

**AMENDED
AGENDA
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY FEBRUARY 17, 2011
6:30 PM**

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

A majority of Town Council may be present at this meeting.

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
 - a. Approval of Minutes:**
 - January 27, 2011 Special Session
 - February 03, 2011 Special Session
 - February 10, 2010 Special Session
 - b. Set Next Meeting, Date and Time:**
 - March 3, 2011 Regular Session
 - March 10, 2011 Special Session
- 5. Call to the Public for Items not on the Agenda**
(Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date.)
- 6. Public Hearing, Discussion, Consideration and possible recommendation to Council for proposed revisions to the Planning and Zoning Ordinance and Subdivision Regulations.**

There will be no Public input on the following items:

- 7. 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.
- 8. Staff**
- 9. Adjournment**

Please note: The Planning and Zoning Staff makes every attempt to provide a complete agenda packet for public review. However, it is not always possible to include all information in the packet. You are encouraged to check with The Community Development Department prior to a meeting for copies of supporting documentation, if any that were unavailable at the time agenda packets were prepared.

Posted by: J. Owens Date/Time: 2-15-11 1:00 PM

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 DRAFT
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY January 27, 2011
6:30 PM

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motions 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 Butner, Vice Chairperson Hisrich, Commissioners Buchanan, Parrish, Hough and Norton were present. Commissioner Freeman was absent.

Also Present: Acting Community Development Director Mike Jenkins, and Recording Secretary Jenna Owens.
3. **Pledge of Allegiance**
The Pledge was led by Chairman Butner.
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:**
None
 - b. **Set Next Meeting, Date and Time:**
As NeededOn a motion by Norton, seconded by Buchanan, 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. **Public Hearing, Discussion and Possible recommendation to the Town Council by the Town of Camp Verde Planning & Zoning Commission to abandon and revert to acreage the Silverado Subdivision at Simonton Ranch;** which also includes the abandonment of all roadways, easements and common areas of the subdivision as evaluated by the Commission based on a Draft Abandonment and Reversion Plat as prepared under the direction of the Town Council.
On a motion by Hisrich and seconded by Hough, the Commission voted 6-0 to recommend that Council approve the Silverado Subdivision Abandonment and Reversion to Acreage Plat as prepared under the direction of the Town Council, which also includes the abandonment of all roadways, easements and common areas of the subdivision. Commissioner Freeman was absent.

STAFF PRESENTATION

Jenkins reviewed the background and stated that there have been no improvements to or lots sold for the Silverado Subdivision. Staff has met with a representative from Investors Mortgage Holder Special Asset NT 228, LLC.

Chairman Butner inquired if a certified letter had been sent to the current owner and asked if we had received a signed receipt for the letter.

Jenkins acknowledged that this process had been completed prior to the meeting.

Jenkins stated that the letter was sent to Investors Mortgage Holder Special Asset NT 228, LLC on January 11, 2011 and that the letter advised that the Abandonment of Reversion to Acreage Plat would be going before the Commission for recommendation on January 27, 2011 and to the Town Council for final approval/denial on February 16, 2011.

Chairman Butner inquired who was on the Council at the time of the Final Plat approval for the Silverado Subdivision as he was not on the Planning & Zoning Commission at the time. Jenkins also reiterated that he was not working for the Town of Camp Verde at the time of the Final Plat approval. But if necessary, Jenkins would research that information. Chairman Butner stated that it would not be necessary.

**PUBLIC HEARING AND
COMMISSION DISCUSSION**

The Commission discussed briefly the problems with the current subdivision and agreed that the reversion to acreage would be a wise decision and that a recommendation of approval should be forwarded to Council.

7. Commission Informational Reports:

Buchanan mentioned that the Chamber of Commerce is having a Mixer this evening from 6:00 pm to 8:00 pm to celebrate their 30 years. Several of the Commission were going to attend after the meeting.

8. Staff
None

9. Adjournment

On a motion by Norton, seconded by Parrish, the meeting was adjourned at 6:48 p.m.

Joe Butner, Chairman

Planning & Zoning

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Regular Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 27th day of January 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2011.

Jenna Owens, Recording Secretary

MINUTES DRAFT
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY FEBRUARY 3, 2011
6:30 PM

Minutes are a summary of the actions taken. They are not verbatim.
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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 Butner, Vice Chairperson Norton, Parrish and Hough were present; Commissioner Freeman arrived at 6:34 p.m.; Commissioner Hisrich & Commissioner Buchanan were absent.

Also Present: Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Owens, Code Enforcement Official Robert Foreman, Permit Tech Becky Oium, and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Norton.

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 13, 2010 Special Session

January 20, 2010 Special Session

b. Set Next Meeting, Date and Time:

As needed

On a motion by Hough, seconded by Norton, the Consent Agenda was unanimously approved as presented and discussed.

There was a brief discussion to clarify a correction requested for the Minutes of January 20th regarding the spelling of a speaker's name; also, Butner commented that Special Sessions were scheduled for February 17 and 24;

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

There was no public input.

6. Public Hearing, Discussion, Consideration and possible recommendation to Council for proposed revisions to the Planning and Zoning Ordinance and Subdivision Regulations.

There was no action taken.

Acting Community Development Director Jenkins reminded the Commissioners that the review had left off on the section dealing with Item 3, Graffiti, in Part 3, at Page 4. As previously requested, staff is researching State statutes that may affect the ability of the Town to impose a time limit within which to remove the graffiti.

Jenkins said that for the rest of Section 3 and subsequent portions of the draft document, staff has provided a listing of their recommendations based on a cursory review, in order to assist the Commission in its continuing review. The Commissioners and members of

staff, together with comments from Greg Blue, who had actively participated as a member of ZORC, discussed the staff-proposed changes and additions and unanimously agreed on the following changes or staff recommendations, as noted:

Section 302.A.4.d: Changes proposed by staff approved: "The Town shall notify the property owner of any violations of the above and take enforcement action as prescribed in Sec 604, if necessary."

Section 302.A.5: Changes proposed by staff approved: "All dwellings or portions thereof, that are determined after inspection to be unsafe shall be declared public nuisances as determined in the Town's adopted Building Code(s)."

Section 302.B.1.a: (It was agreed to reject the language proposed by staff; and that staff will work on the language further, including looking into the "ornamental" aspect; **staff will come up with the appropriate language.**)

Section 302.B.1.d: Changes proposed by staff approved: "The outside storage of objects and materials shall be a permitted accessory use in commercial and industrial zones. Screening shall be provided from commercial- or industrial-zoned properties located within 200 feet of residential property in accordance with Subsection 302.B.5."

Section 302.B.2.a: Changes proposed by staff approved, with addition of exception: "A property owner or tenant may park or store any number of personally owned vehicles on property where a primary residential use has been established, with the exception that each occupant of the residence may drive one company vehicle home, up to a limit of three such vehicles at any one residence. All vehicles must be for personal use, have appropriate title and/or registration available, be demonstrably operable under its own power, and be parked in an orderly fashion. Vehicles which do not meet these conditions shall be considered general outside storage and shall be subject to screening standards in Section 302.5.5."

Section 302.B.2.b: Change requested by Commission: "Auto repair on more than two vehicles at any one time outside is prohibited in all residential districts."

Section 302.B.2.d: Changes proposed by staff approved: "All boats, trailers, motor homes, travel trailers, and recreational vehicles shall be kept in good repair, neatly arranged and demonstrably operable."

Section 302.B.3.b: Changes proposed by staff approved, as indicated, in part: ".....occupancy for longer than 10 consecutive days without obtaining a Temporary Use Permit (See Section 601.D). Temporary occupancy, for a period up to 180 days, may be...." Also, last sentence added, beginning, "Evidence of an intention for long term...."

Section 302.B.4. & 4.a: Changes proposed by staff approved, as noted:

4. "Other Outside Storage: Inoperable or unusable machinery, device, fixture or other object or item that is in disuse, or use other than on-site shall not be stored outside." (**Note: Staff possibly will be addressing "ornamental" aspect by adding to Definitions and including it in the statement.**)

4.a: "Firewood may be stored for on-site, personal use, in other than the front yard, stacked no higher than six feet unless against a structure."

Section 303.B.2: Changes recommended by Commission: "Sales (retail or wholesale) or storage of inventory not required for on-site business practice is prohibited."

Section 304.C.2.b.: Changes proposed by staff approved: "Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than one-half acre in size."

Section 304.C.3.c: (Discussion regarding "nuisance, as defined in the current Town Code," which makes it even more necessary to come up with the definition of "nuisance." It is understood that **staff is currently working on definition**; it was recommended that the language be tailored as closely as possible to the Arizona Revised Statutes definition of nuisance, bearing in mind that the issue involves a zoning ordinance type of nuisance, not a public nuisance.)

Section 305.A.1.a: Changes proposed by staff approved as indicated. Note: Use lower case "c" in referring to "Codes."

Section 305.B.1.b. & b.4): Changes proposed by staff approved, except the lower case "c" is to be used in Item 1.b. referring to "Codes," and in Item 1.b.4), correctly spell out "rehabilitation" instead of "rehab."

Section 305.B.1.c.3 & c.3.b: Changes proposed by staff approved, except lower case "c" referring to "Codes" in c.3.

Section 305.B.2.b.c.d.e.: Changes proposed by staff including revisions requested by Commission:

b. No mobile home may be moved into the Town of Camp Verde unless it has been completely rehabilitated pursuant to the requirements of **the Arizona Office of Manufactured Housing**. Upon completion of all rehabilitation work the owner must obtain a certificate of rehabilitation and insignia issued by the Arizona Office of Manufactured Housing certifying that the mobile home was found to fully comply with mobile home rehabilitation standards prescribed by the Arizona Department of Manufactured Housing. The certificate and insignia must then be submitted to the Town of Camp Verde for approval prior to issuance of an installation permit.

c. Mobile homes existing within the Town limits to be moved from a private property or from one mobile/manufactured home park to another mobile/manufactured home park must be completely rehabilitated pursuant to a rehabilitation permit issued by the Town of Camp Verde. Upon completion of all rehabilitation work the owner must obtain a certificate of rehabilitation issued by the Town of Camp Verde certifying that the mobile home was inspected on (date) by (qualified inspector named) and found to comply fully with mobile home rehabilitation standards prescribed by the Arizona Department of Manufactured Housing and the Town of Camp Verde.

(Note: Prior "c" and "d" are changed to "d" and "e")

Section 400.D.1: Changes proposed by staff approved, including revisions requested by Commission:

D. Submittals

- "Locations of existing and proposed buildings, signs with detailed and dimensioned and color graphics, light posts, fences, walls and other structures, all fully dimensioned and with dimensions between structures and to lot lines
- An outdoor lighting layout showing types of lamps and fixtures used and lumen per acre calculations. Method of shielding shall be indicated."

Section 400.D.2: Changes proposed by staff approved, **except** last bullet paragraph and sub-bullets to be revised as discussed (reference to low water use drought tolerant plants and Section 402.B.2.d.):

Section 401.B.2 & 3 & 7 (added): Changes proposed by staff approved, **except** for revisions requested by Commission to Items 2 and 7 as indicated:

2. Permits are required for all grading pursuant to the requirements of the current adopted building code, as may be amended by the Town of Camp Verde, and in conformance with the further requirements of this Ordinance. All commercial grading plans shall be designed by an Arizona Registered Civil Engineer and bear their wet seal

stamp.

7. All development grading plans shall be designed by an Arizona Registered Civil Engineer and bear their wet seal stamp.

Section 402-C.b.6: Changes proposed by staff approved.

"6) windows above the first floor in multi-storied non-residential buildings shall be placed so as not to overlook adjacent residential uses where possible; and"

Because of the late hour, the Commission ended the review at this point, to be continued at the Special Session scheduled for February 10th.

7. Commission Informational Reports:

Butner expressed his concern about complaints of very low water pressure in The Views, and after a short discussion with staff, requested that staff look into how the problem originated and whether the entire development is affected, as well as a possible solution.

8. Staff

There was no staff report.

9. Adjournment

On a motion by Hough, seconded by Norton, the meeting was adjourned at 9:06 p.m.

Joe Butner, Chairman

Planning & Zoning

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 2nd day of February 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2011.

Margaret Harper, Recording Secretary

MINUTES DRAFT
Special Session
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE COUNCIL CHAMBERS
THURSDAY FEBRUARY 10, 2011
6:30 PM

Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motions 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 Butner, Commissioners Buchanan, Parrish, Freeman, Hough and Hisrich were present; Vice Chairperson Norton arrived at 7:32 p.m.

Also Present: Town Manager Russ Martin, Mayor Bob Burnside, Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Owens, Code Enforcement Official Robert Foreman, Special Projects Administrator Matt Morris, and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Freeman.

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 27, 2010 Special Session
February 3, 2010 Special Session

b. Set Next Meeting, Date and Time:

As needed

On a motion by Hough, seconded by Parrish, the Commission voted unanimously to continue the Consent Agenda until the next meeting.

Commissioner Hough requested that approval of the Minutes be continued to the next meeting in order to have time to review them; Chairperson Butner also noted that a correction was to be made to the Minutes of February 3, 2011 that incorrectly stated that Commissioner Buchanan was present. It was decided to continue approval of the Consent Agenda to the next meeting.

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

(Comments from the following individual are summarized.)

Marilyn Ewing, a resident of The Cliffs, Unit 1 for 15 years, said that she had been asked by other concerned residents to bring to the attention of the Town certain activities taking place in their development that they believe are adversely affecting property values. Because of the state of the economy, homes have been lost to banks and subsequent new owners have created rental properties; now there are transients living in the homes. There are numerous violations of the CC&Rs which normally would be addressed by a Home Owners' Association; however, HOAs were not formed, not only because of a lack of oversight by the developers, but apparently because the residents chose not to belong to an HOA. The violations consist of some of the rental homes being occupied by 15 to 17 people each, resulting in numerous vehicles being parked in the front yards. Ms. Ewing said she is appealing to the Town for help in resolving the

problems, perhaps through enforcing ordinances, or at least to look into some possible remedies. (*Chairperson Butner advised the speaker that the residents could seek to enforce the CC&Rs through the courts; and asked if the zoning violations had been reported to the Town. She said they had, and Butner suggested that she follow through and report the problem to the Town again.*)

There was no further public input.

6. Public Hearing, Discussion, Consideration and possible recommendation to Council for proposed revisions to the Planning and Zoning Ordinance and Subdivision Regulations.

There was no action taken.

Acting Community Development Director Jenkins noted that the Commission's review had left off at the last meeting with the Staff recommendations at Section 403.D.7, Improvement and Design Standards for Off-Street Parking.

Commissioner Hough commented that the discussion of Part 4 had moved faster than he had felt comfortable with, and requested that the review return to the beginning of Section 400. Hough outlined the establishment and subsequent disbanding of the Design Review Board, of which he had been a member, and the resulting Council-approved incorporation of the Design Review standards into the existing Zoning Ordinance as Section 400. Hough commenced the discussion stating his objection to Section 401.A.1.a. and the requirement that all buildings shall be located at or within ten feet of the front property line. The in-depth discussion that followed, together with input from ZORC member Greg Blue as well as clarifications from staff, addressed that issue and related required setbacks and pedestrian traffic, including objection to the use of the mandatory "shall," the parking requirements for commercial buildings, and naming specific streets as examples of major corridors; and the delineation of a boundary for the Downtown area referred to as the "Historic Preservation District." Following are revisions recommended or suggested during the discussion of Part 4:

400.B.2: (After further discussion it was agreed to leave the language as it is.)

401.A.1 & 2: Staff will take the following suggestions made and discussed, work on the language, and then bring it back to the Commission for further review.

A.1.a: (in part): "...it is suggested that all buildings be located (in the Historic Town Center area) at or within 10 feet of the front property line, with the exception of those setbacks noted in Item 2; and..."

A.2. (in part): "It is suggested that the same or similar front yard setbacks for new buildings and additions to existing buildings be maintained as those on the same block, and it is suggested that no new building or addition be set back solely..."

402.B.5. Foundation Planting: (It was agreed to strike this No. 5.)

400.D.1 thru 404.H.i & I, (Commission agreed with the revisions submitted by staff for review as Additional Information for Item #6.)

402.C: It was suggested that staff revise the language to "strongly suggest" what the appearance standards are in the Town of Camp Verde, and the kind of standards that staff can have developers adhere to. The "shall" mandates were of particular concern. Jenkins said that based on what has been discussed, staff can perhaps refine the language; if it still appears to be too restrictive, staff will bring it back to the Commission for further review. (Note: Jenkins had reviewed the history of design review efforts; subsequent to the Board being disbanded, Jenkins explained that Council wanted to keep Section J to guide staff to continue appearance standards for all commercial development; it has been working very well and smoothly and it is important to retain some control.) In addition, staff will continue to maintain the Visual Library.

402.D Historic Preservation: Staff was requested to verify that this section in the Draft is the same as that in the existing ordinance, and to also verify that it was formally adopted, with due process, and when, after which the Commission will further review the issue. (Morris later during the meeting advised the members that research had confirmed that Section 108, Section B, Historic Preservation, as revised August 2002, was basically the same language as in the proposed Draft Part 4.)

(Note: Hough had expressed concern that the designation of the historic preservation district was arbitrary and without due process, In an ensuing discussion, Jenkins said he understands that there is no area officially designated as such in the Town of Camp Verde; furthermore, no part of this section has ever been enforced.)

403.E.1: On the Chart specifying parking spaces required, it was recommended that staff revise "Wholesales, discount stores" to state, "Wholesales, not open to the general public." Also, for Billiard parlors, one suggestion was for spaces required to be corrected to indicate "1 per billiard/pool table plus 1 per 2 employees."

404 Signs – 404.C.Definitions: Replace language defining "Maintenance" as follows: "Maintenance" or "maintain" means the replacing or repairing of a part or portion of a sign. (There was a brief discussion regarding 404.B.k. and concern about enforcing the prohibition of signs that are misleading.)

SECTION 405 Outdoor Lighting: Pursuant to a request from staff, the Commission approved exempting outdoor lighting requirements for the lighting of flagpoles; staff will create the necessary language to address the issue. (The discussion included confirmation that the lighting would be spot that would focus on the flag and would therefore still be shielded.)

