

RESOLUTION 2001-466

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING *The 2001 Amendments to Section 109(Use Districts) of the Planning and Zoning Ordinance (87-A23) dated February 28, 2001*, TO BE A PUBLIC RECORD.

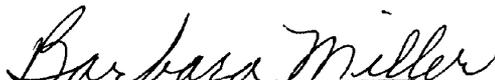
WHEREAS, ARS 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule, or regulation of the municipality, in the interests of economy, and

WHEREAS, the document entitled *The 2001 Amendments to Section 109 (Use Districts) of the Planning & Zoning Ordinance (87-A23) dated February 28, 2001*, is a lengthy revision of the ordinance which would qualify for enactment by reference as a matter of law,

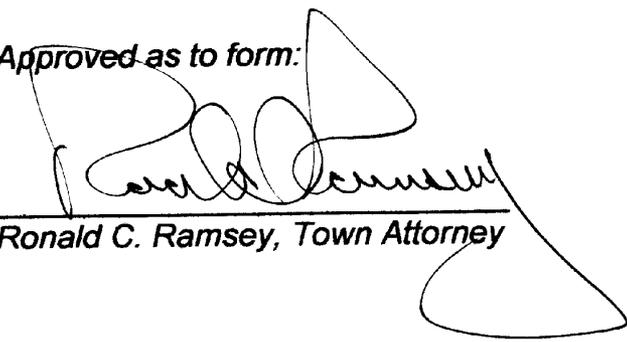
NOW, THEREFORE, THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE *The 2001 Amendments to Section 109 (Use Districts) of the Planning and Zoning Ordinance (87-A23) dated February 28, 2001*, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO ARS 9-802, TO BE ENACTED BY ORDINANCE 2001 A178, AND ORDER THAT THREE (3) COPIES OF THE AMENDMENTS BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND COMMUNITY DEVELOPMENT DIRECTOR, AND AVAILABLE FOR PUBLIC USE AND INSPECTION.

PASSED, APPROVED, AND ADOPTED by the Mayor and common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 28th day of February 2001.

Approved:


Barbara Miller, Mayor

Attest: 
Debbie Barber, Town Clerk

Approved as to form:

Ronald C. Ramsey, Town Attorney

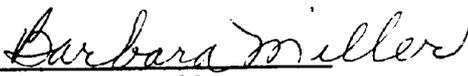
ORDINANCE 2001 A178
ADOPTION OF 2001 SECTION 109 ZONING AMENDMENTS

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE THE AMENDMENTS TO SECTION 109 (USE DISTRICTS) OF THE PLANNING & ZONING ORDINANCE (87-A23), AND PROSCRIBING PENALTIES FOR VIOLATIONS THEREOF.

- Section 1. Adoption by Reference: Pursuant to ARS 9-802 (as amended), the Town hereby adopts for application and enforcement the **2001 AMENDMENTS TO SECTION 109 (USE DISTRICTS) OF THE PLANNING & ZONING ORDINANCE (87-A23)**, dated February 28, 2001, and declared a public pursuant to Resolution 2001-466.
- Section 2. Effective Date: The effective date of the Section 109 amendments shall be upon completion of publication and posting as a penal ordinance as provided by law.
- Section 3. Repeal: Upon adoption of these amendments, the general district provisions previously in effect which are inconsistent shall be deemed repealed, with the exception that applications, plan, and properties already having hearings or approvals pending shall continue to be governed by the prior regulations.
- Section 4. Penalty: Any person who fails to comply with any provision of Ordinance 87-A23, or uses property in violation of any provision of the Ordinance, or a permit issued therein, shall be guilty of a Class 2 misdemeanor, punishable as provided by law, with each day the property or activity is in violation constituting a separate offense. "Person" includes the property owner, occupant, agent, or any person having control over the use of the property. Enforcement of the Ordinance may also be through injunction or abatement as set forth in ARS 9-462.05, as amended.

