



Support your local merchants

Agenda
Town of Camp Verde – Planning & Zoning Commission
Regular Session
473 S. Main Street, Suite 106
Thursday, November 3, 2022 at 6:30 P.M.

ZOOM MEETING LINK:

<https://us06web.zoom.us/j/92705481851?pwd=eFBLVXRscWJHdnJGL1ZXU111SIJLQT09>

One Tap Mobile: 1.669.900.9128 US (San Jose) **Meeting ID:** 927 0548 1851 **Passcode:** 5540054

Commission members may attend Planning & Zoning Commission meetings either in person, or by telephone, video or internet conferencing. All Commission meetings will end at 9 PM; therefore, any remaining agenda items will be heard at the next Commission meeting.

1. **Call to Order**
2. **Roll Call.** Chairman Andrew Faiella, Vice Chairman Todd Scantlebury, Greg Blue, Robert Foreman, William Tippett, Michael Hough, Ingrid Osses.
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 Minutes**
September 22, 2022, Executive Session (recorded and on file in clerk's office)
 - b. **Set Next Meeting, Date and Time:**
November 10, 2022, at 6:30 pm; Special Session
December 1, 2022, at 6:30 pm; Regular Session
December 8, 2022, at 6:30 pm; 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. **High View Site Plan Review:** Discussion, consideration, and possible recommendation to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona approving via Draft Resolution 2022-1097, three (3) final site plans for High View at Boulder Creek PAD (Planned Area Development). Each parcel is zoned C3-PAD (Commercial: Heavy Commercial – Planned Area Development). Site plans include Zane Grey Mini Storage on parcel 403-15-009B, Zane Grey RV and Boat Storage on parcel 403-15-009A, and Dead Horse RV Repair and Sales on parcel 403-15-009C.

7. **Public Hearing – Right to Farm Ordinance:** Discussion, consideration, and possible recommendation to the Mayor and Common Council for the Town of Camp Verde, Yavapai County, Arizona, to approve a Draft Right-To-Farm Ordinance 2022-A471 which will become section 313 – Right-To-Farm, of Part Three. General Regulations/Provisions of the Planning and Zoning Ordinance.
 - **Staff Comments**
 - **Public Hearing Open**
 - **Public Hearing Closed**
 - **Commission Discussion**

8. **Public Hearing – Minor Amendments:** Discussion, consideration, and possible recommendation to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, to approve amending the Town of Camp Verde Planning & Zoning Ordinance, with minor text amendments within Sections 203, 301, 502 and 601 via Draft Ordinance 2022-A472, related to accessory structures, setbacks for nonconforming parcels, fencing, land division and scrivener’s errors.
 - **Staff Comments**
 - **Public Hearing Open**
 - **Public Hearing Closed**
 - **Commission Discussion**

9. **Public Hearing – Interchange Overlay (IO) Zone:** Discussion, consideration, and possible recommendation to the Mayor and Common Council of the town of Camp Verde, Yavapai County, Arizona, to amend via Draft Resolution 2022-A470, Zoning Ordinance Section 203 – use districts to include a new overlay district. This district will provide flexibility in the areas of height, density, and intensity for an associated highway interchange location.
 - **Staff Comments**
 - **Public Hearing Open**
 - **Public Hearing Closed**
 - **Commission Discussion**

There Will Be No Public Input on the Following Items:

10. **Current Events**
(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.)

11. **Staff Comments**

12. **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.

Note: Pursuant to A.R.S.§38-431.03A.2 and A.3, the Planning & Zoning Commission may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter

listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item. The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bashas on

10/27/2022 (date) at 1:00PM (time) in accordance with the statement filed by the
Camp Verde Town Council with the Town Clerk
(signed), Cory L Mulcaire, Cory Mulcaire, Zoning Inspector,
(print name and title)



Support your local merchants

**Minutes
Town of Camp Verde – Planning & Zoning Commission
Special Executive Session
473 S. Main Street, Suite 106
Thursday, September 22, 2022 at 6:30 P.M.**

1. Call to Order:

Chairman Faiella called the meeting to order at 6:00PM.

2. Roll Call:

Commission Members William Tippet, Greg Blue, Mike Hough, Ingrid Osses, Vice Chairman Todd Scantlebury, Chairman Andrew Faiella. Commissioner Robert Foreman (excused absent through December 7, 2022).

Also Present:

Community Development Director John Knight, Town Attorney William Sims, and Town Clerk Pemberton.

3. Pledge of Allegiance:

Chairman Andrew Faiella led the Pledge of Allegiance.

4. Executive Session

Executive Session for purposes of consultation for legal advice with the Town Attorney related to the Arena del Loma property. The Commission may, by majority vote, recess the Regular meeting, hold an executive session and then reconvene the Regular meeting for discussion and possible action on this item as covered under A.R.S. §38- 431.03 (A)(3) and (A)(4).

On a motion by Commissioner Greg Blue, seconded by Vice Chairman Todd Scantlebury, Commission voted to go into Executive Session for purposes of consultation for legal advice with the Town Attorney related to the Arena del Loma property. The Commission may, by majority vote, recess the Regular meeting, hold an executive session and then reconvene the Regular meeting for discussion and possible action on this item as covered under A.R.S. §38- 431.03 (A)(3) and (A)(4).

Roll Call Vote:

Commissioner Blue: aye
Vice Chairman Scantlebury: aye
Chairman Faiella: aye
Commissioner Osses: aye
Commissioner Tippet: aye
Commissioner Hough: aye
Motion carries unanimously.

5. Adjournment

Without objection, Chairman Faiella adjourned the meeting at 6:29 p.m.

Chairman Andrew Faiella

Attest: Community Development
Director, John Knight

Certification

I hereby certify that the foregoing minutes are a true and accurate accounting of actions of the Planning and Zoning Commission of the Town of Camp Verde during the Special Session of the Planning and Zoning Commission of the Town of Camp Verde, Arizona, held on June 9, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this _____ day of _____, 2022.

Cindy Pemberton, Town Clerk



Agenda Report Form – Section I

Meeting Date: Planning and Zoning Commission; Thursday, November 03, 2022

- Consent Agenda
- Decision Agenda
- Executive Session Requested
- Presentation Only
- Action/Presentation
- Work Session

Requesting Department: Community Development

Staff Resource/Contact Person: Cory Mulcaire, Community Development Director

Agenda Title: Discussion, Consideration, and Possible Recommendation to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving via Draft Resolution 2022-1097, three (3) final site plans for High View at Boulder Creek PAD (Planned Area Development). Each parcel is zoned C3-PAD (Commercial: Heavy Commercial – Planned Area Development). Site plans include Zane Grey Mini Storage located on parcel 403-15-009B, Zane Grey RV and Boat Storage on parcel 403-15-009A, and Dead Horse RV Repair and Sales on parcel 403-15-009C.

Staff Resource: Cory Mulcaire

List Attached Documents:

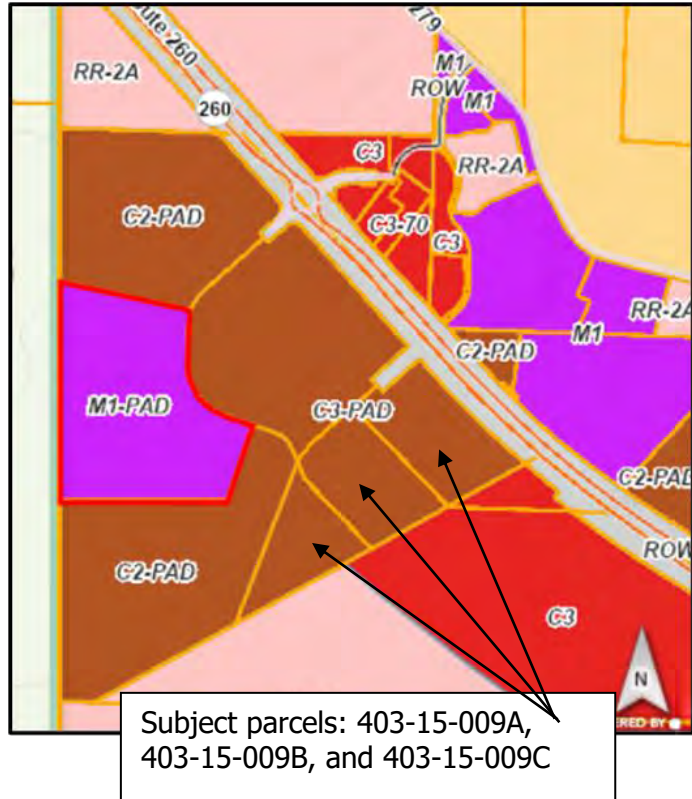
- DRAFT Resolution 2022-1097 [\[High View - pg 7\]](#)
- A. Ordinance 2019-A445, Original PAD [\[High View - pg 9\]](#)
- B. Ordinance 2021-A461, Amended PAD [\[High View - pg 12\]](#)
- C. Resolutions 2015-939 and 2015-943, Mining Use Permit [\[High View - pg 15\]](#)
- D. Resolution 2022-1095, October 2022 Reclamation Plan [\[High View - pg 21\]](#)
- E. High View Mining Use Permit Extraction Sites [\[High View - pg 26\]](#)
- F. October 2022, Updated Master Site Plan of entire PAD [\[High View - pg 28\]](#)
- G. Zane Grey RV and Boat Storage Site Plan [\[High View - pg 30\]](#)
- H. Zane Grey Mini Storage Site Plan [\[High View - pg 34\]](#)
- I. Dead Horse RV Repair and Sales Site Plan [\[High View - pg 38\]](#)
- J. C3 Zoning Criteria [\[High View - pg 42\]](#)
- K. PAD (Planned Area Development) PAD [\[High View - pg 47\]](#)
- L. GIS Data [\[High View - pg 50\]](#)
- M. Zoning Map [\[High View - pg 54\]](#)

Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 10 minutes

Request Summary: Applicant requests review and recommendation to the Mayor and Common Council for Final Site Plan approval of three (3) projects which are a part of High View at Boulder Creek Planned Area Development (PAD).

1. Zane Grey RV and Boat Storage is located on a 12-acre parcel 403-15-009A. The development includes 469 RV parking spaces and a 1443 square foot office building.
2. Zane Grey Mini Storage is located on parcel 403-15-009B which is 9.69 acres. Development consists of 90 10'x20' storage units and 124 10'x30' storage units.
3. Dead Horse RV Service and Sales is located on parcel 403-15-009C, which is 6.92 acres. Development includes a 7 bay, 20,000 square foot shop and outdoor RV sales area.



Background Information: High View at Boulder Creek, approximately 185 acres, was conditionally approved as a C2-PAD Master Planned Community via Ordinance 2019-A445 in May of 2019 (attachment A).

In March of 2021, this PAD was amended via Ordinance 2021-A461, from C2-PAD to be a mixed zone PAD which now includes:

- (1) M1 parcel; 403-15-003W
- (4) C3 parcels; 403-15-009A, 403-15-009B, 403-15-009C, and 403-15-003U
- (2) C2 parcels; 403-15-003X and 403-15-003V

See GIS-Zoning image above for current zoning configuration of this PAD.

Both ordinance approvals for this PAD were based upon conceptual site plans and require final site plan recommendations from the Planning and Zoning Commission and approval by the Town Council. Ordinance 2021-A461 (attachment B) specifically states:

“All future developments within the Planned Area Development will require the approval by the Town Council of a Final Site Plan to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council as required by the Town of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations Section 203 L.2 PAD (Planned Area Development), Scope, and Site Plan requirements, Section 400 D.1 Submittals, prior to issuance of any building permits.”

All three (3) of these projects have been through the predevelopment review process, Development Review Standards. One of the projects, Zane Grey RV and Boat Storage, is already under construction. See discussion detail below for additional information on this project.

The other two (2) projects meet all C3 zoning criteria and are approved to proceed with submittal of building permits if/when final site plans are approved by Town Council and upon completed mining reclamation.**

**Note: In addition to the PAD, this area is also under an active Mining Use Permit with the Town, which is currently in the reclamation phase (Resolutions 2015-939 and 2015-943, attachment C). An updated reclamation plan was approved by Council on October 19, 2022 (Resolution 2022-1095, October 2022 Reclamation Plan, attachment D) which will allow fully reclaimed areas, meeting all approval conditions, to be administratively released for development by the Community Development Director. Once each of the specified areas meet reclamation approval and is released from the Mining Use Permit, then building permits will be accepted for these projects. See attachment E for the map of mining extraction sites.

See table below for a brief history for both of these projects as well as attachment F for the current updated master site plan for this PAD.

Brief Overview History of both projects:

Mining Use Permit	High View at Boulder Creek PAD
<ul style="list-style-type: none"> Application for mining use permit, January 2015 	<ul style="list-style-type: none"> Application for Zoning Map Change from RR-2A & C3 to a C2-PAD, March 2019
<ul style="list-style-type: none"> Resolution 2015-939 – Original Mining Use Permit, Signed May 5, 2015 	<ul style="list-style-type: none"> Ordinance 2019-A445 rezone to C2-PAD, Signed May 23, 2019
<ul style="list-style-type: none"> Resolution 2015-943 Approval of ownership transfer from Aultman Land & Cattle LLC to High View LLC, Signed May 7, 2015 	<ul style="list-style-type: none"> Application to amend C2-PAD for some of the PAD parcels to C3-PAD and M1-PAD, November 2020
<ul style="list-style-type: none"> Notice of Implementation, Signed May 3rd, 2016. 	<ul style="list-style-type: none"> Ordinance 2021-A461, Signed March 17, 2021
<ul style="list-style-type: none"> Annual Renewals by Town Council, 2017-2022 	<ul style="list-style-type: none"> Application to amend PAD to include an additional M1-PAD; September 2021
<ul style="list-style-type: none"> Notice cessation of mining excavation, Received April 21, 2022 	<ul style="list-style-type: none"> P & Z Public Hearing for 2nd Amendment to add an additional M1 parcel to PAD; declined to recommend amendment to Town Council, October 2021. (Note: Applicant withdrew his request for this additional M1 parcel, October 2022 .)
<ul style="list-style-type: none"> Approval of updated 2022 Reclamation Plan, October 19, 2022 	<ul style="list-style-type: none"> Request for Final Site Plan approval from P&Z for 3 projects, November 3, 2022

Discussion Detail:

1. Zane Grey RV and Boat Storage (Site Plan attachment G), now parcel 403-15-009A, 12.39 acres (at the time it was parcel 403-15-003S), went through the Development Standards Review process in August of 2020. All proposed development meets C3 zoning criteria and was recommended for building permits by the Planning and Zoning staff.

This project was approved for 469 RV/Boat Storage spaces, along with a 1443 square foot office building.

In March of 2022 a grading permit was granted for this project and in August of 2022 the building permit for the office was issued.

Grading and building permit applications were accepted and granted for this project in 2020 and 2021 under the direction of previous Community Development Director, Melinda Lee. However, final site plan approval never occurred for this project, therefore, staff are requesting retroactive recommendation and approval of this Site Plan. By approving the final site plan as part of this process, this will address the procedural problem.

There was and still is an active Mine Use Permit on this parcel when grading and building permits were granted for this project. However, because there were no extraction sites on this parcel, then Community Development Director, Ms. Lee permitted the above grading and building permits prior to release of this parcel from the Mining Use Permit.

NOTE: No further grading or building permits will be allowed on this or any other parcels of this PAD until reclamation requirements have been met and approved under the 2022 Reclamation Plan.

2. Zane Grey Mini Storage (Site Plan attachment H) is a 9.69-acre development located on parcel 403-15-009B. The mini storage consists of 224 units: 90 10'x20' units and 134 10'x30' units.

The applicant requested concurrent review of the Final Site Plan while they proceeded at their own risk through Development Standards Review. Application for Development Standards Review was received in May of 2022 and approved in September of 2022. The mini storage was designed and will be built to C3 zoning criteria.

This project is ready to move into the building permit stage. There is no mine extraction sites on this parcel. However, no further development will be permitted until reclamation requirements have been met under the 2022 Reclamation Plan.

3. Dead Horse RV Service and Sales (Site Plan attachment I) is a 6.92-acre parcel, 403-19-009C. The development consists of a 20,000 square foot, seven (7) bay service center.

The applicant requested concurrent review of the Final Site Plan while they proceeded at their own risk through Development Standards Review. Application for Development Standards Review was received in May of 2022. Review and approval of the Development Standards Review was completed in October of 2022. The RV service center was designed and will be built to C3 zoning criteria.

This project is ready to move into the building permit stage. However, there is a mine extraction site on this parcel, so building or grading permits will not be released until reclamation requirements have been met and approved in accordance with the 2022 Reclamation Plan.

Future Development of the PAD: The applicant acknowledges the request to approve these Site Plan(s) are only for a portion of the entire PAD. See Attachment F for the current Master Site Plan for the PAD and which shows the planned future development.

As seen on the October 2022 Updated Site Plan, there are several other projects in development for this PAD, however, they are not yet at the same stage of readiness as these three (3) projects. The applicant will submit updated Site Plans for review and approval of these future projects in the coming months.

Additionally, it is likely the applicant will also be submitting for a Major PAD Amendment in the next few weeks or months in order to restore a large residential component to this PAD. (Single family residences were a large component of the original 2019 PAD, but were significantly reduced in the 2021 PAD Amendment).

Note: In October 2021, the Planning and Zoning Commission held a public hearing for an application for a Zoning Map change regarding a different parcel within this PAD; parcel 403-15-003X. September 2021, Jeremy Bach submitted an application for an amendment to this PAD, requesting a Zoning Map Change from C2-PAD to M1-PAD for parcel 403-15-003X. This Commission held a public hearing on October 7th of 2021 where the Commission declined to recommend this requested Zoning Map Change to the Mayor and Common Council. Mr. Bach formally requested this application be withdrawn on October 19th, 2022.

Staff Recommendation: Staff recommend approval of these three (3) site plans. They meet all the required zoning criteria for C3-PAD, as well as existing ordinances.

Recommended Action (Motion): Motion to recommend to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving via Draft Resolution 2022-1097, three (3) final site plans for High View at Boulder Creek PAD (Planned Area Development). Each parcel is zoned C3-PAD (Commercial: Heavy Commercial – Planned Area Development). Site plans include Zane Grey Mini Storage located on parcel 403-15-009B, Zane Grey RV and Boat Storage on parcel 403-15-009A, and Dead Horse RV Repair and Sales on parcel 403-15-009C.



RESOLUTION 2022-1097

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA APPROVING THREE (3) FINAL SITE PLANS FOR HIGH VIEW AT BOULDER CREEK PAD (PLANNED AREA DEVELOPMENT). EACH PARCEL IS ZONED C3-PAD (COMMERCIAL: HEAVY COMMERCIAL – PLANNED AREA DEVELOPMENT). SITE PLANS INCLUDE ZANE GREY MINI STORAGE ON PARCEL 403-15-009B, ZANE GREY RV AND BOAT STORAGE ON PARCEL 403-15-009A, AND DEAD HORSE RV REPAIR AND SALES ON PARCEL 403-15-009C.

WHEREAS the property is zoned C3-PAD with Ordinance No. 2021-A445, by Zane Grey Investments II, to allow a broader range of land uses;

WHEREAS the PAD designation requires approval of a Final Site Plan for each phase by the Town Council prior to issuing building permits; and

WHEREAS, the applicant, Jeremy Bach, has applied for Final Site Plan approval, on behalf of the owner, Zane Grey Investments II; and

WHEREAS, the request includes individual Site Plans for Zane Grey Mini Storage, Zane Grey RV and Boat Storage, and Dead Horse RV Repair and Sales; and

WHEREAS, on Thursday November 03, 2022, the Planning and Zoning Commission reviewed the Final Site Plan and by a vote of [XXXXXXXXXX] recommend approval to the Town Council.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby find as follows:

- A. The property was rezoned to C3-PAD with Ordinance No. 2021-A461.**
- B. The Planning and Zoning Commission reviewed this request on November 03, 2022, and recommended approval of the Final Site Plan for this phase of the High View at Boulder Creek Development.**
- C. The proposed Final Site Plan includes approval of the Zane Grey Mini Storage, Zane Grey RV and Boat Storage, and Dead Horse RV Repair and Sales.**
- D. The proposed Final Site Plans will not constitute a threat to the health, safety, welfare, or convenience to the public and should be approved.**
- E. The proposed Final Site Plans are in conformity with the Town of Camp Verde General Plan and are hereby approved.**

**RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE,
YAVAPAI COUNTY, ARIZONA ON DECEMBER XX 2022.**

Dee Jenkins - Mayor

Date: _____

Approved as to form:

Attest: _____
Cindy Pemberton, Town Clerk

Bill Sims - Town Attorney

DRAFT

ATTACHMENT A



ORDINANCE 2019 A445

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA FOR A ZONING MAP CHANGE FROM RR-2A (RURAL RESIDENTIAL, 2-ACRE MINIMUM LOT SIZE) AND C3 (COMMERCIAL: HEAVY COMMERCIAL) TO A PLANNED AREA DEVELOPMENT (PAD) WITH C2 (COMMERCIAL: GENERAL SALES & SERVICE) ZONING FOR A PROPOSED MIXED-USE MASTER PLANNED COMMUNITY. THE PROPERTY IS APPROXIMATELY 185 ACRES, LOCATED ON THE SOUTH SIDE OF STATE ROUTE 260 AT AULTMAN PARKWAY, APN 403-15-007B, 403-15-003Q, AND 403-15-003R, IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, Part 6, Section 600(C)(1) of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning boundaries by the Town Council of the Zoning Map of Camp Verde under the Planning & Zoning Ordinance, and

WHEREAS, the Mayor and Council find that the requested re-zoning will be beneficial to the community and is in conformity with the Camp Verde General Plan, and

WHEREAS, the Mayor and Council find that the procedures required by ARS §9-462.03 and 9-462.04 have been complied with in connection with this zoning action, and

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

Section 1. The Town Council hereby finds as follows:

- A. A request for Zoning Map Change 2019-A445 was filed by Dugan McDonald, property owner, to rezone the subject parcels from RR-2A (Rural Residential, 2-Acre Minimum Lot SIZE) AND C3 (Commercial: Heavy Commercial) to a Planned Area Development (PAD) with C2 (Commercial: General Sales & Service) zoning for a proposed mixed-use Master Planned Community FOR the following described real property: The legal description is attached as exhibit "A". The above described parcel contains an area of approximately 185 acres.

- B. The Planning & Zoning Commission reviewed the request on May 2, 2019 in a public hearing that was advertised and posted according to state law and recommended approval of Zoning Map Change 2019-0065.
- C. The proposed Zoning Map Change Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- D. The Waiver of Diminution of Value Claim has been signed by the property owners and is attached as exhibit "B".

Section 2. That this ordinance be hereby expressly conditioned as follows:

- 1. Approval by the Town Council of a Final Development Site Plan to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council as required by the Town of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations Section 203 L.2. PAD (Planned Area Development), Scope, Site Plan requirements, Section 400 D.1. prior to issuance of any building permits;

In the event of non-compliance with any of the above conditions, the zoning designation for the described properties may revert from C2-PAD (Commercial: General Commercial/Planned Area Development) back to the original designation of RR-2A (Rural Residential, 2-Acre Minimum Lot SIZE) AND C3 (Commercial: Heavy Commercial) in accordance with the procedures set forth in ARS §9-462.01(E).

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and 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 22ND DAY OF MAY, 2019.


 Charles German - Mayor

Date: May 23, 2019

Approved as to form:

 Bill Sims - Town Attorney

Attest: 
 Judith Morgan, Town Clerk

ATTACHMENT B



ORDINANCE 2021 A461

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, FOR AN APPLICATION SUBMITTED BY HIGH VIEW, LLC, FOR A MAJOR AMENDMENT TO THE ZONING DISTRICTS FOR AN EXISTING C2-PAD (COMMERCIAL: GENERAL SALES AND SERVICE, PLANNED AREA DEVELOPMENT), FOR THE BOULDER CREEK MASTER PLAN. THE REQUEST IS TO INCLUDE C3 (COMMERCIAL: HEAVY COMMERCIAL) AND M1 (INDUSTRIAL: GENERAL) DISTRICTS WITHIN THE MASTER PLAN TO ALLOW FOR A BROADER RANGE OF LAND USES. THE PROPERTY IS LOCATED ON PARCELS 403-15-003T, 403-15-003U, 403-15-003V, 403-15-003W, AND 403-15-003X (FORMERLY 403-15-003S), IN CAMP VERDE, YAVAPAI COUNTY, ARIZONA.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, Part 6, Section 600(C)(1) of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning boundaries by the Town Council of the Zoning Map of Camp Verde under the Planning & Zoning Ordinance, and

WHEREAS, the Mayor and Council find that the requested re-zoning will be beneficial to the community and is in conformity with the Camp Verde General Plan, and

WHEREAS, the Mayor and Council find that the procedures required by ARS §9-462.03 and 9-462.04 have been complied with in connection with this zoning action, and

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

Section 1. The Town Council hereby finds as follows:

- A. A request for a Major Amendment to an existing C2-PAD was filed by Dugan McDonald, property owner, to include C3 (Commercial: Heavy Commercial) and M1 (Industrial: General) to a Planned Area Development (PAD) with C2 (Commercial: General Sales & Service) zoning to allow a broader range of land uses within the Boulder Creek Master Planned Community.
- B. The new land uses, zoning designations, and land survey are attached as Exhibit "A".
- C. The Planning & Zoning Commission reviewed the request on January 14, 2021, in a public hearing that was advertised and posted according to state law, and recommended approval of the application.

- C. The proposed Major Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
- D. The Waiver of Diminution of Value Claim has been signed by the property owner and is attached as Exhibit "B".

Section 2. That this ordinance be hereby expressly conditioned as follows:

- 1. All future developments within this Planned Area Development will require the approval by the Town Council of a Final Site Plan to be reviewed by the Planning and Zoning Commission, and approved by the Town of Camp Verde Town Council as required by the Town of Camp Verde Planning and Zoning Ordinance and Subdivision Regulations Section 203 L.2 PAD (Planned Area Development), Scope, and Site Plan requirements, Section 400 D.1 Submittals, prior to issuance of any building permits;

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30-day period following the adoption hereof and completion of publication and any posting as required by law.