The discussion concluded with agreement that the review has been completed through Section 400, and will resume at the next meeting with Section 500.

7. Commission Informational Reports:

Norton reminded everyone about the upcoming Pecan & Wine Festival and Buffalo Soldiers-event this weekend.

Parrish commented that APS had cut down a 52-year-old tree on his property to make way for a power line.

Buchanan said the Pecan & Wine event promises to be the best one ever, with some terrific entertainment in store.

8. **Staff**

There was no staff report.

9. **Adjournment**

On a motion by Norton, seconded by Parrish, the meeting was adjourned at 9:00 p.m.

Joe Butner, Chairman

Planning & Zoning

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 10th day of February 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2011.

Margaret Harper, Recording Secretary

PART FIVE. SUBDIVISION & LAND DIVISION REGULATIONS

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SECTION 500 SUBDIVISION AND LAND DIVISION REGULATION INTRODUCTION

A. Introduction and Purpose

1. These regulations shall be known, cited, and referred to as the "Town of Camp Verde Subdivision and Land Division Regulations" pursuant to powers and jurisdictions vested through Arizona Revised Statutes, Section 09-463 and other applicable laws, statutes, orders, and regulations of the State of Arizona and Town of Camp Verde.

2. The purpose of these regulations is to provide for the orderly growth and harmonious development of the Town; to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, power, drainage, protection against flood, storm water retention/detention, sanitary sewerage, improved streets and other access; and other health and safety requirements; to consider adequate sites for schools, recreation areas, and other public facilities; to promote the conveyance of land by accurate legal description; and to provide practical procedures for the achievement of this purpose.

B. Scope and Applicability

1. The Camp Verde Town Council does hereby exercise the power and authority to review and approve or disapprove, based upon recommendation of the Camp Verde Planning and Zoning Commission, plats for subdivision of land within the Town of Camp Verde.

2. These subdivision regulations shall apply to all subdivisions of land, as defined herein, located within Camp Verde. No land shall be subdivided within the Town of Camp Verde until the subdivider or his agent complies with these regulations and obtains approval of the Preliminary Plat by the Planning and Zoning Commission and Town Council, with subsequent approval of the Final Plat by the Town Council.

a. In addition, no land shall be subdivided until the approved plat is filed with and recorded by the Yavapai County Recorder's Office.

b. No changes, erasures, modifications or revisions shall be made in the Final Plat after approval of the plat has been given by Town Council.

SECTION 501 SUBDIVISION/LAND DIVISION DEFINITION OF TERMS

For purposes of these regulations certain words, terms and phrases are hereby defined. Words in present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "structure" includes the word "building"; the word "shall" is mandatory and not directory; and the word "may" is permissive. Certain words and phrases in these regulations shall have special meaning as defined herein, unless the context otherwise requires.

Abandoned, (Abandonment and Revocation): Lots, streets, public ways, easements, or rights-of-way are considered abandoned when the Town Council by proper action and public hearings abrogates all rights to said lots, streets, public ways, easements, or rights-of-way; see Section 509.

Access: A way or means of approach providing ingress and egress

- **Primary Access-** Principal route, path or avenue whether under private or public ownership, used for ingress and egress to a development or subdivision.
- **Secondary Access-** Subordinate or alternate route, path or avenue whether under private or public ownership, used for ingress and egress to a development or subdivision.
- **Emergency Access-** Subordinate or alternate route, path or avenue whether under private or public ownership, designated for use by emergency service personnel and vehicles in crisis events to access a development or subdivision.

Alley: A public, dedicated right-of-way used primarily as a service or secondary means of ingress and egress to the service side of abutting property.

Amended Plat Map/Plat Correction: see Section 509.

Approval, Preliminary: Unconditional or conditional approval of the Preliminary Plat by the Commission or Town Council as evidenced in their resolutions, constituting authorization to proceed with final engineering plans and final plat preparation.

Approval, Final: Unconditional or conditional approval of the Final Plat by the Town Council, as evidenced by certification on the Plat by the Mayor and other required signatures constituting authorization to record a plat.

Arterial Street: See Street

As-Built Plans: Original construction plans prepared after the fact by the engineer of record and in such a manner as to accurately identify and depict the location of in-place improvements.

Assurance: A guarantee that the specified improvements and services will be accomplished. This must be in the form of a financial guarantee, including but not limited

to, a subdivision bond, an irrevocable letter of credit, a certificate of deposit or a certified check for construction of improvements. Utility service assurances may be provided by letter from water, sewer, and other appropriate utility companies to guarantee improvements.

Block: An area of land within a subdivision that is entirely bounded on all sides by streets and/or exterior boundary or boundaries of a subdivision.

Certificate: A formal written statement intended as an authentication of the fact asserted and set forth, under seal of a notary or registered professional.

Certificate of Assured Water Supply: Response from the Arizona Department of Water Resources in the form of a "certificate of assured water supply" pursuant to ARS 45-567.

Circulation Plan: That portion of the General Plan adopted by the Council and ratified by the Town of Camp Verde which designates and defines the physical street system including major arterial, arterial, collector, other streets and circulation paths or routes.

Collector Street: See Street

Common Element: All portions of a condominium other than the units.

Construction Plan: The maps or drawings showing the specific location and design of improvements to be installed in accordance with these regulations.

Covenants: Shall mean a privately prepared recorded document designed to govern the use of parcels within a subdivision.

Dedication: Dedication is the giving and acceptance of fee title or an easement of property to a public agency or private utility company for a public or semi-public use as indicated.

Deed Restrictions and Protective Covenants: A written contractual agreement between two or more individuals or parties setting forth rules, regulations and expectations pertaining to the use of subdivided or unsubdivided property.

Design: The conception, planning, execution or creating of a scheme in which means are laid down for the construction or implementation of improvements, including location, alignment, grade, width, drainage, materials and all other criteria that lead to the preparation of the final improvement product.

Developer: See subdivider.

Drainage: The system or facilities by which surface water runoff is removed from streets and property both within and outside a subdivision. Can also refer to the actual run-off of flood water.

- **Drainage, local:** Water which accumulates as a result of local storms and flows over land not included in a delineated floodplain. This shall include sheet flow and such flow as may be concentrated in local drainage systems with or without defined channels, excluding delineated floodplains.
- **Drainage, One hundred (100) Year Storm (Peak Discharge):** Local drainage resulting from a storm which has a one percent (1%) chance of occurring annually, based upon a Design Storm within a defined area.
- **Drainage, Off-site:** The storm surface waters emanating from lands outside the limits of the proposed subdivision and draining through the site of the proposed development.

Easement: A grant by a property owner of the use of an area of land for a specific purpose or purposes, by the general public, corporation, or a certain person or persons.

- **Drainage Easement-** An area designated and used for conveyance of storm run-off in which nothing can be placed which will impede, divert or cause the run-off to have an adverse affect on adjoining property.
- **Non-Vehicular Access** – A restriction prohibiting vehicular access from a street or between adjoining parcels.

Egress: Means the movement of traffic from abutting properties to the street and the movement from minor streets to major streets.

Engineer: A person who, by reason of special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering as attested by his registration as a professional engineer.

- **Engineer of Record:** A professional engineer registered in the State of Arizona and employed by the owner or developer to design and/or monitor or certify improvements.
- **Engineer, Registered Professional:** An engineer registered in the State of Arizona.

Exception: A permitted deviation from the subdivision regulations, permitted only through hearings by the Commission and Town Council.

Flood: A general and temporary overflow of water onto normally dry areas.

- **Flood, Regulatory-** The one hundred (100) year flood as determined by criteria established by the Arizona Department of Water Resources as promulgated by Arizona Revised Statutes.
- **One-Hundred (100) Year Flood-** A flood that has a one percent (1%) chance of occurring annually based upon the criteria established by the Arizona Department of Water Resources.

Floodplain:

- **Floodplain, Delineated-** That area delineated and mapped as a floodplain by FEMA and/or by the Board of Directors of the Yavapai County Flood Control District.
- **Floodplain, Regulatory-** That portion of the natural watercourse that would be inundated by the regulatory flood and which land use is regulated by the Yavapai County Flood Control District Floodplain Regulations.
- **Floodway-** A channel of a river or other watercourse and the adjacent land areas necessary in order to discharge the one-hundred (100) year flood without cumulatively increasing the water surface elevation more than one (1) foot over that defined in the Regulatory Floodplain.
- **Flood Control District-** the Yavapai County Agency charged with administering the Yavapai County Flood Control Ordinance and responsible for reviewing development plans and subdivision proposals in relation to floodway, floodplain and flood hazard areas.

Half-Street: A street having only a portion, usually one-half, of its required right-of-way width dedicated for public use.

Hillside: A part of a hill between the summit and the toe of the slope.

Improvements: Any works designed and/or executed for the purpose of enhancing the value of the property and may include subdivisions, streets with or without curb or gutters, street lights, sidewalks, pedestrian walkways, water mains, sanitary and storm

sewers, drainage facilities, grading and earthwork, landscaping, or other community facilities of like nature.

- **On-site Improvements-** Any works or improvements as described above undertaken or installed at the location and within the parcel being developed.
- **Off-site Improvements-** Any works or improvements as described above undertaken or installed beyond the location and not within the parcel being developed.

Ingress: Means the movement of traffic from the street to the abutting property and the movement from major streets to minor streets.

Land: Any area suitable or usable for some purpose or being held in an undeveloped or unused state, which land is capable of being located, surveyed, staked and described by a legal description.

Land Surveyor: A person who by reason of his knowledge of the mathematical and physical sciences, principles of land surveying and evidence gathering acquired by professional education or practical experience, or both, is qualified to practice land surveying as attested by his registration as a land surveyor.

Legal Description: A description delineating the location of real property in such a way as to distinguish it from all other pieces of real property and may include description by tract, block and parcel number, or by subdivision and parcel number, or by metes and bounds.

LOT: A parcel of land established by plat, subdivision, or otherwise permitted by law, having its principal frontage on a dedicated street or street easement.

Minor Street: See Street

N.G.S.: National Geodetic Survey (formerly, United States Coast and Geodetic Survey).

Non-Residential Subdivision: The division of a tract of land into parcels for occupancy by non-residential uses and/or structures whether for sale or for building development for leasing and/or renting.

Parcel: A separate or distinct part or portion of land other than a lot. For the purpose of these regulations the term parcel shall refer to metes and bounds property and shall not have the same meaning as assessor parcel which is used for tax assessment purposes.

Plan:

- **Conceptual Plan:** An informal plan indicating relevant existing features of a tract and its surroundings and the general layout of a proposed development.
- **Master Development Plan-** A preliminary master plan for the development of a community or other large land area, the platting of which is expected to be undertaken in progressive stages. A Master Development Plan generally identifies design features including but not limited to roads or rights-of-way, lot layout or configurations, topographical features, contemplated development phases/time schedules and relationships to surrounding properties submitted in support of a design concept in preparation for future development/subdivision activity. A Master Development Plan may be subject to Commission and Council approval.
- **Specific Area Plan-** A planning document adopted by the Town Council as a supplement to the Camp Verde General Plan involving a specific area or region of the Town, as authorized in ARS 9-461.08.
- **Engineering Plans-** Plans, profiles, cross-sections and other required details for the construction of public or private improvements, prepared by a registered professional

engineer in accordance with the approved preliminary plat and in compliance with standards of design and construction or policies approved by the Town Council.

Plat: A map of a subdivision.

- **Preliminary Plat-** A preliminary map, including supporting data, indicating a proposed subdivision development and inherent design, prepared in accordance with these regulations.
- **Final Plat-** A map of all or part of a subdivision providing substantial conformance to an approved preliminary plat, prepared in accordance with these regulations and approved by the Council prior to recordation.
- **Recorded Plat-** A final plat bearing all of the certificates of approval required in Article 4.05 Section 506 D of these regulations and duly recorded in the Yavapai County Recorder's Office.

Public Improvement: Any drainage channel, roadway, parkway, sidewalk, pedestrian-way, water system, sewer system, tree, lawn, off-street parking area, lot improvement, or other facility for which the Town or special district may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which Town or special district responsibility is established.

- **Public Street or Roadway:** All street or road classifications dedicated and accepted by the Town of Camp Verde including local streets, cul-de-sacs, frontage streets/roads, and hillside streets/roads.
- **Public Sites:** Any parcel of land set aside for schools, parks, playgrounds, fire stations, public buildings, or other public purpose.

Public Utility: Private or municipal facility for distribution to the public of various services such as power, heat, light, water, television, telephone, sewage removal, communications, etc.

Radial: A line forming right angles with the tangent of any given arc.

Replat: see Section 509.

Reviewing Agencies: Federal, state, county, town, emergency or public service, or private agency consulted for specific comment or response regarding jurisdictional requirements that may affect a subdivision or development proposal as described herein.

Revision of Plat: see Section 509.

Right-of-Way: The entire dedicated tract or strip of land that is to be used by the public for circulation and service. (The length and width of a right-of-way shall be sufficient to provide adequate accommodations for all the physical features to be included in said right-of-way.)

Sidewalk: That paved portion of the right-of-way between the curb lines or lateral lines of the roadbed and the boundary line of said right-of-way designed and intended for the movement of and use of pedestrian traffic.

Statement of Water Adequacy: Response from the Arizona Department of Water Resources in the form of water "adequacy" either for that subdivision or for the water company (private or public) which will serve the subdivision pursuant to A.R.S. 45-108.

Engineering Design and Construction Standards: The detailed precise written presentation of rules, principles, measures and particulars relating to improvement works as recommended by the Town Engineer and adopted by the Town Council.

Storm Sewer: A channel or conduit, open or closed, necessary, useful, or convenient for the collection and carrying of surface waters to a drainage course.

Street or Road: That area, whether public or private, between right-of-way lines, dedicated, reserved or provided for roadway purposes, providing for the pedestrian and vehicular movement of people and goods and other uses not inconsistent herewith to include street, avenue, boulevard, road, lane, parkway, place, court, alley, bridge, viaduct, highway, crossing, roadway easement, intersection, and grounds now open or dedicated or hereafter opened or dedicated to the public for use as public roadways. A street includes all land within the street right-of-way whether improved or unimproved, and may include such improvements as pavement, shoulders, curbs, gutters, sidewalks, pathways, parking spaces, drainage structures and utilities.

- **Arterial Street:** A street or road with the principal function to serve as a part of a major network for through traffic flow, separate from local traffic, to and from areas of principal traffic generation, of adequate design, capacity and construction to provide for the safe and rapid distribution and collection of through traffic and to provide limited ingress and egress to and from collector and local streets. There may be restrictions for parking and loading or unloading on arterial streets.
- **Collector Street:** A street or road that serves local traffic movement within an area and traffic between major arterials and local streets and provides a means of ingress and egress to local streets and abutting property; also serves to connect adjacent neighborhoods and includes the principal entrance street into residential neighborhoods. There may also be provisions for parking and loading or unloading on collector streets.
- **Minor, Local or Residential Street:** A street or road used primarily for direct access and egress to residential, commercial, and industrial areas and having major service functions of loading, unloading, and direct access and egress to abutting property, and being controlled in such fashion as to discourage through traffic and to maintain relatively slow speeds. There may also be provisions for parking on minor streets.
- **Frontage or Service Street or Road:** A minor street or road which is often parallel to and constructed in close proximity to a major arterial street and provides a means of direct ingress and egress to abutting property.
- **Private Street or Road:** A street within a subdivision which has not been dedicated for public use and is reserved for the use of lot owners within the subdivision.
- **Cul-de-Sac Street:** A street or road having a traffic outlet on one end only and having at the other end facilities for the turning around of vehicular traffic.
- **Dead-end Street:** A street or road having a traffic outlet on one end only and terminated at the other end by undeveloped property. A dead-end street shall have temporary provisions for the turning around of vehicular traffic.
- **Stub Street:** A short dead-end street or road, no more than one lot deep in length, formed at the boundaries of a subdivision to provide future access to abutting property.

Subdivider: Any person or legal entity who causes land to be divided into a sub-division for himself or for others; files the application and initiates proceedings for the subdivision of land in accordance with the provisions of this Ordinance; and said subdivider need not be the person or persons holding title by deed to land or holding title as vendees under land contract or holding any other title of record if authorized duly as agents; not including any Professional Engineers, Licensed Surveyors, Attorneys, Planners or other professionals engaged to perform work for others pursuant to the requirements of law.

Subdivision: Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or any such property, the boundaries of which have been

fixed by a recorded plat, which is divided into more than two parts. "Subdivision" also includes any condominium, cooperative, community apartment, townhouse or similar project containing four or more parcels, in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided.

"Subdivision" does not include the following:

- The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots.
- The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership.
- The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases.

Surety: Anything acceptable to the Council deposited as a pledge for the guarantee of construction or completing of subdivision improvements that the Council could, if necessary, convert to a usable medium for construction of said improvements in case of default of agreement.

Topography: The delineation of the vertical and horizontal positions on the earth's surface, of the natural and artificial features of a given locality, and the configuration of the terrain.

Tract: A piece of land which may be divided into parcels and lots, and/or is set apart as a separate and distinct parcel for specific purpose in conjunction with an approved subdivision.

Traffic Impact Study or Analysis: A report or study performed by a registered professional engineer or professionally qualified consultant evaluating the potential consequences of vehicular, pedestrian or other traffic volumes and movements and resulting consequences to infrastructure and/or public health, safety and welfare.

U.S.C. & G.G.: see N.G.S.

U.S.C.S.: United States Cadastral Survey

U.S.G.S.: United States Geological Survey

Yavapai County Environmental Services Department: Yavapai County agency responsible for reviewing sanitary and water supply facilities or other public or private infrastructural improvements by delegation agreement with the Arizona Department of Environmental Quality.