PASSED AND ADOPTED in open meeting by the Town Council, Town of Camp Verde, Arizona, on the 28TH day of February 2001, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved:


Barbara Miller, Mayor

Attest: 
Debbie Barber, Town Clerk

Sent To : Bugle
Fax # : 634-2312
Date : 3-6-01
Time : 9:40 am
Fax'd By: ajb

Approved as to form.


Ronald C. Ramsey, Town Attorney
Effective Date: April 9, 2001
Publish: March 9th & 11th

Posted By V Jones
Date/Time: 3-5-2001 9:45 a.m

To : Bugle
Fax # : 634-2312
Date : 3-5-2001
Time : 9:00 a.m
Fax'd By: V Jones

EXHIBIT A

SECTION 109 – USE DISTRICTS Adopted 7-9-87 by Ordinance 87A23

SECTION 109 - USE DISTRICTS

G. C1 DISTRICT (Commercial: Neighborhood sales and services)

1. DISTRICT STIPULATIONS: Supplementary or supplanting General Provisions (Section 108).

- a. Installation, operation and maintenance of the permitted uses and structures shall be compatible with the neighborhood development.
- b. Storage of materials and supplies, displays (other than signs), listings and other non-residential uses are restricted to buildings closed on all sides (except as may otherwise be permitted herein).
- c. Intoxicating beverage sale restricted to that of off-site consumption only (except as is otherwise permitted under any of the higher ranking Districts).
- d. Where no Density District has been combined, then the provisions of the D2 District shall prevail for then the provisions of the D2 District shall prevail for dwelling units, hotels and motels.
- e. Any use permitted subject to securing a use-permit indicated thus: (UP)

2. PERMITTED USES AND STRUCTURES:

- a. All principle and accessory uses and structures permitted in any higher ranking District; and providing further that unless specifically provided to the contrary the following are waived:
 - (1) Requirements for use-permits (except for lots contiguous to Residential Districts).
- (UP) b. Mobile home courts.
- c. Retail sales, except second hand sales (other than antique art items).
 - (1) May include baking and confection cooking for on-site sale only.
- d. Commercial art galleries.
- e. Restaurants and cafes, but prohibiting vending from openings in buildings.
- f. Business offices, banks and similar.
- g. Custom service and craft shops as follows (but limited to 3,000 square feet of shop floor area): barber, beauty, massage, tailor and cleaning pickup; key and gun, photographic, fixit (home appliance, saw, mower, clock, radio, TV and similar); precision and musical instrument; optical.
- h. Launderettes (limited to machines not exceeding 25 pounds capacity according to manufacturer's rating).
- i. Dancing, art, music and business schools, (prohibiting public recitals, concerts or dances).
- j. Automotive service stations as an open land-use mechanism equal or better than minimum requirements of Underwriters Laboratories Inc.).

- k. Parking facilities for employees, customers and other appurtenant parking (but limited to no more than 2 trucks for any one commercial project).
- l. Signs (See Section 118)
- 3. **YARD REQUIREMENTS:** None, except as provided under the General Provisions and except as follows:
 - a. Any Residential District uses shall maintain the same yards required by the Density District, except that where dwelling units, or guest units occupy an upper floor (the ground floor of which is used for business) such upper floor may maintain the same yards as are permitted for the ground floor.
 - b. A front yard of no less than 20 feet shall be required where the proposed building is on a lot contiguous to a Residential Zoned lot fronting on the same street (unless waived in writing by the owner of such Residential Zoned lot).
 - c. Where the side lot line is common the sideline of a Residential Zoned lot, the side yard shall be no less than 7 feet.
 - d. Where the rear lot line is contiguous to a Residential Zoned lot the rear yard shall be no less than 15 feet.
- 4. **BUILDING HEIGHTS:** See Section 108 – G – Density
- 5. **BUILDING DENSITY:** See Section 108 – G – Density