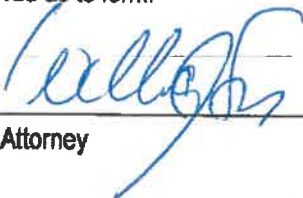
PASSED AND APPROVED BY A MAJORITY VOTE OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON THIS 3RD DAY OF FEBRUARY, 2021.



Dee Jenkins, Mayor

Date: March 17, 2021

Approved as to form:



Town Attorney

Attest: 

Cindy Remberton, Town Clerk

ATTACHMENT C



RESOLUTION 2015-939

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE (“TOWN”), ARIZONA, YAVAPAI COUNTY, ON USE PERMIT 20150033, AN APPLICATION SUBMITTED BY JOE LINK – AGENT FOR OWNER AULTMAN LAND & CATTLE III & IV, LLC OF A PORTION OF PARCEL 403-15-002Y, AND A PORTION OF 403-15-003C. THE USE PERMIT WILL ALLOW AN OPERATION THAT WILL MINE, QUARRY AND EXTRACT NATURAL RESOURCES FROM THE PROPERTY WHICH WILL BE A TOTAL OF 195.33 ACRES. THE PROPERTY IS LOCATED ON STATE ROUTE 260 AT MILEPOST 214.27 ON PARCELS 403-15-002Y & 403-15-003C.

The Common Council and the Town of Camp Verde hereby resolves as follows:

1. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 20150033 was filed by Mr. Joe Link - Agent for Altman Land & Cattle III & IV, LLC owner of parcels 403-15-002Y & 403-15-003C (“Property”), located on State Route 260 at milepost 214.27.
 - B. Per Article 9-4-3, Item 1 of the Town of Camp Verde Town Code: **The establishment or expansion of mining or quarrying operations may occur in any zoning district if the Council approves a Conditional Use Permit.**
 - C. The request was reviewed by the Planning and Zoning Commission on April 2, 2015 and by the Common Council on April 22, 2015 in public hearings that were advertised and posted according to state law.
 - D. A neighborhood meeting was held on March 2, 2015 by the Owner as required by the Town of Camp Verde Planning & Zoning Ordinance, Part 6, Section 601 (Zoning Decisions) A.3.a-e. This meeting also met the requirements of Part Eight, Section 806.1.h of the Town of Camp Verde Planning & Zoning Ordinance.
 - E. The purpose of the Use Permit is to allow for commercial or industrial operations involving extraction, removal, processing, quarrying or transportation of natural resources and related products, and the storage, stockpiling, distribution and sale thereof from the site where such resources were derived. Such operations include the extraction, removal and the delivery of the product off-site, of natural resources for monetary gain, regardless of the size of the site or the volume of extraction.
 - F. This Use Permit is not an approval by the Town of any use or activity that is prohibited by any other governmental agency or private covenant.
 - G. The purpose of the use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved and the Council hereby finds that the uses covered by the Use Permit and the manner of its conduct will not be detrimental to persons residing or working in the vicinity, to

adjacent property, to the neighborhood or to the public welfare generally and the uses shall be in conformity to the conditions, requirements and standards of the Town Code.

The Common Council of the Town of Camp Verde hereby resolves as follows:

(Conditions of Approval)

1. A bond is to be posted in the amount of reclamation as estimated by an Arizona Registered Civil Engineer and that this bond is to remain in effect until such time that the Town releases the bond. The bond shall remain effective until after the completion of all reclamation required pursuant to the Excavation & Reclamation Plan pursuant to Section 5 of this Use Permit. Also the Town needs to be listed as the single beneficiary of the bond or as determined by the Town Attorney.

2. The Use Permit may not be implemented until all required permits and approvals are obtained from all applicable county, state and federal agencies. A time frame of one year shall be allowed the Applicant to obtain all permits and approvals before implementation. If prior to the anniversary date of the issuance of this Use Permit all such permits and approvals have not been obtained, the Applicant shall resubmit the Use Permit to Council review and approval per Section 9-4-5, Item A (Subsequent Review and Expirations of Permits), which review and approval is subject to the sole discretion of the Town Council.

3. Once all other agency permits have been submitted to the satisfaction of staff, a final Engineer's Cost Estimate of the total restoration of the site per an updated Excavation and Reclamation Plan will be required and reviewed by staff and once an administrative approval has been reached by the Town Engineer, Community Development Director and the Town Attorney a Notice to Implement the Use Permit shall be issued to the Applicant and the Applicant can begin mining operations. Per Section 9-4-4, Item B (Implementation of Use Permit) of the Town Code.

4. The term of this Use Permit shall be year to year, with the total number of years capped at ten (10), such that the Use Permit expires on the tenth (10th) anniversary date of the Notice to Implement the Use Permit. On or about each anniversary date of the Notice to Implement the Use Permit the Use Permit shall be reviewed by Council to determine compliance with all federal, state, county, Town and other local laws (collectively, "Laws and Regulations"). If during the twelve month period prior to such review the Applicant's use of the Property pursuant to this Use Permit has violated any Laws and Regulations, the Town Council may revoke the Use Permit as allowed pursuant to Town Code Section 9-4-5.B. This annual review shall occur on each anniversary date of the Notice to Implement the Use Permit until the ninth (9th) anniversary date. On the tenth (10th) anniversary date of the Notice to Implement the Use Permit the Use Permit will expire (the "Use Permit Expiration Date"). If the Applicant wishes to renew the Use Permit and not have any interruption with the mining process, the Applicant must submit an application for a new Use Permit at least 8 months prior to the Use Permit Expiration Date. There is no guaranty that any subsequent Use Permit will be approved by Council and will be decided upon the prior years of operation and adherence to the conditions for the approval of the Use Permit or any new impacts to the surrounding properties.

2.

5. At the time that the Use Permit holder deems that all mining will cease, due to the depletion of aggregate resources, the permit holder will submit to the Town of Camp Verde Community Development Department a notice advising of the projected date of cessation of all mining. Reclamation of the area subject to this Use Permit must be completed within one year from the notice advising the Town of cessation of all mining or the Town will withdraw the provided assurances and complete the reclamation per the currently staff approved "Excavation & Reclamation Plan".

6. For all access points from Highway 260 into the mining area, as defined on the approved Site Plan and the Excavation & Reclamation Plan for the Use Permit, the Use Permit holder shall install a vehicle turn around culdesac having a minimum of a 50 feet radius. The culdesacs shall be situated at the access security gates on the Highway 260 side. These security gates are to have a Knox box for emergency responders and are to be located inside the mining property so that proper grading can be accomplished.


7. Per Section 9-4-4 (General Regulations) Item A.2 (SETBACKS) of the Town Code: "The setback requirements of mining or quarrying operations will be a maximum of 300 feet from the property line. However, Council will regulate the setback requirement on a case-by-case basis as determined by, but not limited to, topography and adjacent land uses." Therefore, the setbacks will stand as shown and approved on the EXCAVATION AND RECLAMATION PLAN as approved with Use Permit 20150033 by a Majority Vote of the Common Council on April 22, 2015. The setbacks for mining areas that may lie within the proposed additional right of way needed by ADOT for the State Route 260 Highway widening project shall be adjusted so that a minimum setback of 20 feet from the additional ADOT right of way is established.

The Common Council of the Town of Camp Verde hereby approves Use Permit 20150033 for the purpose of Mining on Parcel 403-15-002Y and a portion of parcel 403-15-003C in the specified location as shown on the submitted site plan and per the conditions of approval listed above under items 1-7 of this Resolution.

PASSED AND ADOPTED BY MAJORITY VOTE OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON April 22, 2015 WHICH DATE WILL BE KNOWN AS THE USE PERMIT ISSUANCE DATE.


Charles German – Mayor

5-5-2015
Date

APPROVED AS TO FORM:

Bill Sims – Town Attorney

Attest: 
Virginia Jones, Town Clerk



RESOLUTION 2015-943

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE ("TOWN"), ARIZONA, YAVAPAI COUNTY, APPROVING THE TRANSFER OF MINING USE PERMIT 20150033, FROM THE PREVIOUS PROPERTY OWNER, AULTMAN LAND & CATTLE #III, LLC & AULTMAN LAND & CATTLE #IV, LLC, OF A PORTION OF PARCEL 403-15-002Y, AND A PORTION OF PARCEL 403-15-003C (USE PERMIT PROPERTIES) TO HIGH VIEW LLC, THE NEW PROPERTY OWNER AS PERMITTED BY TOWN CODE SECTION 9-4-3.B. THIS USE PERMIT TRANSFER WAS REQUESTED IN WRITING ON MAY 1st, 2015 BY BRYAN C. CROLL, MANAGER OF HIGH VIEW, LLC. THE SUBJECT USE PERMIT PROPERTY (195.33 ACRES) WAS TRANSFERRED BY SPECIAL WARRANTY DEED FROM AULTMAN LAND & CATTLE #III, LLC AND AULTMAN LAND & CATTLE #IV, LLC TO HIGH VIEW, LLC ON APRIL 30th, 2015 AS CONFIRMED BY A COPY OF AN ELECTRONICLY RECORDED SPECIAL WARRANTY DEED AS PROVIDED BY THE REQUESTOR. ALSO, THE LETTER REQUESTING THIS TRANSFER OF THE MINING USE PERMIT AND A LETTER FROM THE PREVIOUS OWNER TO THE TOWN DATED APRIL 29th, 2015 CONFIRMED THAT THE NEW OWNER ACCEPTS THE TRANSFER WITH NO CHANGE IN THE USE OR WITH ANY OF THE CONDITIONS OF APPROVAL OF THE USE PERMIT. THE USE PERMIT PROPERTIES ARE LOCATED ON STATE ROUTE 260 AT MILEPOST 214.27 ON PARCELS 403-15-002Y & 403-15-003C.

The Common Council and the Town of Camp Verde hereby resolves as follows:

1. The Common Council hereby finds as follows:
 - A. A written request for Council Approval of a TRANSFER of Use Permit 20150033 from Aultman Land & Cattle III & IV, LLC (previous owners) of parcels 403-15-002Y & 403-15-003C ("Property"), to High View, LLC (new owners) was issued to the TOWN in writing by Bryan C. Croll, manager of the High View, LLC on May 1st, 2015.
 - B. Per Section 9-4-3, Item B.3 "A permit is non-transferable without Council approval.
 - C. With the submittal of a letter from the previous owner and the current owner dated April 29th, 2015 and May 1st, 2015 respectively, it was acknowledged that with the Town Council approval, the transfer of the Use Permit from the previous to the new owner would occur with no change in the use or with any of the Conditions of Approval.

1.

The Common Council of the Town of Camp Verde hereby resolves as follows:


The Common Council of the Town of Camp Verde hereby approves the transfer of Use Permit 20150033 to High View, LLC (Bryan C. Croll, Manager) for the purpose of Mining on a portion of Parcel 403-15-002Y and a portion of parcel 403-15-003C in the specified location as shown on the submitted approved site plan and legal description for the Use Permit and per the Conditions of Approval listed in Resolution 2015-939 under items 1-7 as approved by the Council on April 22, 2015.

PASSED AND ADOPTED BY MAJORITY VOTE OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON May 08, 2015. WHICH DATE WILL BE KNOWN AS THE USE PERMIT ISSUANCE DATE.


Charles German – Mayor

5.7.2015
Date

APPROVED AS TO FORM:


Bill Sims – Town Attorney

Attest: 
Virginia Jones, Town Clerk

2.

ATTACHMENT D



RESOLUTION 2022-1095

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE ("TOWN"), ARIZONA, YAVAPAI COUNTY, APPROVING AND AUTHORIZING AN UPDATED 2022 RECLAMATION PLAN WHICH WILL SUPERSEDE THE RECLAMATION PLAN REFERENCED IN RESOLUTION 2015-939 FOR THE HIGH VIEW LLC MINING USE PERMIT, LOCATED ON 195.33 ACRES LOCATED ALONG THE SOUTH SIDE OF STATE ROUTE 260 IN THE AREA OF MILE POST 214-215, NEAR AULTMAN PARKWAY, APNS 403-15-009C, 403-15-009A, 403-15-009B, 403-15-003X, 403-15-003W, 403-15-003V AND 403-15-003U.

WHEREAS, The Mayor and Common Council of the Town of Camp Verde approved a Mining Use Permit for the area commonly known as High View at Boulder Creek, originally on parcel 403-15-002Y and a portion of parcel 403-15-003C for Aultman Land & Cattle III & IV, LLC on April 22, 2015, Resolution 2015-939; and

WHEREAS, The Mayor and Common Council of the Town of Camp Verde approved a transfer of ownership from Aultman Land & Cattle III & IV, LLC to High View LLC on May 8, 2015 via Resolution 2015-943; and

WHEREAS, the original parcel numbers for this Mining Use Permit have changed over the past seven (7) years and this Mining Use Permit is currently comprised of parcels 403-15-003V, 403-15-003W, 403-15-003U, 403-15-003X, 403-15-009B, 403-009A, 403-15-009C; and

WHEREAS, the originally approved reclamation plan is not advantageous to transition from reclamation directly to development; and

WHEREAS, a new, and updated reclamation plan may be accomplished in phases, then upon approval by Town Engineer, Building Official and Community Development Director then portions may be released; and

WHEREAS, staff from the Public Works and Community Development Departments recommend this new and updated 2022 Reclamation Plan be approved by the Mayor and Common Council.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County Arizona do resolve to approve the 2022 Reclamation Plan to update the

2015-2016 Reclamation Plan for the High View Mining Use Permit, that was approved by Resolutions 2015-939 and 2015-943. This 2022 Reclamation Plan is comprised of the following nine (9) conditions and requirements:

1. Interim approval for continued reclamation work on the High View Mining Use Permit area, under the originally approved reclamation plan, is hereby authorized and may continue for 30 days from the approval and signing of this Resolution 2022-1095 with the following two specified conditions during the interim approval period:
 - a. No cutting or grading may occur below the plane of State Route 260 and
 - b. No fill or work may be done in the natural drainages of the site.
2. Final and full approval of the Mass Grading Plan, Permit 2022-0381, by the Town Engineer and the release of the Mass Grading Permit by the Town's Building Official, is required before the implementation of this new, 2022 Reclamation Plan may proceed.
3. The Mass Grading Plan, Permit 2022-0381, with the issuance of the signed Grading Permit, will become the contouring and surfacing portion of the new, 2022 Reclamation Plan.
4. If final approval of the Mass Grading Plan is not achieved within 30 days of the approval and signing of this new 2022 Reclamation Plan, then all reclamation activities under the interim approval, condition # 1 above, must cease until final approval of the Mass Grading Plan, Permit 2022-0381, and issuance of the Grading Permit is achieved.
5. The proposed phased implementation plan (Exhibit A) is accepted and authorized to become part of the new 2022 Reclamation Plan. Modifications to this sequence and/or final boundaries of this phased implementation plan may be administratively modified with the approval of the Town Engineer, Town Building Official and Community Development Director.
6. The Storm Water Pollution Prevention Plan (SWPPP) from the original 2015-2016 Reclamation Plan (Exhibit B) is still in force, shall continue to be implemented, and become a part of the new 2022 Reclamation Plan.

7. All requirements of the *High View Material Source, Supplemental Final Reclamation & Post Mining Land Use, signed April 13, 2016*, shall remain in effect and become part of the 2022 Reclamation Plan and are detailed below; provided, however, that the contouring and surfacing portions of the *High View Material Source, Supplemental Final Reclamation & Post Mining Land Use, signed April 13, 2016* shall be replaced by the contouring and surfacing portions of the Mass Grading Plan.
- a. Overburden materials will be placed in the extraction site areas and compacted in lifts under the supervision of an Arizona registered and certified geotechnical engineering company.
 - b. Certification of the reclaimed areas will be required to show compaction tests results and locations and be certified by a Civil Engineer registered in the State of Arizona. These test results are required to be georeferenced and submitted with a map showing the locations of the test results.
 - c. As-built plans will be completed and submitted upon conclusion of reclamation of each phase which shows location and depth of compaction testing to verify an appropriate amount of testing has been completed to achieve usable and safe land which is certified as buildable by a Civil Engineer registered in the State of Arizona.
 - d. Dust control will adhere to the Town of Camp Verde Ordinance and the provision of the ADEQ general requirements. See previously approved 2015-2016 SWPPP report manual (incorporated by reference) for additional requirements.
 - e. Erosion control will adhere to the ADEQ Storm Water Pollution Prevention Plans and ADEQ Notice of Intent (NOI) Permit.
 - f. Native vegetation to the property, as listed in the biological evaluation, will be used to re-establish vegetation to the site on any lands within 2 years of reclamation, unless the specific area or land is part of an approved development plan which is initiated and completed within the next 2 years.
8. Any proposed modifications to the *2022 Reclamation Plan* may be approved administratively provided they do not exceed an increase in 20 percent of the volume or area of the 2022 Reclamation Plan. These changes must be approved by the Town Engineer, Town Building Official and Community Development Director, prior to implementation.

9. The Community Development Director is authorized to administratively release portions of the area comprising the 2015 Mining Use Permit described in Resolution 2015-939 under the approved phased implementation plan (condition # 4 above), when reclamation has been completed under the 2022 Reclamation Plan (conditions # 2-7 listed above) and approved by the Town Engineer, Building Official and Community Development Director.

Passed and Approved by the majority vote of the Common Council at the regular session held on October 19, 2022:

Passed and Adopted:



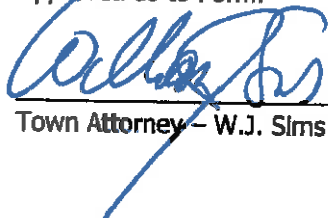
Mayor – Dee Jenkins Date

Attest:



Town Clerk – Cindy Pemberton Date

Approved as to Form:

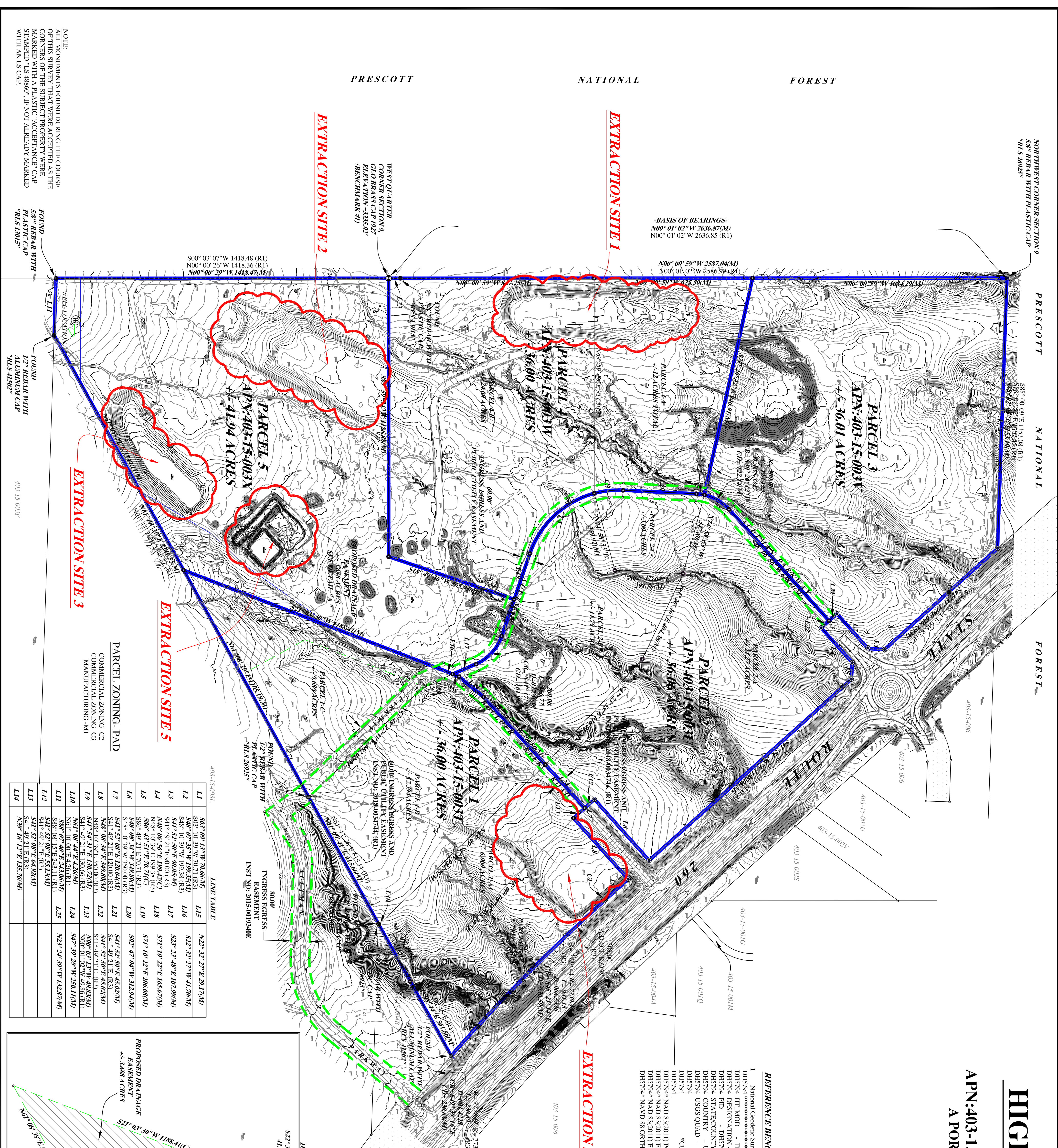


Town Attorney – W.J. Sims Date 10-10-22

ATTACHMENT E

HIGH VIEW EXTRACTION SITES 1-5

"HIGH VIEW AT BOULDER CREEK"
 APN:403-15-003T, 403-15-003U, 403-15-003V, 403-15-003W, 403-15-003X
 A PORTION OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST,
 GILA & SALT RIVER BASE & MERIDIAN,
 YAVAPAI COUNTY, ARIZONA



- LEGEND:**
- (CB) INDICATES CHORD BEARING
 - (CD) INDICATES CHORD DISTANCE
 - (M) INDICATES MEASURED FIELD DIMENSION
 - (C) INDICATES CALCULATED DIMENSION
 - (R) INDICATES RECORD DIMENSION FOUND
 - (S) INDICATES SET 1/2" REBAR WITH PLASTIC CAP STAMPED "LS-48860"
 - (A) INDICATES FOUND A.D.O.T. ALUMINUM CAP
 - (B) INDICATES CALCULATED POSITION

REFERENCE BENCHMARK

1. National Geodetic Survey, Retrieval Date = APRIL 19, 2021
 DH5794 HT_MOD - This is a Height Modernization Survey Station.
 DH5794 DISGNATION - VERDE
 DH5794 PID - DH5794
 DH5794 STATE/COUNTY - AZ/YAVAPAI
 DH5794 SURVEY CONTROL - CORNVILLE (018)
 DH5794 USGS QUAD - CORNVILLE (018)
 DH5794 *CURRENT SURVEY CONTROL.
 DH5794 NAD 83(2011) POSITION - 34 38 11.63339(N) 111 56 10.17121(W) ADJUSTED
 DH5794 NAD 83(2011) EPOCH HT - 961.775 (meters) (06/27/12) ADJUSTED
 DH5794 NAVD 88 ORTHO HEIGHT - 987.70 (meters) 32AUS (feet) GRS ORS

SURVEYOR'S NOTES:

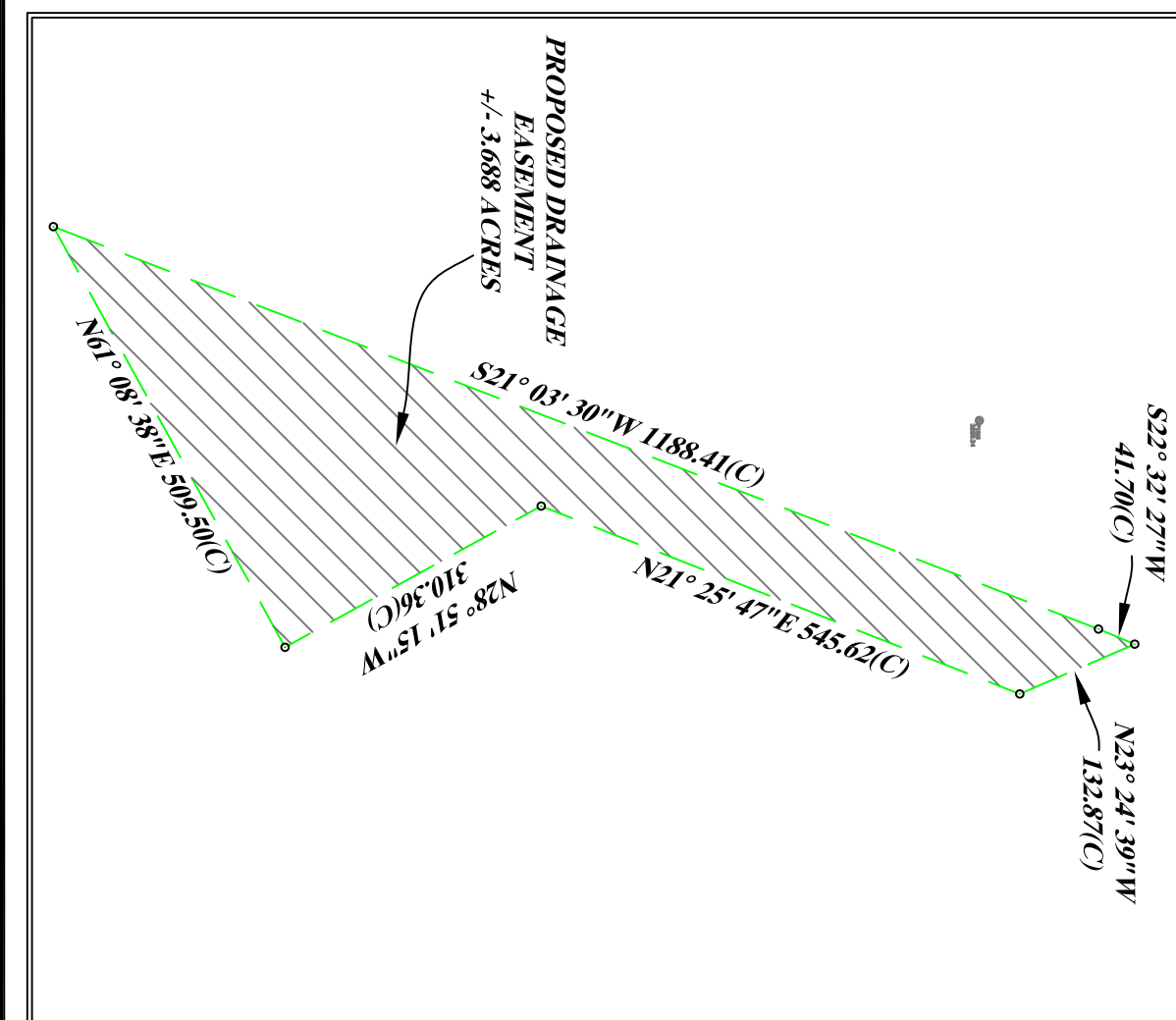
- THIS SURVEY WAS PERFORMED BY MY ASSIGNS IN NOVEMBER AND AUGUST OF THE YEAR 2021. THE CREW WAS COMPOSED OF SHANE M. NAUBERT, RLS AND COLE BAST. THIS TOPOGRAPHIC SURVEY WAS PREPARED BY ME OR MY ASSIGNS BASED UPON THE INFORMATION OBTAINED IN THAT SURVEY.
- THE PARCEL WAS NOT OCCUPIED AT THE TIME OF SURVEY.
- ALL EASEMENTS MAY NOT BE SHOWN ON THIS DRAWING.
- THE WORD "CERTIFY", AS SHOWN HEREON, MEANS AN EXPRESSION OR PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- DECLARATION IS MADE TO THE ORIGINAL PURCHASER OF THE STRIPPED TITLE AND IS RESPONSIBLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
- THE INTENT OF THIS SURVEY IS TO VERIFY THE TOPOGRAPHIC FEATURES OF THE REFERENCED PARCEL.
- THE PROPERTY AS DESIGNATED HEREON, REPORTS THE CONDITION IN WHICH IT EXISTS IN THE FIELD. VARIOUS MONUMENTS WERE FOUND AS SHOWN.
- THE FOLLOWING DOCUMENTS WERE USED IN THE PERFORMANCE OF THIS SURVEY. REFERENCE CAN BE MADE TO THOSE DOCUMENTS FOR RECORD INFORMATION.
- (R1) - INDICATES RECORD DIMENSION FOUND ON THAT DOCUMENT RECORDED IN INSTRUMENT NO. 202-0029099 IN THE RECORDS OF YAVAPAI COUNTY, ARIZONA
- (R2) - INDICATES RECORD DIMENSION FOUND ON THAT "ALTAZAS/ALAND TITLE SURVEY" RECORDED IN BOOK 148, PAGE 98, IN THE RECORDS OF THE ARIZONA DEPARTMENT OF TRANSPORTATION
- (R3) - INDICATES RECORD DIMENSION FOUND ON ADOT RIGHT OF WAY PLANS 2014 IN THE RECORDS OF THE ARIZONA DEPARTMENT OF TRANSPORTATION

CURVE DATA

Curve	Radius (R)	Length (L)	Chord (C)	Delta (D)
C1	R=3790.44	L=7739.44	C=5670.83	D=507°00'29"E
C2	R=2000.00	L=3412	D=409°46'56"	C=544°07'17"W
C3	R=4000.00	L=124.29	D=65°05'45"E	C=506°07'01"E
C4	R=4000.00	L=392.03	D=65°05'45"E	C=506°07'01"E

LINE TABLE

Line	Bearing	Distance	Point	Bearing	Distance	Point
L1	S07°00'13"W	70.66(M)	L15	N23°32'27"E	29.17(M)	
L2	S48°07'45"W	199.52(M)	L16	S23°32'27"W	41.70(M)	
L3	S47°52'50"E	90.06(M)	L17	S23°32'48"E	107.99(M)	
L4	S41°49'21"E	90.00(M)	L18	S7°10'22"E	165.67(M)	
L5	S86°43'57"E	76.71(C)	L19	S7°10'22"E	206.08(M)	
L6	S88°09'21"E	349.80(M)	L20	S02°47'04"W	312.94(M)	
L7	S47°52'06"E	220.04(M)	L21	S47°52'06"E	45.62(M)	
L8	N48°06'34"E	349.80(M)	L22	S47°52'06"E	45.62(M)	
L9	S41°49'21"E	130.00(M)	L23	N00°00'00"E	40.83(M)	
L10	N67°06'44"E	42.60(M)	L24	S47°52'06"E	250.11(M)	
L11	S88°07'40"E	343.06(M)	L25	N23°32'30"W	123.87(M)	
L12	S47°52'06"E	55.74(M)				
L13	S47°52'06"E	64.92(M)				
L14	N3°16'12"E	125.76(M)				



GRAPHIC SCALE
 1 inch = 200ft

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS TOPOGRAPHIC SURVEY MAP AND THE FIELD SURVEY ON WHICH IT IS BASED WERE CONDUCTED UNDER MY DIRECT SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THIS MAP IS PUBLISHED SUBJECT TO ALL CONDITIONS, RESERVATIONS, AND OTHER ITEMS OF THE PUBLIC RECORD ON THIS 23RD DAY OF AUGUST, 2021.

SHANE M. NAUBERT, RLS.

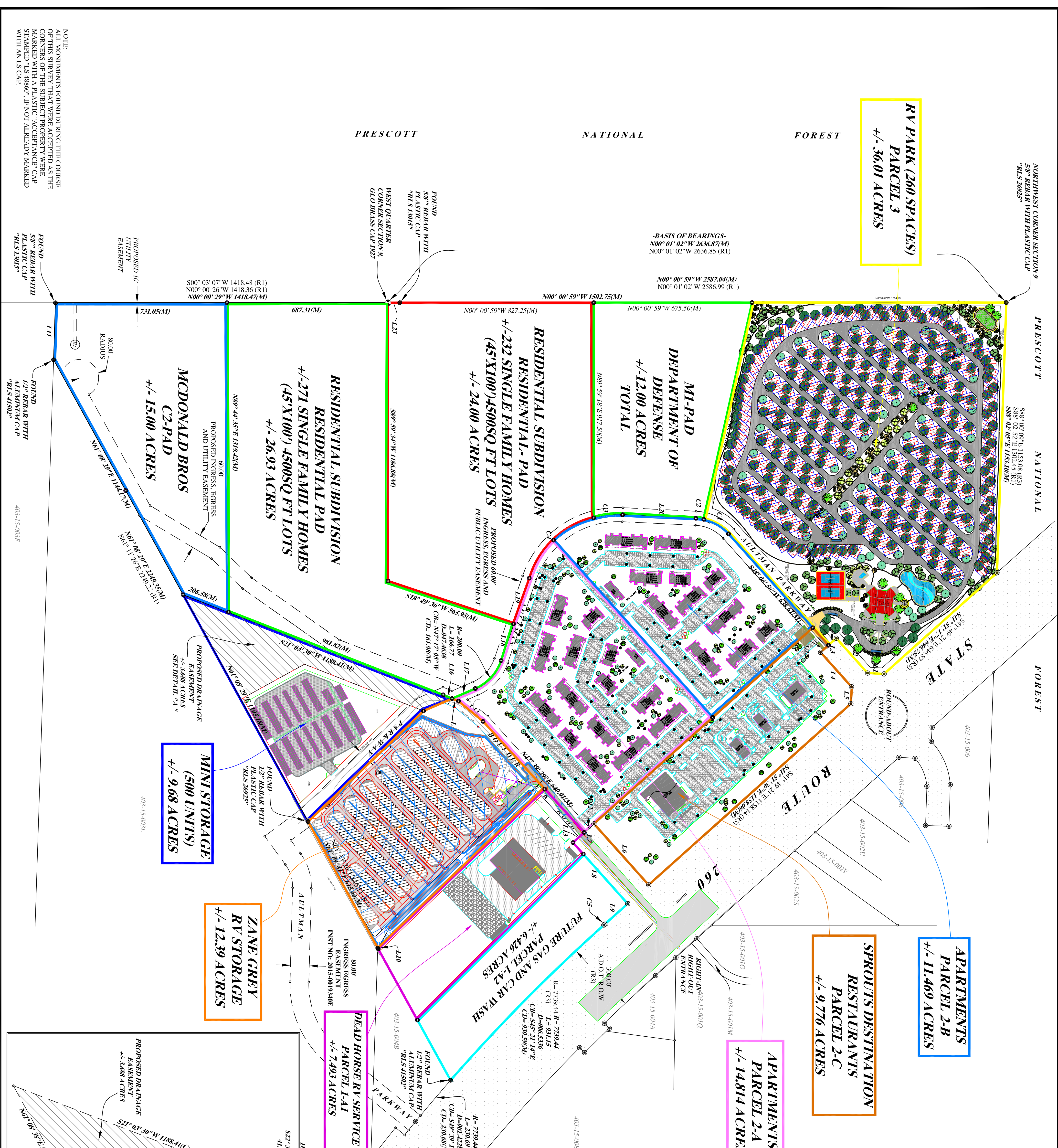
JOB #HIGH VIEW
 DATE: 08/23/2021
 SHEET 1 OF 1
 DRAWN BY: SMN

HERITAGE
 LAND SURVEYING & MAPPING INC.
 SHANE M. NAUBERT, RLS.
 PO BOX 3270
 CAMP VERDE, AZ 86322
 (928) 975-9170

ATTACHMENT F

EXHIBIT DRAWING

"HIGH VIEW AT BOULDER CREEK"
 A PORTION OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST,
 GILA & SALT RIVER BASE & MERIDIAN,
 YAVAPAI COUNTY, ARIZONA



PARCEL ZONING- PAD
 COMMERCIAL ZONING- C2

CURVE DATA

C1	R= 200.00 L= 123.42 D= 65.5337 CB= 547.00 29°E CD= 5.61(0)	C2	R= 200.00 L= 34.12 D= 600.4626 CB= 507.40 17°W CD= 34.07(0)
C3	R= 7739.44 L= 5.61 D= 400.0239 CB= 547.00 29°E CD= 5.61(0)	C4	R= 400.00 L= 392.03 D= 4856.0916 CB= 547.08 43°E CD= 376.53(0)
C5	R= 200.00 L= 123.42 D= 65.5337 CB= 547.00 29°E CD= 5.61(0)	C6	R= 200.00 L= 124.29 D= 6017.4812 CB= 506.07 01°E CD= 124.39(0)

LINE TABLE

L1	S87° 07' 13" W 70.66(0)	L12	S41° 57' 08" E 55.13(0)
L2	S03° 10' 30" W 70.71(0)	L13	S41° 49' 21" E (R3)
L3	S46° 07' 33" W 199.35(0)	L14	S41° 52' 08" E 64.03(0)
L4	S88° 10' 50" W 199.38(0)	L15	S49° 21' E (R3)
L5	S41° 50' 21" E 80.00(0)	L16	N39° 10' 12" E 183.76(0)
L6	N46° 06' 56" E 199.42(0)	L17	N22° 32' 37" E 291.77(0)
L7	N88° 43' 57" E 70.71(0)	L18	S22° 32' 27" W 41.70(0)
L8	N88° 06' 34" E 199.38(0)	L19	S32° 23' 48" E 107.99(0)
L9	S41° 54' 31" E 120.22(0)	L20	S71° 10' 22" E 165.67(0)
L10	S41° 49' 21" E 130.66(0)	L21	S71° 02' 22" E 206.08(0)
L11	N61° 08' 44" E 4.26(0)	L22	S41° 52' 50" E 45.02(0)
		L23	S41° 52' 50" E 45.02(0)

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THIS EXHIBIT DRAWING MAP AND THE FIELD SURVEY ON WHICH IT IS BASED WERE CONDUCTED UNDER MY DIRECT SUPERVISION AND IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

THIS MAP IS PREPARED SUBJECT TO ALL CONDITIONS, RESERVATIONS, AND EXCEPTIONS OF THE PUBLIC RECORD ON THIS 5TH DAY OF OCTOBER, 2022.

SHANE M. NAUBERT R.L.S.

GRAPHIC SCALE
 1 inch = 200 ft

JOB #HIGH VIEW
 DATE: 10/05/2022
 SHEET 1 OF 1
 DRAWN BY: SMN

HERITAGE
 LAND SURVEYING & MAPPING INC.
 SHANE M. NAUBERT, R.L.S.
 PO BOX 3370
 CAMP VERDE, AZ 86322
 (928) 575-9170

APN#403-15-003S

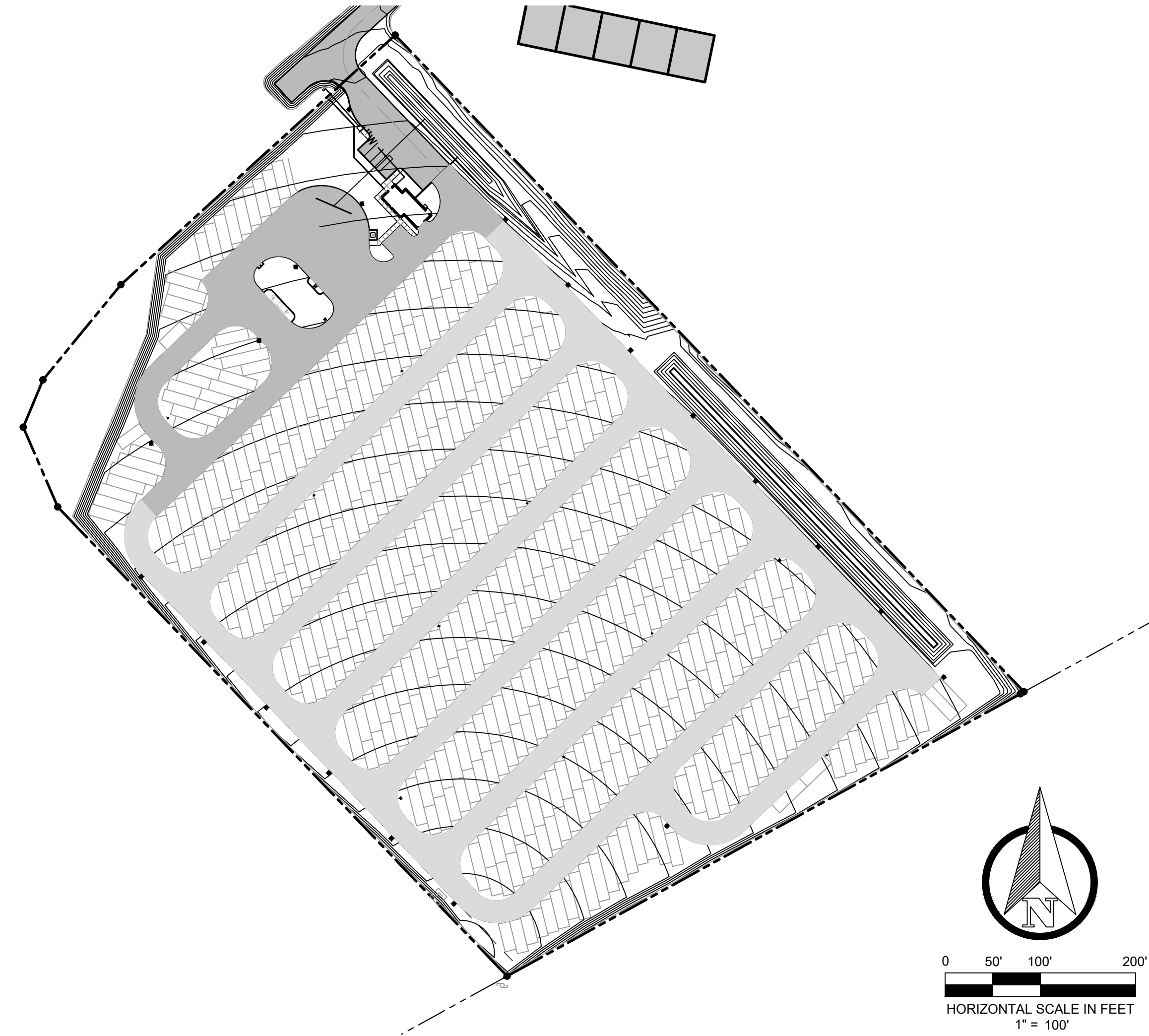
NOTE:
 ALL MONUMENTS FOUND DURING THE COURSE OF THIS SURVEY THAT WERE ACCEPTED AS THE CORNERS OF THE SUBJECT PROPERTY WERE MARKED WITH A PLASTIC "ACCEPTANCE" CAP STAMPED "S 48860" IF NOT ALREADY MARKED WITH AN L.S. CAP.

ATTACHMENT G

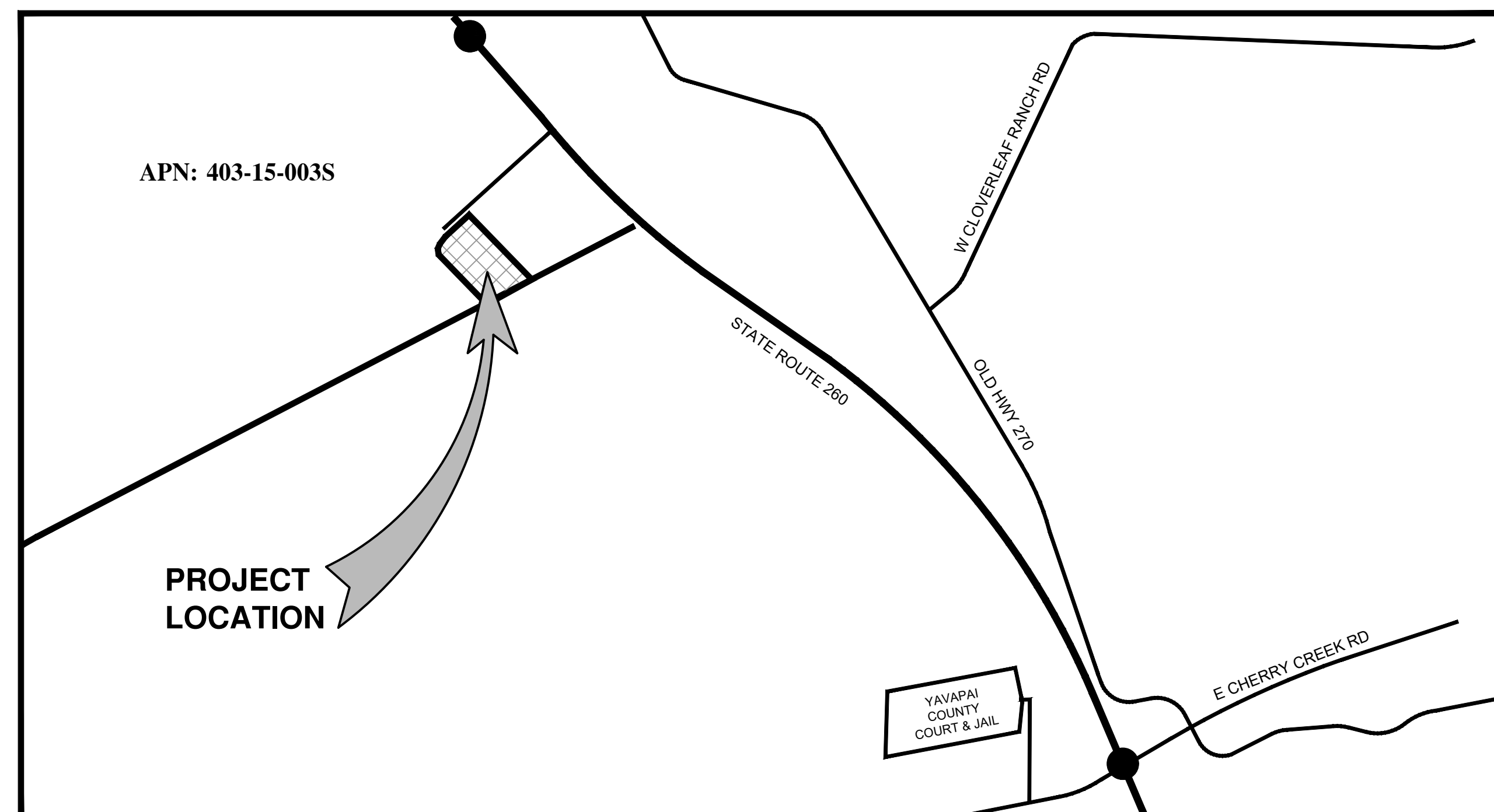
ZANE GREY RV AND BOAT STORAGE

3901 W STATE ROUTE 260. CAMP VERDE, AZ

APN: 403-15-003S
 A PORTION OF SECTION 9, TOWNSHIP 17 NORTH, RANGE 5 EAST, GILA
 & SALT RIVER BASE & MERIDIAN, YAVAPAI COUNTY, ARIZONA



SHEET LIST TABLE	
SHEET NO.	SHEET TITLE
1	COVER SHEET
2	NOTES - SHEET 1 OF 3
3	NOTES - SHEET 2 OF 3
4	NOTES - SHEET 3 OF 3
5	OVERALL SITE & UTILITY PLAN
6	HORIZONTAL CONTROL PLAN - SITE
7	HORIZONTAL CONTROL PLAN - DETAIL
8	OVERALL GRADING & DRAINAGE PLAN
9	GRADING & DRAINAGE - DETAIL
10	ROADWAY PLAN & PROFILE
11	PONDS DETAILS
12	WEIRS DETAILS
13	SECTIONS
14	DETAILS
15	WALL DETAIL
16	SWMPPP
17	LANDSCAPE PLAN
18	PLANT LEGEND



VICINITY MAP
 CAMP VERDE, ARIZONA
 NO SCALE



DEVELOPER:

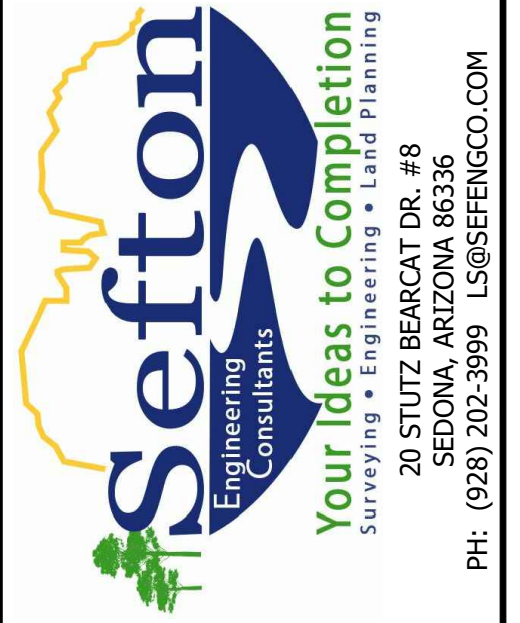
HIGH VIEW L.L.C.
 AN ARIZONA LIMITED LIABILITY COMPANY
 P.O. BOX 3270
 CAMP VERDE, AZ 86322
 JEREMY BACH
 (928) 300-4440

CIVIL ENGINEER:

SEFTON ENGINEERING CONSULTANTS
 40 STUTZ BEARCAT DR. #8
 SEDONA, ARIZONA 86336
 PHONE: (928) 202-3999
 LUKE A. SEFTON, P.E. 37322
 TIMOTHY HUSKETT, P.E. 58609

LAND SURVEYOR:

HERITAGE LAND SURVEY & MAPPING
 738 S. PARKS DRIVE
 CAMP VERDE, ARIZONA 86322
 PHONE: (928) 567-9170
 DUGAN McDONALD, R.L.S. 26925



COVER SHEET

ZANE GREY RV & BOAT STORAGE

S.R. 260 CAMP VERDE, AZ

SHEET TITLE:

PROJECT TITLE:

DRAWN BY: RJB

SCALE: AS NOTED

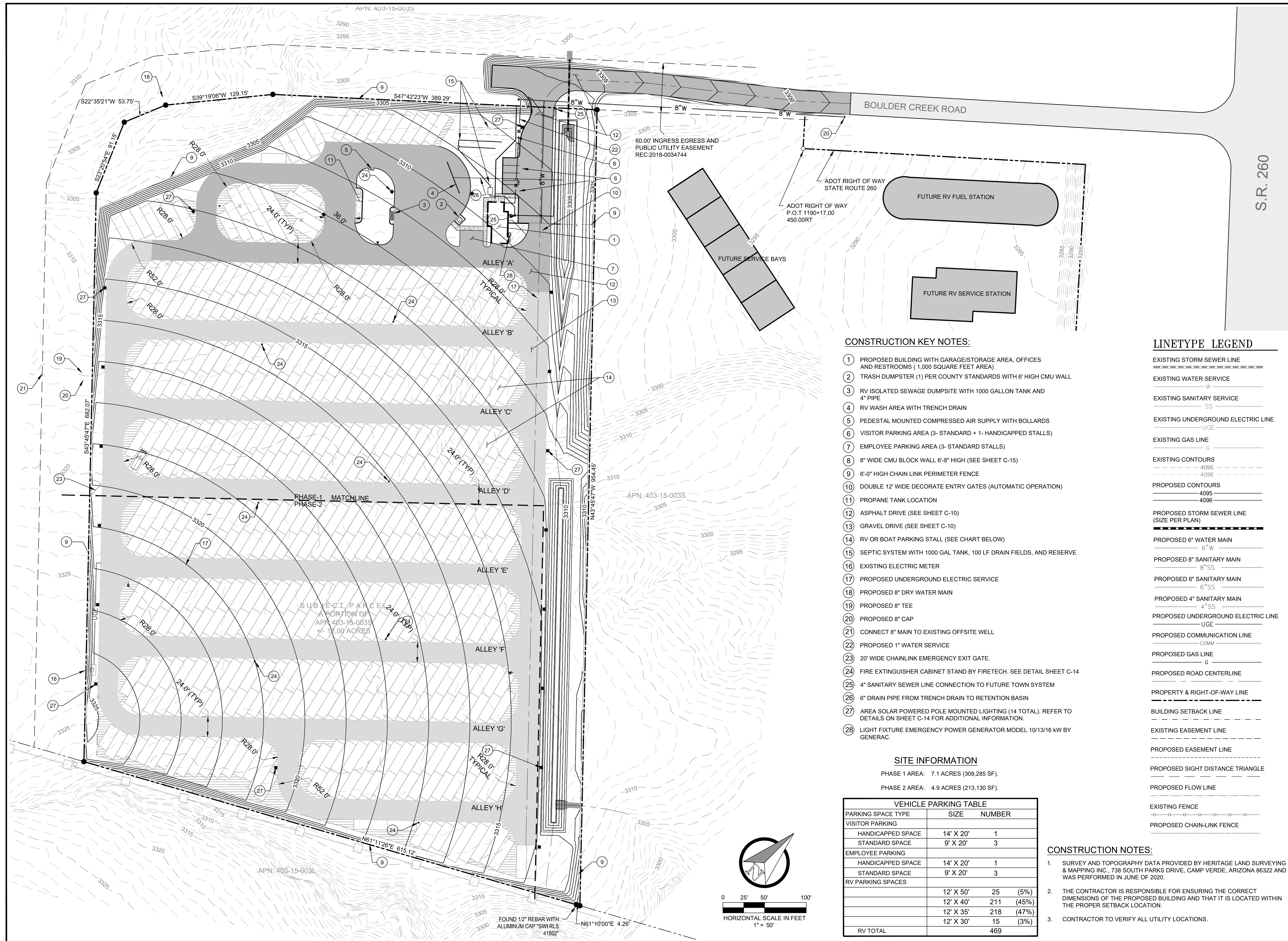
DATE: 08/18/2020

PROJECT NO: 150904B

SHEET NO.