SECTION 502 LAND DIVISIONS AND ACCESS/EASEMENTS

- A. Minor Land Division** may result in new roadways, additional homes and the need for Town services. It is important for the public welfare that land division has proper guidance and control. In no way is it intended by this subsection to prohibit the division of land as authorized by Arizona State Law and the Town's subdivision regulations that pertain to the creation of four or more lots, parcels or tracts of land, or to the creation of two or more lots, parcels or tracts where a new street is involved. Any lot or parcel established within the Town limits will be subject to review by the Community Development Department and may require a land division permit, lot line adjustment or subdivision plat as described herein.

1. **Minor Land Division:** Any parcel or tract of land containing 2.5 acres or less split into two or three separate lots, tracts or parcels of land, creating no more than three parcels, lots or tracts in total, and where no new street is involved, must have a **Minor Land Division Permit** approved by the Community Development Department.
 - a. This approval will ensure the newly created lots or parcels:
 - 1.) Comply with applicable zoning regulations;
 - 2.) Are not creating land-locked parcels;
 - 3.) Do not constitute a subdivision; and
 - 4.) Ensure access is provided to all newly created parcels.
 - b. A minor land division permit is required if property is split by:
 - 1.) Recording a contract of sale;
 - 2.) Recording a deed of conveyance; and/or
 - 3.) Requesting a split of a tax assessor parcel.
 - c. Upon receipt of a complete **Minor Land Division Permit** application, the Director shall respond to the permit request within ten working days. A denial can be based on any one of the following:
 - 1.) The parcels resulting from the division do not conform to size, width/depth requirements and other zoning regulations;
 - 2.) A parcel or adjacent property becomes landlocked and does not have legal access; and/or
 - 3.) The division of land would result in a subdivision as defined by the subdivision regulations.
 - d. The application shall include:
 - 1.) A legal description of the property;
 - 2.) A comprehensive list of all property owner(s) and buyer(s), as well as any other parties of interest to the land division;
 - 3.) A description of how the newly created parcels will be accessed, including any of the following:
 - a) A recorded easement or a proposed easement to be recorded when the lot is split; or
 - b) Fronts onto a dedicated right-of-way or street.
 - 4.) A map, drawn to scale, showing the following:
 - a) Existing and proposed property lines;
 - b) Access and utility easements;
 - c) Dimensions and the location of existing structures along with a brief description of use (i.e., residence or type of use for accessory structure).
 - 5.) Any fee(s) for filing a Minor Land Division Permit application shall be listed in the Town Fee Schedule.
2. **Lot Line Adjustment:** Land taken from one or more parcels that is added to an adjacent parcel without creating any additional parcels and which complies with this subsection. A lot line adjustment shall not be considered a land division or lot split when under the terms of the subsection provided that the proposed adjustment does not:
 - a. Create any new lot;
 - b. Cause any existing lot to become substandard in size or shape;
 - c. Make substandard the setbacks of existing development on the affected property; and/or
 - d. Impair any existing required access, easement or public improvement.
3. **Subdivision Plat Approval:** The subdivision of land into four or more lots, or into two or more lots where a new street is involved shall be contingent upon the

recording of an approved subdivision plat, in accordance with the regulations of Subdivisions in Section 503 through Section 509 and other provisions of this ordinance.

B. ACCESS AND EASEMENT STANDARDS

1. **Frontage Access Requirement:** Any lots established requesting a building permit shall front onto a publicly dedicated street or a private easement recorded for access or ingress/egress purposes. This regulation ensures access to any and all lots within the town. Streets are regulated by Section 508 D of this ordinance and by the currently adopted Engineering Design & Construction Standards.
 - a. A private easement shall be attached to the deed of any parcel granting access to cross private property to provide ingress/egress to another private property.
 - b. Newly created lots or parcels are required to obtain an approved Land Division permit as noted in Section 502 A to ensure access to all parcel(s) within the town.

2. **Right-of-Way or Easement(s) Widths and Standards:** New street right-of-way widths shall correspond with standards established in Section 503 and shall be designed in compliance with Engineering Design & Construction Standards supplement to this ordinance.
 - a. The Director or designee will determine the ingress/egress or access needs for any newly created lot or parcel resulting from a land division or lot split application based on the following:
 - 1) Existing roadway alignments;
 - 2) Topographical conditions;
 - 3) Adjacent property ownership and uses; and
 - 4) Other pertinent factors that would affect future growth and development in the immediate area.
 - b. Private roadway access easements shall adhere to the following conditions to ensure access to all property within the town:
 - 1) Be a minimum of 24 feet in width and meet established construction standards (see Table 1 – Private Roadway Access Easement Standards), connect to an existing street or private easement, and when necessary establish a cul-de-sac or turn-around at terminus of the private access to accommodate emergency vehicles;
 - 2) Property owners shall establish a road maintenance agreement to be recorded with each lot split or newly created parcel to ensure access to all parcel(s) within the town limits is provided as stipulated by the Town;
 - 3) Where two or more residences are located on a private easement, the applicant is responsible for naming the access, subject to town review and approval, as well as any associated fees for signage of the private street; and
 - 4) The Town will encourage compliance with the private easement standards and is in no way obligated to maintain or improve these private easements, since they are private property. However, when the following criteria are met, then construction or development on parcels created and recorded on or before February 26, 2005 shall be permitted:
 - (a) The parcel must have a legally recorded easement; and,

- (b) Approval in writing by the Camp Verde Fire District of any private easement to ensure public safety services can be provided to any qualified lot or parcel; and,
- (c) An approved and executed road maintenance agreement for the private easement, which may include the petitioner agreeing to accept sole responsibility to maintain the private road;

Table 1- Private Roadway Access Easement Standards

Index of Potential Development	Level 1 5 or less Dwelling Units	Level 2 6 to10 Dwelling Units	Level 3 More than 10 Dwelling Units	Level 4 Commercial/Minor Manufacturing Uses
Easement Width	24 feet	32 feet	40 feet	50 feet
Number/width of travel lanes	Two 10 foot travel lanes	Two 12 foot travel lanes	Two 12 travel foot lanes & may require a turn lane	Two 12 foot travel lanes & a 10 foot turn lane
Type of Surface Improvement	Four inches of compacted aggregate base course (abc)	Four to six inches of abc and may require surface improvement depending on site conditions	Six inches of abc subbase and surface improvement such as chip-seal or asphalt depending on soils analysis and traffic volume	Soils test with engineered base and drainage study and improved surface determined by types of traffic and volume

3. **Easement Setback Requirements:** Shall be the lines from which setbacks for structures (other than signs, fences and free-standing walls) shall be measured to comply with the District requirements, and no structure shall be located or extended nearer to the lot boundary than the setback from this dedicated right-of-way or the boundary of the public/private access easement to avoid future problems as development occurs adjacent to these access or ingress/egress easements.

SECTION 503 SUBDIVISIONS – GENERAL PROVISIONS

A. Subdivision Approvals Required

Town Approval Required: Until a final subdivision plat, engineering drawings and engineering plans have been approved or a specific development plan in association with an approved preliminary plat of a subdivision has been approved in accordance with these regulations, no person shall subdivide a parcel of land as defined by the Arizona Real Estate Department and A.R.S. Section 32-2101 or file a record of survey, map, or plat for record, and/or sell any part of said subdivision or proceed with grading, construction or site preparation without previous approval of the Town Council of the Town of Camp Verde, AZ as set forth under these regulations.

B. Procedures and Anticipated Timeline

1. A series of four steps for subdivision procedures is described in subsection 503A.3 and in Sections 504, 505 and 506. Flowchart graphics and process timeline are provided to summarize the procedure for convenience.
2. The following Typical Process Timeline is a summary of the anticipated time to process the various steps of a proposed subdivision through the Town of Camp Verde. It does not include time needed for a subdivider, subdivider's engineer, surveyor or other professional to provide required plats, surveys, studies and drawings, nor does it include time process requirements for rezoning. Subdividers should refer to Part Five, Sections

503 through 509 of the **Planning & Zoning Ordinance Development Guidance System** for complete procedure and document information.

SUBDIVISION STEPS - TYPICAL PROCESS TIMELINE SUMMARY

STEP 1 PRE-APPLICATION MEETING- Section 503

Subdivider's appointment with Community Development Director and staff
Add time for Subdivider to provide Conceptual Plan for Step 2

STEP 2 CONCEPTUAL PLAN - Section 504

Submittal/review for Conceptual Plan Application Completeness	2 weeks	5 work days
Plans Distribution & Agencies/Depts Reviews		
& Meeting with Applicant; (see Sec 504D for decisions/appeals)	30	20 work days
Conceptual Plan Total Estimated Time:		<u>+/- 1.25 months</u>

Add time for Subdivider to provide Preliminary Plat & studies for Step 3

STEP 3 PRELIMINARY PLAT - Section 505

Submittal/review for Preliminary Plat Application Completeness	2 weeks	5 work days
Plats Distribution & Agencies/Depts Reviews		
& Meeting with Applicant*	30	20 work days
Planning Commission Hearing- report/agenda/hearing		<u>+/- 30 days</u>
Town Council Hearing- report/agenda/hearing		<u>+/- 30 days</u>
Preliminary Plat Total Estimated Time:		<u>3-3.5 months</u>

*Note: revisions to Pre-plat may delay hearings schedule
Add time for Subdivider to provide Final Plat & Engineering Drawings/Studies for Step 4

STEP 4 FINAL PLAT - Section 506 and Section 508

Submittal/review for Final Plat Application Completeness	2 weeks	5 work days
Plats/plans Distribution & Agencies/Depts Reviews		30
Plans Acceptances & Execution of Plat *		15 work days
Town Council Hearing- report/agenda/hearing		<u>+/- 30 days</u>
Final Plat Total Estimated Time:		<u>+/- 3 months</u>

*Note: revisions to Final Plat and/or engineered drawings/studies may delay hearing schedule

Not including time for subdivider's preparation of, or revisions to, plans, plats and engineering drawings/studies, the Total Estimated Processing Time is +/- 8 months

Note: after approval of a Final Subdivision Plat by Town Council, the subdivider has up to 24 months for the recordation of the Plat which is subject to providing required financial assurances; see Section 507.

C. Pre-Application Meeting Required: Prior to or while a subdivision is in the conceptual planning state, the subdivider shall meet with the Community Development Director, or designated staff representative, and with members of the Town staff as deemed appropriate to determine conformity to the Town's adopted General Plan's Vision and Elements, to the Zoning Regulations and Zoning Map, and to the provisions of these regulations and requirements for the design and installation of public improvements as required.

1. The Community Development Director or staff representative shall inform the subdivider of the procedures and submittals which may be required, including Conceptual Plan, Preliminary Subdivision Plat and Final Subdivision Plat that are described in the sections that follow.

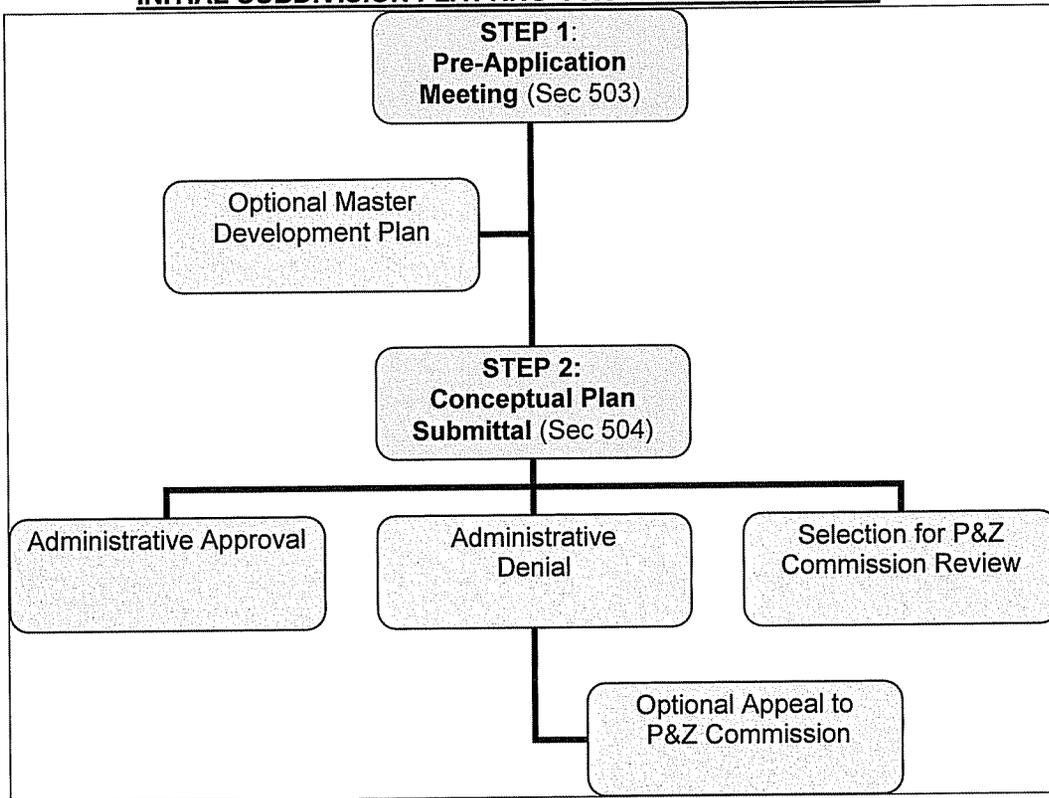
2. Additionally, the Community Development Director or staff representative may require a **Master Development Plan** for the development of a neighborhood, community or other large land area, i.e., typically 300 acres or greater, the platting of which is expected to be undertaken in progressive stages.

a. A Master Development Plan shall be prepared in the same format described in Sec 504 Conceptual Subdivision Plan

b. A Master Development Plan shall be subject to Commission and Council approval where, as determined by the Community Development Director or staff representative, the future potential development activity has substantial impact on existing developed surrounding properties.

c. A Master Development Plan proposed for mixed uses, or requiring change of zoning classifications or increased density shall be submitted in accordance with Sec 203 L Planned Unit Development.

INITIAL SUBDIVISION PLATTING PROCESS AT-a-GLANCE



SECTION 504 CONCEPTUAL SUBDIVISION PLAN

A. Purpose

The purpose of the Conceptual Plan is to determine the feasibility of the proposed development and the capacity of the land to support such development. To avoid unnecessary and costly revisions, the subdivider shall as specified by these regulations submit a Conceptual Plan of the proposed development after the Pre-Application meeting with the Community Development Director or designated staff representative.

1. A Conceptual Plan Submittal shall be required as a precursor to a Preliminary Plat under the following circumstances:
 - a. Area to be subdivided is greater than 100 acres in size and/or comprises an entire neighborhood;
 - b. Development tract is a more intense or dense zoning designation than adjoining properties' zoning classification(s);
 - c. Project development to occur in multiple phases;
 - d. Difficult development constraints, such as topography, limited or difficult access, limited existing or available utilities, location within FEMA Flood Plain or encumbered by numerous washes or arroyos exhibiting unique drainage constraints, sewer not available, or effluent disposal opportunities are limited or constrained.
2. An appropriate number of Conceptual Plan copies as determined by the Community Development Department including one in digital form, and an application with fees as specified in the Planning and Zoning Fee Schedule shall be submitted by the subdivider.
3. The Conceptual Plan shall be circulated to and reviewed by Town and related reviewing agencies to discover development opportunities or apparent constraints prior to accepting a Preliminary Subdivision Plat submittal.

B. Conceptual Plan Submittal Requirements

1. **Vicinity Map**
2. **Title**- the name of development and "Conceptual Plan"
3. **Location** by Section, Township and Range (G&SRB&M)
4. **Reference** of approximate distances to section and/or quarter corners
5. **Boundaries** of development clearly identified
6. **North arrow**
7. **Scales** (both graphic and equivalent inch to feet) using standard engineering intervals; not to exceed 1" = 200'; 1" = 100' is preferred. Sheet size: no smaller than 24" X 36", no larger than 42" on a side.
8. **Date** of preparation plus date of any amendments since original submittal.
9. **Names**, addresses, phone numbers and notation of relationship to development for landowners, subdivider/development agents, engineers, surveyors, land planners, landscape architects, architects, hydrologists or others responsible for design (include registration numbers).
10. **Topography** by contours relating to USGS survey datum (shown on the same map as proposed development) including benchmark used. Base information must be sufficient in order to review. Topography shall be depicted 300' beyond project boundary.
11. **Proposed land uses** and densities by area as well as ownership patterns surrounding land uses and zoning within 300'.
12. **Traffic/Circulation Concept Plan** (may be graphic and/or narrative) depicting proposed vehicular, pedestrian and recreational stock traffic (access, continuity, traffic flow capacities, secondary emergency access threshold, etc.) Traffic concept plan to include:

- a. Overall area map where necessary showing existing and proposed roads and their classification (arterial, collector, residential street) within ½ mile of project boundaries. Scale not to exceed 1" = 2,000'
 - b. Identification of legal primary and secondary access opportunities, as well as existing or proposed street right-of-way widths.
 - c. In narrative form, identify general traffic impacts to adjacent property and existing roads, as well as high traffic generation points on site.
 - d. Identification of existing or proposed trail networks and open space features affected by or intended to be implemented as part of future subdivision design.
13. **Drainage Concept Plan** illustrating and discussing in narrative form the proposed methods of handling storm drainage and floodplains that affect property.
- a. Depict general pre and post-development drainage patterns and flow direction (s).
 - b. Identify potential detention facilities, where necessary.
14. **Notes/chart** to identify on the Conceptual Plan Map the following:
- a. Total acreage, acreage for each use and each phase
 - b. Number units/lots for each type of use and phase
 - c. Average area per lot/unit proposed
 - d. Percent open space, if any, exclusive of rights-of-way, roadways, building envelopes, and parking areas
 - e. Water source (if new source indicate potential well field and storage tank on Conceptual Plan)
 - f. Method of refuse removal
 - g. Sewer service provider and type, if available
 - h. Fire District
 - i. Proposed utilities available and provider
 - j. Identify site conditions, i.e., rock outcroppings, major drainage features, etc.
15. **Requested waivers** or known deviations from Section 507 Subdivision and Street Design standards. Any proposed waiver or waivers shall be identified on the Conceptual Plan and the standard or requirement from which the deviation is requested shall be noted. Failure to provide such identification for waiver shall be grounds for denial.

