNDER ARS 11-1134**

B-5

And I (we) do warrant title against all persons whomsoever, subject to any liens or encumbrances of record, or as may be set forth above unto said grantee(s), their assigns, the survivors of them, and the heirs and assigns of each survivor.

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal this _____ day of _____

NORMAN VANDIVER

Printed Name of Grantor

JEANETTE VANDIVER

Printed Name of Grantor

Signature of Grantor

Signature of Grantor

Printed Name of Witness

Signature of Witness (if required under State Laws)

Printed Name of Witness

Signature of Witness (if required under State Laws)

FEE
\$5
\$8
\$5



05-29-07 AUG 31 35 RCVD

State of ARIZONA)
County of YAVAPAI) ss.

ACKNOWLEDGMENT

On this 3 day of OCTOBER, 2005, before me, the undersigned Notary Public, personally appeared NORMAN W. VANDIVER
LORRAINE J. VANDIVER

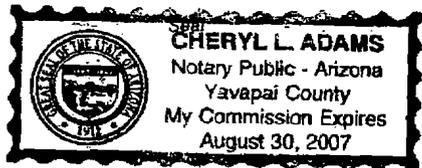
known to me to be the individual(s) who executed the foregoing instrument and acknowledged the same to be his(her)(their) free act and deed.

My Commission Expires: 8-30-2007

[Signature]
Notary Public

If acknowledged in State of Florida, complete section below:
(Check One) Personally Known (or) Produced Identification

If applicable, Type of Identification Produced: _____



The foregoing **JOINT TENANCY DEED** is accepted and approved by the undersigned grantee(s), it being their intention to acquire fee simple title to said property as Joint Tenants with the right of survivorship, and not as community property or as tenants in common.

Dated: Oct 3 - 05

NORMAN W. VANDIVER
Printed Name of Grantee
LORRAINE J. VANDIVER
Printed Name of Grantee

[Signature]
Signature of Grantee
[Signature]
Signature of Grantee

State of ARIZONA)
County of YAVAPAI) ss.

ACKNOWLEDGMENT

On this 3 day of OCTOBER, 2005, before me, the undersigned Notary Public, personally appeared NORMAN W. VANDIVER
LORRAINE J. VANDIVER

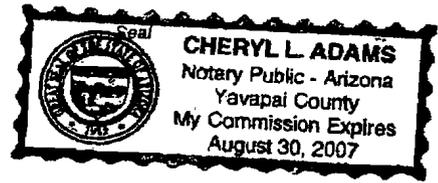
known to me to be the individual(s) who executed the foregoing instrument and acknowledged that he(he)(she)(they) executed the same for the purposes therein contained.

My Commission Expires: 8-30-2007

[Signature]
Notary Public

If acknowledged in State of Florida, complete section below:
(Check One) Personally Known (or) Produced Identification

If applicable, Type of Identification Produced: _____



10-24-07P03:56 RCVD

MUSGROVE, DRUTZ & KACK, P.C.
ATTORNEYS AT LAW
POST OFFICE BOX 2720, PRESCOTT, ARIZONA 86302-2720

JAMES B. MUSGROVE
MARK W. DRUTZ
THOMAS P. KACK
JOHN G. MULL
JEFFREY R. ADAMS
CATHY L. KNAPP
SHARON SARGENT-FLACK
STACIE B. ROBB

PRESCOTT VALLEY OFFICE
3001 MAIN STREET, SUITE 2C
PRESCOTT VALLEY, ARIZONA 86314

PRESCOTT OFFICE
1135 IRON SPRINGS ROAD
PRESCOTT, ARIZONA 86305

TELEPHONE
(928) 775-9565
(928) 775-9550 (FAX)

TELEPHONE
(928) 445-5935
(928) 445-5980 (FAX)

GRANT K. MCGREGOR (1959-2005)

October 24, 2007

File No. PV 571-1

TRANSMITTED VIA HAND-DELIVERY

Community Development Department
Town of Camp Verde
473 South Main Street
Suite 108
Camp Verde, Arizona 86322
Attn: Nancy Buckel, Community
Development Director

Re: Request for Rezone of 1862 Arena Del Loma, Camp Verde, Arizona 86322
("Property") from R1L-70 to R1L35

Dear Ms. Buckel:

As you know, this Firm represents Norman W. Vandiver and Lorraine J. Vandiver, who are the applicants for a General Plan Amendment and Zoning Map Change pursuant to their applications originally submitted on June 26, 2007. This letter shall constitute our supplement to the June 26, 2007, applications and our letter of that same date and includes several of the items you have requested in addition to those items that were included with, or addressed in, our clients' application and our June 26, 2007, letter.

With respect to the General Plan Amendment request, the following information is provided. Regarding our clients' request and its affect on the General Plan, we incorporate by reference our letter of June 26, 2007. As the goal of the General Plan is, in part, to provide for the orderly development and use of the properties governed by the General Plan, our clients' request certainly is consistent with that objective. As indicated in our June 26, 2007, letter, our clients request merely the opportunity to do a singular split of one very large lot into two separate large lots, which lots, following the split, will be similar in size to the surrounding lots and residential communities including several planned communities. While the split will reduce the size of the lot on which our clients already have their house, the split, coupled with the restrictions on development of the new lot, will ensure that the development of the new lot will be wholly consistent with the General Plan, the surrounding homes and the neighboring subdivisions. In addition, the split will minimal, if any,

10-24-07P03:59 RCVD

impact on the use of the already existing infrastructure including roads and water. Our clients are not requesting a monumental change or diversion from zoning classification (i.e. from low density to high or multi-family density). Therefore, we believe that the change requested is consistent with the General Plan and the needs and development of and within the community.

The Vandivers' request also does not violate any existing State or Federal Law and, in our view, benefits the community in that the development of the new lot, given the restrictions imposed by the Vandivers in the development of that lot, will ensure the quality and uniformity of development of that lot so as to ensure that whatever home is built will be consistent with the overall development in the neighborhood and community.

Furthermore, as referenced in our June 26, 2007, letter, the Property that is the subject of the current request consists of 1.852 acres. The Property is not included in any of the planned subdivisions that are in close proximity to the Property. However, as the Department will note, numerous parcels in and around the Property currently benefit from the R1L-35 zoning classification. The new parcel that would be created in connection with the General Plan Amendment and re-zone would consist of 35,100 square feet or .8058 acres and would derive its access from Esther Parkway as opposed to Arena Del Loma. In splitting the Property in the foregoing manner, in limiting the development of that parcel to one (1) single family home and in limiting the ingress and egress to the new parcel to Esther Parkway, there would very limited traffic impact on Esther Parkway and there would be virtually no impact on, or additional entry ways onto, Arena Del Loma thereby maintaining the status quo in terms of safety and lines of sight of that public roadway. In addition, our clients would be willing to allow the Town to dictate the location for entry and exit onto and from the new lot so as to ensure the minimization of impact in terms of safety from an ingress and egress perspective.

The newly proposed lot will be flat, will provide a good building site and will benefit from a natural barrier, in the form a hillside, from the other portion of the Property on which our clients currently have a home. Additionally, as evident from the Purchase and Sale Agreement attached as Exhibit "8" to our June 26, 2007, letter, our client has the Property under contract for sale.¹ You will

¹Be advised that the buyers are Mr. and Mrs. Vandiver's granddaughter and her husband who have been anxiously awaiting the opportunity to relocate to Arizona to live near Mr. and Mrs. Vandiver. Thus, this is not a situation where an applicant is selfishly seeking to maximize his profits on the development of his property through a re-zoning request. Rather, there are practical and family oriented reasons for the Vandivers' request.

10-24-07P03:59 RCVD

note also that the Purchase and Sale Agreement provides that Mr. and Mrs. Vandivers' granddaughter and her husband have agreed to limit their development of the new lot to one (1) single-family home that will be limited in size and that will be built in accordance with all applicable State, County and local building codes. See Article 4, Paragraphs 4.1 and 4.2 of the Purchase and Sale Agreement. The Purchase and Sale Agreement provides further that the development of the new lot will be in conformance with the neighborhood and states as follows:

4.5 Conformity With Neighborhood. Buyers agree and acknowledge that, in addition to building their home on the Property in accordance with all applicable building codes and the zoning ordinance, including set back requirements, they will build the home in conformity with the manner in which homes in the neighborhood have been constructed including building their home consistent with the distances between their home and neighboring homes.

Our clients and their granddaughter and her husband further have agreed that they will limit the building site for the home to be constructed on the new lot to be created on Property to a designated location to ensure that the one (1) home to be built on the new lot will be consistent with the surrounding neighborhood in terms of set-backs and distances between residences, will not cause any disruption or impediments to any of the neighbors' views from their respective properties and will be consistent with the general plan of development in the area. Further, pursuant to Article 4, Paragraph 4.3, of the Purchase and Sale Agreement, the well located on the Property would be shared by both parcels of the Property following the proposed split, which will mitigate and extremely limit the water usage resulting from the proposed new lot.

Based on the foregoing, we believe that our clients' request furthers the General Plan and is compatible therewith. It does not alter or deviate from the land use patterns in the neighborhood and surrounding areas. It provides for orderly development and ensures the quality of the structure to be built. There will be minimal impact on traffic and virtually no impact from an aesthetic or view standpoint on any single neighboring lot. And the use is entirely consistent with the neighborhood and surrounding areas.