C-1

© 2020, Sefton Engineering Consultants LLC, All Rights Reserved. This document is protected under the United States Copyright Act. No part may be reproduced in any form or by any means or stored in a database or retrieval system, without the prior written permission of Sefton Engineering Consultants, LLC. These plans/documents have been prepared using technical knowledge that would be applied by other qualified registrants who practice the same profession in the same area and at the same time. Efforts have been made to be as accurate as possible. However, plans/documents could contain unintentional technical inaccuracies, inconsistencies, typographical errors or omissions. Users of these plans/documents should understand that it is highly probable that errors and omissions will occur in any plan/document preparation process, the user should verify the information for satisfaction.



CONSTRUCTION KEY NOTES:

- 1 PROPOSED BUILDING WITH GARAGE/STORAGE AREA, OFFICES AND RESTROOMS (1,000 SQUARE FEET AREA)
- 2 TRASH DUMPSTER (1) PER COUNTY STANDARDS WITH 6" HIGH CMU WALL
- 3 RV ISOLATED SEWAGE DUMPSITE WITH 1000 GALLON TANK AND 4" PIPE
- 4 RV WASH AREA WITH TRENCH DRAIN
- 5 PEDESTAL MOUNTED COMPRESSED AIR SUPPLY WITH BOLLARDS
- 6 VISITOR PARKING AREA (3- STANDARD + 1- HANDICAPPED STALLS)
- 7 EMPLOYEE PARKING AREA (3- STANDARD STALLS)
- 8 8" WIDE CMU BLOCK WALL 6'-8" HIGH (SEE SHEET C-15)
- 9 6'-0" HIGH CHAIN LINK PERIMETER FENCE
- 10 DOUBLE 12' WIDE DECORATE ENTRY GATES (AUTOMATIC OPERATION)
- 11 PROPANE TANK LOCATION
- 12 ASPHALT DRIVE (SEE SHEET C-10)
- 13 GRAVEL DRIVE (SEE SHEET C-10)
- 14 RV OR BOAT PARKING STALL (SEE CHART BELOW)
- 15 SEPTIC SYSTEM WITH 1000 GAL TANK, 100 LF DRAIN FIELDS, AND RESERVE
- 16 EXISTING ELECTRIC METER
- 17 PROPOSED UNDERGROUND ELECTRIC SERVICE
- 18 PROPOSED 8" DRY WATER MAIN
- 19 PROPOSED 8" TEE
- 20 PROPOSED 8" CAP
- 21 CONNECT 8" MAIN TO EXISTING OFFSITE WELL
- 22 PROPOSED 1" WATER SERVICE
- 23 20' WIDE CHAINLINK EMERGENCY EXIT GATE.
- 24 FIRE EXTINGUISHER CABINET STAND BY FIRETECH. SEE DETAIL SHEET C-14
- 25 4" SANITARY SEWER LINE CONNECTION TO FUTURE TOWN SYSTEM
- 26 6" DRAIN PIPE FROM TRENCH DRAIN TO RETENTION BASIN
- 27 AREA SOLAR POWERED POLE MOUNTED LIGHTING (14 TOTAL). REFER TO DETAILS ON SHEET C-14 FOR ADDITIONAL INFORMATION.
- 28 LIGHT FIXTURE EMERGENCY POWER GENERATOR MODEL 10/13/16 KW BY GENERAC.

SITE INFORMATION

PHASE 1 AREA: 7.1 ACRES (309,285 SF).
 PHASE 2 AREA: 4.9 ACRES (213,130 SF).

VEHICLE PARKING TABLE			
PARKING SPACE TYPE	SIZE	NUMBER	
VISITOR PARKING			
HANDICAPPED SPACE	14' X 20'	1	
STANDARD SPACE	9' X 20'	3	
EMPLOYEE PARKING			
HANDICAPPED SPACE	14' X 20'	1	
STANDARD SPACE	9' X 20'	3	
RV PARKING SPACES			
	12' X 50'	25	(5%)
	12' X 40'	211	(45%)
	12' X 35'	218	(47%)
	12' X 30'	15	(3%)
RV TOTAL		469	

CONSTRUCTION NOTES:

1. SURVEY AND TOPOGRAPHY DATA PROVIDED BY HERITAGE LAND SURVEYING & MAPPING INC., 738 SOUTH PARKS DRIVE, CAMP VERDE, ARIZONA 86322 AND WAS PERFORMED IN JUNE OF 2020.
2. THE CONTRACTOR IS RESPONSIBLE FOR ENSURING THE CORRECT DIMENSIONS OF THE PROPOSED BUILDING AND THAT IT IS LOCATED WITHIN THE PROPER SETBACK LOCATION.
3. CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS.

LINETYPE LEGEND

- EXISTING STORM SEWER LINE
- EXISTING WATER SERVICE
- EXISTING SANITARY SERVICE
- EXISTING UNDERGROUND ELECTRIC LINE
- EXISTING GAS LINE
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PROPOSED STORM SEWER LINE (SIZE PER PLAN)
- PROPOSED 6" WATER MAIN
- PROPOSED 8" SANITARY MAIN
- PROPOSED 6" SANITARY MAIN
- PROPOSED 4" SANITARY MAIN
- PROPOSED UNDERGROUND ELECTRIC LINE
- PROPOSED COMMUNICATION LINE
- PROPOSED GAS LINE
- PROPOSED ROAD CENTERLINE
- PROPERTY & RIGHT-OF-WAY LINE
- BUILDING SETBACK LINE
- EXISTING EASEMENT LINE
- PROPOSED EASEMENT LINE
- PROPOSED SIGHT DISTANCE TRIANGLE
- PROPOSED FLOW LINE
- EXISTING FENCE
- PROPOSED CHAIN-LINK FENCE

OVERALL SITE & UTILITY PLAN

ZANE GREY RV & BOAT STORAGE

S.R. 260 CAMP VERDE, AZ

Sefton
 Engineering Consultants
 Your Ideas to Completion
 Surveying • Engineering • Land Planning
 20 STUTZ BEARCAT DR. #8
 SCODIA, ARIZONA 86336
 PH: (928) 202-5995 LS@SEFTON.COM

SHEET TITLE: OVERALL SITE & UTILITY PLAN

PROJECT TITLE: ZANE GREY RV & BOAT STORAGE

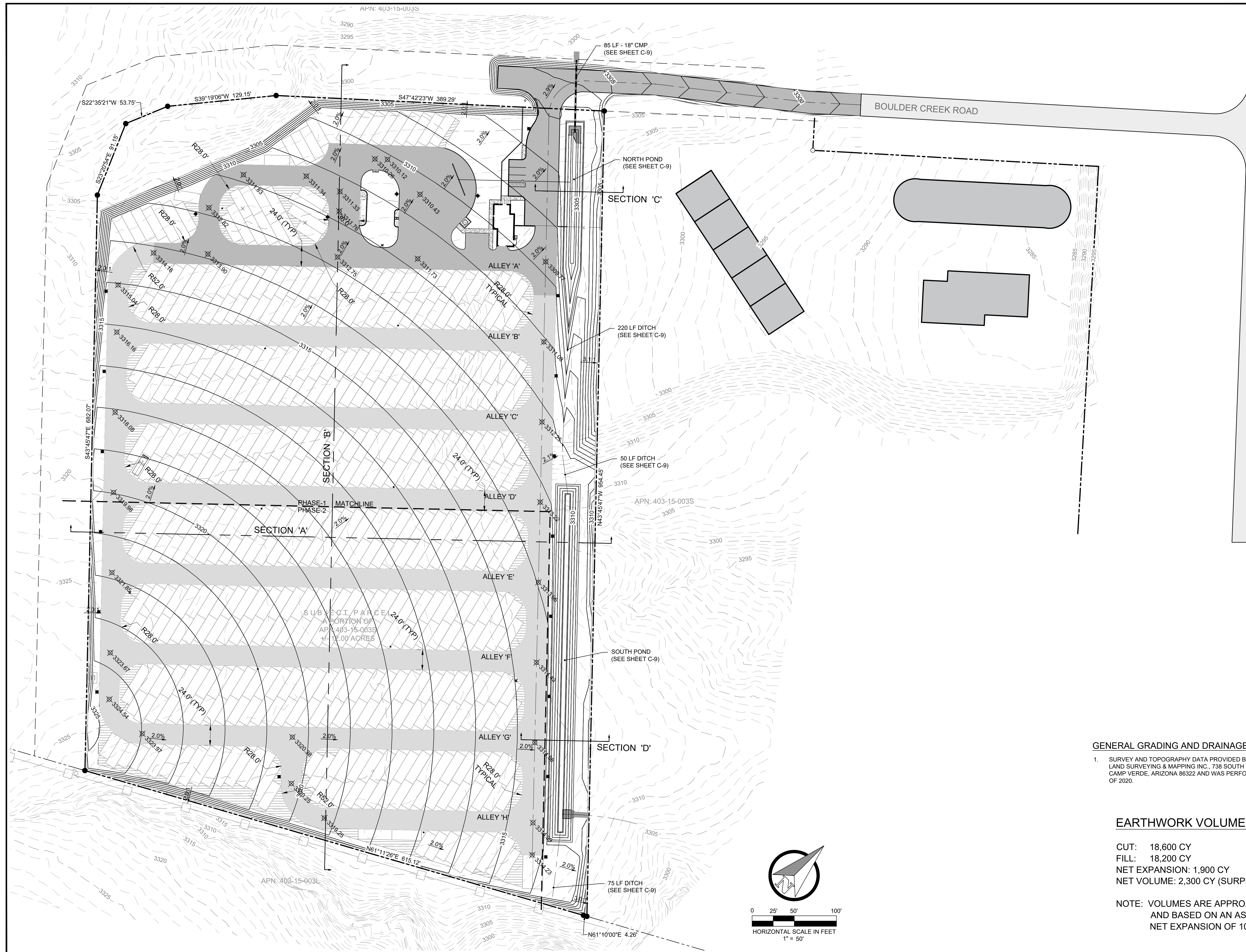
DRAWN BY: RJB

SCALE: 1" = 50'

DATE: 08/18/2020

PROJECT NO: 150904B

SHEET NO. C-5



S.R. 260

GENERAL GRADING AND DRAINAGE NOTES:

1. SURVEY AND TOPOGRAPHY DATA PROVIDED BY HERITAGE LAND SURVEYING & MAPPING INC., 738 SOUTH PARKS DRIVE, CAMP VERDE, ARIZONA 86322 AND WAS PERFORMED IN JUNE OF 2020.

EARTHWORK VOLUMES

CUT: 18,600 CY
 FILL: 18,200 CY
 NET EXPANSION: 1,900 CY
 NET VOLUME: 2,300 CY (SURPLUS)

NOTE: VOLUMES ARE APPROXIMATE AND BASED ON AN ASSUMED NET EXPANSION OF 10%

Professional Engineer
 37322
 LUKE A. SEFTON
 SIGNED: 08/18/20
 ARIZONA, U.S.A.
 EXPIRES 03/31/23

Sefton
 Engineering Consultants
 Your Ideas to Completion
 Surveying • Engineering • Land Planning
 20 STUTZ BEARCAT DR. #8
 SCOTTSDALE, ARIZONA 86236
 PH: (928) 202-5995 LS@SEFTONCO.COM

OVERALL GRADING & DRAINAGE PLAN

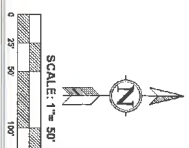
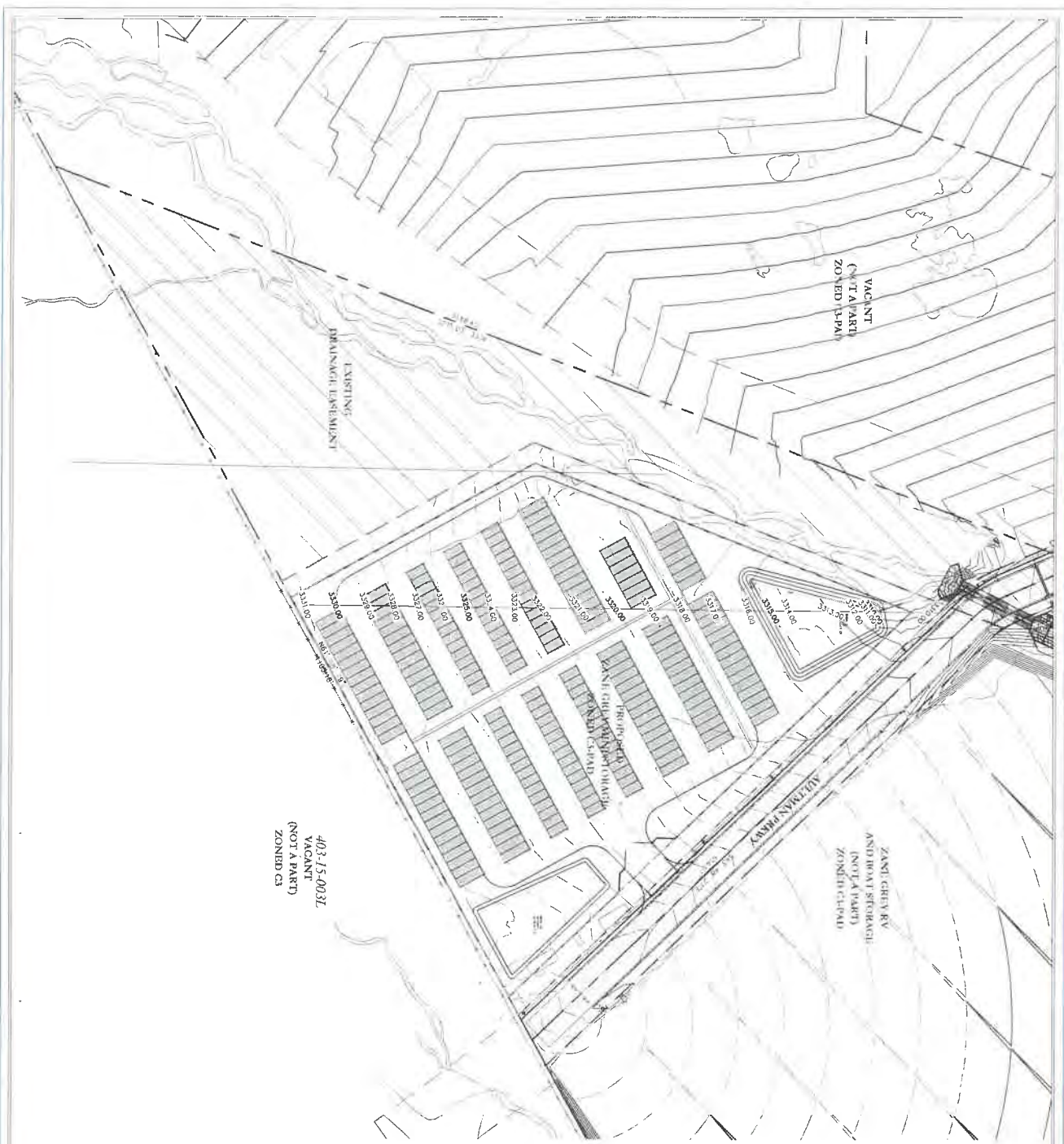
ZANE GREY RV & BOAT STORAGE

S.R. 260 CAMP VERDE, AZ

SHEET TITLE: OVERALL GRADING & DRAINAGE PLAN
 PROJECT TITLE: ZANE GREY RV & BOAT STORAGE
 DRAWN BY: RJB
 SCALE: 1" = 50'
 DATE: 08/18/2020
 PROJECT NO: 150904B
 SHEET NO. **C-8**

© 2020, Sefton Engineering Consultants LLC, All Rights Reserved. This document is protected under the United States Copyright Act. No part may be reproduced in any form or by any means or stored in a database or retrieval system, without the prior written permission of Sefton Engineering Consultants, LLC. These plans/documents have been prepared using technical knowledge that would be applied by other qualified registrants in the same area and at the same time. Efforts have been made to be as accurate as possible. However, plans/documents could contain unintentional technical inaccuracies, omissions, or errors. Users of these plans/documents should understand that it is highly probable that errors and omissions will occur in any plan/document preparation process, the user should verify all information for satisfaction.

ATTACHMENT H



DATE	DESCRIPTION	BY	DATE
08/22/22	ISSUED FOR PERMITS	AS	
08/11/22	REVISED	AS	
08/04/22	DESIGNED	AS	
07/27/22	DRAWN	AS	
07/27/22	CHECKED	AS	
07/27/22	SCALE FILE	2311850	

ZANE GREY MINI STORAGE

AULTMAN PARKWAY, CAMP VERDE, AZ

SITE PLAN



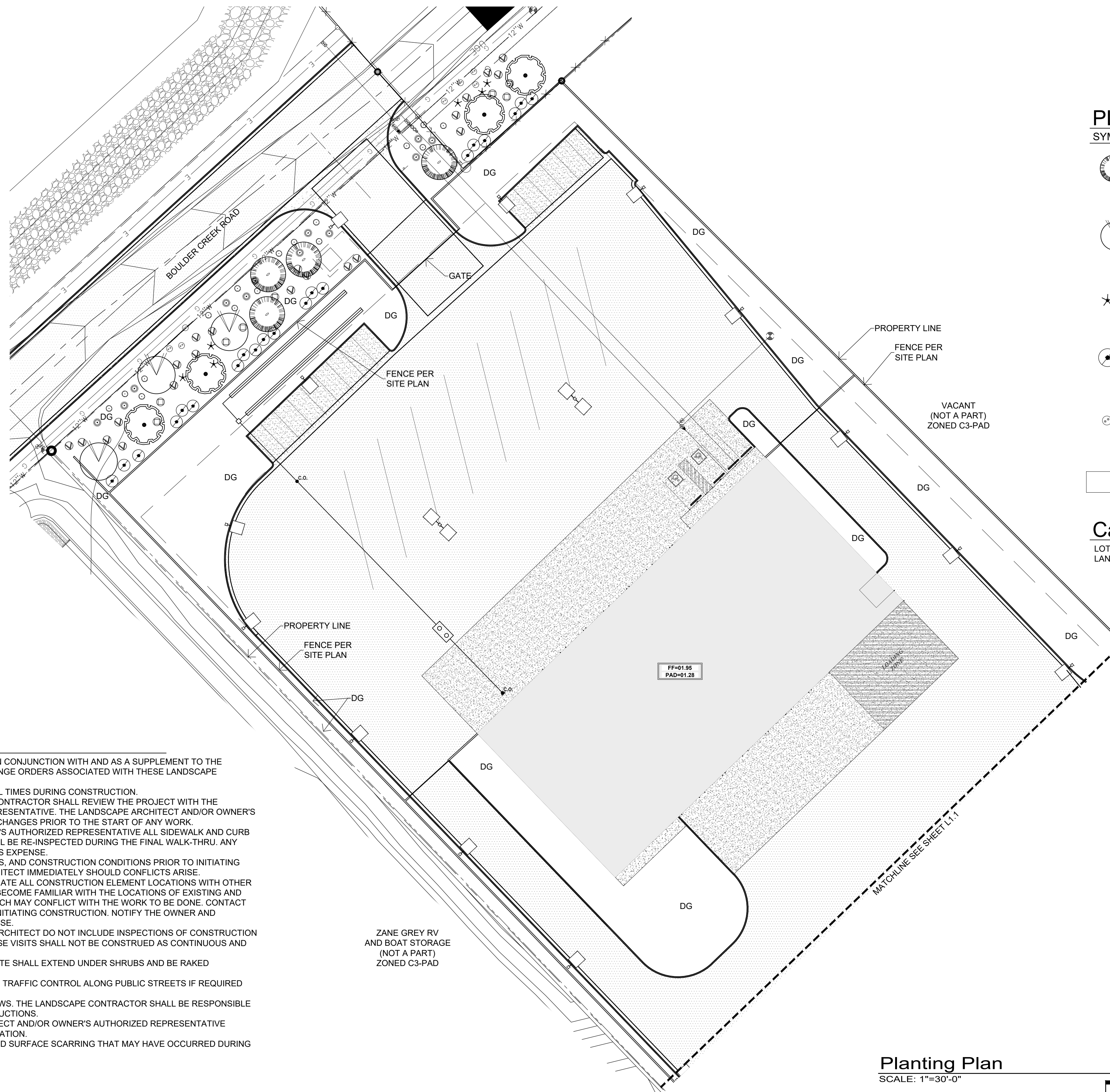
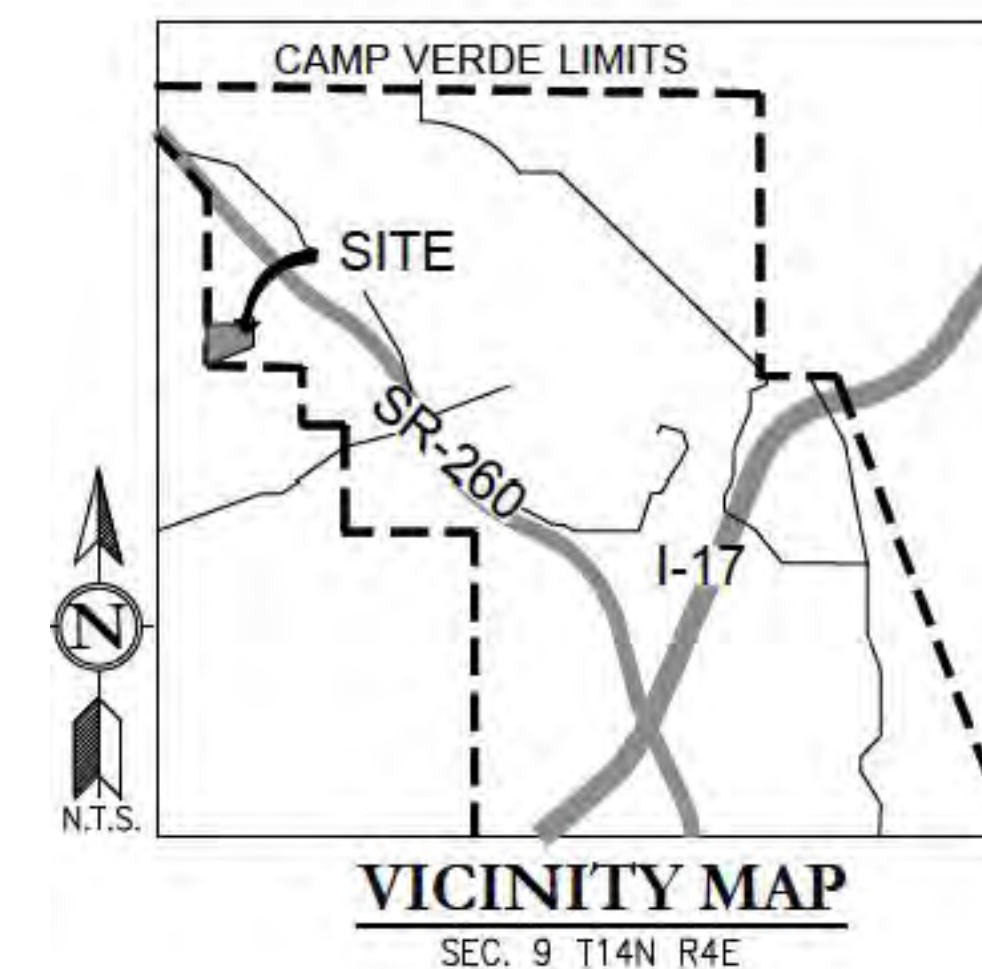
ATTACHMENT I