C. Additional Requirements –

If requested by the Town Engineer, further information on drainage may be required in conjunction with the Conceptual Plan. The subdivider shall submit a **Phase 1 Drainage Report** prepared by a registered Arizona Professional Engineer, consistent with the Yavapai County Flood Control District and Yavapai County Drainage Criteria Manual (refer to Camp Verde Engineering Design & Construction Standards).

D. Review, Approval, Denial and Appeal of Conceptual Plan

1. **Review:** Within five working days from submittal of the Conceptual Plan Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plan shall be distributed to reviewing departments and agencies including other jurisdictions:
 - a. In accordance with A.R.S. Section 9-474 through 479, if the plat is within three miles of the corporate limits of a city or town having subdivision regulations, the Community Development Director shall submit a copy of the Conceptual Plan to said community for review.
 - b. Upon receipt of reviewing agency comment, the Community Development Director or staff designee shall compile agency comments and respond to the applicant or agent as the proposed project relates to the following:
 - 1) General Plan or Specific Area Plan (s)
 - 2) Zoning requirements

- 3) Suitability of the site for development, proposed/existing and potential development opportunities and constraints
 - 4) The improvements, design and dedication required by Section 507 and Town Engineering Design and Construction Standards
2. **Approval:** On or before the twentieth day after the date of acceptance of a complete Conceptual Plan Application, the Community Development Director shall conduct a formal meeting between the applicant(s), reviewing department and agency representatives and the Community Development staff. The Conceptual Plan shall be evaluated and discussed to determine whether or not it meets the purposes of these regulations and related Town Ordinances and design specifications.
- a. Where deemed necessary, the Director shall make specific recommendations to be incorporated by the applicant into a revised Conceptual Plan or Preliminary Plat submittal.
 - b. No response from reviewing agencies within the prescribed review period shall be construed by the Community Development Director as having no objection to the continued processing of the Application.
 - c. At the discretion of the Community Development Director and/or the subdivider, the Conceptual Plan may be presented to the Planning and Zoning Commission to clarify policies or to provide additional guidance; such review shall be held at a regularly scheduled Commission meeting
3. **Denial:** If the Community Development Director determines that the Conceptual Plan submittal is not consistent with the Town's General or Specific Area Plan(s) and/or determines that the proposed development does not meet Town improvement/design specifications, the Community Development Director may deny the Conceptual Plan application or request modifications to be incorporated into a revised Conceptual Plan prior to authorizing a Preliminary Plat submittal.
4. **Appeal:** If the project subdivider objects within 20 working days to a decision by the Director to deny a Conceptual Plan or recommended modification to same, the Director's decision may be appealed to the Planning and Zoning Commission. Upon receipt of a written statement of objection, the matter shall be placed on the agenda for the next available Planning and Zoning Commission meeting.

SECTION 505 PRELIMINARY SUBDIVISION PLAT

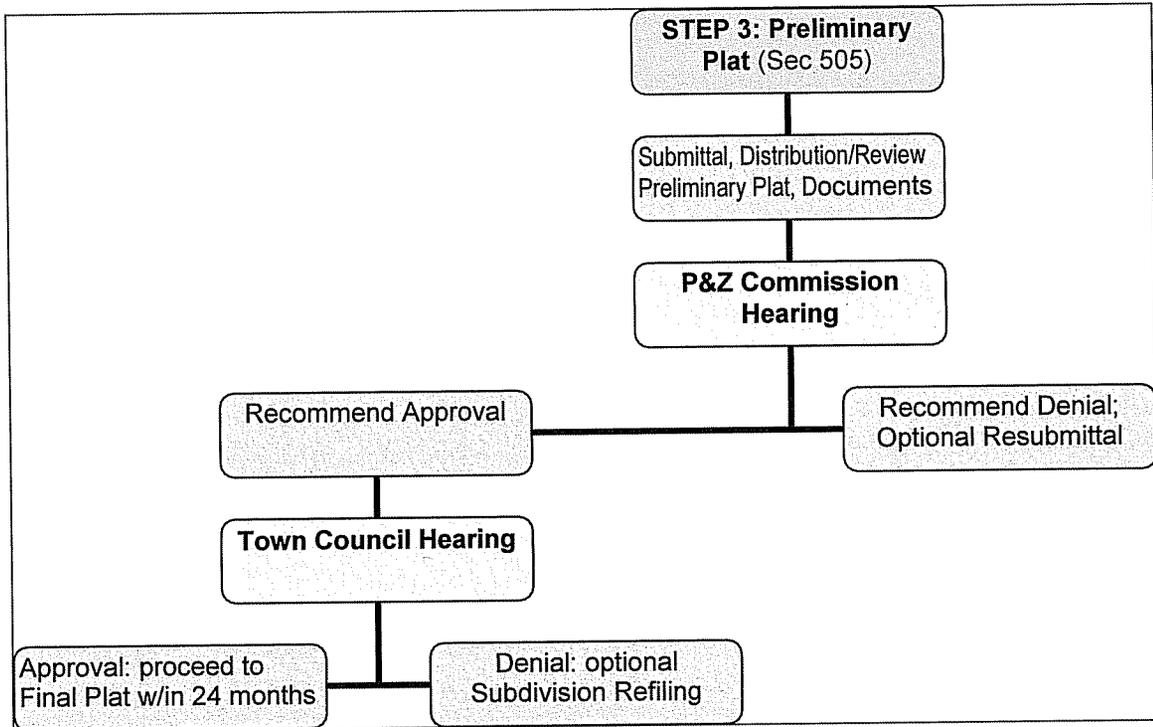
A. Purpose and Initial Review

The purpose of the Preliminary Subdivision Plat is to provide more detail for determining specific capacities and preliminary design for the proposed subdivision. The Preliminary Plat process is a major step, as its approval by the Planning Commission and Town Council constitutes authorization to proceed in preparation with the Final Subdivision Plat, to be accompanied by engineering construction plans and specifications for public improvements. Approval of the Preliminary Plat does not guarantee approval or acceptance of the Final Plat.

1. After the Pre-Application meeting and general approval of the Conceptual Plan and Master Development Plan, if required, the subdivider shall submit an appropriate number of copies as determined by the Community Development Department, including one in digital form of the Preliminary Subdivision Plat, an application with fees as specified in the Planning and Zoning Fee Schedule and the Engineering Fee Schedule, and other exhibits as hereinafter specified; and shall submit a minimum of two copies each of the required supplementary materials as outlined in Section 505. C and as determined by the Community Development Director.
2. Within five working days from submittal of the Preliminary Plat Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plat shall be distributed to reviewing

departments and agencies. Processing will not commence until all required documents are received.

PRELIMINARY SUBDIVISION PLATTING PROCESS AT-a-GLANCE



3. The Preliminary Plat will be promptly circulated for review to determine if the Preliminary Plat conforms to these regulations, and to the design, conditions, and authorized changes as may be set forth and approved in the Conceptual Plan phase of the subdivision application.

a. Copies of the Preliminary Subdivision Plat and accompanying material will be transmitted to the following agencies: Town Engineer; County Health Department or Environmental Services; Arizona Department of Transportation if it contains or abuts a state or federal highway; utility companies; Town Road Superintendent; Soil Conservation District; State or Federal land management agency if adjacent to public lands; State Fire Marshal or Camp Verde Fire District; State Department of Water Resources, and other interested or affected agencies as deemed appropriate by the Director.

b. In accordance with A.R.S. Sections 9-474, 479, if the plat is within three miles of the corporate limits of another municipality having subdivision regulations, the Community Development Director will submit a copy of the Preliminary Plat to said municipality for its review.

c. Interested agencies shall ~~will~~ have **approximately 20 30** working days, from the date of complete application received by the Community Development Department, to review and send comment to the Community Development Director, and may attend a meeting within five working days after the agency review period that has been pre-scheduled by the Community Development Director.

d. No reply by an agency within the time limit specified shall be construed by the Community Development Director as having no objections from that department or agency to approval of the Preliminary Plat.

4. The Community Development staff shall prepare a correlated report, including replies or comments from all departments and other agencies for a coordinated meeting between the subdivider and/or his agent and the various responding agencies for the purpose of clarifying outstanding issues arising from subdivision plat review and to promote compliance with the content of these regulations;

a. If recommended changes, additions, or minor revisions are necessary, three sets of revised prints shall be submitted and distributed for review as with the original submittal. All revised preliminary plans and/or revised accompanying material shall be received at least 15 working days prior to the Commission meeting date at which the developer desires to be heard;

b. If the proposed Preliminary Plat is in conformance, the Director shall put it on the agenda for the next scheduled Planning Commission meeting and send notice with a copy of the staff report to the subdivider by mail at least ten working days prior to the Commission's public meeting of the time and place at which the matter is set for review.

B. Preliminary Subdivision Plat Submittal Requirements

1. **Information Required:** The Preliminary Subdivision Plat shall be prepared to contain the information required in Section 504 B. Conceptual Plan Submittal Requirements and the additional Preliminary Plat and supplementary requirements that follow in this Section. Engineering plans submitted in support of the Preliminary Plat shall be prepared under the direction of a Professional Engineer.

2. **Title:** The title shall include "Preliminary Plat" and the proposed name of subdivision.

3. **Topography:** A depiction of contours relating to USGS survey datum, or other datum approved in writing by the Town Engineer, shall be shown on the same map as the proposed subdivision layout. Location and elevation of the benchmark used should also be shown on the plat. Acceptable contour interval; grades up to 5%, two feet; 5% to 15% grades, five feet; grades over 15%, ten feet. Source and date of topography shall be noted on the Preliminary Plat. Datum basis shall be noted. Whenever practical, elevations should be based on N.G.S. datum. At least one permanent benchmark shall be included as part of the Preliminary Plat. Regular U.S.G.S. topographic maps, enlargements or similarities of same will not be acceptable as the source of topography.

4. **Existing Drainage and Natural Features:** Flood hazard and 100-year Floodplain areas, if any, shall be delineated on the Preliminary Plat, and building pads shall be identified within flood hazard areas; significant natural features such as washes, wetlands, major rock outcropping and stands of trees, shall be identified.

5. **Existing Streets, Easements and Improvements:** Location, widths, ownership status and names of all existing streets and improvements therein; railroads; recorded utility or other easements or rights-of-way, including any existing facilities therein; public areas; all existing structures, with an indication of whether or not they are to remain; and Town corporation lines within or adjacent to the tract. Access road to the proposed subdivision shall be described to its intersection with a public road right-of-way.

6. **Proposed Streets and Easements:** Location, width and names of proposed streets, alleys, drainage ways, cross-walks, utility and access easements including all connections to adjoining platted or unplatted tracts. A typical cross-section shall be depicted on the plat where applicable describing the aforementioned improvements.

7. **Adjacent Lands:** Name, book and page numbers of any recorded subdivisions within or having a common boundary with the tract, or notation "unsubdivided" where appropriate.

8. **Lot Layout:** Including minimum building setback lines related to all streets; typical lot dimensions (scaled); dimensions of all corner lots and lots on curvilinear sections of street; each lot numbered individually and total number of lots shown.

9. **Public Land Use:** Designation of all land to be dedicated or reserved for public or semi-public use, with use indicated.

10. **Zoning:** The plat shall designate existing zoning classifications and land uses, present district boundary lines and status of any pending zoning change. If the plat includes land for which any multi-family, commercial or industrial use is proposed, such areas shall be clearly designated.

11. **Utility Resources:** Reference by note to all sources of proposed electricity, gas, telephone service, solid waste disposal, police and emergency service agencies.

12. **Sewage Disposal:** A statement as to the type of facilities proposed shall appear on the Preliminary Plat.

a. It shall be the responsibility of the subdivider to furnish the Yavapai County Environmental Services Department such evidence as that Department may require for its satisfaction as to the design and operation of sanitary sewage facilities proposed.

b. Where the proposed sewage disposal system will be by individual lot septic tanks, the result of the percolation tests and test boring logs as required by the County Environmental Services Department shall be submitted with the preliminary plat.

c. Where alternate systems are contemplated necessary supporting information to the County Environmental Services Departments' specifications shall be provided for review and approval in concert with Preliminary Plat evaluation.

13. **Water Supply:** A statement as to the type of facilities proposed shall appear on the Preliminary Plat. It shall be the responsibility of the subdivider to furnish the Yavapai County Environmental Services Department such evidence as that Department may require for its satisfaction as to the facilities for supplying domestic water.

C. Additional Preliminary Plat Submittal Requirements

1. The following material shall accompany the submission of all preliminary plats. If this data is not included on the preliminary plat, then a minimum of two (2) copies each are required.

a. Supplemental submittals at this stage, such as grading, drainage or road plans, should be preliminary plans, not construction plans. They are the type of plans needed to evaluate the viability of the preliminary plat and allow the reviewing agencies to make reasonable decisions. The plans may generally be prepared using scaled distances and elevations taken from the topographic map used for the Preliminary Plat. When possible, they should be at the same scale as the preliminary plat.

b. All supplemental submittals must be consistent with each other and the Preliminary Plat.

2. **Preliminary Title Report:** A policy of title insurance issued by a title insurance company within the preceding thirty (30) days to the owner of the land, covering the land within the proposed subdivision and showing all record owners, liens, and encumbrances shall be submitted. The preliminary title report shall contain Schedule "B" indicating the status of legal access to the proposed subdivision.

3. **Preliminary Draft Deed Restrictions or Protective Covenants:** Restrictions or covenants shall be incorporated in the final plat submittal, including provisions for use and maintenance of commonly-owned facilities, if any.

4. **Utility Service Letters:** A statement regarding availability of utilities and the direction and distance thereto and preliminary letters of serviceability shall be submitted in conjunction with the application.

5. **Street Names:** A list of the proposed street names.

6. **Preliminary Grading Plan:** A preliminary grading plan shall be required when cuts or fills will exceed 5' in height or will extend outside of the normal street right-of-way. The

preliminary grading plan shall be in sufficient detail to convey the extent of grading activities such that their impact can be evaluated by the reviewing agencies.

- a. The Preliminary Grading Plan shall include existing and finish grade contours and limits of cut and fill areas.
- b. Driveway and building locations shall be shown when topographic or other constraints will require specific locations or site grading.
- c. A geotechnical report shall accompany the grading plan to support the slope stability assumptions of the grading plan.
- d. The Preliminary Grading Plan may be shown on the Preliminary Road Plans if all of the grading will be related directly to the roads and in compliance with the following requirements for Preliminary Road Plans.

7. Preliminary Road Plans: Grades shall be given to the nearest whole percent grade. A profile sheet coinciding with the roads as shown on the Preliminary Plat or separate plan and profile sheets shall be prepared at a scale sufficient to allow evaluation of the proposed roads. Proposed drainage structures within the right-of-way shall be shown on the preliminary road plans. The reviewing agency's interests in these parts are:

- a. height, stability and slope of cut fills,
- b. affected drainage patterns,
- c. potential roadway geometric problems,
- d. impacts of the roads on adjacent lots, property and access,
- e. relationship of drainage to roadways, and,
- f. other items that may be specific to the roads in the specific subdivision.

8. Preliminary Utility Plans: A Preliminary Utility Plan shall be prepared to illustrate the proposed location of utilities and verify that the necessary easements and right-of-way are proposed on the Preliminary Plat. It is recognized that final utility locations are decided by the individual utilities, but the objective of the Preliminary Utility Plan shall be to encourage cooperation in planning by the various utilities.

9. Preliminary Drainage Plans: The Preliminary Drainage Plan shall be part of a Phase II Drainage Report in accordance with the requirements of the Yavapai County Flood Control District and Yavapai County Drainage Criteria Manual (refer to Camp Verde Engineering Design & Construction Standards).

10. Traffic Impact Analysis: A traffic impact study shall be performed in accordance with the latest edition of the Town Engineering Design & Construction Standards or as required by the Town Engineer. In cases where the proposed subdivision streets intersect a State or County highway, the traffic impact analysis shall be performed in accordance with that agency's requirements."

- a. Generally the following criteria are considered when determining if a traffic impact study is warranted:
 - 1) Significant changes in land uses are proposed or higher density zoning is sought.
 - 2) Town arterial highway access is requested or the existing location of access to the property is changed.
 - 3) The proposed increased activity or intensity of development will significantly impact vehicular or pedestrian traffic on County roads.
 - 4) A total of 100 or more vehicular trips during an A.M. or P.M. peak hour will be generated by the proposed development.
- b. The traffic study shall ~~by~~ be funded by the subdivider or property owner and upon submittal to the Planning and Zoning Department will be transmitted to and reviewed by the Town Engineer's office. Copies will be made available to other governmental agencies which may be affected by increased traffic.
- c. The subdivider shall be required to provide financial assurances or complete the installation of any improvements determined necessary to maintain or improve traffic operations and traffic safety functions in direct proportion to the impact caused by the proposed development.

11. **Development Schedule:** The subdivider may submit a proposed development schedule for progressive phases of the subdivision's development to be approved with the Preliminary Plat

12. **Application of Exception or Waiver:** Any requested exception, waiver or variation from these regulations or approved construction standards such as roads, flood control, etc. shall be in the form of an Application of Exception specifying each requested waiver or variation and associated justification.

a. The Application shall be a request for an exception to a circumstance actually delineated on the preliminary plat, subsequent final plat or other plans as submitted. Requests shall not be in the abstract but shall include the specific reason for each and every exception requested.

b. The Community Development Department Staff shall accept the application for each and any exception, as herein described, and initiate or continue the processing of a subdivision plan as long as the plan complies with all other requirements.

D. Preliminary Subdivision Plat Review and Actions by Planning Commission

1. The Commission shall review, hear or consider all evidence relating to said Preliminary Subdivision Plat.

2. The Commission may review an Application for Exception simultaneously with the Preliminary Plat consideration, or, the Commission may hear the Application for Exception separately at the subdivider's request or as recommended by the Community Development Director. The Commission may recommend that the Town Council authorize exceptions to any of the requirements in these regulations, if the Commission finds the following facts with respect thereto:

a.) There are special circumstances or conditions affecting said property, and

b.) That the granting of the exception will not be detrimental to the public safety, health and welfare or injurious to other property in the area in which said property is situated, and

c.) That it will not have the effect of nullifying the intent and purpose of the Town's General Plan or these regulations.