As requested, enclosed are the signed and notarized (i) Special Power of Attorney Authorization for Permit Application and (ii) Permission to Enter Property. Also enclosed, as requested, is (i) the Zoning Map or Density District Change Application on the new form and (ii) our clients' signed letter to the Camp Verde Fire District requesting annexation into the Fire District.

Nancy Buckel
October 24, 2007
Page 4

10-24-07P03:59 RCVD

Under separate cover we will be providing (i) a copy of the date-stamped letter reflecting its receipt by the Fire District Representative, (ii) the revised site plan, (iii) the requested 30 copies of the aerial map previously provided, (iv) 30 sets of the color photographs previously provided and (v) the Neighborhood Meeting documentation once that meeting has been held.

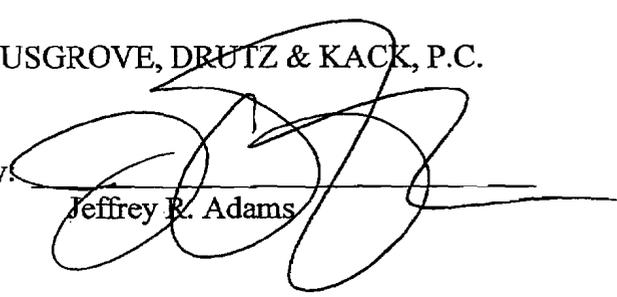
Based on the foregoing and upon our delivery of the items referenced in the preceding paragraph (which will be delivered shortly) we believe that our clients' applications are complete and meet the mandates established by the Town. If there is any additional information the Department needs in connection with our clients' request, please feel free to call or contact me at your convenience. Again, we do possess video and additional photographs of the area of the Property that may aid in the consideration of our clients' requests and if you, the Commission or the Council deem review of those items necessary, we will be more than happy to accommodate the review of the same. Also, we invite you, the Commission or the Council to contact the potential buyers of the proposed lot if that is deemed necessary for purposes of discussing the Purchase and Sale Agreement, the development restrictions contained therein or our clients' request. As the Purchase and Sale Agreement indicates, the potential buyers are fully aware of our clients' request of the Town and have indicated a willingness to cooperate with that process accordingly.

Again, we sincerely appreciate your consideration of our clients' requests and welcome any inquiries as we move through the application process.

Sincerely,

MUSGROVE, DRUTZ & KACK, P.C.

By:


Jeffrey R. Adams

JRA/cnr
Enclosures

Dear : *Neighbor*

Date Jan. 14 -08

You are cordially invited to attend a neighborhood meeting in regard to the petition of Norman Vandiver and Jeanette Vandiver requesting the town approve our request to rezone one lot #404-18-161 G from RL-70 to RL-35 and approval of a General plan amendment from rural residential to low density residential.

This property is located on the SE Corner of Arena Del Loma and Esther Parkway.

This meeting will be held January 22 at 7:00 P.M. at 1846 Arena Del Loma. Coffee and tea provided.

We would like interested neighbors to attend. If there are issues we will explore solutions.

If you are unable to attend and would like more information please call so we can make arrangements to answer questions.

Thank you,

Norman & Jeanette Vandiver

Norman and Jeanette Vandiver

928-567-9881

Jan. 24 , 08

To; Town of Camp Verde.

Attention ; Mike Jenkins SR Planner.

We have completed each item requested for the neighborhood meeting.
The meeting was held as scheduled on Jan. 22, 08 7:00 PM at
1846 Arena Del Loma Camp Verde.

No one came to the meeting.

Three people phoned to say they would not be able to attend.

Jim Ward, Jesse Maggard , and Nancy Swan.

In addition to the letters I made personal visits inviting
those on the attached list.

With no attendees we have no summery and no issues to resolve

Norman W Vandiver



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In addition to the letters I made personal visits inviting
those on the attached list.

With no attendees we have no summery and no issues to resolve

Norman W Vandiver



Prior the meeting I visited the people on this list, giving them a personal invitation in addition to their letter.

Childress , David

Ward , Jim

Maggard , Jesse

Weber , Joshua & Johanna

Saab , Charles & Daina

Sullivan , Richard & Shirley

Stoll , Will & Katie

Morgan , George

Middelton , Carroll & Rivon

Norman W Vandiver

Jan.24, 08

Norman W Vandiver

Buffer Results

Returned 17 parcels within 300 Feet of parcel 404-18-161g.

Download

Parcel	Owner	Mailing Address	City	State	Zip
1 404-18-178U	CHILDRESS DAVID H &	PO BOX 74	KEMPTON	IL	60946
2 404-18-178R	WARD JIM R UI &	PO BOX 2373	CAMP VERDE	AZ	86322
3 404-18-162A	MAGGARD JESSE R &	PO BOX 3492	CAMP VERDE	AZ	86322
4 404-18-174A	WILLIAMS MARION F & NEVA LOIS REV LIV TR	PO BOX 1394	CAMP VERDE	AZ	86322
5 404-18-161J	VANDIVER NORMAN & LORRAINE J JT(BD)	1846 ARENA DEL LOMA	CAMP VERDE	AZ	86322
6 404-18-174A	WILLIAMS MARION F & NEVA LOIS REV LIV TR	PO BOX 1394	CAMP VERDE	AZ	86322
7 404-18-197	SCHROCK JACK R & DELORES P RS	993 ESTHER PKWY	CAMP VERDE	AZ	86322
8 404-18-198	WEBER JOSHUA JACOB & JOHANNA E RS	953 N ESTHER PKWY	CAMP VERDE	AZ	86322
9 404-18-161G	VANDIVER NORMAN W & LORRAINE J JT AKA BD	1862 N ARENA DEL LOMA	CAMP VERDE	AZ	86322
10 404-18-188	AISPURO MARTHA P	PO BOX 843	COTTONWOOD	AZ	86326
11 404-18-189	SAAB CHARLES P & DINA JT	1016 ESTHER PARKWAY	CAMP VERDE	AZ	86322
12 404-18-160A	SULLIVAN RICHARD J & SHIRLEY L JT	PO BOX 2902	CAMP VERDE	AZ	86322
13 404-18-175A	STRATEN JACK R & RONDA R RS	1842 N MONTEZUMA HEIGHTS RD	CAMP VERDE	AZ	86322
14 404-18-158A	STOLL CHAD W & KATIE JT	PO BOX 1998	CAMP VERDE	AZ	86322
15 404-18-201A	SWAN NANCY A	2020 S GENROSE DR	CAMP VERDE	AZ	86322
16 404-18-201	STOLL CHAD WILLIAM & KATIE RS	2072 S DIAMOND CREEK LN	CAMP VERDE	AZ	86322
17 404-18-158C	SHAW THOMAS G	13923 E ELDORADO LN	GILBERT	AZ	85296