Dead Horse RV Service Center

Construction Document Submittal

August 1st, 2022

Camp Verde, AZ



PLANT PALETTE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	COMMENTS
TREES					
	<i>Chilopsis linearis</i>	Desert Willow	15 Gal.	4	Multi-Trunk Dense Canopy
	<i>Pinus Eldarica</i>	Afghan Pine	15 Gal.	4	Single-Trunk Dense Canopy
	<i>Pistacia Chinensis</i>	Chinese Pistache	24" Box 1.5" Caliper	3	Single-Trunk Dense Canopy
CACTI/ACCENTS					
	<i>Hesperaloe parviflora</i>	Red Yucca	5-Gal	12	As Per Plan
	<i>Nolina microcarpa</i>	Beargrass	5-Gal	6	As Per Plan
SHRUBS					
	<i>Leucophyllum laevigatum</i>	Chihuahuan Sage	5-Gal	21	As Per Plan
	<i>Photinia fraseri</i>	Photinia	5-Gal	20	As Per Plan
	<i>Salvia greggii</i>	Autumn Sage	5-Gal	8	As Per Plan
GROUND COVERS					
	<i>Ericameria laricifolia</i>	Turpentine bush	1-Gal	7	As Per Plan
	<i>Tetraeneuris acaulis</i>	Angelita Daisy	1-Gal	16	As Per Plan
MISCELLANEOUS					
	Decomposed Granite - Size: 3/4" Screened Color: Selected By Owner 2" depth in all planting areas (Typ)				

Calculations

LOT SIZE- 261,360 S.F.
LANDSCAPE AREA- 175,232 S.F. (67% of Site)

PLANTING NOTES

1. CLARIFICATION OF DISCREPANCIES BETWEEN THE CONSTRUCTION DOCUMENTS AND THE SITE SHOULD BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
2. ALL PLANT MATERIAL SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE "ARIZONA NURSERY ASSOCIATION-RECOMMENDED TREE SPECIFICATIONS". SEE SECTION 1903(6)(a), ZONING CODE.
3. THE LANDSCAPE ARCHITECT AND/OR OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REFUSE ANY PLANT MATERIAL HE DEEMS UNACCEPTABLE. ALL PLANT MATERIAL SHALL BE INSPECTED PRIOR TO INSTALLATION.
4. PLANTS TO BE LOCATED AWAY FROM OBSTACLES SUCH AS FIRE HYDRANTS, TRANSFORMERS, POWER POLES, AND LIGHT FIXTURES AS NECESSARY. DO NOT INSTALL PLANT MATERIAL IN ANY AREA WHICH WILL CAUSE HARM TO ADJACENT IMPROVEMENTS.
5. VERIFY PLANT QUANTITIES PRIOR TO INSTALLATION. QUANTITIES ARE LISTED FOR CONVENIENCE ONLY, THE ACTUAL NUMBER OF SYMBOLS INDICATED ON THE PLANTING PLANS SHALL HAVE PRIORITY OVER QUANTITIES DESIGNATED. NOTIFY THE LANDSCAPE ARCHITECT OF QUANTITY DISCREPANCIES IMMEDIATELY.
6. PLANT TREES, SHRUBS, AND CACTI PLUMB, AND FACED TO GIVE THE BEST APPEARANCE OR RELATIONSHIP TO ADJACENT PLANTS OR VIEWS.
7. NOTIFY OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY SHOULD SOIL CONDITIONS BE PRESENT WHICH WOULD PREVENT PROPER SOIL DRAINAGE AND ALLOW WATER TO STAND IN PLANTING PITS.
8. DOUBLE STAKE ALL TREES OUTSIDE ROOTBALL, EXCEPT FOR SALVAGED TREES.
9. LANDSCAPE CONTRACTOR TO PERFORM A SOILS TEST PRIOR TO LANDSCAPE CONSTRUCTION TO DETERMINE ANY NUTRIENT DEFICIENCIES. IF ANY DEFICIENCIES EXIST, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO AMEND THE SOIL ACCORDINGLY.
10. SIGNS REQUIRE SEPARATE APPROVALS AND PERMITS.
11. THERE SHALL BE NO OBSTRUCTION OF SITE SIGNAGE BY LANDSCAPE PLANT MATERIAL, ND THAT SUCH MUST BE RELOCATED/CORRECTED BEFORE THE FIELD INSPECTION WILL ACCEPT/PASS THE SIGN IN THE FIELD OR ISSUE A CERTIFICATE OF OCCUPANCY.

SHEET INDEX

L1.0	PLANTING PLAN
L1.1	PLANTING PLAN
L2.0	IRRIGATION PLAN
L3.0	DETAILS

GENERAL NOTES

1. THESE NOTES ARE TO BE USED FOR GENERAL REFERENCE IN CONJUNCTION WITH AND AS A SUPPLEMENT TO THE WRITTEN SPECIFICATIONS, APPROVED ADDENDUM, AND CHANGE ORDERS ASSOCIATED WITH THESE LANDSCAPE DRAWINGS
2. A QUALIFIED SUPERVISOR SHALL BE PRESENT ON SITE AT ALL TIMES DURING CONSTRUCTION.
3. BEFORE WORK BEGINS ON THE PROJECT, THE LANDSCAPE CONTRACTOR SHALL REVIEW THE PROJECT WITH THE LANDSCAPE ARCHITECT AND/OR OWNER'S AUTHORIZED REPRESENTATIVE. THE LANDSCAPE ARCHITECT AND/OR OWNER'S AUTHORIZED REPRESENTATIVE IS TO APPROVE ANY OR ALL CHANGES PRIOR TO THE START OF ANY WORK.
4. LANDSCAPE CONTRACTOR SHALL INSPECT WITH THE OWNER'S AUTHORIZED REPRESENTATIVE ALL SIDEWALK AND CURB DEFECTS PRIOR TO BEGINNING WORK. ALL HARDSCAPE SHALL BE RE-INSPECTED DURING THE FINAL WALK-THRU. ANY DAMAGED AREAS SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.
5. VERIFY CRITICAL DIMENSIONS, REFERENCE POINT LOCATIONS, AND CONSTRUCTION CONDITIONS PRIOR TO INITIATING CONSTRUCTION. NOTIFY THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY SHOULD CONFLICTS ARISE.
6. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO COORDINATE ALL CONSTRUCTION ELEMENT LOCATIONS WITH OTHER TRADES PRIOR TO INSTALLATION. THE CONTRACTOR SHALL BECOME FAMILIAR WITH THE LOCATIONS OF EXISTING AND FUTURE UNDERGROUND SERVICES AND IMPROVEMENTS WHICH MAY CONFLICT WITH THE WORK TO BE DONE. CONTACT BLUE STAKE AT 602-263-1100, 72 HOURS MINIMUM PRIOR TO INITIATING CONSTRUCTION. NOTIFY THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY SHOULD CONFLICT ARISE.
7. OBSERVATION VISITS TO THE JOB SITE BY THE LANDSCAPE ARCHITECT DO NOT INCLUDE INSPECTIONS OF CONSTRUCTION METHODS AND SAFETY CONDITIONS AT THE WORK SITE. THESE VISITS SHALL NOT BE CONSTRUED AS CONTINUOUS AND DETAILED INSPECTIONS.
8. UNLESS OTHERWISE NOTED ON PLANS, DECOMPOSED GRANITE SHALL EXTEND UNDER SHRUBS AND BE RAKED UNIFORMLY ALONG WALK, SIDEWALK, AND CURBS.
9. LANDSCAPE CONTRACTOR SHALL PROVIDE BARRICADES AND TRAFFIC CONTROL ALONG PUBLIC STREETS IF REQUIRED DURING INSTALLATION.
10. REFER TO THE ENGINEERING DRAWINGS FOR DRAINAGE FLOWS. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE THAT THESE ARE PROVIDED AND NOT IMPAIRED WITH OBSTRUCTIONS.
11. LANDSCAPE CONTRACTOR TO CONTACT LANDSCAPE ARCHITECT AND/OR OWNER'S AUTHORIZED REPRESENTATIVE BEFORE EACH APPLICATION OF PRE-EMERGENT FOR VERIFICATION.
12. BOULDERS TO BE SURFACE SELECT BOULDERS. ANY EXPOSED SURFACE SCARRING THAT MAY HAVE OCCURRED DURING TRANSPORTING OR CONSTRUCTION IS TO BE ENITED.

ZANE GREY RV
AND BOAT STORAGE
(NOT A PART)
ZONED C3-PAD

Planting Plan

SCALE: 1"=30'-0"



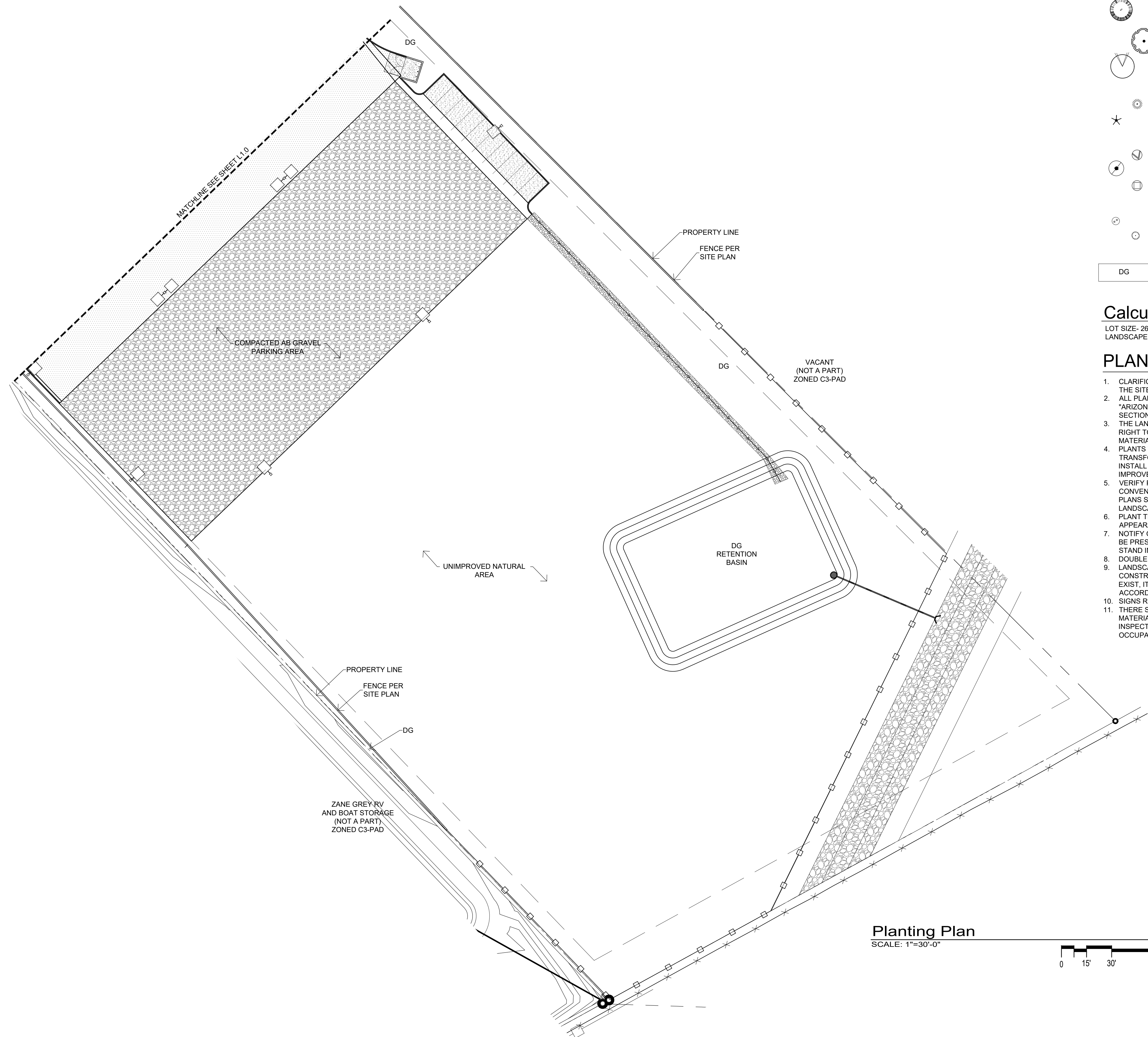
Dead Horse RV Service Center
W. Highway 260, Camp Verde, AZ

DATE: 08.01.22

Planting Plan

L1.0

1 of 4



PLANT PALETTE

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY	COMMENTS
TREES					
	<i>Chilopsis linearis</i>	Desert Willow	15 Gal.	4	Multi-Trunk Dense Canopy
	<i>Pinus Eldarica</i>	Afghan Pine	15 Gal.	4	Single-Trunk Dense Canopy
	<i>Pistacia Chinensis</i>	Chinese Pistache	24" Box 1.5" Caliper	3	Single-Trunk Dense Canopy
CACTI/ACCENTS					
	<i>Hesperaloe parviflora</i>	Red Yucca	5-Gal	12	As Per Plan
	<i>Nolina microcarpa</i>	Beargrass	5-Gal	6	As Per Plan
SHRUBS					
	<i>Leucophyllum laevigatum</i>	Chihuahuan Sage	5-Gal	21	As Per Plan
	<i>Photinia fraseri</i>	Photinia	5-Gal	20	As Per Plan
	<i>Salvia greggii</i>	Autumn Sage	5-Gal	8	As Per Plan
GROUND COVERS					
	<i>Ericameria laricifolia</i>	Turpentine bush	1-Gal	7	As Per Plan
	<i>Tetraeneuris acaulis</i>	Angelita Daisy	1-Gal	16	As Per Plan
MISCELLANEOUS					
DG	Decomposed Granite - Size: 3/4" Screened Color: Selected By Owner 2" depth in all planting areas (Typ)				

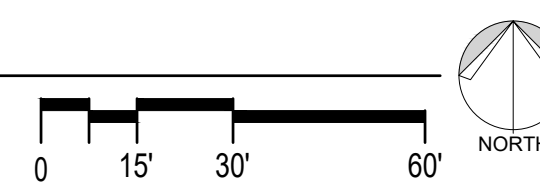
Calculations

LOT SIZE- 261,360 S.F.
LANDSCAPE AREA- 175,232 S.F. (67% of Site)

PLANTING NOTES

1. CLARIFICATION OF DISCREPANCIES BETWEEN THE CONSTRUCTION DOCUMENTS AND THE SITE SHOULD BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT.
2. ALL PLANT MATERIAL SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE "ARIZONA NURSERY ASSOCIATION-RECOMMENDED TREE SPECIFICATIONS". SEE SECTION 1903(6)(a), ZONING CODE.
3. THE LANDSCAPE ARCHITECT AND/OR OWNER'S REPRESENTATIVE RESERVES THE RIGHT TO REFUSE ANY PLANT MATERIAL HE DEEMS UNACCEPTABLE. ALL PLANT MATERIAL SHALL BE INSPECTED PRIOR TO INSTALLATION.
4. PLANTS TO BE LOCATED AWAY FROM OBSTACLES SUCH AS FIRE HYDRANTS, TRANSFORMERS, POWER POLES, AND LIGHT FIXTURES AS NECESSARY. DO NOT INSTALL PLANT MATERIAL IN ANY AREA WHICH WILL CAUSE HARM TO ADJACENT IMPROVEMENTS.
5. VERIFY PLANT QUANTITIES PRIOR TO INSTALLATION. QUANTITIES ARE LISTED FOR CONVENIENCE ONLY. THE ACTUAL NUMBER OF SYMBOLS INDICATED ON THE PLANTING PLANS SHALL HAVE PRIORITY OVER QUANTITIES DESIGNATED. NOTIFY THE LANDSCAPE ARCHITECT OF QUANTITY DISCREPANCIES IMMEDIATELY.
6. PLANT TREES, SHRUBS, AND CACTI PLUMB, AND FACED TO GIVE THE BEST APPEARANCE OR RELATIONSHIP TO ADJACENT PLANTS OR VIEWS.
7. NOTIFY OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY SHOULD SOIL CONDITIONS BE PRESENT WHICH WOULD PREVENT PROPER SOIL DRAINAGE AND ALLOW WATER TO STAND IN PLANTING PITS.
8. DOUBLE STAKE ALL TREES OUTSIDE ROOTBALL, EXCEPT FOR SALVAGED TREES.
9. LANDSCAPE CONTRACTOR TO PERFORM A SOILS TEST PRIOR TO LANDSCAPE CONSTRUCTION TO DETERMINE ANY NUTRIENT DEFICIENCIES. IF ANY DEFICIENCIES EXIST, IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO AMEND THE SOIL ACCORDINGLY.
10. SIGNS REQUIRE SEPARATE APPROVALS AND PERMITS.
11. THERE SHALL BE NO OBSTRUCTION OF SITE SIGNAGE BY LANDSCAPE PLANT MATERIAL, AND THAT SUCH MUST BE RELOCATED/CORRECTED BEFORE THE FIELD INSPECTION WILL ACCEPT/PASS THE SIGN IN THE FIELD OR ISSUE A CERTIFICATE OF OCCUPANCY.

Planting Plan
SCALE: 1"=30'-0"



REVISIONS:

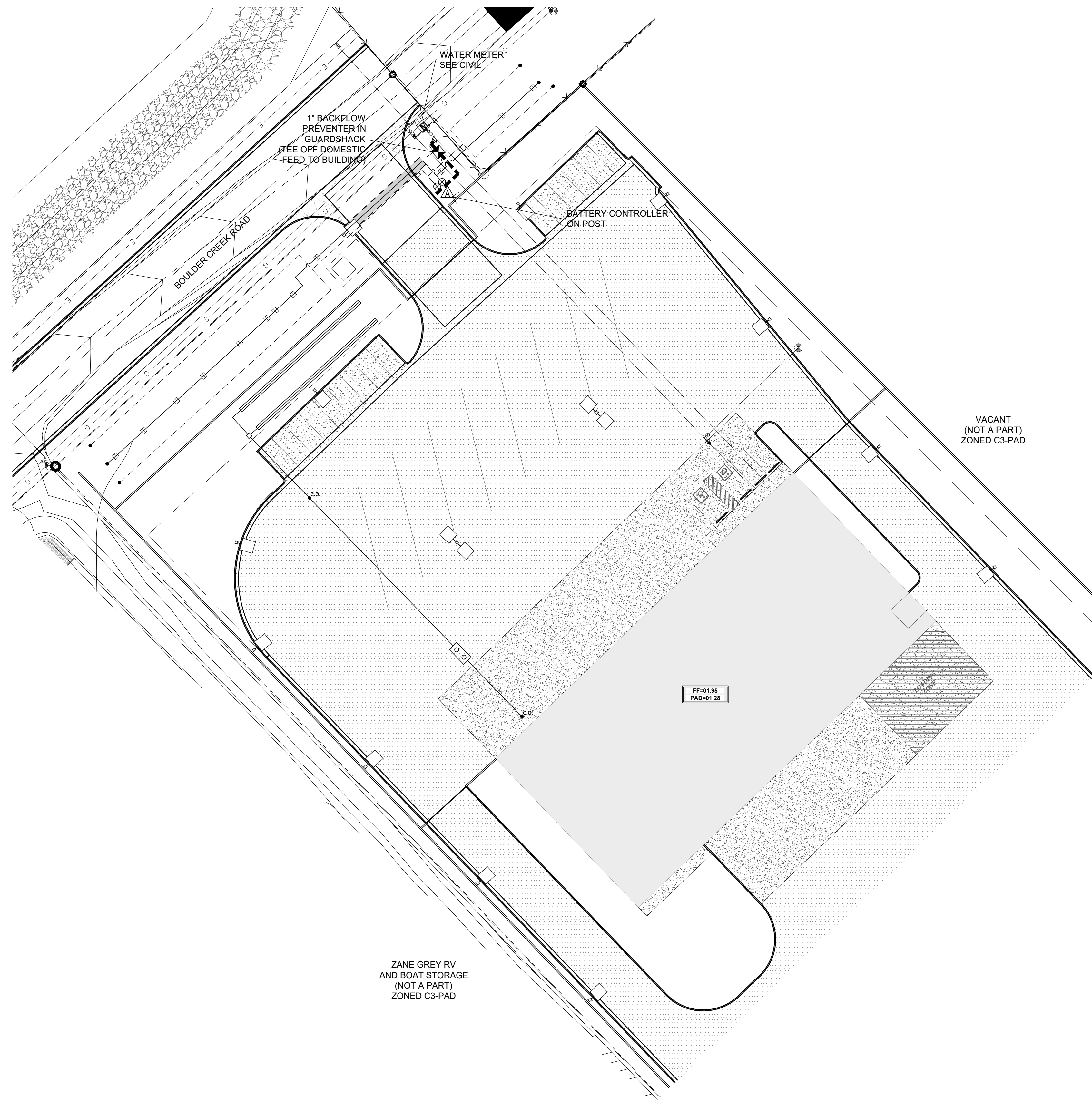
Dead Horse RV Service Center
W. Highway 260, Camp Verde, AZ

DATE: 08.01.22

Planting Plan

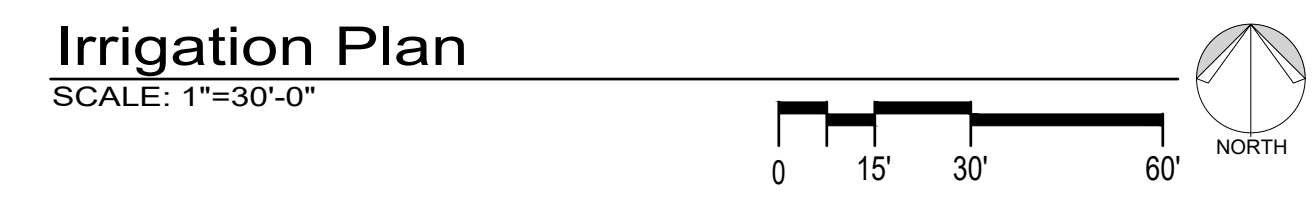
L1.1

2 of 4



ZANE GREY RV AND BOAT STORAGE (NOT A PART) ZONED C3-PAD

VACANT (NOT A PART) ZONED C3-PAD



IRRIGATION LEGEND

SYMBOL	MANUF.	MODEL NO.	DESCRIPTION
	WATER METER		1" WATER METER (SEE CIVIL)
	HUNTER	HUNTER XCH-600-SS BATTERY CONTROLLER	6 STATION BASE MOUNT ON HUNTER IRRIGATION XCHSPOLE
	FEBCO	825YA 1"	ENCLOSURE: ADD GUARDSHACK
	HUNTER	ICZ-101 DRIP KIT W/ LATCHING SOLENOID	40 PSI PRESSURE REGULATOR W/ Y-STRAINER AND 150 MESH SCREEN (ADD PVC GATE VALVE PER DETAIL)
	NIBCO	BRASS GATE VALVE	SAME SIZE AS MAINLINE
		MAINLINE (SCH 40 PVC)	SIZE PER PLAN
		PVC LATERAL WITH ML-210 EMITTER FOR SHRUBS	4 TO 5 SHRUBS MAX
		PVC LATERAL WITH ML-220 EMITTER FOR TREES	(SEE EMITTER SCHEDULE)
		FLUSH CAP	SEE DETAIL
		SCH. 40 PVC SLEEVES	UNDER PAVED AREAS FOR ALL IRRIGATION LINES AND CONTROL WIRES
		STATION NUMBER	
		CONTROL VALVE SIZE	
		SHRUB, TREE OR PALM VALVE	

NOTE: IRRIGATION SYSTEM IS DESIGNED WITH A MINIMUM SOURCE PRESSURE OF 65 AT POINT OF CONNECTION. CONTRACTOR TO VERIFY THAT HEAD PRESSURE CAN BE ACHIEVED. IF NOT, NOTIFY LANDSCAPE ARCHITECT PRIOR TO CONSTRUCTION.

USE LARGE RADIUS SWEEP ELL BELOW CONTROLLER FOR VALVE WIRES SUPPLY 110V, 15 AMP POWER SOURCE, HARD WIRE TO J-BOX.

POINT OF CONNECTION - USE TYPE 'K' COPPER MINIMUM 5' BETWEEN SOURCE AND PRESSURE VACUUM BREAKER.