3. If satisfied that all objectives of these regulations have been met, the Commission may recommend approval or conditional approval of a Preliminary Plat, with or without exceptions, to the Town Council.

4. The Commission may move to continue the plat pending its revision or resubmittal process if the Commission finds that the proposed plat lots are determined to be not suitable due to such features or conditions as flooding or poor drainage, steep slopes, rock problems, sanitary deficiencies, improper access to public roadway, or other conditions likely to effect public health, safety, convenience and general welfare.

a. Such continuance shall be set to a specific date coordinated by the subdivider and Commission for a future Commission hearing of the revised plat.

b. If the plat revision remains unsatisfactory to the Commission for a recommendation of approval, the Commission may recommend denial and forward their recommendation to Council.

c. A Preliminary Plat may not be continued for more than sixty (60) days after the Commission's first hearing on the Plat.

5. The Commission may recommend denial if it finds that the plat does not comply with these regulations, the intent and purpose of the General Plan, zoning or other applicable codes.

6. Recommendations for approval or denial by the Commission shall be forwarded to the Town Council for action at the next available regular meeting. A copy of the project report and minutes setting out action of the Commission shall be filed with the Town

Clerk and be transmitted to the Council, to the subdivider and/or owner and to departments or agencies as necessary.

E. Preliminary Subdivision Plat Review and Actions by the Town Council

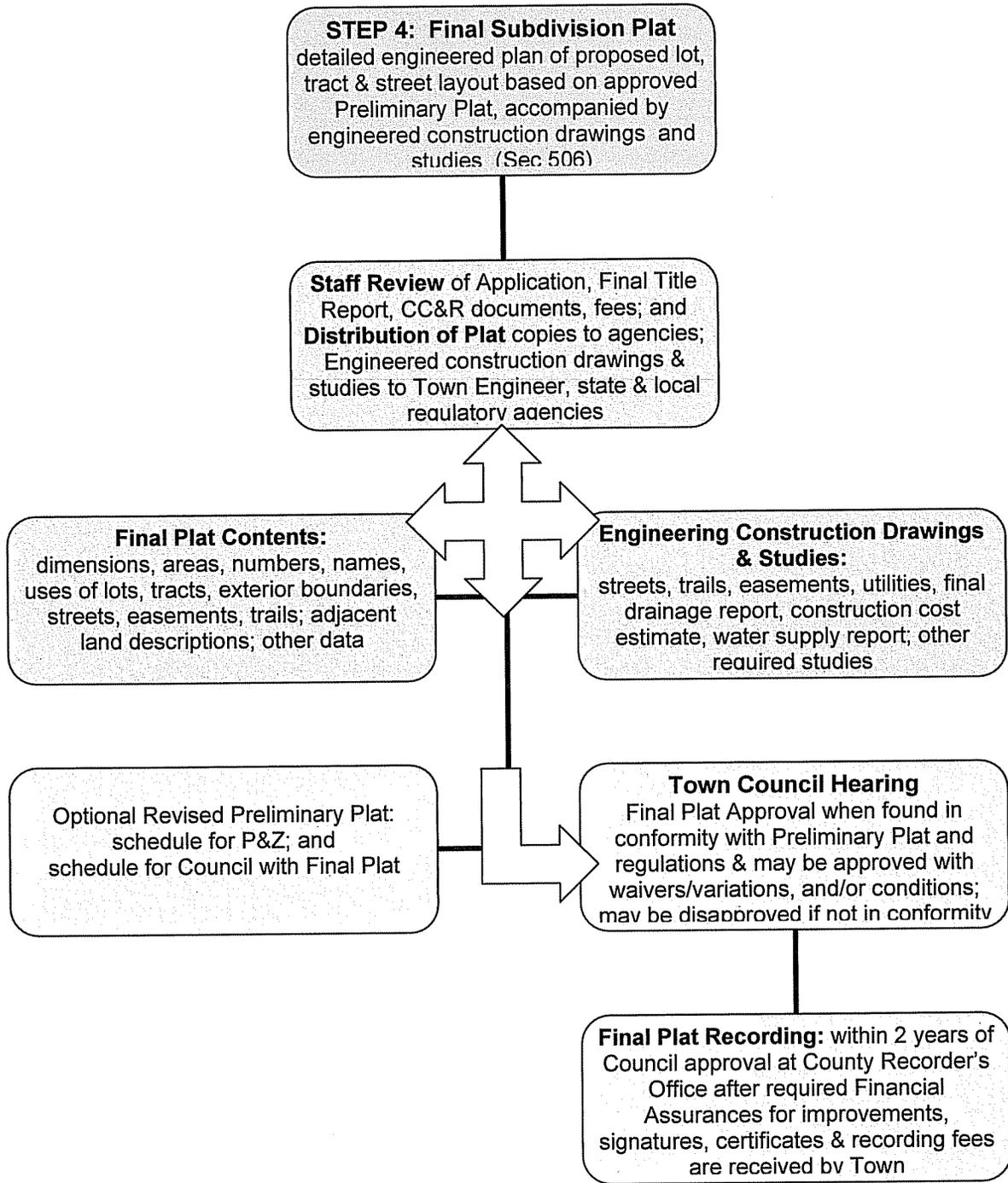
1. Upon receipt of the report and recommendation by the Commission, the Council at its next succeeding regular meeting or special meeting shall approve, conditionally approve, with or without exceptions, or reject the Preliminary Subdivision Plat application.
2. If the Council determines that said Preliminary Plat is not in conformity with these regulations or associated design criteria or if other requirements are not approved by the Council, it shall disapprove said plat specifying its reason or reasons therefore; and shall advise the subdivider in writing of such disapproval and of the reasons for such disapproval. If an application is rejected by the Town Council, the new filing of a subdivision application for the same parcel(s) or any part thereof, shall follow the aforementioned procedures and shall be subject to the required fees.
3. Preliminary Plat approval is based upon the following terms:
 - a. The basic conditions under which the Preliminary Plat is granted will not be changed prior to expiration date of the approval.
 - b. Approval is valid for a period of twenty-four (24) months from date of Council action, unless an extended period is requested and approved by Council.
 - c. Prior to the expiration of the approval period, the subdivider may request by written application for the Commission and subsequent Council approval, extensions in one year increments; such approvals may be granted, if in the opinion of the Commission and Council, there is no change in conditions within or adjoining the Preliminary Plat that would warrant a revision to its original design.
4. The Council approval of the Preliminary Plat shall specify that minimum Town standards for required improvements shall be designed prior to approval of the Final Plat; and if any other improvements are required at this time by the Council, they shall be so specified at the time of approval of the Preliminary Plat.

SECTION 506 FINAL SUBDIVISION PLAT

A. Purpose and Initial Review

1. The purpose of the Final Subdivision Plat is to provide complete details and engineering design for compliance with these regulations and for construction of improvements that meet or exceed the Town standards.
2. The Final Subdivision Plat process includes submittal of complete engineering design drawings for construction and studies to assure lot development with appropriate grading and drainage, streets, water, sanitation, utilities and other necessities. After review by the Town Engineer and other designated staff, the Final Plat is presented to the Town Council for approval; the Final Plat is subsequently recorded with the County Recorder. This process also includes the approval of the construction plans and assurances, inspection (s) and release of assurances for the required site improvements.
3. Within five working days from submittal of the Preliminary Final Plat Application, it shall be reviewed for completeness by the Community Development Director or designee. If the application is found to be incomplete, it shall be returned to the subdivider. If the application appears to be complete, the Plat shall be distributed to reviewing departments and agencies. Processing will not commence until all required documents are received.

FINAL SUBDIVISION PLATTING PROCESS AT-a-GLANCE



B. Final Plat Submittal Requirements

- 1. Final Plat Filing, Timing and Compliance:** Within two years of the approval date of the Preliminary Subdivision Plat, or within an approved time period extension, the Final Plat shall be submitted and prepared:

- a. in substantial conformance to the approved Preliminary Subdivision Plat, with only minor authorized changes allowed and with any stipulations attached thereto; and,
- b. in accordance with these regulations, any other applicable Town ordinance or regulation, State or Federal Laws; and,
- c. the Final Plat shall be certified by a Registered Land Surveyor licensed in the State of Arizona; and,
- d. engineering plans submitted in support of the Final Plat shall be prepared under the direction of a Professional Engineer, registered in the State of Arizona.

2. Progressive Units Option: For any approved Preliminary Subdivision Plat, the Final Plat may be submitted for approval progressively in units, each processed as a separate Final Plat. Upon recording of a Final Plat for the first Unit of an approved Preliminary Plat, subsequent Final Plat Units may be prepared where the subdivider is proceeding in accordance with the development schedule approved with the Preliminary Plat and/or where there have been no material changes to these regulations, Town improvement standards or adjoining land-uses that warrant a review and possible redesign of the Preliminary Plat.

3. Copies, Application and Fees: The subdivider shall submit an appropriate number of copies as determined by the Community Development Department, including one in digital form, of the Final Subdivision Plat, an application with fees as specified in the Planning and Zoning Fee Schedule, the specified number of copies of engineering construction drawings and other studies and documents as hereinafter required. Processing will not commence until all required documents are received.

4. Information Required: The Final Subdivision Plat shall be prepared to contain the information required in Section 505 B. Preliminary Plat Submittal Requirements, updated as necessary to a Final Plat, and the additional Final Plat and supplementary requirements that follow in this Section.

5. Title shall include "Final Plat" and the proposed name of subdivision;

6. Boundary lines of tracts, lot and parcel lines, easement lines, street centerlines, and section lines, all showing accurate bearings and dimensions with dimensions expressed (rounded) in feet and decimals thereof to the hundredth; the licensed surveyor who certifies the boundary survey on the plat shall also submit the mathematical calculations of each boundary, lot and tract closure; the calculations shall contain enough data in order to follow and recalculate the method used to determine closure.

7. Areas: The total area of the subdivision and the area of each lot to the nearest hundredth of an acre if greater than one acre; or showing the area in square feet if less than one acre; such area data may be shown on the Final Plat or on a memorandum in support of the plat;

8. Streets and Easements: Width of streets, width of easements and indication of their purpose, angle, radius, tangent, and length of all curves; easements shall be clearly dimensioned, labeled, and identified, and, if already of record, properly referenced to the record. If any easement is not definitely located of record, a statement of such easement shall appear on the title sheet;

9. Monuments: Location and description of existing or found monuments, such as section corners and subdivision boundary corners, elevation of benchmarks for a condominium development, existing rights-of-way and easements, if any; corners of the subdivision shall be noted, and monuments found or set shall be indicated and described; two corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter section corners or suitable monuments acceptable to the Town Engineer.

- a. The legend shall specify the type of monuments used;

b. The final plat shall indicate if the lot corner monuments have been or are to be set. If the lot corners are set, this should be included in the surveyor's certificate. If they are not set, an estimate and assurances must be provided.

c. Monuments shall be either a steel pin or pipe at least 18 inches in length and set in a reasonable permanent manner for all points of reference on the outside boundary, at each lot corner and/or at all points of curvature or tangency of the subdivision.

10. Subdivision and Public Use Boundaries: The boundary of the subdivision shall be indicated by a heavy line, recognizable as a border clearly showing the boundary of the subdivision and all of the property being offered for dedication for public use and/or easements; such boundaries shall not interfere with the legibility of figures or other data;

11. Adjacent Land: Where there are contiguous development, the name of the subdivision with reference of record, street right-of-way lines, street names, street width, easements shall be clearly dimensioned, labeled, and identified, if any; and if unsubdivided so note.

12. Excepted Parcel: Any excepted parcel(s) within the plat boundary shall be accurately depicted by bearings and distances on the plat, and indicated as "not a part".

13. Lot, Block and Street Layout: Each lot shall be numbered as per the approved Preliminary Plat and each block may be numbered or lettered. Each street shall be named and any private streets permitted shall be so designated. Label and identify all lots, parcels, tracts, excepted parcels, etc. for intended use, ownership, or maintenance.

14. Drainage: The limits of any 100-year floodplain identified using the standards set forth by the Arizona Department of Water Resources Requirement for Floodplain Delineation in Riverine Environments, together with the base flood elevation, shall be illustrated in the Final Plat.

a. The regulatory elevation for the most critical location within each lot shall be shown on each lot that is impacted by the floodplain. A note shall also be placed on the plat indicating that "Floodplain limits, base flood elevations and regulatory elevations may be revised by subsequent studies approved by the Yavapai County Flood Control District."

b. Final Plats shall also show all drainage easements in conformance with the approved Preliminary Plat with the associated dedication language. The actual dedication language should be related to the type of drainage facility and method of maintenance.

C. Additional Final Plat Submittal Requirements

Simultaneously with the submittal of the appropriate number of copies of Final Subdivision Plat, the subdivider shall also file therewith the following accompanying documents:

1. **Title Report:** Two copies of an updated title report or a policy of title insurance issued by a title insurance company within the preceding 30 working days to the owner of the land, covering the land within the subdivision and showing all record owners, liens, and encumbrances. The title report shall evidence that there is legal/permanent access to the proposed subdivision.

2. **Deed Restrictions:** A copy of any covenants, conditions and restrictions (CC & R's) to be recorded; a notation and space for reference to the recorded deed restrictions shall be placed on the Final Plat.

3. **Final Drainage Report:** A final or Phase 3 Drainage Report shall be submitted in conjunction with final construction plans in accordance with the requirements of the Flood Control District. The purpose of the Phase 3 Drainage Report is to update the concepts, provide all information not previously provided and to present the design details for the drainage facilities discussed in the Phase 2 Drainage Report.

4. **Engineered Design/Construction Plans:** A minimum of five sets of prints of the construction plans of all improvements required and prepared in accordance with Town Ordinances, Flood Control District Regulations, Arizona Department of Environmental

Quality Standards, applicable to the Town's delegation agreement and any/all other construction standards or specifications as adopted by the Town Council and in force and effect.

a. In addition to the construction plans, five sets of the plans for all off-site improvements to be constructed will be required. The plans will show such details as required by the Town's Engineering Design & Construction Standards, and will show land ownership, existing or proposed right-of-way limits, and other features affecting the establishment and construction of such required off-site improvements.

5. Construction Cost Estimate: A cost estimate for constructing the required site and off-site improvements, signed and sealed by a Professional Engineer who is registered in the State of Arizona. The cost estimate and method/type of assurance shall be approved by the Town Engineer and/or Town Attorney prior to approval of the final plat.

a. The actual assurance must be executed and presented to the Town of Camp Verde before the Final Subdivision Plat is recorded. (See Section 508 regarding assurances).

6. Maintenance Provisions: If private roadways or common facilities are proposed in the development, then provisions for perpetual maintenance shall be provided for in the Property or Home Owners Association, or other legal entity organizational Articles of Incorporation; such provisions must be acceptable to the Town of Camp Verde, and shall be submitted with the Final Subdivision Plat.

D. Final Plat Ratification, Dedication and Certifications

The following Certifications, Acknowledgements, Dedications, Acceptances, and all others now or hereafter required shall appear on the Final Plat. Such certificates may be combined when appropriate.

1. Certification/Ratification by Interested Parties: A certification or ratification signed and acknowledged by all parties having any record title interest in the land subdivided consenting to the preparation and recordation of said Plat. Certain rights-of-ways, easements, or other interests may be acknowledged by appropriate endorsements on the Plat.

2. Certification of Dedication for Public Use Parcels: A certification signed and acknowledged as above offering for dedication to the public all parcels intended for public use, including, but not limited to streets, alleys, rights-of-way, school or park sites, and any other public areas depicted on the Final Plat.

3. Dedication and Acknowledgement of Private Streets and Facilities: A dedication of the use and maintenance of private streets, recreational facilities, common open space, drainage easements and similar amenities to the Property Owners Association. An acknowledgement that private streets may only be taken over by the Town for maintenance if such streets are constructed or brought up to current Town Engineering Design & Construction Standards (including surfacing, right-of-way widths and other standards) for public street usage, at the owners or Property Owners Association expense.

4. Land Surveyor's and Engineer's Certifications: Certificates for execution by the land surveyor and professional engineer of record as follows:

a. The Final Plat shall contain the name and registration number of the Registered Land Surveyor (RLS) with certification, signed, sealed and dated, that the survey of the premises (property) described and platted was made under direction and supervision of the RLS and are accurately represented on the plat; and that the plat is in substantial conformance to the approved Preliminary Plat; and that this Final Plat is correct and accurate as shown.

b. The Final Plat shall contain the name and registration number of the registered Professional Engineer (PE) who is responsible for the engineering that is necessary in preparation of the proposed subdivision.

5. **Certification and Acknowledgement by Town Officials:** A certification for execution to be signed and dated by the Town Engineer and the Community Development Director that the plat has been checked for conformance to the approved Preliminary Plat and to any special conditions attached thereto, and to the requirements of the Camp Verde Subdivision Regulations, and to any other applicable regulations, and that the plat appears to comply with all requirements within the jurisdiction of evaluation.

6. **Certification of Town Council Approval:** A certification by the Town Clerk to be signed and dated acknowledging that the Town Council approved the Final Plat on the day, month and year specified, and accepted on behalf of the public all parcels or tracts of land offered for dedication for public use in conformity with the terms of the offer of dedication.

7. **Certification of Assurance:** A certification, signed and dated by the Mayor of the Town of Camp Verde, and attested to by the Town Clerk that satisfactory Assurance in the form specified (performance bond), (trust agreement), (unconditional bank guarantee), (other method) has been provided from the subdivider in the amount approved by the Town Engineer which is the full amount necessary to guarantee the installation of all required improvements (streets), (water), (sewer), (other) in this subdivision; and that utility services (electric), (phone), (other) have been assured by letter from the appropriate utility companies.

8. **Statement on Water Adequacy:** A reference that this subdivision is not within a designated Active Water Management Area and that a statement concerning water adequacy has been received from the Arizona Department of Water Resources (pursuant to A.R.S. 45-108) declaring the water resources are (adequate or inadequate) for this subdivision.