815-253-6340

567-6910

567-7179

649-1115

567-6333

567-3502

567-3844

unlisted

map

Development

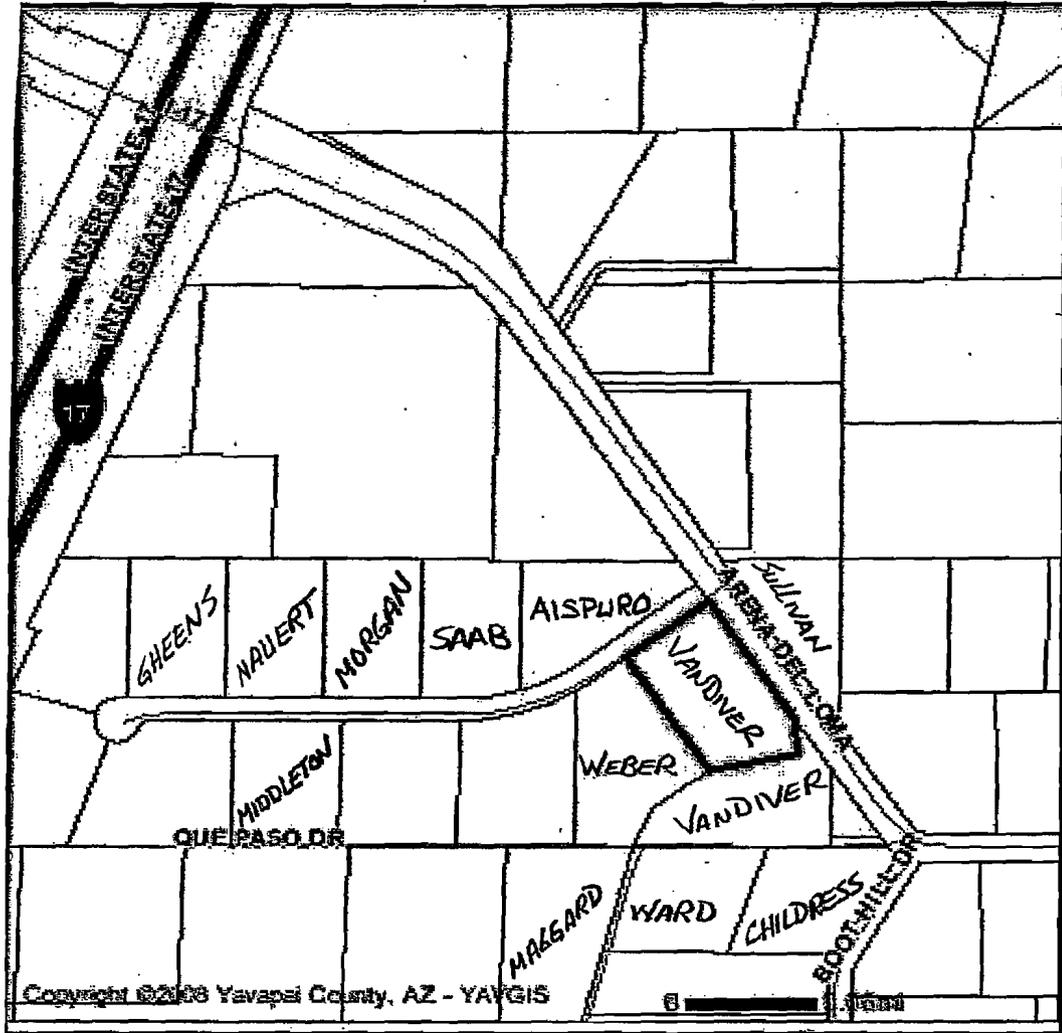
ALL THESE PEOPLE WERE NOTICED FOR THE NEIGHBORHOOD MEETING

7-9-07

Name	Address	Signature	Favor	Neutral	Oppose
HILARIO ASPURO	976 ESTHER PKWY		✓		
MARTHA P. ASPURO	976 Esther Pkwy		✓		
CHUCK SAAB	1016 Esther Parkway		✓		
DINA SAAB	1016 Esther Parkway		✓		
LUM WARD	869 Que Pasa Dr		✓		
D. H. Childers	1718 Boothill Dr.		✓		
Michael Fick (Fick)	1862 Arena Del Loma		✓		
Linda Fick	1862 Arena Del Loma		✓		
Geoff Morgan	1046 Esther Parkway		✓		
Carroll & Ryon Middleton	1093 Ester Parkway		✓		
DONALD D. GHEENS	1146 Esther Parkway		✓		
Jessica Shears	1146 Esther Parkway		✓		
SHANE NAUERT	1096 N ESTHER PKWY		✓		
Josh Weber	953 N Esther Pkwy		✓		
Richard Sullivan	1861 Arena Del Loma		✓		
Shirley Sullivan	1861 Arena del Loma		✓		
Jesse Moggard	983 Que Pasa				✓
	15 arena del loma				

RECEIVED
JAN 30 2008

BY:



RECEIVED
FEB 07 2008

TO: Camp Verde Planning and Zoning Commission
RE: GPA 2007-02 1862 Arena Del Loma

BY: _____

The signers below oppose the land division being requested by Norman Vandiver. When the residents of this area purchased their property, they agreed to the zoning and purposely bought in a high density area. If we wanted to live in a low density area, we would have bought in an area zoned for that. Mr. Vandiver should have purchased property where he would have no problem sub-dividing.

Michael Costello 1155 Que Pasa
Name Address

Sherry Costello 1155 QUE PASA
Name Address

Mark F. Hunt 1165 QUE PASA DR
Name Address

Dona K Hornade 1165 Que Pasa Dr
Name Address

Jim Pedrow 1098 Que Pasa
Name Address

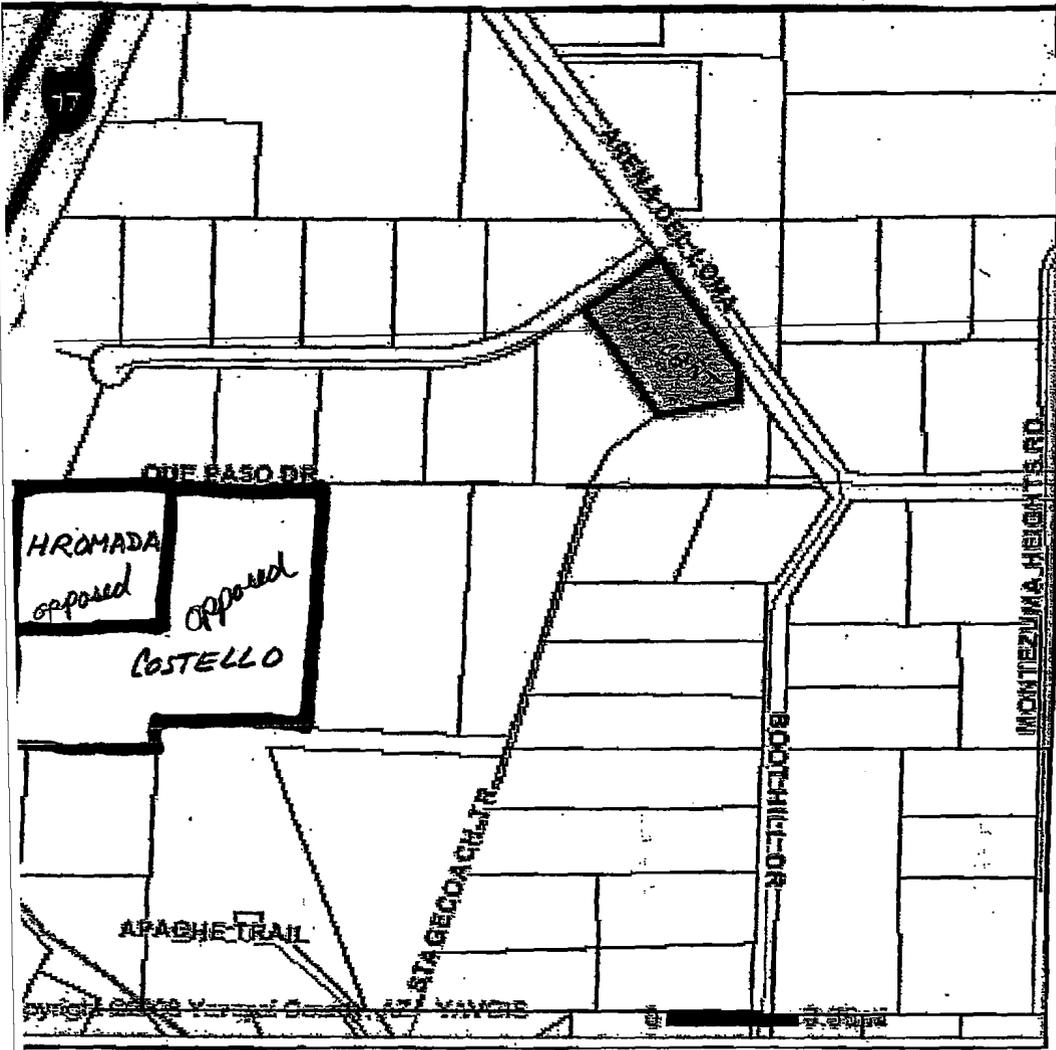
Could not locate just owner of your County web

Name Address

Name Address

Name Address

Name Address



**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

DATE: December 27, 2007

TO:

- | | |
|--|--|
| <input type="checkbox"/> Public Works Department | <input type="checkbox"/> ADOT |
| <input type="checkbox"/> Town Engineer | <input type="checkbox"/> Camp Verde Water District |
| <input type="checkbox"/> Park and Recreation Department | <input type="checkbox"/> Camp Verde Sanitary District |
| <input type="checkbox"/> Community Development Director | <input type="checkbox"/> Verde Lakes Water District |
| <input checked="" type="checkbox"/> Building Official | <input type="checkbox"/> Marshal's Department |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> School District |
| <input type="checkbox"/> Verde Valley Fire Department | <input type="checkbox"/> U.S Forest Service |
| <input type="checkbox"/> Yavapai County Planning | <input type="checkbox"/> City of Cottonwood Planning |
| <input type="checkbox"/> Yavapai County Flood Control | <input type="checkbox"/> Trails Committee |
| <input type="checkbox"/> Yavapai County Development Services -
Environmental Services Dept. | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Yavapai County Environmental Unit | Project Review: Contact Agent,
Owner & Engineer |

FROM: Jenna Paulsen – Admin. Assistant
Town of Camp Verde
473 S. Main Street Suite 108 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jpaulsen@cvaz.org

GPA 2007-02: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a General Plan Amendment to go from a rural residential (2 ac. min.) to low density residential (1 ac. min.) for approximately 1.82 acres located at 1862 Arena Del Loma.

ZMC 2007-03: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R1L-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

A copy of the application is attached and has been forwarded to you for your review and comment. For additional information regarding zoning classification and/or land use, please visit our website at www.cvaz.org. Please write your comments below and return your comments to my attention by **January 23, 2008**. **If you have no comments, please send us a letter stating "no comment" or our department will be contacting you for a verbal.**

COMMENTS: *No Comments*

Printed Name C FELDMANN

Signature *C Feldmann*

Phone _____

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

DATE: December 27, 2007

TO:

- | | |
|--|--|
| <input type="checkbox"/> Public Works Department | <input type="checkbox"/> ADOT |
| <input type="checkbox"/> Town Engineer | <input type="checkbox"/> Camp Verde Water District |
| <input type="checkbox"/> Park and Recreation Department | <input type="checkbox"/> Camp Verde Sanitary District |
| <input type="checkbox"/> Community Development Director | <input type="checkbox"/> Verde Lakes Water District |
| <input type="checkbox"/> Building Official | <input type="checkbox"/> Marshal's Department |
| <input checked="" type="checkbox"/> Fire Department | <input type="checkbox"/> School District |
| <input type="checkbox"/> Verde Valley Fire Department | <input type="checkbox"/> U.S Forest Service |
| <input type="checkbox"/> Yavapai County Planning | <input type="checkbox"/> City of Cottonwood Planning |
| <input type="checkbox"/> Yavapai County Flood Control | <input type="checkbox"/> Trails Committee |
| <input type="checkbox"/> Yavapai County Development Services -
Environmental Services Dept. | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Yavapai County Environmental Unit | Project Review: Contact Agent,
Owner & Engineer |

FROM: Jenna Paulsen – Admin. Assistant
Town of Camp Verde
473 S. Main Street Suite 108 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jpaulsen@cvaz.org

GPA 2007-02: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a General Plan Amendment to go from a rural residential (2 ac. min.) to low density residential (1 ac. min.) for approximately 1.82 acres located at 1862 Arena Del Loma.