H. C2 DISTRICT (Commercial: General sales and services)

- 1. **DISTRICT STIPULATIONS:** Supplementary or supplanting General Provisions (Section 108).
 - a. Storage of materials and supplies, displays (other than signs), listings and other non-residential uses are restricted to buildings closed on sides facing lot perimeter (except as may otherwise be permitted herein).
 - b. Where no Density District has been combined, then the provisions of the D1 District shall prevail for dwelling units, hotels and motels.
 - c. Any use permitted subject to securing a use-permit indicated thus: (UP).
- 2. **PERMITTED USES AND STRUCTURES:**
 - a. All principle and accessory uses and structures permitted in any higher ranking District; and providing further that unless specifically provided to the contrary the following are waived:
 - (1) Requirements for use-permits (except for lots contiguous to Residential Districts).
 - (2) Area limitations for uses and buildings.
 - (3) Limitations on hours of operation.
 - b. Sales (retail and wholesale) and rentals.
 - c. Commercial parking facilities.
 - d. Bars, tap rooms and nightclubs.
 - e. Theaters, auditoriums, banquet and dance halls.
 - f. Dancing, art, music, business and trade schools (including permission for public recitals, concerts and dances).
 - g. Commercial bath and massage.
 - h. Frozen food lockers.
 - i. Custom craft and service shops as follows (but limited to 5,000 square feet of shop floor area).
 - (1) Cleaning and dyeing limited to closed unit machines with self-contained transmission and using solvents, shampoos,

- detergents and other agents of chlorinated solvent type and having a rating of five or under by Underwriters Laboratories Inc.
- j. Bowling alleys and poolrooms.
 - k. Water distillation and bottling for retail sales only and limited to 5,000 square feet of shop floor area.
 - l. Mortuaries (loading, unloading and automobile stacking confined to mortuary premises).
 - m. Vending for on or off-site consumption of foods, confections, non-intoxicating drinks (and other refreshments) through openings in buildings (no such vending allowed within 300 feet of a public or parochial grade or high school).
 - n. General repair of automobiles, light trucks, recreational vehicles, cycles, and small stationary or portable machinery entirely within enclosed buildings or attached enclosures of solid material at least 6 (six) feet in height, but excluding the following:
 - (1) Any fabrication by means of welding, cutting, heating, bending, moulding, forging, grinding, milling or machining. (Such operations are permissible as an adjunct to repair only).
 - (2) Frame work or major body or fender work;
 - (3) Any work on vehicles outside permitted structures or enclosures, unless on the service apron of a gasoline service station;
 - (4) Any unscreened outside storage of parts, materials, or disabled vehicles;
 - (5) Any draining or dumping of oil, fuel, grease, cleaning fluids or hazardous materials on the pavement, gravel, ground, drainage system or in any other unauthorized place or method;
 - (6) Any hours of operation between 10 p.m. and 6 a.m. within 200 feet of any parcel zoned or used for residential purposes;
 - (7) Any use or structure failing to comply with applicable local and state fire safety standards.
 - o. General sales of new and used automobiles, light trucks, recreational vehicles, travel trailers, mobile homes, boats, boat trailers, utility trailers, motorcycles, ATC's, bicycles and small stationary or portable machinery within enclosed buildings. Outside display of such vehicles or similar merchandise shall be permitted only when meeting the following requirements:
 - (1) A site plan acceptable to the Planning and Zoning Department shall be submitted prior to the creation or expansion of outside display.
 - (2) Where an area of outside display is contiguous to a parcel or parcels zoned or used for residential purposes:
 - (a) A solid screen six (6) feet or more in height shall be installed, said screening to be reduced to four (4) feet in height within the front yard area of the abutting parcels, (or elsewhere for purposes of safe sight distance for ingress/egress) and said screening to consist of one or more of the following: decorative wall, decorative fence, earth landscaping, dense live plant material, or depressed display area in keeping with natural terrain; or
 - b) A set back of the display area of at least twenty (20) feet shall be maintained from the abutting parcels.