E. Final Subdivision Plat Review and Actions by the Town Council

1. Each Town department and/or agency that has received a copy of the Final Plat and applicable supporting plans and documents shall determine and reply, within 20 working days from the date of complete application received by the Community Development Department, as to whether or not the material is acceptable. Failure of any department or agency to reply within the time specified will be interpreted by the Community Development Director as no objection to the plat as submitted.

2. The Community Development Director shall inform the subdivider that changes or additions are necessary, or, that the original tracing may be submitted, as follows:

- a. If significant changes or additions are necessary, such as design variation from the approved preliminary plat, two sets of revised prints shall be submitted as a new Final Plat submittal;
- b. If the changes are "minor authorized" changes, then, the Final Plat may be presented to the Town Council; Minor Authorized Changes may include adjustment, variation, and reduction of lots, lot lines, easements or statements contained in preliminary plat if they are found by the Community Development Director to be consistent with the intent and design of the approved preliminary plat.
- c. If the change is material, a "Revised" Preliminary Plat will be required for consideration by the Planning & Zoning Commission and Town Council. Adding lots, streets or creating exceptions to the Town's Subdivision regulations are material changes which will require a "Revised" Preliminary Plat.

3. When a Final Plat, construction plans and all required supporting documents are found acceptable to the Town Engineer and Community Development Director, County Floodplain District Administrator, and County Environmental Services Director, the subdivider upon notice thereof shall deposit with the Community Development Department two reproducible sets of the Final Plat completely executed by:

- a. All parties required to sign or endorse the same for the purpose of passing a good and sufficient title to the public right-of-ways, easements, and parcels offered for dedication and to join in the subdivision of said property;

Note: This does not imply acceptance of the street into the Town Road System for maintenance; formal acceptance for maintenance is contingent upon Council's approval of the plat, its recordation, and street construction to Town standards with acceptance by the Town Engineer.

- b. The Registered Land Surveyor preparing the plat and Professional Engineer and /or any and all other parties required to execute certificates thereon, other than the required Town officials' signatures.
4. In addition, all finalized and signed plats and accompanying data, agreements and other papers or documents necessary to the acceptance of this plat shall be deposited with the Community Development Director at least 15 working days prior to the regular Council meeting at which the applicant desires to be heard.
 5. When all appropriate provisions of these regulations have been met, all of the specified accompanying material shall be transmitted by the Community Development Director at least seven working days to the Town Clerk for action by the Council at the next regular meeting following the filing of the plat, or at any other meeting the Council may so designate.
 6. The Council shall consider said Final Plat, the recommendations from the Planning Commission on the Preliminary Plat, and from the Community Development Director and Town Engineer on the Final Plat, the offers of dedication, and the agreements and guarantees for improvements.
 - a. If the Council determines that the plat is in conformity with these requirements and other pertinent statutes and of any requirements duly made relating thereto, and the plat conforms to the approved Preliminary Plat, it shall approve the Final Plat.
 - b. The Council may grant waivers or variations from these regulations upon recommendations of the Commission or on its own initiative; and may require conditions as will, in its judgment, secure substantially the objectives of these regulations.
 - c. If the Council determines that said plat is not in conformity with the approved Preliminary Plat or if other requirements are not approved by the Council, it shall disapprove said plat specifying its reason or reasons therefore; and shall advise the subdivider in writing within ten working days of such disapproval and of the reasons for such action.

F. Plat Recording

1. It is the responsibility of the subdivider after Council approval of a Final Plat to provide all required materials and demonstrate that all conditions of plat approval have been met and to present such to the Community Development Director for recording of the plat in the office of the County Recorder;
 - a. Such materials shall include financial assurances for all required site improvements in an amount accepted by the Town Engineer, and,
 - Ob. Filing fees sufficient for recording of the complete plat and deed restrictions.
2. The Community Development Director shall obtain the necessary signatures from Town officials and cause the Final Plat to be recorded upon finding that:
 - a. The Final Plat is properly executed for recording; and,
 - b. The materials evidencing that all of the stipulations of Council approval have been received by the Town and are satisfied; and,
 - c. The necessary recording fees are filed with the Town.
3. At the end of two years after Council's approval of the Final Plat, if the conditions of approval have not been satisfied and the plat is not presented or found acceptable for recording, the Final Plat shall be referred to the Town Council for action to consider

granting an extension of time if requested by the subdivider. If the subdivider does not ask for or if the extension action is not taken, then the plat process is terminated and in order for the Final Plat to be considered again, the Preliminary Plat process must be followed.

SECTION 507 CONSTRUCTION AND FINANCIAL ASSURANCES

A. Improvement Construction Prior to Final Plat Approval or Recordation: No subdivision site work shall be initiated unless or until the Final Plat has been approved by the Town Council and the site work is authorized by the Town Engineer with approved construction plans, except as follows.

1. Prior to Final Plat Approval - If the owner or subdivider elects to construct limited site improvements prior to Final Plat approval, the Preliminary Plat must be approved and the subdivider shall cause the construction plans to be prepared by a Professional Engineer. These plans shall be submitted to the Town Engineer for review and approval prior to initiating site construction. The Town Engineer may authorize limited rough grading or drainage improvements, after review and approval of appropriate site grading and erosion control plans, during the review of construction plans.
2. Prior to Final Plat Recordation - If the subdivider chooses to construct the required improvements prior to the recording of the Final Plat, he shall submit the construction plans, inspection reports, test reports and material certifications to the Town Engineer for approval. A certificate by the Engineer of Record on the as-built plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein and/or the approved construction plans, must be reviewed and acceptable to the Town Engineer, prior to recordation of the Final Plat.

B. Financial Assurances Required: No Final Subdivision Plat will be recorded unless one or more of the following methods of assurance are submitted with the Final Plat. The amount of the assurance shall be based on the estimate of probable costs that is prepared, signed and sealed by the professional Engineer of Record, furnished with the Final Plat for all required on- and off-site improvements, and approved by the Town Engineer; an amount of 10% of the approved estimate of probable costs shall be provided in addition by the subdivider to cover potential cost increases for any of the following assurance methods which shall be approved as to form and legality by the Town Attorney.

1. **Performance Bond** - The subdivider shall file with the Town of Camp Verde a bond executed by a surety company holding a license to do business in the State of Arizona, and acceptable to the Town of Camp Verde, in an amount equal to the approved estimate of probable cost of the improvements required by these regulations, and within the time for completion of improvements as estimated by the Engineer of Record and approved by the Town Engineer.
2. **Trust Agreement** - The subdivider shall place on deposit in a bank or trust company in ~~to~~ the name of the Town, and approved by the Town Attorney, in a trust account a sum of money equal to the estimated cost of all site improvements required by these regulations. The cost and time of completion shall be approved by the Town Engineer. Periodic withdrawals may be made from the trust account for a progressive payment of installation cost. The amounts of such withdrawals shall be based upon progress work estimates and approved by the Town Engineer. All such withdrawals shall be approved by the Trustee.
3. **Unconditional Guarantee**- The subdivider shall file with the Town a letter, signed and notarized by the principal officer of financial institution acceptable to the Town, agreeing to pay the Town on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the subdivider or developer is responsible under these regulations. The guaranteed payment sum shall be determined

from the estimated costs and scheduling as approved by the Town Engineer. The letter shall state the name of the subdivision and shall list the improvements for which the subdivider or developer is required to provide together with a schedule for completion.

4. **Other Methods** - Other methods of assurance for completion of improvements may be used providing the Council approves such methods after receiving a recommendation by the Planning and Zoning Commission. The Town Council's decision to approve of any "other methods" shall be provided in written form to the subdivider.

5. The subdivider shall also comply with requirements of Arizona Administrative Code, Title 4 Chapter 28 State Real Estate Department (R4-28-A1211B) regarding surety requirements.

C. Duration and Partial Reduction of Financial Assurances

1. The duration of a performance bond or other assurance shall be for three years, from the date of recording. Extension of time in one year increments may be granted by the Town Council by showing just cause. The assurance (surety) shall remain in force and effect until it is released by the Town Council or has been authorized for partial release as provided for herein.

2. The Town Engineer, upon receipt of a certification from the Engineer or Record, may authorize a reduction of the assurance for the work completed in accordance with the approved cost estimate and construction plans. Ten percent of the estimated cost of completed improvements will be retained to insure sufficient funds remain for completion of the site improvements, final inspections and preparation of final "as-built" plans.

D. Default

1. In the event that the subdivider defaults or fails or neglects to satisfactorily install the required improvements within the time agreed upon for performance, the Town Council may declare the bond, or other assurance forfeited, and the Town may make or cause the required improvements to be made, using the trust funds or proceeds of the collection of the bond or other assurance to defray the expense thereof.

2. In addition, the Community Development Director shall notify the State Real Estate Commissioner of the default.

E. Improvement Inspection and Surety Release

1. The subdivider, using the services of an Arizona registered Professional Engineer and plans as approved by the Town Engineer, shall be responsible for the quality of all materials and workmanship.

2. At the completion of the work, or not less than thirty (30) days prior to the release date of the bond or other assurance, the Engineer of Record shall make an inspection of the improvements, and shall submit to the Town Engineer a set of 'as-built' construction plans if complete or a report on the status of improvements if only partially complete.

3. The Town Engineer will review the as-built plans and/or report and notify the subdivider of any noncompliance with the approved construction plans or with these regulations. If the Town Engineer determines that compliance has been made, he will then submit a report to the Town Council, setting forth the conditions of such facilities.

4. A certificate signed and sealed by the Engineer of Record on the as-built plans stating that the construction has been completed in substantial conformance to the specifications and standards contained in or referred to herein must ~~by~~ **be** approved by the Town Engineer and presented to the Town Council prior to the surety release.

a. If all conditions are found to be satisfactory and the improvements comply with the Town Standards, the Town Council shall release the guarantee.

b. If the condition of materials or workmanship shows unusual depreciation or does not comply with Town Standards, the Town Engineer may present this information to the Council who may declare the subdivider in default.

c. The Engineer of Record's certification: *"In my professional opinion, the construction of (the specific site improvements required for approval) has been completed in substantial conformance with the construction plans and specifications including changes and addendums. My professional opinion is based, in part, upon the completion of certain tests and measurements and/or the review of the results of such tests and measurements completed by others. The rendering of this opinion in no way relieves any other party from meeting requirements imposed by contract, plans, specifications or commonly accepted industry standards."*

5. Upon recommendation by the Town Engineer, the Council will review the roadways for acceptance into the Town System for Maintenance. Upon formal acceptance by the Town of the improvements, the surety less ten percent will be released and the subdivider shall provide a two-year warranty of workmanship and materials; the remaining ten percent will be released at the end of the warranty period upon completion of any required repairs.

SECTION 508 SUBDIVISION DESIGN

A. Purpose & General Provisions

1. **Purpose:** subdivision design provides for consideration of many facets of land development including suitability, natural features, aesthetics/views, street circulation/coordination, sewer and water facilities, utility services, drainage, terrain slopes, emergency access, lot/block design and public use areas.

2. **General Requirements:** subdivision design and these regulations shall insure that appropriate provisions are made for the harmonious development of the Town by requiring:

a. The continuation and alignment of streets within subdivisions with existing or planned streets, roadways, highways, pathways and with the adopted General Plan of the Town.

b. The coordination of population density with traffic volume for ease of circulation and reduced ~~congestion~~ congestion, creating conditions favorable to public health, safety, and convenience.

c. Adequate spaces for public use (such as for parks, schools, recreational areas, public safety facilities, etc.).

d. Compliance with these regulations and the Town Engineering Design & Construction Standards, specifications and details;

1) The Town Engineering Design & Construction Standards are a set of standards on each item as described herein that are separate from this ordinance, developed in coordination with the Yavapai County Flood Control District, state and local standard engineering practices and other regional regulations, accepted by the Town Engineer and approved by the Council.

2) These Engineering Design & Construction Standards may be revised in response to changing circumstances, requirements or technological improvements justifying such changes.

3. Adequate Property, Access and Public Use Reservation:

a. Portions of any contiguous property within the ownership of the subdivider shall not be excluded from within the boundaries of a subdivision when needed or required for any traffic, drainage, or flood control facility pertinent to said subdivision

b. Adequate primary, secondary and emergency access, if necessary, shall be provided from an existing dedicated public road to land being subdivided.

Approval of such access shall be a condition of the plat by the Commission and Council.

c. Consideration shall be given to the requirements for public land and open spaces as specified in the General Plan during the design and layout of the subdivision; the Planning Commission and the Town Council may require certain lands to be dedicated or reserved for public purposes in conformance with the General Plan as specified in these regulations and state statutes.

4. Responsibilities:

a. The design of those elements of a subdivision involving structural matters, and design and building of roads, drainage provisions, water supply and sewage disposal shall be made by a professional ~~engineer~~ **engineer** registered in the State of Arizona and qualified to specify the standards for such design.

b. It is the responsibility of the subdivider to comply with these regulations;

1) If, at any time in the processing of the subdivision plat or construction of improvements it is determined that non-compliance with these regulations or with the approved subdivision plat has occurred, notification of same will be transmitted to the subdivider;

2) When compliance is determined, processing or construction may proceed from the date of compliance as authorized by the Community Development Director.

B. Land Suitability and Features

1. In all subdivisions, due regard shall be demonstrated for all natural features such as trees, watercourses, historical and archeological sites and similar community assets which, if preserved, will add attractiveness and value to the property and community.

2. A subdivision shall not be recommended for approval by the Commission if, from adequate investigation, it is determined that said land is not suitable for the kind or type of development proposed as submitted. The investigation shall include but not be limited to such factors as flooding, fire hazards, surface drainage constraints, steep slopes, rock formations or design features determined to be harmful to the safety, welfare, and general health of the future residents. The subdivider may provide corrections or appeal to the Town Council.

3. The subdivider shall give consideration to preserving natural features in the design and layout of the subdivision; lots and buildings shall be oriented to make advantageous use of any views, natural vistas and solar access considerations where appropriate.

C. Watercourses

1. In the event that the subdivision is traversed by or is contiguous to lakes, streams, or other bodies of water, the subdivider shall provide an easement or right-of-way for storm drainage substantially conforming with the line or path of such natural watercourse, channel, stream or creek, or provide an acceptable realignment of said watercourse.

2. Subdividers shall be required to comply with the rules and regulations of the Yavapai County Flood Control District, with the processing of the Preliminary and Final Plat submittals.

D. Streets, General Design

1. Arrangement and Circulation:

a. The arrangement, character, extent, grade, width, and location of all roadways or streets shall conform to these regulations, Town Engineering Design and Construction Standards specifications and details, any adopted transportation plan, adopted General Plan of the Town or Specific Area Plan affecting said street locations.

b. Where such is not shown on the adopted General Plan, adopted transportation plan or preliminary plans, the arrangement of streets shall provide for

continuation or appropriate projection of existing major streets in surrounding areas. All center lines shall be continuations of the center lines of existing streets and highways in contiguous territory. In cases where straight continuations are not physically possible, such center lines may be continued by curves.

c. Each subdivision design shall provide for adequate traffic circulation that incorporates the adopted Town roadway functional classification system to handle the projected traffic volumes on the roadways.

d. Local and residential streets shall be designed to provide proper circulation of local traffic; curvilinear street patterns are encouraged.

e. Half roads or partial width rights-of-way will only be approved as partial arterial roads along a section line where no alternative design exists, or where said partial rights-of-way would require the dedication of additional contiguous rights-of-way to make it full width.

1) The developer shall, at a minimum, dedicate the entire one-half width of future right-of-way on all property he controls, or include evidence that the additional right-of-way necessary to accomplish full right-of-way width dedication is permanently reserved for future road purposes.

2) Half roads should only be accepted where they are a portion of the road system approved as part of an adopted transportation plan, Town roadway network plan, General Plan or Specific Area Plan.

2. Rights-of-way and Construction:

a. The minimum width of right-of-way, measured from lot line to lot line, shall be as prescribed by the Town Engineer, any approved transportation plan, the General Plan, these regulations and the Town Engineering Design and Construction Standards. Proposed streets shall extend or project existing street right-of-way at their same or greater width, but never at a width less than prescribed by established standards.

b. All streets and highways shall be constructed and surfaced to meet specifications established by these regulations and Town Engineering Design and Construction Standards. The subdivider shall improve the extension of all subdivision streets and other public ways to the intercepting shoulder line of any Town road, or state highway.

c. All roads and alleys developed or improved in conjunction with subdivision development shall either be:

1) Built to Town Engineering Design and Construction Standards, dedicated by the plat and accepted by the Council; or

2) Built to Town Engineering Design and Construction Standards, dedicated by the plat and approved by the Town Council in conjunction with an approved special maintenance district, completion bond, trust, improvement district, or other appropriate security; or

3) Built to Town Engineering Design and Construction Standards and exist and be maintained as private roads within appropriate minimum right-of-way in compliance with these regulations or as recommended by the Town Engineer.

3. Drainage Structures, Utility and Other Crossings

a. Structures or culverts shall be installed as deemed necessary by the Town Engineer for drainage, access and public safety. Such structures and culverts are to be placed to grades and be of design and size approved or authorized by the Town Engineer. Adequate drainage of the subdivision streets or roadways shall be provided by means of said structures or culverts and by other approved methods, in accordance with the Town Engineering Design & Construction Standards and Flood Control District.

b. Provisions shall be made for public or private utility, railroad and other crossings necessary to provide access to or circulation within the proposed subdivision, including the obtaining of all necessary permits from the public or private utilities involved and any regulatory agencies having jurisdiction. The cost of such crossings shall not be assumed by the Town.

4. Street-Lot Access:

- a. Adequate provisions shall be made in the design of subdivisions for access to each lot or parcel, and for access to adjacent properties.
- b. When a tract fronts on an arterial road the lots within the subdivision shall have reverse frontage, unless otherwise approved by the Town Council.