ZMC 2007-03: An application submitted by Jeffrey R. Adams agent for Norman & Lorraine Vandiver, owners of parcel 404-18-161G requesting a Zoning Map Change to change from R11L-70 to R1L-35 for approximately 1.82 acres located at 1862 Arena Del Loma.

A copy of the application is attached and has been forwarded to you for your review and comment. For additional information regarding zoning classification and/or land use, please visit our website at www.cvaz.org. Please write your comments below and return your comments to my attention by **January 23, 2008**. **If you have no comments, please send us a letter stating "no comment" or our department will be contacting you for a verbal.**

COMMENTS:

Printed Name _____

Signature _____

Phone _____

None
Barbara Rice
928-567-9401

YAVAPAI COUNTY

Development Services

Prescott - (928) 771-3214 Fax: (928) 771-3432
Cottonwood - (928) 639-8151 Fax: (928) 639-8153



Flood Control District

Prescott - (928) 771-3197 Fax: (928) 771-3427
Cottonwood - (928) 639-8151 Fax: (928) 639-8118

500 S. Marina Street, Prescott, AZ 86303 and 10 S. 6th Street, Cottonwood, AZ 86326

Addressing - Building Safety - Customer Service & Permitting - Environmental - Flood Control District - Land Use - Planning & Design Rev

December 31, 2007

Jenna Paulsen
Community Development Department
Town of Camp Verde
473 S. Main Street, Suite 108
Camp Verde, Arizona 86322

RECEIVED
JAN 04 2008
BY: *K*

Re: GPA 2007-02 and ZMC 2007-03 for Zoning Map Change from R1L-70 to R1L-35 at 1862 Arena Del Loma; (Parcel 404-18-161G)

Dear Jenna:

The parcel is not impacted by a FEMA designated special flood hazard area or a watercourse with a drainage area greater than 80 acres. The Flood Control District has completed its review of the aforementioned submittal for the General Plan Amendment and Zoning Map Change and has no objections to the request.

The Town should be aware that future development may increase the runoff from the site, the developer should be required to obtain an Arizona Registered Civil Engineer to detail runoff is not being increased from the site and that drainage is routed to the appropriate drainage facilities. All drainage facilities should be detailed within a drainage easement. All aspects of storm water management, including onsite routing of runoff, detention/retention requirements, and stormwater pollution prevention requirements are the responsibility of the Town of Camp Verde and should be reviewed accordingly.

If you have any questions or need clarification on any of these items, please contact me at the District office in Prescott.

Sincerely,
YAVAPAI COUNTY DEVELOPMENT SERVICES

Jeff M. Low

Jeff M. Low, CFM
Floodplain Unit Manager
(928) 771-3197

c: Jeffrey Adams
1135 Iron Springs Road
Prescott, Arizona 86305

Norman & Lorraine Vandiver
1862 Arena Del Loma
Camp Verde, Arizona 86322

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
APPLICATION REVIEW FORM**

RECEIVED
JAN 17 2008

DATE: December 27, 2007

TO:

BY: K

- | | |
|--|--|
| <input type="checkbox"/> Public Works Department | <input type="checkbox"/> ADOT |
| <input checked="" type="checkbox"/> Town Engineer | <input type="checkbox"/> Camp Verde Water District |
| <input type="checkbox"/> Park and Recreation Department | <input type="checkbox"/> Camp Verde Sanitary District |
| <input type="checkbox"/> Community Development Director | <input type="checkbox"/> Verde Lakes Water District |
| <input type="checkbox"/> Building Official | <input type="checkbox"/> Marshal's Department |
| <input type="checkbox"/> Fire Department | <input type="checkbox"/> School District |
| <input type="checkbox"/> Verde Valley Fire Department | <input type="checkbox"/> U.S Forest Service |
| <input type="checkbox"/> Yavapai County Planning | <input type="checkbox"/> City of Cottonwood Planning |
| <input type="checkbox"/> Yavapai County Flood Control | <input type="checkbox"/> Trails Committee |
| <input type="checkbox"/> Yavapai County Development Services -
Environmental Services Dept. | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Yavapai County Environmental Unit | Project Review: Contact Agent,
Owner & Engineer |

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Town of Camp Verde
473 S. Main Street Suite 108 • Camp Verde, AZ 86322
Tel. (928) 567-8513 • Fax (928) 567-7401
E-mail: jpaulsen@cvaz.org

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A copy of the application is attached and has been forwarded to you for your review and comment. For additional information regarding zoning classification and/or land use, please visit our website at www.cvaz.org. Please write your comments below and return your comments to my attention by **January 23, 2008**. **If you have no comments, please send us a letter stating "no comment" or our department will be contacting you for a verbal.**

COMMENTS: *No Comments.*

Printed Name

Ron Long

Signature

Ron Long 1/17/07

Phone

567-0534

Camp Verde Fire Department

26 W. Salt Mine Rd.

P.O. BOX 386 • CAMP VERDE, AZ 86322-0386

Phillip R. Harbeson Sr.
Fire Chief

BUSINESS 567-9401 • EMERGENCY 567-4123 OR 911

Jack E. Blum
Secretary-Treasurer

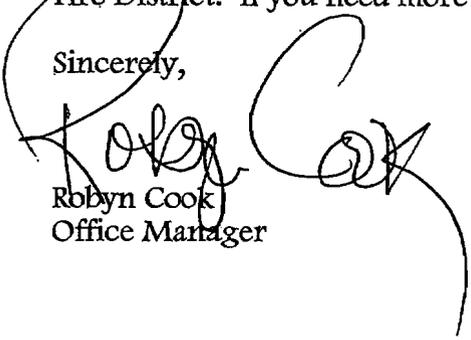
October 24, 2007

Town of Camp Verde
473 South Main Street
Camp Verde, AZ 86322

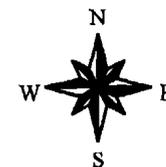
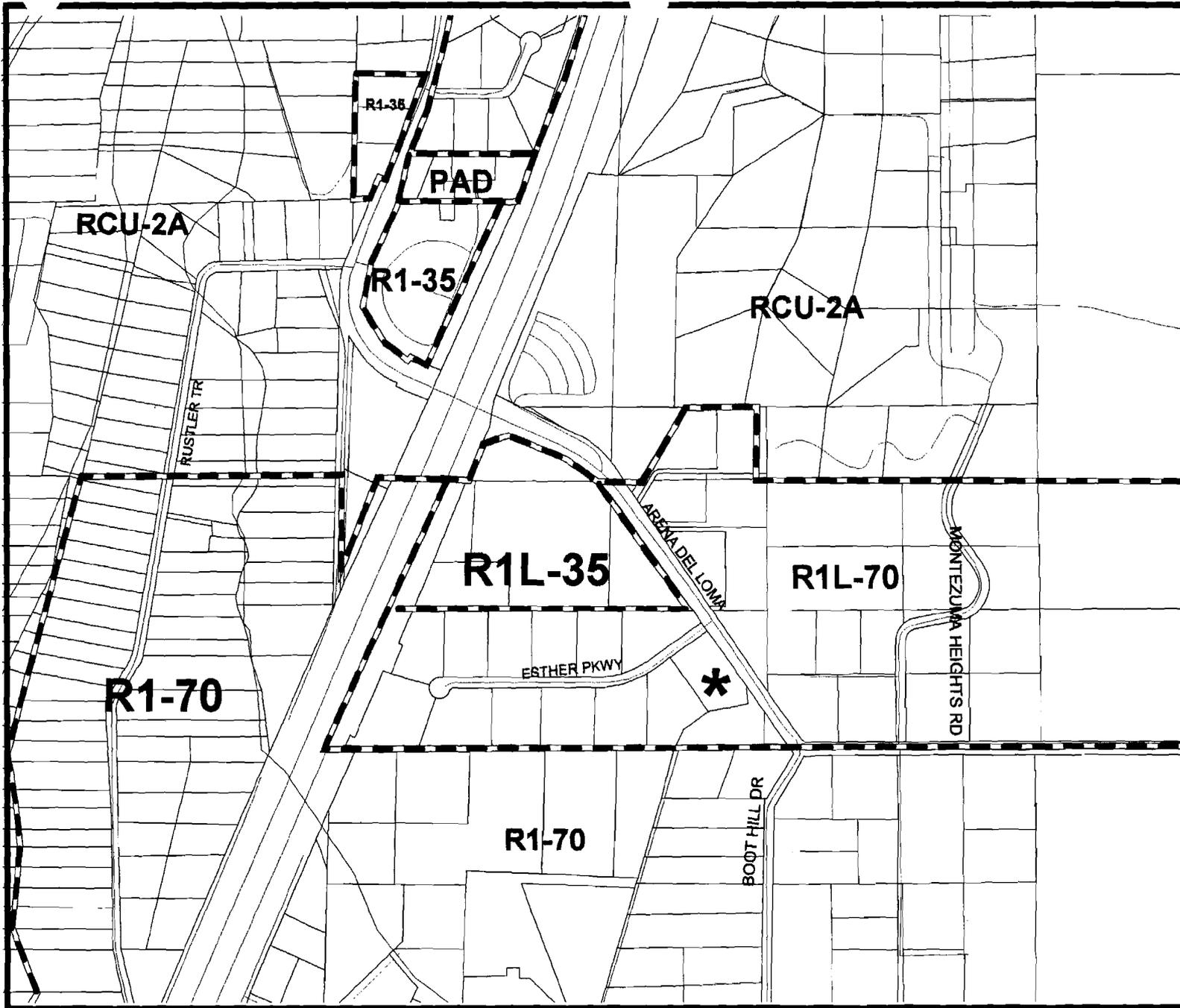
Dear Jenna:

Norman W. Vandiver and Lorraine J. Vandiver's property at 1862 Arena del Loma is in Camp Verde Fire District. If you need more information please feel free to contact me at 928-567-9401.