- (3) Where an area of outside display abutts a street on the side or rear which is contiguous to a parcel or parcels zoned or used for residential purpose:
 - (a) There shall be a landscaped border not less than six (6) feet in width and a solid wall four (4) feet in height shall be erected between the landscaped area and display area (excepting areas for ingress and egress); or
 - (b) A set back of the display area of at least twenty (20) feet shall be maintained from the abutting street right of way
 - (4) Where an area of outside display abutts a public right of way (or a private street used as if it were a public right of way) a set back of the display area shall be maintained meeting the following minimum conditions:
 - (a) Twenty (20) feet from the nearest edge of pavement (or useable road surface); and
 - (b) Six (6) feet from the right of way line.
 - (5) No outside display shall interfere with required parking or maneuvering room for employees and customers, not with required loading areas, nor with firelanes to the building(s) nor with pedestrian ways or crosswalks, nor with safe sight distance for ingress and egress.
 - (6) Paving of display area shall meet minimum county road standards.
 - (7) Landscaping of a six foot strip around the periphery of the display area shall be maintained, except were a zero setback is permitted, such as on internal lot line adjacent to a commercial zone.
 - (8) Lighting of the display area shall be reduced (to the minimum necessary for security purposes) between hours of operation.
 - (9) No unscreened outside storage of parts, nor outside display or parking of vehicles or accessories not in operating and saleable condition shall take place on the premises (whether or not other outside display is taking place).
- p. Veterinary clinics and hospitals for the diagnosis, and treatment of household pets and other small animals (under 100 lbs.) entirely within an enclosed building not exceeding 3,000 square feet. Boarding of animals incidental to their diagnoses or treatment shall be permitted provided that:
- (1) The boarding area is entirely within the same building as the clinic or hospital and does not exceed 50% of the total floor area;
 - (2) The boarding area is either completely sound proofed or is no closer than 300 feet to any contiguous parcel of property.
 - (3) No on-site incineration shall be permitted.
- q. Pet shops within enclosed buildings not exceeding 1,500 square feet for the display and sale of household pets and other small animals (under 100 lbs.) provided that:
- (1) The pet shop is either completely sound proofed or is no closer than 300 feet to any contiguous parcel of residential property zoned or used for residential purposes.
 - (2) No on-site incineration shall be permitted.
- r. Signs (See Section 118)
3. YARD REQUIREMENTS: Same as for C1 District.
 - (UP) 4. HEIGHT OF BUILDINGS: See Section 108 – G – Density
 5. BUILDING DENSITY: See Section 108 – G – Density
- I. C3 DISTRICT Commercial and minor industrial)

1. DISTRICT STIPULATIONS: Supplementary or supplanting General Provisions (Section 108).

- a. The front 50 feet depth of a lot shall not be used for open-land storage of material or equipment, work yard or display (except display for sale or rental as may be granted under a use-permit); such open land storage or work areas on any other portion of the lot shall be secured by a solid wall, fence or hedge so as not to be visible from any higher ranking District (nor shall any materials or equipment extend higher than such screening).
- b. Where no Density District has been combined, then the provisions of the D1 District shall prevail for hotels and motels.
- c. Any use permitted subject to securing a use-permit indicated thus: (UP).