5. Dead End Streets:

- a. Minor terminal streets designated to have one end permanently closed, shall be no more than six times the minimum lot width nor more than 1320 feet long or as may be required by the local fire district, unless authorized by the Town Council by an approved Application of Exception (see Sec 505C 12). Dead end streets shall be designed at the closed end with a circular turn-around for cul-de-sac having a right-of-way diameter of at least 100 feet. Said cul-de-sac shall be designed to meet uniform fire code requirements or specifications of the State Fire Marshal or local fire district.
- b. Where, in the opinion of the Commission and the Town Council, it is desirable to provide street access to adjoining properties; proposed streets shall be extended by dedication to the boundary of such property. Such dead end streets shall be provided with a temporary turn-around having a right-of-way diameter of at least 100 feet.

6. Intersections:

- a. Street intersections shall be as nearly at right angles as possible.
- b. Property line radii at street intersections shall not be less than 25 feet; to accommodate adequate curb radii, however, the Town Engineer may require a greater curb radius where necessary.

7. Jogs in Minor Streets:

Street jogs of less than 135 feet in length shall not be approved.

8. Street Names:

Proposed street names shall be assigned and administered in accordance with the provisions of the Street Naming and Addressing Ordinance of the Camp Verde Town Code.

9. Alleys:

Alleys shall be provided to the rear of all lots used for business purposes and as deemed necessary by the Planning and Zoning Commission and the Town Council.

E. Blocks and Lots

1. **Blocks** - The length, width and shape of blocks shall be determined with due regard to provisions for adequate building sites, the zoning requirements as to lot area and dimensions, limitations, and opportunities of topography and associated needs for convenient access, traffic circulation, control and safety to streets and pedestrian traffic.

a. **Block Length** - Blocks shall not be more than 1320 feet in length except as the Commission and Town Council considers necessary to secure efficient use of the land or as a desired feature of street design.

1) In blocks over 660 feet in length, pedestrian crosswalks may be required.

2) Where fronting on major streets, lengthened blocks may be utilized in order to reduce the number of intersections along the major street or arterial.

b. **Block Width** - Blocks should be wide enough to allow two tiers of lots.

2. Lots

a. **Arrangement, Size and Use** - The lot area, width, depth, shape and orientation, as well as the minimum building setback lines shall be appropriate for the location of the subdivision, for the type of development and use contemplated, and shall conform to the requirements of zoning and these regulations.

1) Each lot shall be suitable for the purpose for which it is intended and shall contain a usable building site.

2) The area of a lot shall be deemed the area shown, exclusive of any area designated for street right-of-way purposes; or any easement for access or private road purposes shown on the map unless otherwise permitted by the Town Council's approval after considering a recommendation from the Planning & Zoning Commission.

3) Side lot lines shall be designed at right angles to straight street lines or radial to curved street lines.

b. **Accessibility**- Each lot must front upon a public street or road or approved access and shall be accessible to the street on which it fronts.

c. **Corner Lots** - Where lots are designed with minimal building areas, corner lots shall be wider than minimum to provide adequate usable area, if necessary.

d. **Large Tracts or Parcels** - When the land is subdivided into large lots such lots shall be arranged in order to accommodate future streets and logical extension of same. No subdivision shall be created with lots contemplated for future re-subdivision without approval by the Town Council upon recommendation of the Planning & Zoning Commission.

e. **Lot Numbering**- Each lot shall be designated by an Arabic numeral.

1) If block designations are not used, numbering shall be in consecutive sequence within the block beginning with the number "1" wherever lots have common side boundaries within a subdivision or within a block along each street, and contiguous consecutive numbers shall follow from one block to another.

2) When block designations are used, numbering shall be in consecutive sequence within each block area commencing with the number corresponding number for each block.

3) Numbering sequences may follow in continuity from one tract to another when lying contiguous to one another, or when separate or contiguous of the same name is used for successive tracts.

4) Parcels shall be designated by capital letters and be designated in sequence within a tract starting with the letter "A".

f. **Lot Easements**- Except where alleys are provided for that purpose, easements at least 16 feet in total width or as required by the Town Engineer, one-half of which is provided from each adjoining lot, shall be provided where necessary along rear lot lines for poles, wires, conduits, sanitary sewers, gas mains, water mains, or for other utilities.

1) Where necessary additional easements shall be located along the side lot lines.

2) Half or partial easements may only be approved where written commitment of dedication of necessary additional easements are on record.

3) All easements shall be in accordance with those approved by the utility companies concerned.

F. Sanitary Sewer and Water Systems

1. Requirements for development of public or community water supplies and of community sewage disposal systems shall not be less than those outlined by Arizona

Department of Environmental Quality (ADEQ) regulations and engineering criteria for such installations.

a. Minimum lot size may be modified by requirements of State or County regulations pertinent to water and sanitary sewage systems.

2. Sanitary Sewer:

a. Where a public sanitary sewer is reasonably accessible and capacity is provided, the subdivider shall connect with such sewer and provide a connection to each lot.

b. A sewer collection and treatment system may be required as a condition of approval for any subdivision pursuant to Arizona Department of Environmental Quality (ADEQ) Design Bulletins as recommended by the County Environmental Services Department where on-site disposal systems are not feasible.

c. When connection to a sanitary sewer system is not available, individual on-site septic tanks or other on-site disposal methods may be permitted provided that a statement is submitted to the Commission and the Town Council from the County Environmental Services Department certifying that field investigation has determined that ground slopes and soil conditions will allow for satisfactory disposal by this method with the lot arrangement and size as depicted on the subdivision plat.

3. Water:

a. Water mains connecting with existing municipal or other water utility systems shall be installed to serve each lot, when and if connection to such system is available. In such case, prior to the approval of the Final Plat, the subdivider shall submit a letter from the governing body of the water system showing the ability of the system to serve the proposed subdivision and evidence that a satisfactory agreement has been made for connection to the system.

1) Water mains and fire hydrants, if installed, shall comply with standards of ADEQ and be installed to grades, location, design, and sizes on plans submitted by a professional engineer registered in the State of Arizona and approved by the Town Engineer.

2) Fire hydrant installation shall meet the criteria of the fire district in which it is proposed to be located.

b. When connection to an existing water system is not available, the subdivider may provide service by the establishment of a private or community water system in which case water mains and fire hydrants shall be installed, located, and designed in compliance with ADEQ standards and submitted by a professional engineer registered in the State of Arizona. The source of water supply shall be developed and improved to the satisfaction of the ADEQ or other state agencies so that the subdivision may be adequately supplied with water.

c. A public, private or community water system shall be provided as a condition of approval for any subdivision containing lots or parcels less than 70,000 square feet.

d. In the case of a subdivision with lots over 70,000 square feet in area, water supply may be from other than a community system. In this case evidence shall be submitted showing that sufficient potable water is available and can be obtained for all lots in the subdivision.

G. Special Development Subdivision and Waivers

1. **Special Development Subdivision** - Modified standards and requirements of these regulations may be accepted by the Commission and the Town Council in the case of a plan and program for a complete community or a neighborhood unit, which in the judgment of the Commission and the Town Council provide adequate public recreation, light, air and service needs for the tract when fully developed and populated, and which

also provides such covenants or other legal provisions as will assure conformity to the zoning ordinance and achievement of General Plan objectives.

a. When such a preliminary development plan is submitted for approval, it shall be accompanied by a petition for waivers or variations, as outlined in these regulations, setting out all ~~deviation~~ **deviations** from standards as herein required and explaining reasons thereto.

b. Special development waivers or variations may include:

- 1) streets of less width than standard requirements, but with adequate provisions for off-street parking;
- 2) up to four lots served by a common driveway where topographic conditions would justify such treatment;
- 3) up to four buildings per building-site in a cluster of less than minimum lot area if a corresponding contiguous area plus the building site areas brings the total combination of building sites and common areas to minimum area standards, and;
- 4) provisions are made that each lot owner has an undivided interest in the contiguous parcel and it is restricted to being used only for recreational purpose or to remain "open land";
- 5) special common sanitation facilities
- 6) modified lot areas, such as lot area averaging
- 7) other waivers as the Commission and Council may approve based on special conditions of the site

c. Special development subdivisions that require a change of zoning classification shall be regulated as outlined in Section 203 L. Planned Unit Developments of this ordinance.

2. Waivers

a. The Planning Commission may recommend, and the Town Council may grant a waiver to any provision of these regulations insofar as they affect a public use or purpose. No waiver may be granted unless the Town Council finds that the waiver is in the best interest of the public, without impairing the intent and purpose of these regulations. The extent and duration of the waiver shall be stated at the time of the waiver.

b. The Planning Commission may recommend and the Town Council may authorize variations or waivers from the terms of these regulations, whereby reason of exceptional or extraordinary situation or condition of a tract of land causes the strict application of any regulation enacted herein that would result in peculiar and exceptional practical difficulties to, or undue hardship upon the subdivider.

- 1) Such variations or waivers may be given, provided such relief may be granted without detriment to the public good and without impairing the intent and purposes of these regulations, and,
- 2) Where the Council deems it is necessary to promote the health safety and welfare of the Town of Camp Verde.

SECTION 509 AMENDED MAP, REVISION, REPLAT AND ABANDONMENT

A. Amended Map/Plat Correction

1. Any plat map of a subdivision that has been filed for record may be amended to correct an error in any course or distance or other necessary item that was omitted there from, or to correct a drafting, graphic, technical, or similar type error, by the filing for record of an amended map of said subdivision. The Town Engineer shall examine such

amended map, and if such examination discloses that the only changes on the amended map are changes authorized above, he shall certify this is to be a fact over his signature on the amended map. Thereafter, the amended map shall be entitled to be recorded in the office of the Recorder in which the original subdivision map was recorded. Such map shall be marked "AMENDED MAP OF _____", and follow in numerical sequence.

2. The use of the terminology of Amended Map shall not be used to change or vary or add any lot lines, streets or easement, or statements that were not contained on the approved Final Plat map, since such actions necessitate reprocessing of the plat.

B. Revision of Plat

Any of the following changes to a recorded subdivision plat shall require compliance with the procedures for Final Plat (see Sec 506):

1. Any division of a lot or lots in a recorded subdivision that results in an increase in the total number of lots;
2. Any revision involving dedication or abandonment of land for a public street, public easement or other public right-of-way; where abandonment is involved, the Revision of Plat shall not be forwarded to the Town Council for final action until abandonment proceedings (see Section 509 D.) are completed and the recording data noted on the Final Plat;
3. Any change in lot lines or in the location of streets, easements and other rights-of-way, except for nominal changes as a Replat (see Sec 509 C below);
4. Any changes to the exterior boundaries of a subdivision.

C. Replat

Any of the following changes to a recorded subdivision plat may be approved administratively by the Community Development Director; additionally the Director may request Town Council action on the following:

1. Any combining or joining of lots;
2. Any re-dividing of joined lots into new lots as long as the total number of lots is not increased;
3. Any nominal changes in the location of streets, easements or other public rights-of-way, or to lot lines for minor lot area increase or decrease, while remaining in compliance with Zoning regulations of lot size;

D. Abandonment/Revocation

1. If no lots in a subdivision for which a Final Plat has been approved by Town Council and recorded have been sold within three years from the date of recordation and if all of the improvements have not been made within three years from the date of recordation, the Town Council may on its own motion hold a public hearing after notice, to determine whether the approval and recording of such Final Plat should be revoked.

2. Abandonment of subdivision lots and reversion to acreage and/or abandonment of streets, rights-of-way, and easements dedicated or otherwise may be initiated by property owners petitioning the Town Council for consideration of all or portions of any tract or plat.

a. A preliminary title report shall be submitted by the property owners for the property proposed to be abandoned or reverted to acreage.

b. Such petition may necessitate consideration for rezoning if the Commission deems it necessary or desirable.

3. Any action considered by the Town Council relating to revocation of all or part or a subdivision whether lots, or lots and rights-of-way, shall be referred to the Commission for evaluation of the following:

a. Correlation with the General Plan of the Town.

- b. Correlation with proposed development in adjacent areas.
 - c. Recommendations as to whether or not zoning changes should accompany such action.
 - d. Effect of such action on existing development in areas affected by proposed reversion or abandonment.
 - e. Review comments on abandonment by agencies who may have an interest in the existing subdivision.
 - f. Access to all parcels remaining.
4. Applications to abandon streets or easements shall be carried on separately and simultaneously with any procedure to abandon a subdivision or revert it to acreage.
 5. Upon submittal of an application to abandon a subdivision, street right-of-way or easement and cause same to revert to acreage, the Community Development Department staff shall distribute the request to reviewing agencies for comment including but not limited to the County Assessor, local fire district, emergency service agencies, or other agencies as deemed appropriate by the Community Development Director.
 6. Upon receipt of reviewing agency comment(s), if any, the Director shall schedule the matter for public hearing before the Planning and Zoning Commission to formulate a recommendation to the Town Council.
 7. Public hearing and notice for any revocation or abandonment of a subdivision, street right-of-way or easement shall follow the same procedures prescribed in Sec 601A.

PART SIX. ADMINISTRATION AND PROCEDURES

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SECTION 600 DEVELOPMENT DECISION AUTHORITY

A. Introduction and Purpose

Development regulations are applied by the Town of Camp Verde in accordance with the Arizona Revised Statutes and procedures adopted herein.

The purpose of Part Six is to provide equitable, uniform processes for all persons to avail themselves of the Town's **Planning & Zoning Ordinance** development guidance system. Part Six specifies the authority, responsibility and manner for making and evaluating development applications, rendering decisions, enforcing regulations and assuring open, public participation pertaining to the **Planning & Zoning Ordinance**. ~~Camp Verde Development Guidance System.~~

B. Applicability

These procedures shall apply to:

1. All properties located in the Town to which the State's municipal planning and zoning enabling legislation extends; and
2. Any person or entity:
 - a. Owning land for which development entitlement or permit is sought, or who may be affected thereby, such as but not limited to: zoning amendment, Use Permits, subdivision approval, site planning, and adjustments to otherwise applicable development regulations; or
 - b. Responsible for improvement, maintenance, prevention of hazard and general observance of the requirements of this Code.

C. Town Council

As the governing body, the Town Council determines and oversees Town development policies for consistency with the adopted General Plan, considering public testimony, recommendations from the Planning and Zoning Commission or other advisory bodies, and staff where applicable. Council exercises the Town's legislative authority and, in specified instances on appeals exercises quasi-judicial functions.

1. The Town Council, responsible for considering and acting upon applications for development entitlements may, from time to time, after public hearings and Planning and Zoning Commission report as prescribed herein, amend, supplement or change zoning boundaries, zoning text or subdivision text regulations. Any such proposed amendments may be initiated by the Planning and Zoning Commission, the Town Council or by application of property owners.
2. Council exercises final decision-making authority on recommendations received from advisory bodies or staff pertaining to applications including, but not limited to:
 - a. Use Permits;
 - b. Site Plan approvals, and
 - c. Subdivision plats.
3. Council appoints development guidance advisory bodies, the Planning and Zoning Commission (See Section 600D) and the Board of Adjustment & Appeals (See Section 600E), each with membership of seven members appointed for terms of three years as stated in Articles 4-1 and 2 of The Town Code
 - a. The Council shall establish regular meeting dates, times and meeting place by resolution in January of each year for the Commission and Board. The Chair of either body may schedule special meetings and work sessions subject to approval by the Town Manager.
 - b. Meetings of the Commission and Board are held as stated in Article 4-3 of The Town Code and shall be open to the public, with minutes of its proceedings, showing the votes of each member and records of its determinations, recommendations and other official actions kept and filed in the Community Development Department as a public record. The secretary of the Commission and Board shall be a member of the Community Development Department staff.
 - 1) At least four members shall be present to conduct a meeting.
 - 2) In the event a quorum of four members are the total members present, then a unanimous vote must be cast to recommend approval or denial.

D. Planning and Zoning Commission

1. The Planning and Zoning Commission, established by Ordinance 87-A12 of the Town of Camp Verde, serves as the advisory body to Town Council on planning, zoning and development code matters. The Commission, in particular, provides recommendations to Council on Zoning Ordinance amendments, Use Permits, General Plan Amendments, Preliminary Subdivision Plats and related considerations pertaining to Council's exercise of legislative authority.
2. Before any Zoning Ordinance text or rezoning amendments or Use Permits shall be considered by the Town Council, the request or amendment shall first be referred to the Planning and Zoning Commission for public hearing, report and written recommendation. The Commission's report shall include the reasons for its recommendation, based on its vote following the public hearing, and be transmitted to the Town Council in such form and manner as may be specified by the Town Council.

3. Upon receipt of Commission's report, the Council shall consider the recommendation on a regular Council agenda as a:
 - a. public hearing item; or
 - b. consent agenda item to adopt the recommendation of the Planning and Zoning Commission without holding a second public hearing provided there is no request for public hearing or other protest from any member of the public or Town Council, in which event a public hearing will be held.
4. The Planning and Zoning Commission reviews Preliminary Subdivision Plats at their regular public meetings. The Commission's recommendations are forwarded to the Council for action.
5. In the event an item voted on fails to receive the required number of votes for approval, the item will be forwarded to the Council with a recommendation for denial. Nothing in this paragraph will prevent the Commission from continuing or tabling an item unless specifically directed by the Town Council to vote on an item pursuant to 6. below.
6. The Town Council, by majority vote, may compel the Planning and Zoning Commission to place an item on a specific agenda for a vote.

E. Board of Adjustment & Appeals

The Board of Adjustment & Appeals, established by Ordinance 89-A33 & Ordinance 2002-A215 of the Town of Camp Verde, serves in a quasi-judicial capacity, hearing and deciding appeals from the decision of the Community Development Director, or designee, pursuant to (Ord. 95-A106) and ARS 9-462.06.

Duties of the Board of Adjustment & Appeals, as set forth in ARS 9-462.06, include:

1. Hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the Community Development Director, or designee, in the enforcement of the zoning ordinance by reversing or affirming, wholly or in part, or modifying the order, requirement, decision appealed from and make such order, requirement, or decision or determination as necessary.
2. Hear and decide appeals for variances from the terms of the zoning ordinance in accordance with the requirements and criteria of Section 602-A.

F. Administrative Authority

The Camp Verde Community Development Department is primarily responsible for the day-to-day administration of the Zoning Ordinance, Subdivision Regulations and other development-related regulations or guidelines.