Sincerely,



Robyn Cook
Office Manager



0.2 0 0.2 0.4 Miles



**ZONING MAP FOR
ZMC 2007-03 FOR PARCEL 404-18-161G
FROM R1L-70 TO R1L-35**

TOWN OF CAMP VERDE
Council Agenda Action Form
Meeting Type: Regular
Type(s) of Presentation: Visual

Meeting Date: 2-27-08
Contact Person: Nancy Buckel

AGENDA TITLE: Public Hearing, Discussion and possible approval of Ordinance 2008 A348 amending the Planning and Zoning Ordinance Section 108D : Animals to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, both requiring a Use Permit approved by Council, change the use permit process now required for youth livestock activity on parcel smaller than 1/2 acre and add language for setback requirements for livestock activity as was previously stated in Section 109.

PURPOSE AND BACKGROUND INFORMATION: In December of last year Council held a public hearing on a draft of the amendment to Section 108D. During the hearing, it was determined that more work was necessary to address the youth activities within the Town. Council directed staff to make the changes agreed to by Council and work with Cody Carter, the FFA Advisor for Camp Verde on possible language streamlining the usepermit process for youth projects.

Staff took Mr. Carter's draft and revised the draft, recognising a streamlined process if the advisor was willing to take over the enforcement of the regulations the Town will establish for livestock activity within the town's boundary. It was agreed that the ultimate decision on whether the activity would be considered a nuisance will still be made by town staff but that the advisor would be recognised as the first authority contacted about all complaints and would be allowed to work towards compliance with the youth.

The Council also wanted to revisit a couple issues that were hard to resolve. They are as follows:

- 3.c.2) Does more than one swine, and all breeding or reproduction stock require a (UP)?
- 3.2.4) Should Additional 4-H or FFA swine require a Temporary Youth Organization (UP)?
- 4.a. Would any Commercial Livestock activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one letter, or more than ten animals in one year, other than horses and cattle require a (UP)?
- 5.a. Should projects in lots smaller than 1/2 acre be limited to one market animal and should swine projects on lots less than one acre be limited to one or should the advisor be allowed to determine the number of animals that can be raised on the property?

STAFF RECOMMENDATION(S): Approval of the submitted draft with corrections to the above listed items because the language was developed through a review process that had public input, Planning and Zoning Commission recommendation, the collaboration effort of town staff and youth organization advisors and Town Attorney review.

LIST ALL ATTACHMENTS: Ordinance 2008 A348, final draft document, staff report.
Type of Document Needing Approval (Check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Acceptance/Approval | <input type="checkbox"/> Agreement/Contract | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Grant Submission | <input type="checkbox"/> Intergovernmental Agreement |
| <input type="checkbox"/> Liquor/Bingo Application | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Resolution | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | <input type="checkbox"/> Other: | <input type="checkbox"/> Presentation/Report Only |

Submitting Department: P&Z

Contact Person: Nancy Buckel



ORDINANCE 2008 A348

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA AMENDING SECTION 108 D OF THE ZONING ORDINANCE TO DEFINE THE CRITERIA FOR RAISING SWINE WITHIN THE TOWN, TO ADD DEFINITIONS FOR COMMERCIAL LIVESTOCK ACTIVITY AND LIVESTOCK BREEDING ACTIVITY, TO CHANGE THE USE PERMIT PROCESS FOR YOUTH LIVESTOCK ACTIVITY ON PARCELS SMALLER THAN 1/2 ACRE AND TO ADD LANGUAGE FOR SETBACK REQUIREMENTS FOR LIVESTOCK ACTIVITY AS WAS PREVIOUSLY STATED IN SECTION 109.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987, and

WHEREAS, Section 108 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning text regulations of the Planning and 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 and Zoning Ordinance by including definitions.

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

Section 1. Section 108 of the Zoning Code is hereby amended as the following:

D. ANIMALS: (Revised 4/26/2000 2-27-08)

The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions to which the properties are subject. Zoning where the animals are kept must be a density of not less than 25 and a calculated size of not less than 1/2 acre (21,780 sq ft)

1. Allowed Livestock: Any of the species listed on the Species Table below which are cared for by the property owner or occupant and are permitted on lots of one-half acre or larger according to the following Animal Points Chart. All livestock activity within the Town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District.

ANIMAL POINTS CHART ALLOWED PER ACREAGE

One-half acre through one acre:	24 ANIMAL POINTS
One acre plus through two acres:	48 ANIMAL POINTS <u>each additional contiguous 1/4 acre allows for the increase of points by an increment of 6 points.</u>
Over Two acres:	24 ANIMAL POINTS per additional acre

SPECIES

SPECIES (or associated types)	POINTS PER ADULT ANIMAL
Alpacas:	3 POINTS
Emus:	3 POINTS
Pygmy goats:	3 POINTS
Sheep, Goats:	4 POINTS
Llamas:	6 POINTS
Miniature horses, Ponies and Sicilian donkeys:	6 POINTS
Ostriches:	6 POINTS
Swine:	6 POINTS
Cattle:	12 POINTS
Domestic deer:	12 POINTS
Horses, Mules, and Donkeys:	12 POINTS

~~(If the property owner wants to increase the number of livestock on their property, they must have the total number of points required for that species)~~

2. **Prohibited Livestock: Swine are prohibited within residential zones, unless excepted under paragraph 3c.**
3. **Exceptions:**
 - a. ~~Young nursing~~ **Young nursing** ~~Animals under one year of age or not weaned; whichever comes first are not counted in the number of animals allowed.~~
 - b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
 - c. **Swine may only be raised on property of an acre or more under the following conditions:**
 - 1) **1 pet or butcher pig per parcel.**
 - 2) **Additional Swine, breeding or reproduction stock requires a (UP)**
 - 3) **All pens containing swine must meet the setback requirements for the zoning district.**
 - 4) **Additional 4-H or FFA swine will require a Temporary Youth Organization Use Permit.**

- 4. A Use Permit: A use permit is required for any of the following:**
- a. Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle.**
 - b. Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses and cattle, (Swine breeding is addressed in paragraph 3c.)**
- 5. Temporary Youth Organization Use Permit: The Community Development Director may issue a temporary use permit allowing the following livestock activity, using reasonable discretion:**
- a. Supervised youth livestock market project of one market animal conducted on property less than ½ acre, or for one swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 months in duration.**
 - b. Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than ½ acre in size.**
 - c. An application for the temporary permit shall be submitted to the Community Development Director, or designee who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.**
 - d. An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.**
 - e. If the Youth Advisor agrees in writing to accept all enforcement responsibility for his/her members, no review will be required.**
 - 1) In September the Youth Advisor must register with the Community Development Department agreeing to this commitment.**
 - 2) The Youth Advisor will provide the following documentation to the Community Development Department by December 1st:**
 - i. A roster with the name, address and project type for all active members under their supervision.**
 - ii. Property owner's permission to conduct livestock activity on the subject parcel.**
 - iii. Parents' statement of responsibility.**
 - iv. Contact information for the Youth Advisor.**
 - 3) A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the Youth Livestock Organization.**

- 4) If compliance cannot be met, the advisor will notify the Code Enforcement Official and will support any action taken by the Town.
- 5) The ultimate decision on whether the activity is considered a nuisance will be made by the Community Development Director or designee.

A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 108I (3) (i).

- e. ~~Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock-raising program (4-H, FAA and the like) only for the life of the program *regardless of the lot size* with the following stipulations:~~
 - 1) ~~Any youth raising livestock on a lot of less than one half acre must obtain a Use Permit (for which all fees shall be waived) AND obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.~~
- f. 2) The **market** projects shall be of a limited duration **specified by a start and stop date** not to exceeding ~~seven (7)~~ **10** months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.
- g. 3) ~~In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.~~

3.6. Nuisance: Maintenance of Livestock Facilities

- a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.
- b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.
- c. Where the keeping of such animals becomes a nuisance, as defined in Section 108A, the Zoning Inspector Code Enforcement Official shall have the authority to require a reduction in the number and/or removal of the animals.
- b.d. A ten-day grace period will be allowed for compliance with the Ordinance after a written warning is given by the Code Enforcement Officer.
- c.e. The Code Enforcement Officer Official has the authority to require immediate removal of the animals under circumstances where they constitute a health or safety hazard to human beings.~~in question in exceptional cases.~~
- d. ~~The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference, 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 completion of publication and any posting as required by law.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 27th day of February 2008.