PIPE SIZING SCHEDULE

PIPE SIZE	FLOW (GPM)	PIPE SIZE	FLOW (GPM)
50"	0-5	2"	36-60
75"	6-10	2.5"	61-80
1"	11-15	3"	81-120
1.5"	16-25	3.5"	121-150
1.75"	26-35	4"	151-200

IRRIGATION NOTES

- ALL IRRIGATION EQUIPMENT TO BE LOCATED IN LANDSCAPE AREAS WITHIN PROPERTY BOUNDARIES OF THE PROJECT - ALL LINES AND EQUIPMENT ARE SCHEMATIC AND ARE SOMETIMES SHOWN IN ROADWAYS, SIDEWALKS, OR OUTSIDE PROPERTY LINES. THIS IS DONE FOR CLARITY PURPOSES ONLY.
- DO NOT INSTALL THE IRRIGATION SYSTEM AS SHOWN ON THE DRAWINGS WHEN IT IS OBVIOUS IN THE FIELD THAT UNKNOWN OBSTRUCTIONS, GRADE DIFFERENCES, OR DIFFERENCES IN AREA DIMENSIONS EXIST THAT MIGHT NOT HAVE BEEN CONSIDERED IN THE ENGINEERING. SUCH OBSTRUCTIONS OR CONFLICTS SHOULD BE BROUGHT TO THE ATTENTION OF THE OWNER AND LANDSCAPE ARCHITECT IMMEDIATELY. IN THE EVENT THIS NOTIFICATION IS NOT PERFORMED, THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ANY REVISIONS NECESSARY.
- THE IRRIGATION SYSTEM DESIGN IS BASED ON A MINIMUM SOURCE PRESSURE OF 65 PSI, A MINIMUM OPERATING PRESSURE OF 35 PSI, AND A MAXIMUM FLOW DEMAND OF 5.0 GPM. THE CONTRACTOR SHALL VERIFY WATER PRESSURES PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES BETWEEN THE WATER PRESSURE INDICATED ON THE DRAWINGS AND THE ACTUAL PRESSURE READING AT THE IRRIGATION POINT OF CONNECTION TO THE LANDSCAPE ARCHITECT IMMEDIATELY.
- ALL MATERIAL USED SHALL BE INSTALLED AS DETAILED. ALL IRRIGATION EQUIPMENT NOT OTHERWISE DETAILED OR SPECIFIED SHALL BE INSTALLED PER MANUFACTURER'S RECOMMENDATIONS AND SPECIFICATIONS. OWNER'S REPRESENTATIVE AND/OR LANDSCAPE ARCHITECT SHALL APPROVE ALL DEVIATION'S FROM DRAWINGS OR MATERIALS USED.
- THE OWNER'S REPRESENTATIVE MAY, AT ANY TIME, TAKE AND ANALYZE SAMPLES OF MATERIALS AND EQUIPMENT FOR CONFORMITY TO SPECIFICATIONS. THE CONTRACTOR SHALL MAKE SUCH SAMPLES AVAILABLE UPON REQUEST. REJECTED MATERIAL SHALL BE IMMEDIATELY REMOVED FROM THE SITE AND REPLACED AT THE CONTRACTOR'S EXPENSE.
- INSTALL BACKFLOW PREVENTION UNIT(S) PIPING BETWEEN THE POINT OF CONNECTION AND THE BPU PER LOCAL CODES. THE OWNER'S AUTHORIZED REPRESENTATIVE SHALL APPROVE THE FINAL LOCATION OF THE BPU. BACKFLOW PREVENTOR MUST BE SCREENED FROM VIEW.
- CONTRACTOR SHALL BE RESPONSIBLE FOR SUPPLYING MATERIALS AND LABOR TO PROVIDE SPECIFIED ELECTRICAL SERVICE TO ALL CONTROLLER LOCATIONS. ALL ELECTRICAL WORK TO BE AS PER MANUFACTURER'S SPECIFICATIONS AND AS PER LOCAL CODE.
- PER ARIZONA HOUSE BILL 2256. A BLUE 18 GAUGE TRACER WIRE SHALL BE INSTALLED WITH 2" AND LARGER MAINLINES. 6" OF WHICH SHALL BE COILED INSIDE THE CONTROLLER.
- 24 VOLT WIRE SHALL BE 600V, UF, UL APPROVED, #14 GAUGE, SINGLE STRAND, PLASTIC INSULATED, COPPER WIRE. COMMON WIRE IS TO BE WHITE, CONTROL WIRE IS TO BE RED (USE NO BLACK WIRE). TAPE AND BUNDLE WIRE AT 10' ON CENTER. LAY BESIDE MAINLINE. SPLICE IN VALVE BOXES ONLY, USING MANUFACTURED EPOXY OR RESIN FILLED WIRE CONNECTORS. PROVIDE 18" SLACK AT EACH ELBOW IN MAIN LINE AND AT EACH REMOTE CONTROL VALVE. PULL ONE ADDITIONAL SPARE WIRE TO THE MOST DISTANT VALVE LOCATION FOR POTENTIAL FUTURE USE. COLOR OF EXTRA WIRE SHALL BE YELLOW.
- LEVEL OF PEA GRAVEL IN IRRIGATION BOXES SHALL BE A MINIMUM OF 2" BELOW THE BOTTOM OF THE VALVE SO THAT THE VALVE IS COMPLETELY VISIBLE. ALL PEA GRAVEL IN VALVE BOX TO BE CLEANED FROM TOP OF VALVE SO THAT VALVE IS COMPLETELY VISIBLE. LIP OF VALVE BOX IS ALSO TO BE FREE OF DEBRIS.
- LOCATE PRESSURE REGULATOR AND 'Y' STRAINER IN A VALVE BOX AS REQUIRED. REMOTE CONTROL VALVE TO BE LOCATED IN A SEPARATE (ADJACENT) VALVE BOX, OR A JUMBO VALVE BOX MAY BE USED IN LIEU OF TWO SEPARATE BOXES.
- ALL DRIP SYSTEMS TO BE FLUSHED THROUGH FLUSH CAPS. FLUSH CAPS TO BE LOCATED IN 10" ROUND ECONOMY BOXES.
- THE CONTRACTOR SHALL PROVIDE CHECK VALVES AND AIR VACUUM RELIEF VALVES AS REQUIRED, OR AT THE DISCRETION OF THE LANDSCAPE ARCHITECT, THROUGHOUT THE IRRIGATION SYSTEM LOCATED WITHIN SLOPED AREAS TO PREVENT LOW IRRIGATION HEAD DRAINAGE.
- PIPE SIZES SHALL CONFORM TO THOSE SHOWN ON THE DRAWINGS AND PER PIPE SIZING SCHEDULE ON DETAIL SHEET. IF THERE IS A DISCREPANCY BETWEEN THE PIPE SIZES SHOWN ON THE PLAN AND THOSE OUTLINED IN THE PIPING SCHEDULE, THE SCHEDULE SHALL TAKE PRECEDENCE. NO SUBSTITUTIONS OF SMALLER PIPE SIZES SHALL BE PERMITTED BUT SUBSTITUTIONS OF LARGER SIZES MAY BE APPROVED BY THE LANDSCAPE ARCHITECT.
- ALL PIPE SHALL BE BEDDED ON ALL SIDES WITH FOUR INCHES OF ROCK FREE (3/8" MINUS) MATERIAL IMPORT SAND IF NECESSARY. BACKFILL IN TWO OR MORE COMPACTED LIFTS. SETTILING OF TRENCHES BY MORE THAN AN INCH SHALL BE BROUGHT TO FINISH GRADE AT THE CONTRACTOR'S EXPENSE.
- ALL IRRIGATION LINES ON SLOPES OR WITHIN RETENTION BASINS SHALL BE RUN PARALLEL WITH GRADE AND ARE TO MAINTAIN THE HIGHEST ELEVATIONS POSSIBLE AT ALL TIMES.
- MULTI-OUTLET EMITTERS SHALL SERVICE ALL TREES AND SHRUBS AND/OR GROUNDCOVERS.
- ALL PLANTS THAT REQUIRE MORE THAN ONE DRIP EMITTER SHALL HAVE EMITTERS DISTRIBUTED EVENLY AROUND PERIMETER OF PLANTING WELL. EMISSION POINTS AT ROOTBALLS SHALL BE LOCATED ON THE UPHILL SIDE, MIDWAY BETWEEN THE CENTER OF THE PLANT AND THE EDGE OF THE ROOTBALL.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ALL LANDSCAPE SLEEVING. COORDINATE INSTALLATION WITH THE GENERAL CONTRACTOR. VERIFY ANY EXISTING SLEEVES INSTALLED BY OTHER CONTRACTORS.
- IRRIGATION AND ELECTRICAL SLEEVES TO BE SCHEDULE 40 PVC. ALL SLEEVES TO EXTEND AT LEAST 12" BEYOND CONCRETE STRUCTURES. ALLOW AT LEAST 4" - 6" FROM END OF SLEEVES TO FIRST FITTING ON IRRIGATION LINE. ALL SLEEVES TO BE 24" BELOW GRADE AND/OR AS PER OWNER'S SPECIFICATIONS. ALL SLEEVES UNDER PARKING LOTS, STREETS, STAGING AREAS, AND PATIOS TO BE INSTALLED BY PAVING CONTRACTOR PRIOR TO PAVING.
- NOTIFY THE OWNER'S REPRESENTATIVE 48 HOURS PRIOR TO THE FOLLOWING REQUIRED STAGES OF OBSERVATION FOR:
MAINLINE: Installation, depth, valves, wire, line pressure test
EMITTER LATERALS: Installation, depth, valves, emitters, outlet tubing, at line pressure
CONTROLLER: Installation, functioning
- PRIOR TO OWNER'S APPROVAL, AND IRRIGATION "TUNE UP" MUST BE PERFORMED AS FOLLOWS:
A. ALL IRRIGATION EQUIPMENT (INCLUDING ALL PIPELINES AND SLEEVES) TO BE DOCUMENTED FROM TWO STATIONARY POINTS.
B. ALL DRIP SYSTEMS TO BE FLUSHED BEGINNING WITH "Y" STRAINER, WORKING AWAY FROM THE PRESSURE REGULATOR.
C. IRRIGATION VALVES TO BE LABELED ON A SHEET OF PAPER WITH STATIONS CORRESPONDING TO ETCHED LABELS ON TOP OF VALVE BOXES. THIS SHEET TO BE PLACED IN A PLASTIC POUCH AND ATTACHED TO INSIDE OF CONTROLLER.
- LOCATE VALVE BOXES IN PLANTING AREAS SO THAT THEY ARE SCREENED FROM VIEW. NO VALVE BOXES SHALL BE LOCATED IN TURF AREAS.



DATE: 08.01.22

ATTACHMENT J

C3 DISTRICT (Commercial: heavy commercial)

1. Purpose:

The C3 District is intended to accommodate a broad range of commercial sales and service uses, excluding certain activities and operations for which Industrial District zoning (PM, M1, M2) is required.

2. Permitted Uses and Structures:

- a. Agriculture and cultivation.
- b. Antique Sales.
- c. Assembly, construction and processing plants.
- d. Automobile & machinery sales. (See Section 309 for outside display requirements.)
- e. Automobile repair (heavy) (Ord 2015 A407).
- f. Automobile repair (light).
- g. Automotive service stations.
- h. Automobile Storage Yard.
- i. Baking and confection cooking for on-site sale only.
- j. Bars, tap rooms and nightclubs.
- k. Body and fender shops including a paint booth within closed building.
- l. Bottling plants confined to closed building.
- m. Bowling alleys and poolrooms.
- n. Business offices, banks and similar; including drive-through.
- o. Caretaker Living Quarters (Manufactured, Modular or Site Built.) Mobile Homes Prohibited (See Part 3 Section 306.B.1.b.3).
- p. Cleaning and dyeing plants within closed building.
- q. Commercial art galleries.
- r. Commercial ballrooms, arenas, gymnasiums, rinks, pools and indoor shooting galleries.
- s. Commercial bath and massage.
- t. Commercial parking facilities.
- u. Community parks, playgrounds or centers.
- v. Custom service and craft shops.
- w. Custom tire recapping.
- x. Custom warehouses within closed building and not including animals.

- y. Dancing, art, music, business and trade schools (including permission for public recitals, concerts and dances).
- z. Educational institutions (including private schools, provided they offer curriculum of general instruction comparable to similar public schools).
- aa. Flood control facilities.
- bb. Frozen food lockers
- cc. Golf courses with accessory uses such as pro shops, shelters, rest rooms.
- dd. Historical Landmarks.
- ee. Hospitals, clinics, sanitariums, nursing homes and assisted living care facilities (intermediate, extended and long-term) for the care of humans.
- ff. Hotels and motels with five or more guest rooms.
- gg. Keeping of farm animals, limited (See Section 305).
- hh. Launderettes (limited to machines not exceeding 25 pounds capacity according to manufacturer's rating).
- ii. Lumber yards (prohibiting sawmill operations).
- jj. Medical Marijuana Dispensary (See Part 3 Section 304), (Definition: See Part 1 Section 103)
- kk. Miniature golf establishment.
- ll. Mortuary.
- mm. Nursery schools; day care centers (child or adult).
- nn. Offices wherein only professional, clerical or sales services (such as real estate or insurance) are conducted.
- oo. Open land carnival and recreation facilities (religious & educational institutions).
- pp. Other accessory uses commonly associated with primary permitted use (See Section 301 C).
- qq. Personal services.
- rr. Pet shops within a closed building.
- ss. Private clubs and lodges operated solely for the benefit of bona fide members.
- tt. Public auction within closed building.
- uu. Religious institutions (in permanent buildings).
- vv. Restaurants and cafes, including drive-through.
- ww. Retail sales.
- xx. Sales (retail and wholesale) and rentals.
- yy. Storage Facility.
- zz. Theaters, auditoriums, banquet and dance halls.

- aaa. Transportation terminal and transfer facilities within closed building.
- bbb. Veterinary services.
- ccc. Water distillation and bottling for retail sales only.
- ddd. Microbreweries or Wineries for the manufacture and processing of beer or wine respectively for onsite consumption or wholesale distribution with the following limitations:
 - 1. All such manufacturing and processing actively shall be conducted within a completely enclosed building along with all materials used for the manufacture – processing. Products ready for shipping must be stored within a closed building.
 - 2. A microbrewery in the C3 District may process and produce up to 300,000 U.S. Gallons of beer per year.
 - 3. A winery in the C3 District may process and produce up to 36,000 U.S. gallons of wine per year.

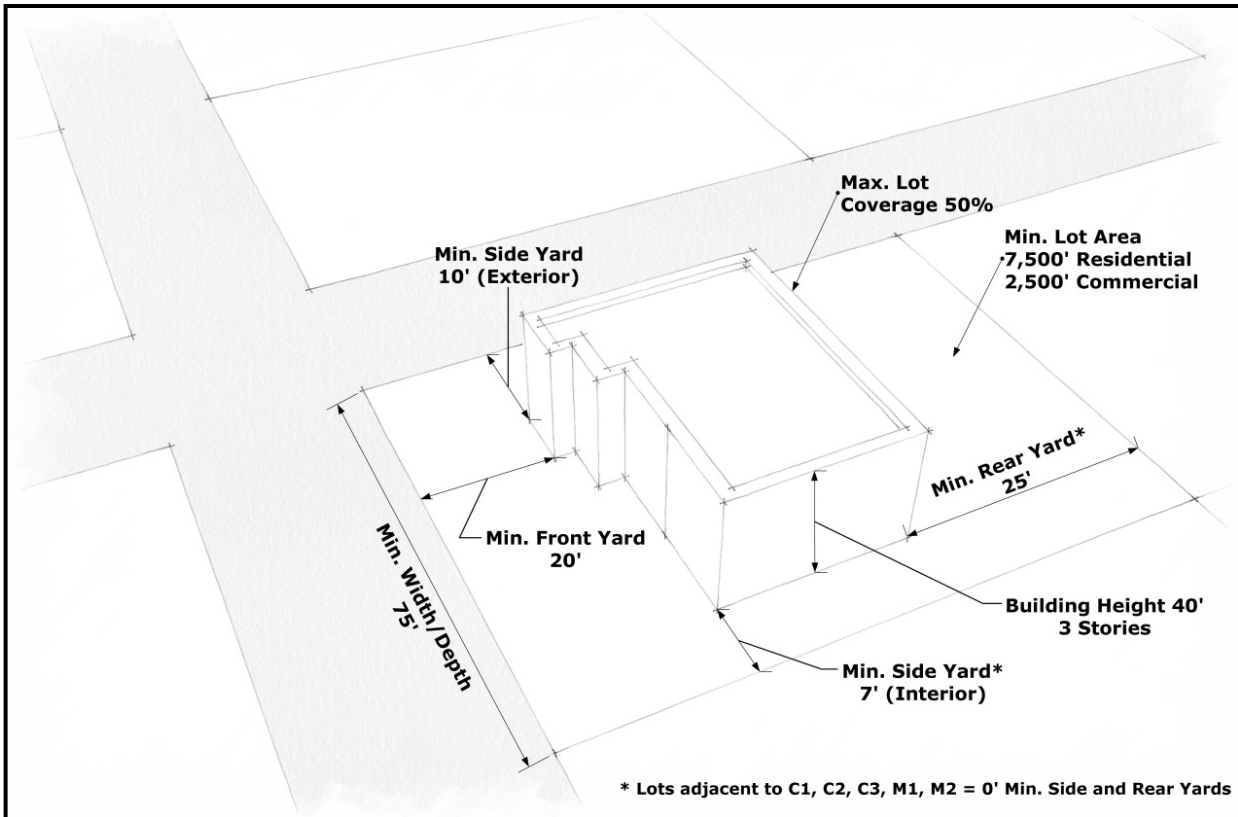
3. Uses and Structures Subject to Use Permit

- a. Government facilities and facilities required for the provision of utilities and public services.
- b. Outdoor recreation or assembly facilities.
- c. Mobile/manufactured home and recreational vehicle parks subject to the requirements of Section 306.
 - 1) Notwithstanding the foregoing, in the event a Planned Area Development (PAD) District is established per Section 203, this use may be included in any Development Plan thereunder and approved without being subject to a Use Permit application and hearing procedures set forth in Section 601.
- d. Transmitter stations and towers for automatic transmitting.
- e. Revival tents and similar temporary operations (See Section 601.D).
- f. Temporary Use Permits, subject to administrative approval (See Section 601.C):
 - 1) Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit.
 - 2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.
- g. Cemeteries for human or animal internment (See Section 308).
- h. Public stables, livestock breeding, boarding and sales.

Table 2-8: C3 Dimensional Standards

Zoning District	"C3"
Minimum Lot Area (sq.ft.)	7,500' Res., 2,500' Com.
Minimum Area/Dwelling (sq.ft.)	1 Caretaker d.u. only
Minimum Width OR Depth (feet)	75'
Maximum Bldg Ht (stories)	3
Maximum Bldg Ht (feet)	40'
Maximum Lot Coverage (%)	50%
Minimum Front Yard (feet)	20'
Minimum Rear Yard (feet)	0' (25' adjacent to residential zones)
Minimum Side Yard Interior (feet)	0' (7' adjacent to residential zones)
Minimum Side Yard Exterior (feet)	10'

Figure 2-8: C3 Dimensional Standards



ATTACHMENT K

E. PAD (Planned Area Development)

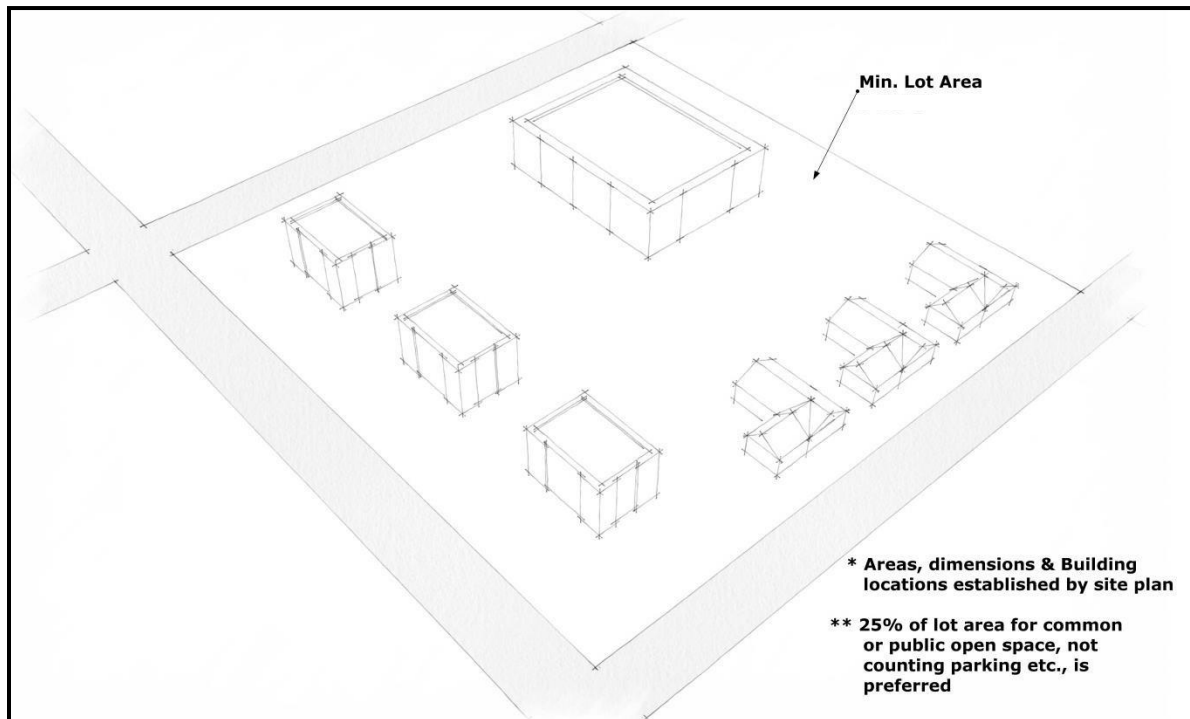
The Planned Area Development designation ensures orderly and thorough planning and review procedures that result in high quality project design and encourages variety in architectural design through techniques including, but not limited to, variations in building style, lot arrangements and site planning.

- 1) Purpose: A parcel of land planned as a unified project rather than as an aggregate of individual lots and may also provide for various types and combinations of land uses (such as single family and or multifamily housing, commercial centers, industrial complexes, and public or common spaces, with increased flexibility in site regulations). The greater flexibility in locating buildings and combining compatible uses make it possible to achieve economies of construction as well as preserving open space.
- 2) Scope: The Planned Area Development regulations that follow shall apply generally to the initiation and regulation of all Planned Area Development Districts. A PAD District may be added to an existing district to meet the intent of this Section or may be processed concurrently with a request to change an underlying zoning district. An approved PAD Development Plan/Site Plan shall be specific to that particular property as approved by Town Council upon recommendation by the Planning and Zoning Commission. A Development Plan/Site Plan must be submitted as per Site Plan requirements, Section 400 D1.
 - a. Where there are conflicts between PAD regulations and the general zoning, subdivision or other regulations, these regulations shall apply in PAD Districts unless the Council shall find, in the particular case, that the provisions herein do not serve the public to a degree at least equivalent to such general zoning, subdivision or other regulations.
 - b. It is intended to permit establishment of new Planned Area Development Districts for specialized purposes where tracts suitable in location, area, and character for the uses and structures proposed are to be planned and developed on a unified basis. Suitability of tracts for the development proposed shall be determined primarily by reference to the General Plan, but due consideration shall be given to existing and prospective character of surrounding development.
 - c. Within PAD Districts, regulations adapted to such unified planning and development are intended to accomplish purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, and to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety, creative design, and a better environment.
 - d. Open Space Dedication: open space shall be included in all developments. A dedication of open space not less than twenty-five percent (25%) of a development project is preferred
- 3) PAD Major Amendments: A request for any major amendment to a PAD including amendments to the Development Phasing Schedule will be deemed major if it involves any of the following and must be approved by the Town Council upon recommendation by the Planning and Zoning Commission:
 - a. An increase in the approved totals of dwelling units or gross leasable area for the PAD District.
 - b. A change in zoning boundaries.
 - c. Any change which could have significant impact on areas adjoining the PAD as determined by the Community Development Director.
- 4) PAD Minor Amendments:
 - a. All request for amendments to a PAD that are not a PAD Major Amendment shall be deemed a PAD Minor Amendment.
 - b. A request for a Minor Amendment to a PAD with an amended site plan may be filed with the Community Development Department if the Community Development Director determines the request is not major, as defined above.
 - c. The request will be routed for comment to any affected Town departments or other agencies for comment.

Table 2-12: PAD Dimensional Standards

Zoning District	"PAD"
Minimum Lot Area (sq.ft.)	Established by Site Plan
Minimum Common/Open Space	25% of Site Area Preferred
Minimum Area/Dwelling (sq.ft.)	Established by Site Plan
Minimum Width OR Depth (feet)	Established by Site Plan
Maximum Bldg Ht (stories)	Established by Site Plan
Maximum Bldg Ht (feet)	Established by Site Plan
Maximum Lot Coverage (%)	Established by Site Plan
Minimum Between Buildings (feet)	Established by Site Plan
Minimum Front Yard (feet)	Established by Site Plan
Minimum Rear Yard (feet)	Established by Site Plan
Minimum Side Yard Interior (feet)	Established by Site Plan
Minimum Side Yard Exterior (feet)	Established by Site Plan

Figure 2-12: PAD Dimensional Standards



ATTACHMENT L

Yavapai County Print Parcel



Parcel ID	403-15-009A	Check Digit	0
Owner	Zane Grey Investments II LLC		
Owner's Mailing Address	661 E Howards Rd Ste A Camp Verde, AZ 86322-6521		
Secondary Owner			
Recorded Date	N/A		
Last Transfer Doc Docket	N/A	Last Transfer Doc Page	N/A
Physical Address	N/A	Incorporated Area	Town of Camp Verde

Assessor Acres	12.39	Subdivision	High View At Boulder Creek Ls 2020-0079351	Subdivision Type	L
School District	Camp Verde Unified SD #28	Fire District	Copper Canyon Fire And Medical		
Improvements (0)	No Improvements found.		Local Zoning	Town Of Camp Verde C3-PAD	

Assessment

Starting with the 2015 tax year, the Limited Property Value is the only value considered for taxation purposes, the Full Cash Value is no longer used for taxation.

Tax Year	2023	2022
Assessed Value(ALV)	\$49,730	\$8,484
Limited Value(LPV)	\$292,531	\$48,481
Full Cash(FCV)	\$456,740	\$70,162
Legal Class	Commercial	Commercial
Assessment Ratio	17%	17.5%
Usage Code	0021 ?	0021 ?

Taxes

Tax Area Code	2877	2022 Taxes Billed	\$924
----------------------	------	--------------------------	-------

Recorded Documents & Sales (1)

Date	Book/Page	Type	Cost
8/30/2021	2021-0062166	Warranty Deed	\$309,850

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. Users should independently research, investigate and verify all information.

By using this website, the user knowingly assumes all risk of inaccuracy and waives any and all claims for damages against Yavapai County and its officers and employees that may arise from the use of this data and agrees to indemnify and hold harmless Yavapai County and its officers and employees to the fullest extent permitted by law. By using this website, the user also agrees that data and use of this website may not be used for commercial purposes.

Yavapai County Print Parcel



Parcel ID	403-15-009B	Check Digit	9
Owner	Zane Grey Investments II LLC		
Owner's Mailing Address	661 E Howards Rd Ste A Camp Verde, AZ 86322-6521		
Secondary Owner			
Recorded Date	N/A		
Last Transfer Doc Docket	N/A	Last Transfer Doc Page	N/A
Physical Address	N/A	Incorporated Area	Town of Camp Verde

Assessor Acres	9.69	Subdivision	High View At Boulder Creek Ls 2020-0079351	Subdivision Type	L
School District	Camp Verde Unified SD #28		Fire District	Copper Canyon Fire And Medical	
Improvements (0)	No Improvements found.		Local Zoning	Town Of Camp Verde C3-PAD	

Assessment

Starting with the 2015 tax year, the Limited Property Value is the only value considered for taxation purposes, the Full Cash Value is no longer used for taxation.