The Community Development Director, or designee, coordinates with other Town departments, agencies and organizations participating in the planning and development process; and oversees and provides assistance to members of the public regarding the following:

1. Receiving applications, materials and fees pertaining to the filing of requests for zoning amendments, site plans, Use Permits, land divisions, subdivision plats, Temporary Use Permits, appeals to the Board of Adjustment & Appeals and other procedures set forth herein;
2. Rendering administrative decisions as herein specified, such as, but not limited to, Temporary Use Permits and non-conforming use determinations;

3. Participating in arrangements for public notice and hearings;
4. Assisting applicants and other interested parties in conducting citizen participation processes, preapplication conferences, and informal advisory consultations; and
5. Providing such other development process facilitation as may be required, in addition to providing information to the general public.

SECTION 601 ZONING DECISIONS

A. Zoning Ordinance Amendment Applications and Hearings

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

1. **Applications for Zoning Ordinance text amendments, rezoning amendments, Use Permits**, or other requests requiring Town Council approval shall be filed in the office of the Community Development Department on a form provided, along with such supplemental information required by the Department, and shall be accompanied by a fee established by approval of the Town Council. No part of any such fee shall be refundable after an application is filed and such fee paid, except at the discretion of the Town Council.
 - a. The Planning and Zoning Commission shall hold a public hearing ~~within~~ **approximately** 90 days of the date of a complete application submittal. After such hearing the Council may adopt the recommendation of the Planning and Zoning Commission without holding a second public hearing provided there is no objection, request for public hearing or other protest.
 - b. The Town Council shall hold a public hearing if requested by the party aggrieved, any member of the public or of the Town Council, or in any case, if no public hearing has been held by the Planning and Zoning Commission.
2. **Notice of the time and place** of Council or Commission hearing shall be given in the time and manner provided for:
 - a. Notice of public hearing before the Commission or Council for all amendments to the zoning ordinance text, the zoning map, Use Permits, or other requests, shall be done in accordance with the provisions of Arizona Revised Statutes 9-462.04 as they exist now or as they are amended from time to time. Such notice includes at a minimum the posting and publishing of public hearing notices as specified in the statute.
 - b. Written protests of any recommendation action taken by the Commission shall be filed in the office of the Community Development Department before the end of the last business day of the week preceding the Council meeting at which such amendment will be considered. If such written protest constitutes twenty percent (20%) or more of the immediate area involved in a request for rezoning as specified in ARS 9-462.04.H, a favorable vote of three-fourths of the Council shall be required.
 - c. A decision made by the Council involving rezoning of land which is not owned by the Town and which changes the zoning classification of such land may not be enacted as an emergency measure and such a change shall not be effective for at least 30 days after the final approval of the change in classification by the Council.

- d. In the event an application has been denied by the Council, the Commission shall not consider a similar application within 12 months of the application date.
- 3. Citizen review and participation process** is required for all zone change applications or Use Permit applications:
- a. Prior to any public hearing, the applicant or an appointed representative shall arrange a meeting with the planning staff which identifies development issues as well as arrangements and scheduling for the neighborhood meeting described in subsection b. below.
 - b. The applicant or an appointed representative shall conduct a neighborhood meeting designed to inform adjoining residents and property owners about the proposed zone change, specific plan application or Use Permit.
 - c. At least 15 days prior to the scheduled neighborhood meeting, the applicant shall notify all property owners within 300 feet of the subject site by first class mail and post the actual property with meeting date and time. The notification shall include the date, time and place for the neighborhood meeting, as well as a description of the proposed land uses. The applicant shall provide an affidavit attesting to this notification being accomplished.
 - d. It is the responsibility of the applicant or their representative to conduct the meeting, provide an opportunity for a question and answer period by the audience, and identify a point of contact to the public for follow-up questions and comments.
 - e. The applicant shall prepare a written summary of the meeting by way of affidavit, including a list of attendees and the issues and concerns discussed and submit a copy of the summary, with a photo of the posting on the property and a copy of the meeting announcement letter, to the Planning Department ~~within 15 days prior to the Planning & Zoning Commission after the neighborhood meeting.~~
- 4. Zoning Ordinance text amendments:** If the Town adopts any zone change or any amendment that imposes any regulation not previously imposed or that removes or modifies any such regulation previously imposed, it must comply with the citizen review process as set forth in ARS §9-462.03, and the public hearing notice procedures set forth in ARS 9-462.04.A (4), (5), and (6).

B. Site Plan Review and Development Standards

Key to obtaining compliance with the regulations of this ordinance and achieving the objectives of the Town's General Plan is the administrative review of Site Plans for new development as regulated in Part 4 Development Standards. The Site Plan entails preparation of drawings for proposed uses and buildings that conform to the Development Standards, depicting adequate grading/ drainage and building orientation (Section 401), landscape and screening (Section 402), parking and loading (Section 403), signs (Section 404) and outdoor lighting (Section 405) as required in these regulations.

The Site Plan Review process is administered by the Community Development Department in conjunction with other Town departments. The Community Development Director is authorized to approve minor modifications to strict adherence of zoning regulations due to physical constraints of the project site. Appeals may be scheduled for hearing by the Planning Commission and Council. Major development projects may also be referred to the Commission and Council for a hearing, review and approval, which hearing and review process is mandatory if so stipulated by prior Council action such as rezoning or PUD approval.

For non-residential and multi-family developments which are located in the Town Center Area or along major corridors as described in Section 400B, additional review of Appearance Compatibility Drawings is required (Section 402 C). Appearance Compatibility Drawings are reviewed by Town staff simultaneously with the Site Plan Review process, in accordance with the process specified in Section 400C.

C. Use Permit Approvals

Use Permits are provided to ensure the orderly use of land in conformance with the General Plan and applicable Town standards where uses are proposed that may require special limitations or conditions to provide compatibility with other uses. The application for Use Permit approval is applicable to those uses that are specifically listed as "Uses and Structures Subject to Use Permit" in each Zoning Use District in Part Two Section 203. The procedure to obtain a Use Permit shall include requirements set forth in Section 601 A, of this ordinance.

1. Review and Approval

- a. Use Permits will be granted only upon a finding by the Council that the use covered by the permit, the manner of its conduct, and any structure which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in conformity with any conditions, requirements, or standards prescribed by the Town Code or Council.
- b. Use Permits may contain specific limitations on the scope, nature and duration of the use, as deemed proper in accordance with the following criteria:
 - 1) Any significant increase in vehicular or pedestrian traffic;
 - 2) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - 3) Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with goals, objectives or policies of the General Plan;
 - 4) Compatibility with existing surrounding structures and uses; and
 - 5) Adequate control of disruptive behavior both inside or outside the premises, which may create a nuisance to the surrounding area or general public.
- c. The burden of proof for satisfying the above requirements shall rest with the applicant. A refusal of a Use Permit shall not be interpreted as the denial of right, conditional or otherwise.
- d. Where an application involves a definite development scheme, the applicant must submit a layout and landscape plan, building elevations and other pertinent data as may be requested, and the Council may condition the Use Permit to fully carry out the provisions and intent of the Ordinance.
- e. The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

Within 30 days of any change, permittees shall notify the Community Development Department of any changes.

2. Duration and Voiding of Use Permit

- a. To secure the objectives of this Ordinance, Use Permits may be for a fixed time period, and a Use Permit does not grant a vested right beyond the term of the permit.

- b. The permittee must obtain building permits within six month from the date the Use Permit was issued. Failure to obtain a building permit or begin the use shall void the permit unless a delay to start the construction has been granted or an extension has been applied for with the Community Development Director prior to the expiration of the six-month period. Additional extensions must go to Council.
- c. If the use or uses for which a Use Permit has been granted are discontinued for a continuous period of six months, the Use Permit is voided.
- d. Violation of the terms of the Use Permit or this Ordinance voids the Use Permit.
- e. Decisions by the Community Development Director which result in the voiding of the Use Permit may be appealed to the Town Council, subject to an application for appeal being on file in the Community Development Department within 30 days of notification of the Use Permit being voided.

D. Temporary Use Permits

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

1. Temporary Use Permits may be granted by the Community Development Director or designee, after review by health and safety departments or agencies, and upon findings that the use and the manner of its conduct will not, considering its limited duration, be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in conformity with any conditions, requirements or standards prescribed by the Town Code or Council.
2. Approval may be conditioned by specific stipulations as to duration, conduct, mitigation of potentially detrimental effects and such other considerations as may be prudent for protection of the neighborhood and community.
3. Violation of the terms of the Temporary Use Permit approval constitutes grounds for its immediate revocation.

SECTION 602 ZONING ADJUSTMENTS

Zoning matters decided by the Board of Adjustment & Appeals are intended to apply to specific properties or actions. Such decisions are not regarded as strict precedents; however, they may be considered in future matters under similar circumstances.

A. Variances

1. A variance from the Planning and Zoning Ordinance shall not be granted by the Board unless and until a public hearing has been conducted pursuant to Section 602. C, and until the property owner in a written appeal and at the public hearing demonstrates and the Board finds that all criteria required by subsections a through e have been met:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same District;

- b. That literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same District under the terms of the zoning ordinance;
 - c. That the alleged hardships caused by literal interpretation of the provisions of the zoning ordinance include more than personal inconvenience and financial hardship and do not result from actions that are self-imposed or for economic gain by the applicant;
 - d. That granting the variance requested will not confer upon the applicant any special privilege that is denied by the zoning ordinance to other lands, structures or buildings in the same District; and
 - e. That granting the variance requested will not interfere or injure the rights of other properties in the same District.
2. The Board MAY NOT:
- a. Make any changes in the uses permitted in any zoning classification or zoning District, or make any changes in the terms of the zoning ordinance, provided the restriction in this paragraph shall not affect the authority to grant variances pursuant to this article.
 - b. Grant a variance if the special circumstances applicable to the property are self-imposed by the owner.

B. Appeals from Administrative Decisions

The Board, on deciding appeals from decisions of the Community Development Director (Zoning Administrator), is responsible for interpreting the meaning and equitable application of code provisions.

1. Appeals to the Board may be filed by persons aggrieved or by any officer, department, board or bureau of the Town affected by a decision of the Community Development Director, within a period of 45 days by filing, in writing, with the Community Development Director and with the Board, a notice of appeal specifying the grounds thereof.
2. The Community Development Director shall immediately transmit all records, pertaining to the action appealed from, to the Board.
3. An appeal stays all proceedings in the matter appealed from, unless the Community Development Director verifies to the Board after the notice of appeal is filed, that by reason of facts stated in the certificate, a stay would cause imminent peril to life or property. Upon such certification, proceedings shall not be stayed other than by a restraining order granted by the Board or by a court of record on application and notice to the Community Development Director.
4. A person aggrieved by a decision of the Board, or a resident or municipal officer may, at any time within 30 days after the Board has rendered its decision, file a complaint in the Superior Court to review the decision. Filing of the complaint shall not stay proceedings upon the decision appealed from but the court may, on application, grant a stay, and on final hearing may reverse or affirm wholly or partly, or may modify the decision received.

C. Hearings

The Board shall fix a reasonable time for the public hearing of an appeal; and shall give public notice thereof, by both publication in a newspaper of general circulation in accordance with ARS 9-462.04 as it exists now or as it is amended from time to time, and by posting notices in conspicuous places close to the property affected, as well as due notice to the parties in interest, including first class mail notice to all owners of record of properties located within 300 feet of the subject property.

1. At the public hearing, any applicant may appear in person or by representative, and may present their appeal orally or by documentary materials, and submit rebuttal as may be necessary.
2. The chair shall have the power to administer oaths and take evidence in accordance with ARS 9-462.06.
3. The Board shall reach its decision within a reasonable time.

SECTION 603 SUBDIVISION AND LAND DIVISION

Creating lots or parcels of land for separate ownership or use is directly related to the application of development regulations in this Code. A legally-recognized real estate parcel with adequate access is a prerequisite for the Town's issuance of construction permits.

A. Subdivision Approval

Subdivisions are the primary impetus for lot ownership with streets, utilities and other infrastructure provided. Coordination of Town departments with various County and State offices is necessary in the review process of subdivision plats to ensure the orderly growth and development of the Town. Approvals of Subdivisions are by the Town Council with recommendation by the Planning Commission.

Any subdividing of real property in the Town of Camp Verde, for any purpose, requires compliance with the standards, requirements and platting procedures set forth in Part Five, Subdivision and Land Division Regulations. Subdivision procedures include Conceptual Plans (Section 504), Preliminary Plat (Section 505), Final Plat (Section 506) and Construction and Financial Assurances (Section 507). The design of subdivisions and streets is prescribed in Section 508. Procedures for plat map amendments, revisions, replats and abandonments are included in Section 509.

B. Land Divisions

Land divisions not subject to statutory requirements for subdivisions may be accomplished under the provisions of Part Five, Subdivision and Land Division Regulations. The division of land into two or three parcels where no new street is involved constitutes a **Minor** Land Division, as regulated in Section 502. Review and approval of **minor** land divisions is conducted administratively by the Community Development Department.

To ensure adequate access to land division parcels, frontage onto either public or private streets or easements is required. Regulations and standards for access are prescribed in Section 502 B.

SECTION 604 ADMINISTRATION: ENFORCEMENT, VIOLATION/PENALTY AND FEES

In the administration, interpretation and application of this Ordinance (unless otherwise provided), the provisions shall be deemed minimum requirements designed to govern the division and use of land in order to: secure safety from fire, panic and other dangers; provide adequate light and air; prevent overcrowding of land and avoid undue concentration of population in certain areas; facilitate adequate provision of transportation, water, sewerage, schools, parks and other public requirements; maintain and promote stable values of land and structures. These provisions shall govern whenever they are more stringent than any other statute, ordinance, legal covenant, agreement or contract, but shall not abrogate any other such requirement which is more stringent or restrictive than the provision herein.

Administrative officials of the Town are responsible for code enforcement, including inspections and citations for violations, and the collection of fees for applications, notices and materials pertaining to this Ordinance.

A. Enforcement

1. The Town shall enforce the provisions of this ordinance by any means stated in ARS 9-462.05B, including the filing of a criminal complaint, as appropriate.
2. For the purpose of enforcement of the provisions of this Ordinance, there is hereby created the position of Code Enforcement Official. The Director, or his designee, acting as the Zoning Administrator (ARS 9-462.05C) shall administer and enforce this Ordinance, up to and including the issuance by the Code Enforcement Official of criminal charges against violators.

There are three types of violation notices used:

- a. Verbal Warning: A verbal warning may be provided by the Code Enforcement Official to the alleged party in violation, as a courtesy, when the violation is not considered immediately serious to the health, safety, or property of others, permitting 10 days to correct, or make timely arrangements to correct, the violation.
 - b. Notice of Violation: A written notice of violation is provided when: personal contact cannot be made, because access to the property is prevented, the occupant is not on the premises or has ignored an earlier courtesy warning. The time frame for compliance, not to exceed an additional 30 days from the first courtesy warning or written notice of violation, is at the discretion of the Code Enforcement Official.
 - c. Criminal Citation: A criminal citation (ARS 9-462.05A) is used when: the offense is serious and requires immediate action, the alleged violator has ignored previous warnings, has refused to work with the Town toward compliance, or the violation is a repeat of a previous offense.
3. For the purpose of enforcement of the provisions of this Ordinance, violations of any adopted building code in conjunction with a zoning violation will be considered violations of this ordinance as well, and appropriate, simultaneous enforcement action shall be taken by the Building Official.

B. Violations and Penalties

1. It is unlawful to erect, construct, reconstruct, alter or use any parcel of land, building or structure subject to the provisions of this Ordinance:
 - a. without first obtaining a permit from the Development Department, where such permit is required thereby.
 - b. in violation of any regulation or provision herein.
 - 1) Each and every day during which such violation continues is a separate offense.
 - 2) Any person, firm or corporation violating any regulation or provision of this Ordinance is guilty of a Class 2 misdemeanor.
2. If any building or structure is to be erected, constructed, reconstructed, altered, maintained or used or any land is or is proposed to be used in violation of this Ordinance, the Town Council, the Town Attorney, the Zoning Inspector, or any adjacent or neighboring property owner who is specially damaged by the violation, in addition to the other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceedings to prevent, abate or remove the unlawful condition.
3. All remedies provided herein shall be cumulative and not exclusive. The conviction of any person, firm or corporation hereunder, shall not relieve such person from the

responsibility to correct such violation, nor prevent the enforcement, correction or removal thereof.

C. Application Fees

Fees and charges for applications, notices, land division, maps, reports and similar procedures or materials shall be collected in accordance with the current Town Council resolution establishing fees and charges (except where such may be waived for public officials, boards, bureaus, or other non-private entity). Any such fee shall be double for failure to apply prior to commencing any activity for which a fee is required, including, but not limited to, construction or sale of lots.

1. Upon filing an application for a zoning amendment, variance, Use Permit, Temporary Use Permit, land division, subdivision or appeal, the applicant shall pay an application fee to the Community Development Department in accordance with the schedule established by resolution of the Council and posted in the office of the Zoning Administrator.
2. No part of any such fee shall be returnable after an application is filed and such fee is paid.
3. In case of multiple requests, such as an application for a variance to more than one provision of the zoning ordinance, the filing fee shall be the total for all provisions as prescribed by the fee schedule.
4. Payment of the filing fee shall be waived when the application or appeal is made on behalf of or by the Town.
5. Fees for buildings, signs, and other structures shall be charged for each permit issued.
6. Charges for maps and publications shall be as follows:
 - a. Ordinances: Actual cost of publication
 - b. Maps and publications: Not to exceed double the cost of reproduction.

SECTION 605 ORDINANCE SEVERABILITY AND REPEAL

- A. This Ordinance and the various parts thereof are hereby declared to be severable. If any section, subsection, clause, word or phrase herein is for any reason held to be invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of this Ordinance.
- B. Where any ordinance or any portion of ordinances pertaining to the development of land in the incorporated areas of Camp Verde is inconsistent or in conflict with other adopted Town ordinances, State or Federal laws, the Town Code shall control unless pre-empted; such pre-empted inconsistency or conflict may be repealed.