Tony Gioia, Mayor

Date _____

Approved as to form:

Attest: _____
Deborah Barber, Town Clerk

Town Attorney

D. ANIMALS: (Revised 4/26/2000)

The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions to which the properties are subject. Zoning where the animals are kept must be a density of not less than 25 and a calculated size of not less than ½ acre (21,780 sq ft)

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<u>additional contiguous ¼ acre allows for the increase of points by an increment of 6 points.</u>	
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2ND COUNCIL DRAFT

~~(If the property owner wants to increase the number of livestock on their property, they must have the total number of points required for that species)~~

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 - 1) **1 pet or butcher pig per parcel.**
 - 2) **No Additional Swine, breeding or reproduction stock allowed except with requires a (UP) (Council wants to revisit)**
 - 3) **All pens containing swine must meet the setback requirements for the zoning district.**
 - 4) **Additional 4-H or FFA swine will require a Temporary 4-H, FFA, or School Youth Livestock Use Permit. (Council wants to revisit)**
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 - a. **Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle. (Council wants to revisit)**
 - b. **Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses and cattle. (Swine breeding is addressed in paragraph 3c).**
5. **Temporary 4-H, FFA, or School Youth Organization Livestock Use Permit: The Community Development Director may issue a temporary use permit allowing the following livestock activity using reasonable discretion:**
 - a. **Supervised youth livestock market project of one (Look at) market animal conducted on property less than ½ acre, or for**

2ND COUNCIL DRAFT

- one swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 months in duration.
- b. Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than ½ acre in size, except swine.
- c. An application for the temporary permit shall be submitted to the Community Development Director, or designee who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.
- d. An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.
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- c. ~~Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock raising program (4-H, FAA and the like) only for the life of the program **regardless of the lot size** with the following stipulations:~~

2ND COUNCIL DRAFT

- ~~1) Any youth raising livestock on a lot of less than one-half acre must obtain a Use Permit (for which all fees shall be waived) AND obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.~~
- 2) g The market projects shall be of a limited duration specified by a start and stop date not to exceeding ten ~~seven (710)~~ months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.
- 3h In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.
- h. ~~No special circumstances for additional swine on less than one acre will be considered.~~

3.6. Nuisance: Maintenance of Livestock Facilities

- a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.
- b. ~~Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.~~
- c. Where the keeping of such animals becomes a nuisance, as defined in Section 108A, the Zoning Inspector Code Enforcement Official shall have the authority to require a reduction in the number and/or removal of the animals.
- b.d A ten-day grace period will be allowed for compliance with the Ordinance after a written warning is given by the Code Enforcement Officer.
- e.e. The Code Enforcement Officer Official has the authority to require immediate removal of the animals under circumstances where they constitute a health or safety hazard to human beings. ~~in question in exceptional cases.~~
- d. ~~The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

AMENDED AGENDA



COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, FEBRUARY 27, 2008
at 6:30 P.M.

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. **Roll Call**

3. **Pledge of Allegiance** – *(Please remove your hat.)*

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) February 12, 2008 – Retreat

b) **Set Next Meeting, Date and Time:**

1) Joint Work Session – February 21, 2008 at 5:00 p.m.

2) Regular Session – March 5, 2008 at 6:30 p.m.

5) Joint Work Session with Library Advisory Commission – March 12, 2008 at 6:30 p.m.

6) Regular Session – March 19, 2008 at 6:30 p.m.

7) Council Hears Planning & Zoning – March 26, 2008 at 6:30 p.m.

c) **Possible authorization for the Mayor to sign the request to rescind the acquisition proposal between the Town and the USFS for 223+ acres under the Town Site Act Purchase and request a refund of the remaining Collection Agreement Account deposit of approximately \$5,000 and possible direction to staff to cancel the appraisal.** Staff Resource: Michael Scannell

5. **Call to the Public for Items not on the Agenda.**

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

Note: Requests may be identified, but no discussion of the item will occur at this time.

7. **Discussion, consideration, and possible appointment of three (3) Council members to serve on an Interview Panel with the Manager and a Judicial Branch Representative for the Magistrate position and direction to staff to set appointments for interviews as soon as possible. The HR Director will serve on the Interview Panel as a staff resource and non-voting member.** Staff Resource: Judge Harry Cipriano

7A. **DISCUSSION, CONSIDERATION, AND POSSIBLE APPROVAL OF CHANGE ORDER #2 FOR \$27,000 TO PROVIDE A TURN-KEY OPERATION FOR THE CDBG TOWNSITE REDEVELOPMENT/COMMUNITY IMPROVEMENTS (RESTROOM) PROJECT; POSSIBLE AUTHORIZATION TO REQUEST A TRANSFER OF \$20,000 FROM ACTIVITY #1, ADMINISTRATION FUNDS OF ADOH CONTRACT #137-06 TO ACTIVITY #2, THE PROJECT; AND POSSIBLE AUTHORIZATION TO EXPEND APPROXIMATELY \$6,000 OF UNBUDGETED MONIES FROM THE PARKS FUND TO COMPLETE THE PROJECT.**

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 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
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Staff Resource: Nancy Buckel

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Councilor Smith asked for item #13:

13. **Discussion, consideration, and possible direction to staff concerning citizen complaints about Zellner's Woodyard. Complaints include, but are not limited to noise, vermin, fire danger, and zoning issues.** Staff Resource: Nancy Buckel *Note: Council may vote to go into executive session pursuant to A.R.S. §38-431.03.A.3 for discussion or consultation for legal advice with the Town Attorney and A.R.S. §38-431.03.A.4 for discussion or consultation with the Attorney regarding Council's position in pending or contemplated litigation or in settlement discussions conducted in order to avoid or resolve litigation.*

14. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

15. **Advanced Approvals of Town Expenditures**
a) **There are no advanced approvals.**
16. **Manager/Staff Report**
17. **Adjournment**

Posted by: *J. Jones*

Date/Time: *2/25/08* *1:15 PM*

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.

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Type: Regular

Meeting Date: 2/27/08

Submitting Department: Clerk

Contact Person: Debbie Barber

Consent: **Regular:** **Requesting Action:** **Report Only:**

Type of Document Needing Approval (Check all that apply):

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Acceptance/Approval | <input type="checkbox"/> Agreement/Contract | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Grant Submission | <input type="checkbox"/> Intergovernmental Agreement |
| <input type="checkbox"/> Liquor/Bingo Application | <input type="checkbox"/> Ordinance | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Resolution | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | <input type="checkbox"/> Other: | |

Agenda Text (Be Exact): DISCUSSION, CONSIDERATION, AND POSSIBLE APPROVAL OF A CHANGE ORDER FOR \$27,000 TO PROVIDE A TURN-KEY OPERATION FOR THE CDBG TOWNSITE REDEVELOPMENT/COMMUNITY IMPROVEMENTS (RESTROOM) PROJECT; POSSIBLE AUTHORIZATION TO REQUEST A TRANSFER OF \$20,000 FROM ACTIVITY #1, ADMINISTRATION FUNDS OF ADOH CONTRACT #137-06 TO ACTIVITY #2, THE PROJECT; and POSSIBLE AUTHORIZATION TO EXPEND APPROXIMATELY \$6,000 OF UNBUDGETED MONIES FROM THE PARKS FUND TO COMPLETE THE PROJECT.

Staff Recommendation: Approve Budgeted/Amount No \$6,000

Finance Director Review (if item in unbudgeted, under budgeted, or exceeds budgeted amount)

Line Item/Fund: Parks Fund

Purpose of Item and Background Information: Project History: We have received one 8-month extension and transferred \$50,000 from the Hollamon Street project to the restroom project to cover the \$250,000 anticipated costs. The CDBG application indicates that Town staff was to extend the water, sewer, and electrical lines, and prepare the gravel pad for the structure. When applying for the building permit, we discovered that the State requires licensed contractors to do commercial work. Town staff are not licensed electricians and plumbers. Moreover, after reviewing the engineered plans, Public Works Director Ron Long determined that Town staff lacked the capacity and the time to perform to the exacting standards needed for the pre-fab building. It was then determined that the best method to complete the project within the timeline was to ask CXT to provide a turn-key project. CXT proposes to complete the project for an additional \$27,000, which is well within the parameters for a DavisBacon project. Staff recommends that Council authorize a request to transfer \$20,000 from the Administration Activity of the CDBG grant and approve \$6,000 from the Parks Fund to cover the increased costs. The total projected costs for the restroom, excluding staff time, is \$275,541.12.

List All Attachments as Follows: Change Order #2

Type(s) of Presentation: Verbal Only

Name: Debbie Barber **Title:** Clerk

TOWN OF CAMP VERDE - CDBG PROGRAM
473 South Main Street, #102
Camp Verde, AZ 86322

CHANGE ORDER #2

CDBG Grant Contract #: 137-06

Project: Downtown Park Improvements (Restrooms)

Address: 473 South Main Street, Ste. 102

Contractor: CXT, Inc.

Contract Dated: August 31, 2007

The following change(s) are authorized to the above-identified contract:

Construct.....(description).....
.....
..... \$ 27,000.00

This change order adds \$27,000.00 to the contract amount. The performance period stays the same.

Initial Contract Amount	<u>\$ 239,387.28</u>
Plus 8.35% Sales Tax	<u>19,153.84</u>
Plus Previously Approved Change Orders	<u>(10,000.00)</u>
Plus/(Less) Change Order Requested	<u>27,000.00</u>
Total New Contract Amount	<u>\$ 275,541.12</u>

Jim Alexander
CXT, Inc.

Date

Tony Gioia, Mayor
Town of Camp Verde

Date

ADDITIONAL INFORMATION

ITEM 10

RESOLUTION 2008-739

CORRECTING THE WORDING

WHEREAS, amending the existing General Plan is required in order that the rezoning proposed under ZMC 2007-03 from ~~RCU-2A~~ R1L-70 to R1L-35 will conform to and be consistent with the General Plan as stated in ARS.