2. PERMITTED USES AND STRUCTURES

- a. All principle and accessory uses and structures permitted in any higher ranking District (except dwelling units and mobile home courts); and providing further that unless specifically provided to the contrary the following are waived:
 - (1) Requirements for use-permits (except for lots contiguous to Residential Districts).
 - (2) Area limitations for uses and buildings.
 - (3) Limitations on hours of operation.
 - (4) Confining of uses to closed (or partially closed) buildings.
- b. Sales facilities (retail and wholesale).
- c. Lumber yards (prohibiting milling and planing operations).
- d. Custom warehouses within closed building and not including animals (limited to 15,000 square feet of floor area).
- e. Craft shops and work, storage and equipment yards in connection therewith (limited to 15,000 square feet of floor area).
- (UP) f. Cemeteries for human or animal interment.
- g. Pet shops within closed building.
- h. Small animal hospitals for diagnosis, treatment or boarding (limited to 5,000 square feet of floor area entirely within a closed building).
 - (UP) (1) Outdoor runs, pens and cages and/or larger building (no less than 100 feet from any Residential District for such outdoor use), with special consideration to the neighborhood reaction to the use-permit application; type and number of day and night animal guests; whether to restrict to diagnosis and treatment, or to permit boarding; the extent of outdoor activity; total lot and use area; limitations on permit duration.
- i. Transportation terminal and transfer facilities within closed building (limited to 15,000 square feet. of floor area).
- j. Cleaning and dyeing plants within closed building (limited to 15,000 square feet of floor area).
- k. Body and fender shops within closed building.
- l. Commercial ballrooms, arenas, gymnasiums, rinks, pools and indoor shooting galleries.
- m. Public auction within closed building and not including livestock sales.
- n. Bottling plants confined to closed building (limited to 15,000 square feet of floor area).
- o. Custom tire recapping.
- p. Signs (See Section 118).

3. YARDS REQUIREMENTS: Same as for C1 and C2 Districts.

4. HEIGHT OF BUILDINGS: See Section 108 – G – Density
5. BUILDING DENSITY: See Section 108 – G – Density

J. PM DISTRICT (Performance industrial)

Intended to promote the development and operation of certain uses, such as, but not limited to, laboratories, light manufacturing and assembly, in such a restricted and limited manner that, because of the limitations on type of structures and uses, control on height and density, prohibitions against open land facilities, omission of such nuisances as fumes, odors, noise, glare and vibration, prohibition of general retail sales and service or other uses that cater to the general public, and the landscaping requirements, so as to protect and foster residential desirability adjacent to such industries. The prohibition of residential uses is intended to preserve the PM zoned land for the industrial development.

1. DISTRICT STIPULATIONS: Supplementary or supplanting General Provisions (Section 108).
 - a. Residential uses prohibited (including dwelling units, mobile home courts, motels, hotels and similar).
 - b. General retail sales and service or other uses that cater to the public, are prohibited.
 - c. All uses as provided herein confined to closed buildings (except parking, loading and unloading).
 - d. Space for parking shall always be kept available to provide no less than 2 square feet of land area for each square foot of building area.
 - e. All development must progress in accordance with a general layout, architectural and landscape plan to assure a development compatible with the intent of the District.
 - (1) Such layout shall provide a landscaped area 50 feet in depth adjacent to any street and may not contain any other uses or structures except for walks, drives, signs and lighting.
2. PERMITTED USES AND STRUCTURES: Provided such shall meet the intent and purpose of the District.
 - a. All principle and accessory uses and structures permitted in any higher ranking District (except those prohibited herein under the District Stipulations).
 - b. Manufacturing, machining, tooling, assembly, fabrication, processing, compounding, packaging, mixing, molding; equipping and decorating, glazing, repairing, servicing, cleaning, winding, printing and publishing, binding, weaving, knitting, sewing, baking, cooking, roasting, pickling, brewing, distilling, plating, polishing.
 - c. Warehouses.
 - d. Motion picture productions, radio and television studios.
 - e. In-plant restaurants as an appurtenant use, and including roof or landscaped patio dining facilities.
 - f. Signs (appurtenant) - similar to provisions of the C1 District for such signs.
3. LOT AREA AND DIMENSIONS
 - a. No lot shall be established smaller than 100 foot width, 300 foot depth and 70,000 square foot area, nor to exceed a depth of 650 feet unless it can be shown that a greater depth will not block projected streets or alleys.
4. YARDS REQUIREMENTS
 - a. 50 feet adjacent to any street or alley

