



ORDINANCE 2008A 348

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA
AMENDING SECTION 108 D OF THE ZONING ORDINANCE TO DEFINE THE CRITERIA FOR
RAISING SWINE WITHIN THE TOWN, TO ADD DEFINITIONS FOR COMMERCIAL LIVESTOCK
ACTIVITY AND LIVESTOCK BREEDING ACTIVITY, TO CHANGE THE USE PERMIT PROCESS FOR
YOUTH LIVESTOCK ACTIVITY ON PARCELS SMALLER THAN ½ ACRE AND TO ADD LANGUAGE
FOR SETBACK REQUIREMENTS FOR LIVESTOCK ACTIVITY AS WAS PREVIOUSLY STATED IN
SECTION 109.

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

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

WHEREAS, the Town Council has an abiding interest in protecting the public health safety and welfare by establishing requirements for provisions of the Planning and Zoning Ordinance by including definitions.

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

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

D. ANIMALS: (Revised 4/26/2000 5-28-08)

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

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

ANIMAL POINTS CHART ALLOWED PER ACREAGE

One-half acre through one acre:	24 ANIMAL POINTS
One acre plus through two acres:	48 ANIMAL POINTS <u>each additional contiguous ¼ acre allows for the increase of points by an increment of 6 points.</u>
Over Two acres:	24 ANIMAL POINTS per additional acre

SPECIES

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

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

2. **Prohibited Livestock: Swine are prohibited within residential zones, unless excepted under paragraph 3c.**
3. **Exceptions:**
 - a. ~~Young nursing~~ **Young nursing** ~~A~~ animals under one year of age or not weaned; whichever comes first are not counted in the number of animals allowed.
 - b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
 - c. **Swine may only be raised on property of an acre or more under the following conditions:**
 - 1) **1 pet or butcher pig per parcel.**
 - 2) **Additional Swine, breeding or reproduction stock requires a (UP) in accordance to Section 108I**
 - 3) **All pens containing swine must meet the setback requirements for the zoning district.**
 - 4) **Additional 4-H or FFA swine will require a Temporary Youth Organization Use Permit as defined in 5.d below.**

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

iv. Contact information for the Youth Advisor.

- 3) A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the Youth Livestock Organization, the year in which the project is conducted, and number of livestock.
 - 4) If complaints are received and compliance cannot be met, the Youth Advisor will notify the Code Enforcement Official and will support any action taken by the Town.
 - 5) The ultimate decision on whether the activity is in compliance with this Section 108 will be made by the Community Development Director or designee.
- f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 108I (3) (i).
- ~~c.~~ Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock-raising program (4-H, FAA and the like) only for the life of the program ~~regardless of the lot size~~ with the following stipulations:
- 1) Any youth raising livestock on a lot of less than one half acre must obtain a Use Permit (for which all fees shall be waived) **AND** obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.
- g 2) The livestock market projects shall be of a limited duration specified by a start and stop date not to exceeding ~~seven (7)~~ **10** months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.
- ~~h~~ 3) In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.

3.6. Nuisance: Maintenance of Livestock Facilities

- a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.
- b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.
- c. Where the keeping of such animals becomes a nuisance, as defined in Section 108A, the Zoning Inspector Code Enforcement Official shall have the authority to determine a reduction in the number and removal of the animals is necessary to comply with Section 108 to require a reduction in the number and/or removal of the animals.
- b. A ten-day grace period will be allowed for compliance with the Ordinance after a warning is given by the Enforcement Officer.
- c.d. The Code Enforcement Officer has the authority to determine that require immediate removal of the animals in circumstances where

they constitute a health or safety hazard to human beings, in question in exceptional cases, is necessary to comply with Section 108.

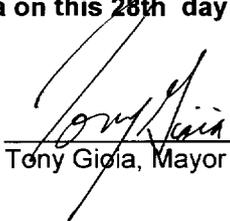
- d. ~~The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

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

Section 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4. This ordinance is effective upon completion of publication and any posting as required by law.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 28th day of May 2008.



Tony Gioia, Mayor

Date 5/29/08

Approved as to form:



Town Attorney

Attest:  6-6-08
~~Deborah Barber, Town Clerk~~

Virginia Jones, Deputy Clerk