RESOLUTION 2008-739

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING GENERAL PLAN AMENDMENT 2007-02 THAT AMENDS THE LAND USE MAP OF THE GENERAL PLAN FOR PARCEL 404-18-161G FROM RURAL RESIDENTIAL TO LOW DENSITY RESIDENTIAL. THIS AMENDMENT IS TO ACCOMMODATE A MINOR LAND DIVISION.

SITE LOCATION: 1862 ARENA DEL LOMA.

WHEREAS, the Town of Camp Verde adopted its General Plan on December 1, 2004 through Resolution 2004-614 and ratified by voters on March 8, 2005, and

WHEREAS, public notice and agency contact concerning General Plan Amendment 2006-01 has been accomplished as required by law, including holding at least one public hearing by the legislative body prior to amending a general plan pursuant to ARS, and

WHEREAS, amending the existing General Plan is required in order that the rezoning proposed under ZMC 2007-03 from R1L-70 to R1L-35 will conform to and be consistent with the General Plan as stated in ARS.

NOW, THEREFORE, be it ordained by the Common Council of the Town of Camp Verde.

The General Plan of the Town of Camp Verde is hereby amended to change the Land Use of parcel 404-18-161G from Rural Residential to Low Density Residential.

Passed and adopted the 27TH day of February 2008.

Tony Gioia, Mayor

Date

APPROVED AS TO FORM

Attest:

Debbie Barber, Town Clerk

Town Attorney

ADDITIONAL INFORMATION
COUNCIL HEARS PLANNING & ZONING
FEBRUARY 27, 2008
ITEM #10 & 11

Town of Camp Verde
Attn: Community Development
473 S. Main St., Suite 108 & 109
Camp Verde, AZ 86322
Phone (928) 567-8513
Fax (928) 567-7401

www.cvaz.org

**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: 404-18-1614 Date: Feb. 22, 2008

Owner: Norman W. Vandiver

Address: 1846 Arcana Del Loma, Camp Verde, Az.

Phone: () 928-567-9881

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, from both the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspection, and permission to enter property.

NOW THEREFORE, the undersigned owner hereby designates Jugon Mc Donald, whose address is: 738 S. Parks Dr. as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to Feb. 29, 2008. Or the application process is complete, whichever is later, or as may be earlier revoked in writing.

Norman W. Vandiver Owners (s)

State of Arizona

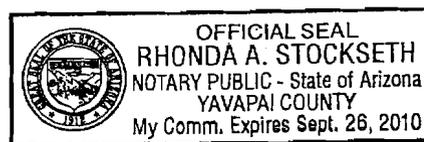
County of Yavapai, ss.

The forgoing special power of attorney for construction and zoning permit application was acknowledged before me this 22nd day of February, 2008, By Norman W. Vandiver, who is/are personally known by me or have produced identification.

Rhonda A. Stockseth Notary Public

My Commission Expires:

Sept. 26, 2010



AMENDED AGENDA #2

COUNCIL HEARS PLANNING & ZONING MATTERS

FEBRUARY 27, 2008

URGENT

ADDING ITEM 13A.

PLEASE READ THE ATTACHED MATERIAL

AND BE PREPARED TO DISCUSS

SIGNED: MAYOR TONY GIOIA

AMENDED AGENDA #2



**COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, FEBRUARY 27, 2008
at 6:30 P.M.**

1. Call to Order

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. Roll Call

3. Pledge of Allegiance – (Please remove your hat.)

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) February 12, 2008 – Retreat

b) Set Next Meeting, Date and Time:

1) Joint Work Session – February 21, 2008 at 5:00 p.m.

2) Regular Session – March 5, 2008 at 6:30 p.m.

5) Joint Work Session with Library Advisory Commission – March 12, 2008 at 6:30 p.m.

6) Regular Session – March 19, 2008 at 6:30 p.m.

7) Council Hears Planning & Zoning – March 26, 2008 at 6:30 p.m.

c) Possible authorization for the Mayor to sign the request to rescind the acquisition proposal between the Town and the USFS for 223+ acres under the Town Site Act Purchase and request a refund of the remaining Collection Agreement Account deposit of approximately \$5,000 and possible direction to staff to cancel the appraisal. Staff Resource: Michael Scannell

5. Call to the Public for Items not on the Agenda.

6. Council Informational Reports Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

Note: Requests may be identified, but no discussion of the item will occur at this time.

7. Discussion, consideration, and possible appointment of three (3) Council members to serve on an Interview Panel with the Manager and a Judicial Branch Representative for the Magistrate position and direction to staff to set appointments for interviews as soon as possible. The HR Director will serve on the Interview Panel as a staff resource and non-voting member. Staff Resource: Judge Harry Cipriano

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MAYOR GIOIA REQUESTED ITEM #13.A:

- 13.A DISCUSSION, CONSIDERATION, AND POSSIBLE AUTHORIZATION FOR THE MAYOR TO RELAY CONCERNS REGARDING HB 2772, WHICH WOULD AUTHORIZE AN INTER-BASIN WATER TRANSFER BY THE CITY OF WILLIAMS, THUS PERMITTING THE CITY OF WILLIAMS TO PUMP GROUNDWATER OUT OF THE VERDE WATERSHED.**

14. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

15. **Advanced Approvals of Town Expenditures**
a) **There are no advanced approvals.**
16. **Manager/Staff Report**
17. **Adjournment**

Posted by: W. Jones

Date/Time: 2-26-08 9:12 a.m.

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

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FAX

To: Mayor *Goia*
From: *Fred Breedlove, ADWR*
Re: *Interbasin transfer (7 PAGES TOTAL)*

Greetings,

This Thursday in the Arizona House Water and Agriculture committee hearing there will be an amendment to HB 2772 that we would like to bring to your attention. The amendment language was negotiated by the Department with SRP and officials from the City of Williams that will provide a limited exception to the general prohibition on inter-basin groundwater transfers for a city or town in the Coconino Plateau Groundwater Basin that was transporting groundwater into its municipal water service area from an adjacent groundwater basin as of January 1, 2001 if the wells being transported from are located within two miles of the groundwater basin boundary, are at least 2500 feet deep, and the total amount transferred per year does not exceed 700 acre/feet.

Attached are a white paper we prepared on this issue and the language being proposed.

For your information, the Department is taking steps to ensure that a situation such as this does not occur again and we would be happy to discuss those with you and answer any questions you have about this issue.

Sincerely,

Fred Breedlove
Legislative & Tribal Liaison, Ombudsman
Arizona Department of Water Resources
Office: (602) 771-8429
Mobile: (602) 679-4281

ARIZONA DEPARTMENT OF WATER RESOURCES
3550 N. Central Avenue, Phoenix, AZ 85012
Telephone 602 771-8500
Fax 602 771-8681



Janet Napolitano
Governor

Herbert R. Guenther
Director

H.B. 2772

City or town in the Coconino Plateau Basin; transportation exception

Outside of active management areas, the Groundwater Code generally prohibits the transportation of groundwater across a groundwater basin boundary. Recently, the Department learned of a situation where, a few years ago, a city in the Coconino Plateau Basin mistakenly drilled two wells at great depth and expense in the Verde Valley Sub-Basin of the Verde River Basin. The groundwater basin divide is not crisply defined where the Coconino Plateau Basin abuts the northwest corner of the Verde Valley Sub-Basin and the Department recognizes these wells were not drilled intentionally across the basin boundary.

After several rounds of negotiations with local officials in this area and SRP, the Department has crafted a narrow exception to the statute prohibiting transportation of groundwater across basins. This exception would allow a city or town in the Coconino Plateau that was transporting groundwater into its municipal service area from an adjacent groundwater basin as of January 2001, to pump no more than 700 acre-feet annually from wells located outside the basin, but within 2 miles of the boundary, and that are drilled at least 2500 feet below the land surface. The use of this water is restricted to the municipal water service area of the city or town. The director of the Department may allow the city or town to transport more than 700 acre-feet during a year if additional water is needed for fire protection during the year.

Importantly, this narrow exception does not provide for any future growth, recognizing only existing demand, and requires a city or town to cease transporting groundwater from an adjacent basin when the city or town secures sufficient supplies of other water.

The first entity that could utilize this exception is the City of Williams.

While the Department does not endorse the practice of transporting groundwater across basins, this exception is narrowly crafted, provides for a *de minimus* use, is the result of substantial negotiations, and is simple in its application.

Forty-eighth Legislature
Second Regular Session

WA
H.B. 2772

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2772

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 Section 1. Section 45-544, Arizona Revised Statutes, is amended to
3 read:

4 45-544. Transportation in areas not subject to active
5 management: damages: upper San Pedro water district:
6 Little Colorado river plateau and Parker groundwater
7 basins: definitions

8 A. Except as otherwise provided in this section, section 45-547 and
9 article 8.1 of this chapter, in areas outside of active management areas:

10 1. Groundwater may be transported:

11 (a) Within a subbasin of a groundwater basin or within a groundwater
12 basin, if there are no subbasins, without payment of damages.

13 (b) Between subbasins of a groundwater basin, subject to payment of
14 damages.

15 2. Groundwater shall not be transported away from a groundwater basin.

16 3. Groundwater shall not be transported away from the upper San Pedro
17 water district if established under title 48, chapter 37.