Tax Year	2023	2022
Assessed Value(ALV)	\$41,491	\$6,635
Limited Value(LPV)	\$244,062	\$37,917
Full Cash(FCV)	\$381,063	\$54,873
Legal Class	Commercial	Commercial
Assessment Ratio	17%	17.5%
Usage Code	0021 ?	0021 ?

Taxes

Tax Area Code	2877	2022 Taxes Billed	\$723
----------------------	------	--------------------------	-------

Recorded Documents & Sales (1)

Date	Book/Page	Type	Cost
12/30/2021	2021-0092471	Warranty Deed	\$1,260,000

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. Users should independently research, investigate and verify all information.

By using this website, the user knowingly assumes all risk of inaccuracy and waives any and all claims for damages against Yavapai County and its officers and employees that may arise from the use of this data and agrees to indemnify and hold harmless Yavapai County and its officers and employees to the fullest extent permitted by law. By using this website, the user also agrees that data and use of this website may not be used for commercial purposes.

Yavapai County Print Parcel



Parcel ID
403-15-009C

Check Digit
8

Owner
Zane Grey Investments II LLC

Owner's Mailing Address
661 E Howards Rd Ste A
Camp Verde, AZ 86322-6521

Secondary Owner
N/A

Recorded Date
N/A

Last Transfer Doc Docket
N/A

Last Transfer Doc Page
N/A

Physical Address
N/A

Incorporated Area
Town of Camp Verde

Assessor Acres 13.92

Subdivision High View At Boulder Creek Ls 2020-0079351

Subdivision Type L

School District Camp Verde Unified SD #28

Fire District Copper Canyon Fire And Medical

Improvements (0) No Improvements found.

Local Zoning Town Of Camp Verde
C3-PAD

Assessment
Starting with the 2015 tax year, the Limited Property Value is the only value considered for taxation purposes, the Full Cash Value is no longer used for taxation.

Tax Year	2023	2022
Assessed Value(ALV)	\$62,314	\$9,532
Limited Value(LPV)	\$366,555	\$54,468
Full Cash(FCV)	\$572,316	\$78,826
Legal Class	Commercial	Commercial
Assessment Ratio	17%	17.5%
Usage Code	0021 ?	0021 ?

Taxes

Tax Area Code 2877

2022 Taxes Billed \$1,038

Recorded Documents & Sales (1)

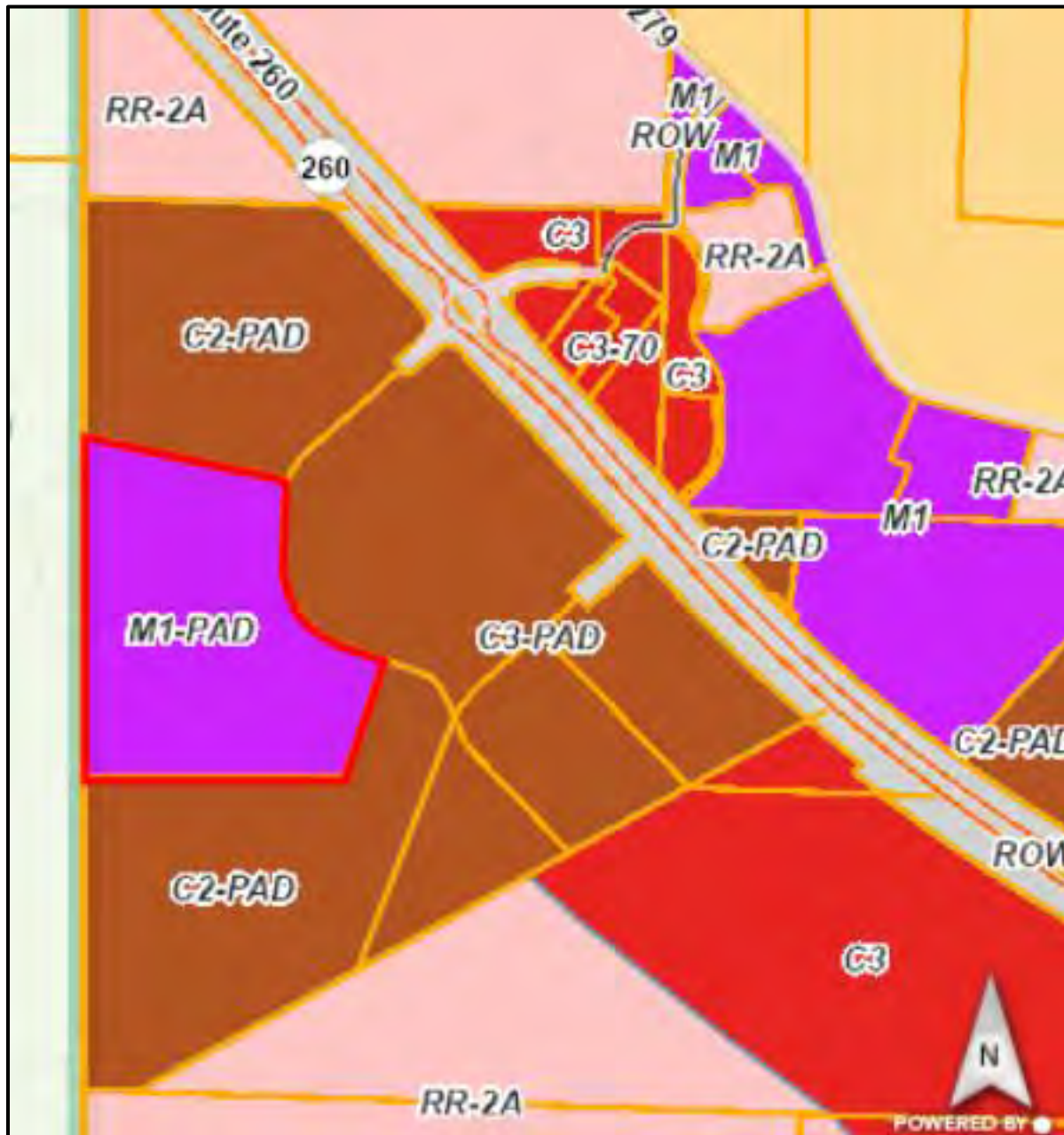
Date	Book/Page	Type	Cost
12/30/2021	2021-0092471	Warranty Deed	\$1,260,000

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. Users should independently research, investigate and verify all information.

By using this website, the user knowingly assumes all risk of inaccuracy and waives any and all claims for damages against Yavapai County and its officers and employees that may arise from the use of this data and agrees to indemnify and hold harmless Yavapai County and its officers and employees to the fullest extent permitted by law. By using this website, the user also agrees that data and use of this website may not be used for commercial purposes.

ATTACHMENT M

October 2022 Zoning Map, High View at Boulder Creek PAD





Agenda Report Form – Section I

Meeting Date: Planning and Zoning Commission; Thursday, November 03, 2022

- Consent Agenda
- Decision Agenda
- Executive Session Requested
- Presentation Only
- Action/Presentation
- Work Session

Requesting Department: Community Development

Staff Resource/Contact Person: BJ Ratlief, Planner

Agenda Title: Discussion, consideration and possible recommendation to the Mayor and Common Council for the Town of Camp Verde, Yavapai County, Arizona, to approve a Draft Right-to-Farm Ordinance 2022-A471 which will become Section 313 – Right-to-Farm, of Part Three. General Regulations/Provisions of the current Planning and Zoning Ordinance.

List of Attached Documents:

- Draft Ordinance 2022-A471 [\[RTF pg 8\]](#)
- A. Language of the Proposed Ordinance, Right-to-Farm [\[RTF pg 13\]](#)
- B. Excerpts from the 1998 General Plan [\[RTF pg 18\]](#)
- C. Arizona’s Right-to-Farm Summary, One Rural [\[RTF pg 22\]](#)
- D. April 2021 Article; More than a Nuisance: Why Strengthening Right-to-Farm Laws Became a Key Legislative Priority [for Arizona] [\[RTF pg 26\]](#)
- E. Arizona Revised Statutes Referencing Agriculture [\[RTF pg 30\]](#)
- F. August 04, 2022 Planning and Zoning Commission Meeting Minutes [\[RTF pg 37\]](#)

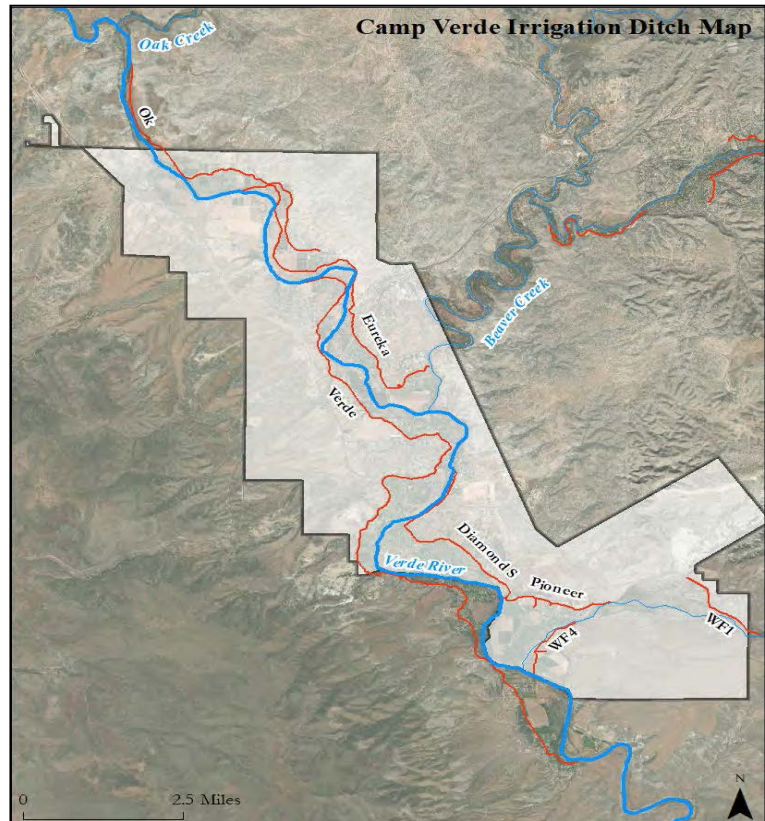
Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 10 minutes

Summary of Request: Recommend approval and adoption of a new ordinance to the Mayor and Common Council which provides further protection of agriculture and agricultural operations within the Town of Camp Verde.

Background Information: Agriculture - farming and ranching - has always been part of this community. Prehistoric communities (1,000-1,200 AD) farmed the area utilizing complex irrigation systems, parts of which are still in use today by the U.S. Forest Service, U.S. National Park Service (i.e., Montezuma Well system), and several private parties. The oldest operational-constructed ditch from the historic era is Camp Verde's Pioneer Ditch, constructed along with the Wingfield #4 Ditch in 1865. (Source: Visit Camp Verde, Historic Irrigation Ditches)

The nearly 20 miles of irrigation ditches, watering over 1,800 Town acres and serving more than 400 users, is just one physical reminder of this community's heritage and on-going agricultural legacy.



Historic Camp Verde Irrigation	Length	Acres Watered	Users/Families
Diamond S. Ditch, since 1892	4.9 miles	685	82
Eureka Ditch, since 1895	7.6 miles	375	204
OK Ditch, since 1876	5.5 miles	620	107
Pioneer Ditch (also Melvin Ditch), Since 1865			
Verde Ditch (also Wood or Woods Ditch), Since circa 1860	1.9 miles	150	50
Totals	19.9+ miles	1,830 acres	443 Users or Families Served

Town of Camp Verde: The Town of Camp Verde incorporated in 1986. Agriculture - farming and ranching - has always been an important aspect of the Town. In fact, both the citizenry, as well as the elected and professional leadership of the Town, have continually strived to protect, preserve, and maintain the agricultural lifestyle of this community. This intent to preserve and protect is embedded in each of the Town's General Plans.

Since its incorporation in 1986, the Town has produced three (3) General Plans; 1998, 2004 and the current 2016 Plan.

1998 General Plan: The 1998 General Plan represented 10 years of grassroots community design and development. This plan focuses heavily upon agriculture as well as historic preservation of the community. Attachment B includes excerpts from the plan showing an emphasis on agriculture as well as the land use map.

2004 General Plan: The 2004 General Plan does not call out “agriculture” as specifically as the 1998 Plan. Instead, it appears to utilize the more general terms ‘western/rural lifestyle’, ‘rural atmosphere’ and/or ‘rural lifestyle.’ Interestingly, this plan, when originally put before the voters of Camp Verde in March of 2004 – (then called the 2003 General Plan), was rejected. Town staff returned to the drawing table, so to speak, and conducted additional open houses which resulted in modifications to the plan which was finally ratified in March of 2005 by a 59% to 41% vote.

2016 General Plan: This is the current General Plan for the Town. This Plan includes a History and Culture section and repeats much of the same information detailed in the 1998 Plan (see attachment B). Additionally, this plan returns to calling out agriculture as an explicit business to promote as well as a preferred non-residential use.

The 2016 General Plan identifies ten (10) character areas which are defined by common unifying characteristics of its neighborhoods and/or physical characteristics, historical uses, current land use patterns, environmental qualities and/or cultural identities. This current general plan states

“Land Use decisions should be made based on whether or not they will uphold or strengthen the character of each designated area. Decisions made on this basis will maintain a connection to the past and preserve the positive, while defining a way forward for future appropriate and sustainable development. (page 29)”

Each of the ten (10) character areas of this plan, encompassing the entire Town, call out agriculture both as an existing business as well as a preferred non-residential use. Below are some additional references to agriculture being an inherent part of this community.

Introduction for Middle Verde Character Area (page 65, paragraph 1): Middle Verde’s two dozen residential communities are a mix of high density and low density, irrigated and non-irrigated properties with a rural look and feel. The historic OK Ditch, Verde Ditch, and Eureka Ditch water a significant portion of the residential properties providing for a lush greenbelt along the Verde River. Reminders of old farms and ranches can be seen even though the properties have been divided; agriculture continues with corn, alfalfa, hay, other crops, and

livestock. Small farms provide food for local restaurants and stores, and the valley-wide community supported agriculture program.

Introduction for Pecan Lane Character Area (page 73, paragraph 2): The Eureka Ditch, built immediately after the government opened the area to settlers in 1895, serves the southern half of this character area. A large family farm draws hundreds of locals and visitors to its popular summer vegetable and fruit stand. In 2014, a conservation easement was acquired to keep this place, Hauser and Hauser's Farm, for agriculture in perpetuity, and continue the Town's rural history as well as open space.

Introduction for Quarterhorse/Rancho Rio Verde Character Area (page 87, paragraphs 1-2): The Quarterhorse/Rancho Rio Verde character area represents Camp Verde's agricultural history, being one of the first settled places in the late 1860s. Although most of the large farms and ranches are gone, a few still exist, such as Shield's Ranch. Reminders of old farms and ranches can still be seen, and active agriculture continues with growing corn, alfalfa, hay, pecans, and other crops. This is coupled with pasturing cattle, horses, sheep, goats, and other livestock. This area, along with a few others, personifies the rural character of Camp Verde.

Primarily a residential neighborhood, it is comprised of mostly custom homes built on large lots or acreage, many of them irrigated by the historic ditches and bordered by the Verde River and West Clear Creek. It is a landscape that continues to offer opportunities for vineyards, wineries, and more local agriculture. It is also home to the original settlement in the Verde Valley, the Historic Clear Creek Church and the Clear Creek Cemetery, the last resting place of many Camp Verde pioneers.

Current Town of Camp Verde Planning and Zoning Ordinance: Additionally, Agriculture within the current Planning and Zoning Ordinance is a specified and permitted use within each of the Town's Zoning Use Districts excepting the OS (Open Space) and CF (Community Facilities) Districts. The CF district is intended for public and quasi-public uses, institutions, and facilities. Also of note, there currently are no CF zoned parcels within the Town.

See Section 203 – Use Districts, pages 30-79 of the Ordinance to review the permitted uses for each zoning district.

Arizona State Law: In April of 2021, Governor Ducey signed Senate Bill 1448. The main purpose of this new law was to prevent unwarranted lawsuits that are filed for the sake of harassing or seeking damages from lawfully operating agricultural operations. See attachments C and D for summary articles regarding Arizona's Agricultural

Protection Act. This is a common problem throughout the country, including Camp Verde. Our code enforcement officer regularly receives “nuisance complaints” from residents who complain about animals, noise, insects, dust and odor being generated by a nearby agricultural operation(s) and livestock. Upon investigation, the majority of these complaints are found to be either 'unfounded' or quickly resolved through education; often of both the complainant as well as the neighbor with the complaint or question.

See attachment E for the Arizona Revised Statutes (ARS) comprising Arizona’s Agricultural Protection Act and other key ARS sections which apply to the Town’s authority to tax, permit or levy fee’s on agricultural operations and products.

Other States: All 50 states have codified a Right to Farm Ordinance that is similar to Arizona’s Agricultural Protection Act. Each of these statutes may be found on The National Agricultural Law Center. <https://nationalaglawcenter.org/state-compilations/right-to-farm/>

Discussion: The Town of Camp Verde has many references in the General Plan supporting the Town’s agricultural heritage. One excerpt from the General Plan is shown below. Each of the individual character areas includes similar references to the support of agriculture.

Goal A. 1. Continue to support and promote organizations such as the Camp Verde Historical Society, Verde Valley Archaeology Center, Fort Verde State Historic Park, and others to preserve and interpret Camp Verde’s agricultural heritage and unique historical past.

Implementation B. 3. Support and encourage recognition of our agricultural heritage.

As noted in the above information, the Town of Camp Verde was in large part founded on agriculture. The intent of this new ordinance is to protect and preserve this important heritage.

The loss of lands dedicated to agriculture, farming and ranching, is not new. Anyone with a bit of time in Arizona and familiar with the Phoenix Valley has watched large tracts of lands, once comprising large farms and ranches, being developed into housing tracts. USDA data shows in the past 50 years, 1.5 million acres under cultivation in Maricopa County in the 1970’s is now less than 500,000 acres. (<https://www.abc15.com/news/state/farmland-is-disappearing-in-maricopa-county-meet-the-coalition-working-to-save-it>)

The above-referenced General Plans for the Town provide the following data on land usage for the Town:

General Plan Land Use	1998 *		2004		2016	
	Approx Acres	% Total Land	Approx Acres	% Total Land	Approx Acres	% Total Land
Public Lands (U.S. Forest Service, US National Park Service and State Park)		43%	9,046	33%	9,371	34.66
Rural Residential			5,557	20%	5,581	20.64
Commercial			2,179	8%	2,236	8.27
Low Density Residential			1,659	6%	1,721	6.36%
Open Space			1,721	6%	1,408	5.20%
Yavapai-Apache Nation			1,660	6%	1,678	6.21%
Agriculture			1,472	5%	1,441	5.33%
Medium Density Residential			891	3%	882	3.26%
Roadways			1,365	5%	801	2.96%
High Density Residential			498	2%	502	1.86%
Mixed Use Commercial/Industrial			495	2%	316	1.17%
Natural Resources			389	1.50%	411	1.52
Public Facilities			288	1%	210	0.78%
Industrial Use	186	0.01%	246	0.80%	281	1.04%
Mixed Use			203	0.70%	201	0.74%
Residential (1998)	221	0.01%				
Total	28,000		27,669	100%	27,040	100%

*The 1998 General Plan does not provide data in a succinct table as the 2004 and 2016 Plans

Currently, the amount of agricultural acreage within the Town of Camp Verde appears to be remaining consistent at about 5%. It is the intent of this new Ordinance to act with purpose in order to protect this land use now and into the Towns future.

The following have been completed by staff:

- August 04, 2022 – Planning and Zoning Commission Work Session regarding this proposed ordinance
 - Note: Seven (7) citizens addressed the commission during the session; all stated their support of this proposed ordinance. (See attachment F for meeting minutes)
- October 16 and 19, 2022 – Notice was placed in the Verde Independent Newspaper.
- October 27, 2022 - Meeting agendas were posted at Town Hall and Bashas’.

Communications from the Public: No written comments have been received in the Community Development Office from the public regarding this proposed ordinance.

Recommended Action: Motion to recommend to the Mayor and Common Council for the Town of Camp Verde, Yavapai County, Arizona, to approve a Draft Right-to-Farm Ordinance 2022-A471 which will become Section 313 – Right-to-Farm, of Part Three. General Regulations/Provisions of the current Planning and Zoning Ordinances.



ORDINANCE 2022-A471

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL FOR THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, TO APPROVE A DRAFT RIGHT-TO-FARM ORDINANCE 2022-A471 WHICH WILL BECOME SECTION 313 – RIGHT-TO-FARM, OF PART THREE. GENERAL REGULATIONS/PROVISIONS OF THE PLANNING AND ZONING ORDINANCE.

WHEREAS, the Mayor and Common and Council recognize that the prehistoric and historic roots of the Camp Verde community lie in its agricultural heritage, both farming and ranching; and

WHEREAS, the Mayor and Common and Council recognize that from its incorporation, agriculture – both farming and ranching –has been and remains today an important and valuable component of this Town; and

WHEREAS, the Mayor and Common and Council intend to support, conserve, protect and encourage good agriculture and agricultural operations within the Town of Camp Verde, both now and into its future; and

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011; and

WHEREAS, Part 6, Section 600, C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning text regulations of the Planning & 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 & Zoning Ordinance by including definitions and text amendments.

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

Section 1. The Town Council hereby finds as follows:

- A. Ordinances and/or amendments may be initiated by the Planning and Zoning Commission, the Town Council, staff of the Town of Camp Verde or by application of a property owner per Part 6, Section 600, C.1 of the Planning and Zoning Ordinance. This was initiated by the staff of the Community Development Department.

- B. This Draft Ordinance was reviewed by the Planning & Zoning Commission on Thursday, November 03, 2022, in a public hearing that was noticed according to state law. A recommendation for approval was forwarded to the Town Council by the Planning and Zoning Commission on Thursday, November 03, 2022.
- C. This Ordinance will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Section 2. The following text will be added to the Planning and Zoning Ordinance as Section 313 of Part Three. General Regulations/Provisions.:

SECTION 313 – Agriculture, Right to Farm and Ranch

A. **Purpose and Intent:** Agriculture, farming and ranching, has been and still is an integral part of the rural lifestyle of the Town of Camp Verde. The Town of Camp Verde intends to support, conserve, protect and encourage good agricultural operations, specifically farming, ranching, orchards and vineyards - both commercial and personal - as integral and important parts of this community. It is the intention, by this section, to provide protection of historic, current and future agricultural operations.

Agriculture, both commercial and family operations, is a permitted primary use within each of the Zoning Districts, with the exception of the CF and OS Districts.

Agricultural Operations are provided specific protections under Arizona State Law. It is the intent of this Ordinance to act and to be in accordance with those protections while still administering the applicable portions of the Towns Zoning Ordinance such as requirements for building permits, zoning clearances, setback criteria and animal count.

B. This Ordinance is adopted pursuant and in accordance with Arizona’s Agriculture Protection Act, currently ARS, Title 3, Article 2.

C. Definitions: The following agriculture definitions shall be applicable to this Section.

- a. **AGRICULTURE:** The production, keeping or maintenance, for sale, lease or personal use, of plants or animals useful to man, including the breeding and grazing of any or all of such animals, the cultivation of soil for the production

of crops, or lands devoted to a soil conservation or forestry management program. This includes farm stands for the temporary or seasonal sales of agricultural and ranch products grown or raised on site or other properties owned or leased by the farm or ranch operator.

- b. **AGRICULTURE OPERATIONS:** All activities performed by an owner, lessee, agent, employee, independent contractor and/or supplier conducted on any lands or facilities utilized to for agriculture, specifically to produce or raise crops, livestock or livestock products.
- c. **FARM, FARMLAND:** Land used for agricultural and ranching purposes.
- d. **FARM STAND:** A temporary or seasonal sales area for the sale of agricultural products grown or raised or on other properties owned or leased by the farm operator. Farm stand structures are subject to zoning clearance and building permit requirements.
- e. **FARM STRUCTURE:** Any building or structure used for agricultural purposes. All such farm structures are subject to zoning clearance and building permit requirements.
- f. **LIVESTOCK:** Farm or ranch animals regarded as an asset, specifically cattle, horses goats, sheep, and other domestic animals raised for production of food, either personal use or commercial sale, leisure, education and/or recreation.
Note: This definition does not include swine or pigs.
- g. **RANCH:** A farm or lands used for raising cattle, horses and/or sheep. Note: Swine or pigs are not included in this definition.

D. Agricultural Operations:

- a. Agricultural operations conducted on farm and ranch lands that are consistent with good agricultural practices are presumed to be reasonable and do not constitute a nuisance unless the agricultural operation has a substantial adverse effect on the public health and safety.
- b. Agricultural operations undertaken in conformity with federal, state and local laws and regulations are presumed to be good agricultural practices and not adversely affecting the public health and safety.

- c. Agricultural operations undertaken within the Town of Camp Verde are required to abide by Section 305.B Animal Points Allowed per Acreage.
- d. Per Arizona Revised Statutes, Article 3-561, 562 and 563, Agriculture operations are not considered a home occupation under Section 303 of the Ordinance and do not require a Town business license nor will the Town restrict nor limit the lawful sale or disposition of their products.
- e. No agricultural operations, consistent with good agricultural practices, will be considered a nuisance. It is accepted that good agricultural practices, which are lawful, customary, reasonable, safe and necessary to industry practices may impact surrounding residential and commercial properties. However, such incidental activities when reasonable and necessary for the agricultural operation(s) are hereby protected.