- b. 50 feet adjacent to any Residential Zoned lot and 25 feet adjacent to any other lot.
- 5. BUILDING HEIGHTS: See Section 108 – G – Density
- 6. BUILDING DENSITY: See Section 108 – G – Density
- 7. BUILDING SPACING: See Section 108 – G – Density

K. M1 DISTRICT (Industrial: General limited)

Intended to provide the type of industrial facilities which, while not necessarily attractive in operational appearances, are installed and operated in a manner so as not to cause inconvenience to other uses in the District (or to adjacent Districts).

- 1. DISTRICT STIPULATIONS: Supplementary or supplanting General Provisions (Section 108).
 - a. Where uncertainty exists as to compliance with the intent of this District (in differentiating between the light and heavy character of the proposed use), the Board of Adjustments shall determine.
- 2. PERMITTED USES AND STRUCTURES:
 - a. All principle and accessory uses and structures permitted in any higher ranking District (except dwelling units, mobile home courts, hotels, motels, rooming and boarding houses and similar); and provided further that unless specifically provided to the contrary the following are waived:
 - (1) Requirements for use-permits (except for lots contiguous to Residential Districts).
 - (2) Area limitations for uses and buildings.
 - (3) Limitations on hours of operations.
 - (4) Confining uses to closed (or partially closed) buildings.
 - (5) Prohibitions against livestock and other animals.
 - b. Dispensing of gasoline and similar petroleum products from exposed storage tanks (subject to requirements of Underwriters Laboratories Inc. or similar), provided no such tank shall be located closer than 25 feet to the lot boundaries.
 - c. Manufacturing, machining, tooling, assembly, fabrication, welding, milling, molding, equipping, decorating, glazing, repairing, servicing, cleaning, winding, printing, publishing, pickling, brewing, distilling, salvage (but not wrecking), equipment, material and dead storage yards, plating and polishing, meat packing (no slaughtering except rabbits and poultry), animal treating, boarding, breeding and sales, warehousing (including elevators), freight yards, circuses and carnivals, race tracks, and stadiums.
 - d. Signs (See Section 118).
- 3. YARD REQUIREMENTS: Same as for Commercial Districts.
- 4. BUILDING HEIGHTS: See Section 108 – G – Density
- 5. BUILDING DENSITY: See Section 108 – G – Density .

L. M2 DISTRICT (Industrial: Heavy)

Intended for all types of industrial uses except hazards to health and property; with controls of air and stream pollution, radiation, fire and explosion dangers.

- 1. DISTRICT STIPULATIONS: Supplementary or supplanting General Provisions (Section 108)
 - a. Inspector must deny any proposed use or structure where uncertainty exists as to compliance with intent of the District; or where he finds such use will exhaust or emit air or stream pollutants, and may accept an application for a use-permit to operate in some modified manner.

2. **PERMITTED USES AND STRUCTURES:**
 - a. All principle and accessory uses and structures permitted in any higher ranking District (except dwelling units, mobile home courts, hotels, motels, rooming and boarding houses and similar); and provided further that, unless specifically provided to the contrary, the following are waived:
 - (1) Requirements for use-permits (except for lots contiguous to Residential Districts).
 - (2) Area limitations for uses and buildings.
 - (3) Limitations on hours of operation.
 - (4) Confining of uses to closed (or partially closed) buildings.
 - (5) Prohibitions against livestock and other animals.
 - b. All other legal uses except as may pollute the air or streams, or present latent radiation, explosion, or fire danger (except as may be permitted under a use-permit in a modified manner).
 3. **YARD REQUIREMENTS:** Same as for Commercial and MI Districts
 4. **BUILDING HEIGHTS:** See Section 108 – G – Density
 5. **BUILDING DENSITY:** See Section 108 – G – Density
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