18 B. Notwithstanding subsection A, paragraph 2 or 3 of this section,
19 subject to payment of damages:

20 1. A person who at any time during the twelve months before January 1,
21 1991 was transporting away from the Little Colorado river plateau groundwater
22 basin or the Parker groundwater basin groundwater that was legally withdrawn
23 from a well in either groundwater basin has the right, subject to
24 subsection C of this section, to transport groundwater that is legally
25 withdrawn from the well or a replacement well in approximately the same
26 location to another groundwater basin in an annual amount equal to the
27 greater of the maximum amount of groundwater either:

House Amendments to H.B. 2772

1 (a) That was withdrawn from the well and transported by the person
2 away from the groundwater basin in any one of the five calendar years
3 immediately preceding January 1, 1991.

4 (b) That could have been withdrawn from the well during the twelve
5 month period, taking into account the pump capacity and specific capacity of
6 the well during that period, or twenty-five acre-feet, whichever is less.

7 2. A person may transport groundwater by motor vehicle from the Little
8 Colorado river plateau groundwater basin or the Parker groundwater basin to
9 an adjacent groundwater basin for domestic purposes or stock watering.

10 3. A city or town whose service area is located either in the Little
11 Colorado river plateau groundwater basin and an adjacent groundwater basin or
12 in the Parker groundwater basin and an adjacent groundwater basin may
13 transport groundwater that is withdrawn within that portion of its service
14 area located in the Little Colorado river plateau groundwater basin or the
15 Parker groundwater basin to the adjacent groundwater basin for the benefit of
16 landowners and residents within its service area.

17 4. A city, town or private water company whose service area is located
18 in two adjacent groundwater basins and provides water utility service to
19 landowners or residents in both basins as of July 1, 1993 may transport
20 groundwater between those adjacent groundwater basins.

21 5. The transportation of groundwater in which groundwater is
22 transported away from the groundwater basin and expansions of that transfer
23 by the same person or its successor for the same purpose are valid if that
24 transfer was occurring before September 1, 1993.

25 6. A CITY OR TOWN IN THE COCONINO PLATEAU GROUNDWATER BASIN THAT WAS
26 TRANSPORTING GROUNDWATER INTO ITS MUNICIPAL WATER SERVICE AREA FROM AN
27 ADJACENT GROUNDWATER BASIN AS OF JANUARY 1, 2001 MAY CONTINUE AND EXPAND THAT
28 TRANSFER SUBJECT TO THE FOLLOWING CONDITIONS:

29 (a) THE GROUNDWATER MAY BE WITHDRAWN ONLY FROM WELLS THAT ARE LOCATED
30 NO MORE THAN TWO MILES FROM THE COCONINO PLATEAU GROUNDWATER BASIN BOUNDARY
31 AND THAT ARE DRILLED TO DEPTHS OF AT LEAST TWO THOUSAND FIVE HUNDRED FEET
32 BELOW LAND SURFACE.

House Amendments to H.B. 2772

1 (b) THE GROUNDWATER MAY BE USED ONLY WITHIN THE MUNICIPAL WATER
2 SERVICE AREA OF THE CITY OR TOWN.

3 (c) EXCEPT AS PROVIDED IN SUBDIVISION (d) OF THIS PARAGRAPH, THE TOTAL
4 AMOUNT OF GROUNDWATER THAT MAY BE TRANSPORTED DURING A YEAR SHALL NOT EXCEED
5 SEVEN HUNDRED ACRE-FEET.

6 (d) THE CITY OR TOWN MAY APPLY TO THE DIRECTOR TO INCREASE THE AMOUNT
7 OF GROUNDWATER THAT MAY BE TRANSPORTED DURING A YEAR UNDER SUBDIVISION (c) OF
8 THIS PARAGRAPH IF ADDITIONAL GROUNDWATER IS NEEDED TO PROVIDE FIRE PROTECTION
9 FOR THE CITY OR TOWN BECAUSE OF AN EMERGENCY CONDITION. THE DIRECTOR SHALL
10 POST AN APPLICATION FILED UNDER THIS SUBDIVISION ON THE DEPARTMENT'S WEBSITE
11 BEFORE APPROVING OR DENYING THE APPLICATION. THE DIRECTOR SHALL APPROVE AN
12 APPLICATION FILED UNDER THIS SUBDIVISION IF THE CITY OR TOWN DEMONSTRATES TO
13 THE SATISFACTION OF THE DIRECTOR THAT AN EMERGENCY CONDITION EXISTS THAT
14 MAKES IT NECESSARY FOR THE CITY OR TOWN TO TRANSPORT GROUNDWATER IN EXCESS OF
15 THE AMOUNT ALLOWED UNDER SUBDIVISION (c) OF THIS PARAGRAPH TO PROVIDE
16 ADEQUATE FIRE PROTECTION FOR THE CITY OR TOWN. IF THE DIRECTOR APPROVES AN
17 APPLICATION FILED UNDER THIS SUBDIVISION, THE DIRECTOR SHALL SPECIFY THE
18 AMOUNT OF GROUNDWATER THAT THE CITY OR TOWN MAY TRANSPORT IN EXCESS OF THE
19 AMOUNT ALLOWED UNDER SUBDIVISION (c) OF THIS PARAGRAPH AND MAY IMPOSE OTHER
20 CONDITIONS THAT THE DIRECTOR DEEMS APPROPRIATE.

21 (e) THE CITY OR TOWN SHALL NO LONGER TRANSPORT ANY GROUNDWATER
22 PURSUANT TO THIS PARAGRAPH IF ALL OF THE FOLLOWING APPLY:

23 (i) AFTER JANUARY 1, 2009, THE CITY OR TOWN OBTAINS THE LEGAL RIGHT TO
24 RECEIVE A NEW SUPPLY OF WATER ORIGINATING FROM OUTSIDE OF ITS CORPORATE
25 BOUNDARIES, OTHER THAN GROUNDWATER PURSUANT TO THIS PARAGRAPH.

26 (ii) THE SUPPLY OF WATER IS PHYSICALLY AVAILABLE TO THE CITY OR TOWN
27 THROUGH A CANAL OR PIPELINE.

28 (iii) THE DIRECTOR DETERMINES THAT THE SUPPLY OF WATER, TOGETHER WITH
29 OTHER WATER SUPPLIES PHYSICALLY AVAILABLE TO THE CITY OR TOWN, OTHER THAN
30 GROUNDWATER PURSUANT TO THIS PARAGRAPH, IS SUFFICIENT TO PROVIDE A
31 SUSTAINABLE WATER SUPPLY FOR THE CITY OR TOWN, INCLUDING PROJECTED GROWTH,
32 AND NOTIFIES THE CITY OR TOWN OF THAT DETERMINATION.

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1 6.— 7. Groundwater may be transported away from a groundwater basin
2 for mineral extraction and processing, except that no groundwater may be
3 transported away from the Parker groundwater basin or the Little Colorado
4 river plateau groundwater basin for that purpose and, if the district is
5 established, groundwater shall not be transported away from the upper San
6 Pedro water district for that purpose except as provided in paragraph / of
7 this subsection.

8 7.— 8. If the upper San Pedro water district is established under
9 title 48, chapter 37:

10 (a) A city, town or private water company whose service area is
11 located in the district and a groundwater basin adjacent to the district,
12 other than the upper San Pedro groundwater basin, and that provides water
13 utility service to landowners or residents in the district and that adjacent
14 groundwater basin as of July 1, 1993 may transport groundwater between the
15 district and that adjacent groundwater basin.

16 (b) The transportation of groundwater in which groundwater is
17 transported away from the district and away from the upper San Pedro
18 groundwater basin and expansions of that transfer by the same person or its
19 successor for the same purpose are valid if that transfer was occurring
20 before September 1, 1993.

21 (c) The transportation of groundwater in which groundwater is
22 transported away from the district but not away from the upper San Pedro
23 groundwater basin and expansions of that transfer by the same person or its
24 successor for the same purpose are valid if that transfer was occurring
25 before the date the district is established.

26 C. The director may limit by order the amount of groundwater withdrawn
27 from a well in the Little Colorado river plateau groundwater basin for
28 transportation away from the basin pursuant to subsection B, paragraph 1 of
29 this section in any year in which the director determines that the projected
30 withdrawals from the well for that purpose will unreasonably increase damage
31 to surrounding land or other water users and if the well:

32 1. Was drilled on or before January 1, 1991.

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1 2. Was not completed on January 1, 1991, but a notice of intention to
2 drill the well was on file on that date.

3 3. Is a replacement well, in approximately the same location, for a
4 well described in paragraph 1 or 2 of this subsection.

5 D. Groundwater may be withdrawn from a well drilled in the Little
6 Colorado river plateau groundwater basin after January 1, 1991, except a
7 replacement well in approximately the same location or a well drilled after
8 that date pursuant to a notice of intention to drill that was on file with
9 the department on that date, for transportation away from the basin pursuant
10 to subsection B, paragraph 1 of this section only if the location of the well
11 complies with the rules adopted pursuant to section 45-598, subsection A to
12 prevent unreasonably increasing damage to surrounding land or other water
13 users from the concentration of wells.

14 E. For the purposes of this section:

15 1. "Domestic purposes" means uses related to the supply, service and
16 activities of households and private residences and includes the application
17 of water to less than two acres of land to produce plants or parts of plants
18 for sale or human consumption, or for use as feed for livestock, range
19 livestock or poultry, as such terms are defined in section 3-1201.

20 2. "Stock watering" means the watering of livestock, range livestock
21 or poultry, as such terms are defined in section 3-1201."

22 Amend title to conform

LUCY MASON

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