These activities may include, but are not limited to:

- i. Noise, incidental to the presence of livestock and/or the use of equipment used in normal and acceptable agricultural operations. As normal and acceptable parts of acceptable agricultural operations, the Town's quiet hours and decibel levels do not apply to incidental noise of livestock and equipment use for agricultural operations.
- ii. Dust and fumes associated with normal and accepted activities associated with agricultural operations.
- iii. Odors from livestock, manure, fertilizer, feed or legally acceptable pest control.
- iv. Insects, often associated with the presence of livestock, irrigation and other activities which are standard practices of good agricultural practices.
- v. Chemicals, used in good agricultural practices and are used in the prescribed manner or methods which conform to manufacturer specifications and Arizona State law.
- vi. Water usage, such as irrigation and watering of livestock, is considered normal and acceptable water usage when associated in conformance with good agricultural practices.

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30 day period following the adoption hereof and 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 xxTH DAY OF XXXX, 2022.**

Dee Jenkins - Mayor

Date: _____

Approved as to form:

Attest: _____
Cindy Pemberton, Town Clerk

Bill Sims - Town Attorney

DRAFT

Attachment A

Proposed Right-to-Farm Ordinance

Section 313

SECTION 313 – Agriculture, Right to Farm and Ranch

A. **Purpose and Intent:** Agriculture, farming and ranching, has been and still is an integral part of the rural lifestyle of the Town of Camp Verde. The Town of Camp Verde intends to support, conserve, protect and encourage good agricultural operations, specifically farming, ranching, orchards and vineyards - both commercial and personal - as integral and important parts of this community. It is the intention, by this section, to provide protection of historic, current and future agricultural operations.

Agriculture, whether for commercial operations or personal use, is a permitted primary use within all Zoning Districts except the CF (Community Facilities) and OS (Open Space) Districts.

Agricultural Operations are provided specific protections under Arizona State Law. It is the intent of this Ordinance to act and to be in accordance with those protections while still administering the applicable portions of the Town’s Zoning Ordinance such as requirements for building permits, zoning clearances, setback criteria and animal count.

B. This Ordinance is adopted pursuant and in accordance with Arizona’s Agriculture Protection Act, currently ARS, Title 3, Article 2.

C. Definitions: The following agriculture definitions shall be applicable to this Section.

- a. **AGRICULTURE:** The production, keeping or maintenance, for sale, lease or personal use, of plants or animals useful to man, including the breeding and grazing of any or all of such animals, the cultivation of soil for the production of crops, or lands devoted to a soil conservation or forestry management program. This includes farm stands for the temporary or seasonal sales of agricultural and ranch products grown or raised on site or other properties owned or leased by the farm or ranch operator.
- b. **AGRICULTURE OPERATIONS:** All activities performed by an owner, lessee, agent, employee, independent contractor and/or supplier conducted on any lands or facilities utilized for agriculture, specifically to produce or raise crops, livestock or livestock products.
- c. **FARM, FARMLAND:** Land used for agricultural and ranching purposes.
- d. **FARM STAND:** A temporary or seasonal sales area for the sale of agricultural products grown or raised on site or on other properties owned or leased by the farm operator. Farm stand structures are subject to zoning clearance and building permit requirements.
- e. **FARM STRUCTURE:** Any building or structure used for agricultural purposes. All such farm structures are subject to zoning clearance and building permit requirements.
- f. **LIVESTOCK:** Farm or ranch animals regarded as an asset, specifically cattle, horses, goats, sheep, and other domestic

animals raised for production of food, either personal use or commercial sale, leisure, education and/or recreation.

Note: This definition does not include swine or pigs.

g. RANCH: A farm or lands used for raising cattle, horses and/or sheep. Note: Swine or pigs are not included in this definition.

D. Agricultural Operations:

- a. Agricultural operations conducted on farm and ranch lands that are consistent with good agricultural practices are presumed to be reasonable and do not constitute a nuisance unless the agricultural operation has a substantial adverse effect on the public health and safety.
- b. Agricultural operations undertaken in conformity with federal, state and local laws and regulations are presumed to be good agricultural practices and not adversely affecting the public health and safety.
- c. Agricultural operations undertaken within the Town of Camp Verde are required to abide by Section 305.B Animal Points Allowed per Acreage.
- d. Per Arizona Revised Statutes, Article 3-561, 562 and 563, Agricultures operations are not considered a home occupation under Section 303 of the Ordinance and do not require a Town business license nor will the Town restrict nor limit the lawful sale or disposition of their products.
- e. No agricultural operations, consistent with good agricultural practices, will be considered a nuisance. It is accepted that good agricultural practices, which are lawful, customary,

reasonable, safe and necessary to industry practices may impact surrounding residential and commercial properties. However, such incidental activities, when reasonable and necessary for the agricultural operation(s) are hereby protected.

These activities may include, but are not limited to:

- i. Noise, incidental to the presence of livestock and/or the use of equipment used in normal and acceptable agricultural operations. As normal and acceptable parts of acceptable agricultural operations, the Town's quiet hours and decibel levels do not apply to incidental noise of livestock and equipment used for agricultural operations.
- ii. Dust and fumes associated with normal and accepted activities associated with agricultural operations.
- iii. Odors from livestock, manure, fertilizer, feed or legally acceptable pest control.
- iv. Insects, often associated with the presence of livestock, irrigation and other activities which are standard practices of good agricultural practices.
- v. Chemicals, used in good agricultural practices and are used in the prescribed manner or methods which conform to manufacture specifications and Arizona State law.
- vi. Water usage, such as irrigation and watering of livestock, is considered normal and acceptable water usage when associated in conformance with good agricultural practices.

Attachment B

Excerpts from Town of Camp Verde 1998 General Plan

Introduction, Early History (page 1): The Camp Verde area was utilized and inhabited by Native Americans long before Euromericans arrived, probably from 8000 B.C. to A.D. 1 (Archaic Period). It was A.D. 700 that agriculture appeared. Large, level fields near pueblos were used to cultivate corn, beans, squash and perhaps cotton by irrigation. Over 800 years later Euromericans first visited the area. A period of exploration followed, but it was not until 1865 that settlement by whites was finally begun. A military encampment, Camp Lincoln, was established for the protection of pioneer farms. The historic life of Camp Verde (name was changed in 1868) had begun, and for almost a century agricultural lifestyle, with farming community supporting the cattle business, prevailed.

Introduction, Topography and Current Lifestyle (page 1, paragraphs 2 & 3): The settled land is nearly all in some type of agricultural use, under irrigation from several historic ditches or private wells. Most of its residential agriculture in small holdings.

There are some larger acreage and a few agribusiness operations on hundreds of acres.

Introduction, Issues (page 2): The citizens have strongly recommended at General Plan open houses, and other meetings, that these following issues are addressed:

- ❖ *The agricultural lifestyle protected*
 - (the first of nine different issues that the community wanted to protect).

Introduction, Summation (page 3): In consideration of Camp Verde's history as a territorial Cowtown, and its present status as a community largely of people engaged in various agricultural pursuits who value natural resources that flourish in the area, the General Plan seeks to secure those benefits for its townspeople, their descendant, and their visitors during the present and future.

Introduction, Vision Statement (page 3): Camp Verde will remain a town with a small town rural, western character.

History and Cultural Element, Goal B: Contribution to the Improvement of Camp Verde's Economy (pages 6-7):

Objective: Support business development, including agriculture, which features aspects of local/regional history and culture.

Land Use Element, Introduction (page 14, paragraph 1): The physical characteristics in the geographic study area of the general plan largely determine land use and significantly impact the quality of life in Camp Verde. To remain sustainable, we must be responsible with the use of our land, air and water resources. The Land Use

Element honors current uses with the vision expressed by the community, which is to remain rural and agriculture. These are estimated to be around 150,000 acres in the General Plan study area. Within the incorporated town boundary of Camp Verde there are close to 28,000 acres of which approximately 43% are public lands. Cattle grazing accounts for 68,000 acres on the West Side of the river alone. Retaining public lands as open space and public recreational use serves the vision of townspeople, while preserving panoramic views of the mountains and valleys.

Land Use Element, Introduction (page 15, paragraph 2):Coming down the slope of South Access Road/General Crook Trail, looking upon the lush green of the Verde Valley while passing the grazing cattle and playful horses gives one an impression of the area. The anticipation of a western town and rural homesteads rests in the mind.

(page 15, paragraph 4) The vision of Camp Verde residents from numerous public meetings has always been foremost in the preparation of this plan. Through public participation at all meetings the most significant issue expressed by residents has been the concern of increase in density, impacting the preservation of Camp Verde's agricultural and rural character.

(page 15, paragraph 6 and 7): Locally grown produce draws many people to Camp Verde each summer and fall. The Pecan Lane portion of Montezuma Castle Highway, where much of the produce is raised and marketed, is the quintessential country road, lined with towering Pecan trees and historic homes. This stretch of roadway is beautiful in every season and showcases an established historic land use that has changed very little over the decades. Agriculture is not only a land use, but also a lifestyle. It need not be large or commercial but can be simply a home garden.

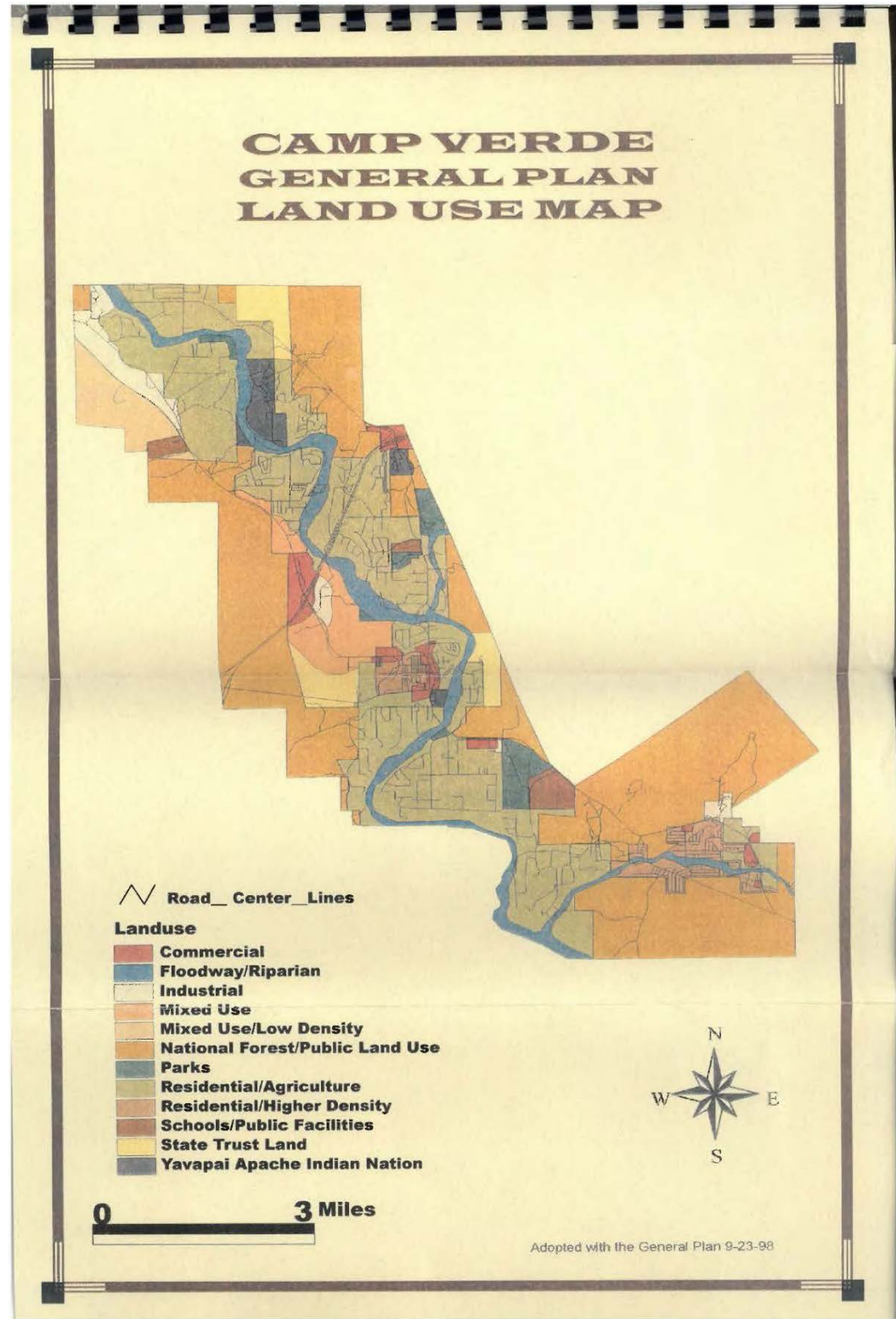
Many planning departments throughout the nation are now addressing agriculture as extremely viable, imperative element. It is, to quote planner, "the wave of the future".

Land Use Element, continued (page 16): Existing or proposed land uses identified in public meetings and addressed by the Camp Verde General Plan Committee and working groups are:

- ❖ *Agricultural Uses:* Will build on Camp Verde's past and present as a farming and ranching community, leading to its most desired land use for the future. It will include a range of land use from residential gardens through cattle and guest ranches to agribusiness, protection rural lifestyle, preserving green belts, encouraging agrarian related activities of residents and enhancing Camp Verde's economy through agriculture. The designation of areas as agricultural character on the land use map specifically does not allow for any new subdivision of less than two acres.

However, it does make allowances for all existing subdivision of less than two acres.

1998 Camp Verde General Plan Land Use Map, page 45: Note the preponderance of the Town is allocated as combined Residential/Agriculture use.



Attachment C

Arizona's Right-to-Farm Summary

One Rural



All in one and one in all,
across differences of social space,
time, and species.

ONE RURAL

RIGHT-TO-FARM

GET HELP

PEOPLE

[<< back to map](#)

Arizona's Right-to-Farm Summary

In 1981, legislators proposed the Right-to-Farm (RTF) in Arizona as a tool to prevent the premature removal of land from agricultural uses due to nuisance litigation.¹ Since that time, the number of farm operations in the state has grown by 144%, while the number of acres farmed has shrunk by 31%.² So what does Arizona's RTF law do in practice?

Arizona Right-to-Farm Law at a Glance

Arizona's RTF law provides no explicit protection for farmland against urban development. Instead, Arizona's RTF law, like those present in all other fifty states, centers around protecting certain types of agriculture operations from nuisance lawsuits. Arizona's statute protects owners, lessees, agents, and independent contractors or suppliers if they are engaged in activities "on any facility for the production of crops, livestock, poultry, livestock products or poultry products or for the purposes of agritourism."³

The state's RTF law, while changed in name to the "Agriculture Protection Act" in 1995, has remained substantively the same since it was first enacted.

RTF Conditions and Activities

To receive protection, operations must be conducted on farmland, defined as land devoted to commercial agricultural production. Operations must be established prior to surrounding nonagricultural land uses. In practice, this means that the operation has to predate its neighbors



in order to receive protection; a once common but increasingly rare stipulation. Presently, most states have either amended their RTF laws to state that an operation does not have to predate its neighbors, or have failed to include this limitation entirely.⁴

Operations are also required to use good agricultural practices in order to receive RTF protection; which are defined in the statute to mean those practices undertaken in conformity with federal, state, and local laws and regulations.⁵ However, some state and federal environmental rules and regulations exempt agricultural operations from standards required of other industries. In addition, Arizona's RTF statute creates a presumption that these so-defined good agricultural practices do not adversely affect public health and safety.⁶ In consequence, this places the burden of proof on any litigant trying to contend otherwise.

Arizona separately regulates environmental nuisances and it's not clear how Arizona's RTF law may interact with this administrative law. Arizona defines environmental nuisances as "the creation or maintenance of a condition in the soil, air or water that causes or threatens to cause harm to the public health or the environment."⁷ More specifically, this includes: a breeding place for flies that transmit diseases in populous areas; waste that risk transmitting disease; spillage of excreta; and the contamination of domestic waters.⁸ If a condition occurs, the director of the Department and Environmental Quality may bring an action to force the operation to stop the activity causing the environmental nuisance.⁹

Other Related Agricultural Laws

Arizona allows producers, shippers, or an association that represents producers or shippers to bring action for damages or other relief when they suffer from malicious public dissemination of false information.¹⁰ Although the term malicious is not specifically defined, a person can be held liable under the statute if they knowingly disseminate false information with intent to harm. If a person knowingly damages, destroys or removes any crop or product used for commercial, testing or research purposes, they are liable for up to twice the market value of what is damaged; up to twice the costs of the production; and the litigation costs of those bringing suit.¹¹

Arizona also allows agricultural landfills on any farm or ranch of more than forty acres in an unincorporated area, as long as the landfill does not create an environmental nuisance (defined above).¹² These landfills can consist of solid, household waste generated by those living on the farm *or* from the property at large's solid (but not hazardous) waste. These landfills must have a location map and general description filed with the board of supervisors.¹³ In court, agricultural landfills may be treated differently than general agricultural operations that qualify for RTF protections. Because of this, registered agricultural landfills may not receive RTF protections.

-
1. Ariz. Laws 1981, Ch. 168, § 1.
 2. United States Department of Agriculture. 1981. USDA Quick Stats Tool: June 1981 Survey, Arizona. Retrieved December 9, 2020. (<https://quickstats.nass.usda.gov/results/87B5D180-6454-325D-9213-8C99479BD53E>); Department of Agriculture. 2019. USDA/NASS 2019 State Agriculture Overview Arizona. Retrieved December 9, 2020. (https://www.nass.usda.gov/Quick_Stats/Ag_Overview/stateOverview.php?state=ARIZONA).
 3. Ariz. Rev. Stat. § 3-111(1) (2020).
 4. Ashwood, Loka, Danielle Diamond, and Fiona Walker. 2019. "Property Rights and Rural Justice: A Study of U.S. Right-to-Farm Laws." *Journal of Rural Studies* 67:120–29.
 5. Ariz. Rev. Stat. §§ 3-112 (A)-(B) (2020).
 6. Ariz. Rev. Stat. § 3-112(B) (2020).
 7. Ariz. Rev. Stat. § 49-141(A) (2020).
 8. Ariz. Rev. Stat. §§ 49-141 (A)(1)-(6) (2020).
 9. Ariz. Rev. Stat. § 142 (2020).
 10. Ariz. Rev. Stat. § 3-113 (2020).
 11. Ariz. Rev. Stat. § 3-114 (2020).
 12. Ariz. Rev. Stat. § 49-766 (2020).
 13. Ariz. Rev. Stat. §§ 49-766 (A)-(B) (2020).
-



© University of Kentucky | Lexington, Kentucky 40506 | An Equal Opportunity University

Attachment D

April 2021 Article

More than a Nuisance: Why Strengthening
Right-to-Farm Laws Became a Key
Legislative Priority [for Arizona]

More than a Nuisance: Why Strengthening Right-to-Farm Laws Became a Key Legislative Priority



AUTHOR

Chelsea McGuire, Arizona Farm Bureau Government Relations Director

PUBLISHED

4/16/2021

article Summary: On April 9, Governor Doug Ducey signed Senate Bill 1448, a much-needed update to Arizona's "Right to Farm Law." Here's why it matters.

In the mid-2010s, residents of rural North Carolina started seeing some new billboards in town. A radical environmental group had begun a strategic public relations campaign with signs along rural roads, encouraging residents of the area to "Raise a Stink" about industrial hog farming.

In the coming months, these billboards weren't the only new things in town. Out-of-state lawyers, seeing an opportunity for a cash cow (or should I say cash hog) of a lawsuit began recruiting potential plaintiffs who would have standing to file a nuisance lawsuit against neighboring hog operations. And by the end of 2018, these efforts paid off exactly as they had been calculated to do: Hundreds of millions of dollars in damages against the hog feeding operation.

This tragic story raised the alarm for agriculture across the nation. If this model could be successful in North Carolina, what was stopping it from being successful in any other state? And if it can be brought against a hog farm, what's to stop it from coming against a dairy, a cattle feedlot, or even a crop farm, because of the inconvenience of dust and smell that inevitably comes from even a perfectly managed operation? And with urban development encroaching more and more into farm country, how could we protect our farms from enterprising attorneys looking to make big money and big headlines from these lawsuits?

These questions threw so-called Right to Farm Laws -- laws that limit what can and cannot be considered a nuisance in an agricultural context -- into the forefront of agricultural policy discussions. While all 50 states, Arizona included, already have some kind of Right to Farm provisions, North Carolina made it clear that these weren't enough to protect farms from frivolous nuisance lawsuits or egregious financial penalties as a result of nuisance claims.

What is a Nuisance Lawsuit?

Nuisance is a common law tort under which a plaintiff can sue a defendant, claiming that the defendant's activities are interfering with the reasonable use and enjoyment of the plaintiff's property. (Arizona actually heard one of the nation's keystone cases on nuisance, and it's a case dealing with a cattle feeding operation.) In the agricultural context, this would manifest in a neighbor suing a farmer because of dust, smell, flies, or noise that emanates from the operation.

Thankfully, the presence of dust or smell alone isn't enough to sustain a nuisance lawsuit. The plaintiff must show that these elements lead to a substantial interference with their use and enjoyment of property. And in Arizona, our existing Right to Farm laws state that if a nuisance case is brought against an ag operation, "substantial interference" must be proven by showing that there has been a threat to public health and safety because of the farm's practices.

Now, let's be clear: a Right to Farm law is not a vehicle by which to give an agricultural operation carte blanche to do whatever it wants. Local ordinances about noise and lights are still applicable. City and county zoning laws are still applicable. State and federal pollution prevention laws are absolutely still applicable (and operations spend tens of thousands of dollars every year to ensure that they can comply). The only thing that is prevented or modified by our law is whether an agricultural operation's activities can be classified as a common law nuisance. It's a very narrow restriction, but one that has proved essential. No agricultural operation can be free from dust, smell, or other elements that "city folk" might find objectionable. But that doesn't mean that the operation is unsafe, harmful, or violating anybody's rights.

The 2021 Legislature

Since the 2018 verdicts in North Carolina, Arizona ag policy leaders have been looking for opportunities to strengthen our Right to Farm statute, in anticipation that these kinds of lawsuits are not going away. And we found an opportunity in an unexpected place: COVID-19. When the pandemic-induced food supply chain disruptions had everybody discussing ways to strengthen our

food distribution systems, we knew that one important factor was to remove the threat of frivolous lawsuits and outrageous jury verdicts from the equation. And that's when Arizona's agriculture groups came together to make sure that our laws were strong enough to prevent history from repeating itself.

While an initial draft of the legislation was ready as early as January, it took us until March to get all of the agricultural community on board with the details of the bill. The version ultimately signed by Governor Ducey focuses not on what is or is not a nuisance, but rather on preventing unwarranted lawsuits that are filed just for the sake of harassing or seeking financial windfalls from agricultural operations.

If I learned anything in law school, it was that if your client has made it into the courtroom, it doesn't matter the outcome: he's already lost. The cost of engaging legal council and responding to legal claims alone is enough to make any business owner fear for its longevity, much less the cost of preparing for and winning a trial. So, one of the major elements of this bill is preventing any lawsuit that doesn't have merit from beginning in the first place. It does so by giving the Court discretion to award attorneys fees and costs in favor of the agricultural operation (meaning, the suing party must pay for the farm's lawyer) if the Court finds the lawsuit was filed in bad faith or for an ulterior purpose. This is like the provisions that we find in family law, which are meant to prevent bickering ex-spouses from bringing each other to court unnecessarily.

The bill also prevents punitive damages awards against an agricultural operation unless that operation has been convicted of a criminal or civil offense in relation to the nuisance. As opposed to compensatory damages, which are the damages that are awarded to compensate for the actual damage caused, punitive damages are awarded to punish bad action or send a message to the rest of the world that society will not stand for this kind of behavior. In the North Carolina case, the hog farm was punished with a range of damages that at one point totaled over \$430 million. While North Carolina's damages laws ultimately ended up capping that award at \$94 million, it showed us that leaving open the extent of punitive damages is risky.

The bill was offered as a strike-everything amendment to SB1448 on March 15. The amendment passed on party lines out of the House Land and Agriculture Committee, chaired by Rep. Tim Dunn, and the Senate Natural Resources Committee, chaired by Sen. Sine Kerr. Now that it has been passed by the entire body and signed by Governor Ducey, we're continuing to tell the story of why good agriculture is worth protecting.

Farmers and ranchers shouldn't have to constantly look over their shoulders and wonder where the next big threat will come from. Strengthening our Right to Farm law is a big step in the right direction in keeping our food supply safe, stable, and strong.

Editor's Note: For more information and up-to-date information about the bill, don't forget to subscribe to our Action Alerts and the weekly *While You Were Working* newsletter.

Attachment E

Arizona Revised Statutes

Title 3, Article 2

Arizona Agricultural Protection Act

Sections 3-111, 3-112, 3-113, 3-114

- Section 3-111, Definitions
- Section 3-112, Agricultural Operations, Nuisance Liability, State Preemption
- Section 3-113, Action for false claims against perishable agricultural food protection, limitation, definitions
- Section 3-114, Liability for Unauthorized destruction of field crop production, damages, definitions

3-111. Definitions

In this chapter, unless the context otherwise requires:

1. "Agricultural operations" means all activities by the owner, lessee, agent, independent contractor and supplier conducted on any facility for the production of crops, livestock, poultry, livestock products or poultry products or for the purposes of agritourism.
2. "Agritourism" means any activity that allows members of the general public, for recreational or educational purposes, to view, enjoy or participate in rural activities, including farming, ranching, historical, cultural, u-pick, harvest-your-own produce or natural activities and attractions occurring on property defined as agricultural real property pursuant to section 42-12151 if the activity is conducted in connection with and directly related to a business whose primary income is derived from producing livestock or agricultural commodities for commercial purposes.
3. "Farmland" means land devoted primarily to the production for commercial purposes of livestock or agricultural commodities.

3-112. Agricultural operations; nuisance liability; damages; state preemption

A. Agricultural operations conducted on farmland that are consistent with good agricultural practices and established before surrounding nonagricultural uses are presumed to be reasonable and do not constitute a nuisance unless the agricultural operation has a substantial adverse effect on the public health and safety.

B. Agricultural operations undertaken in conformity with federal, state and local laws and regulations are presumed to be good agricultural practices and not adversely affecting the public health and safety.

C. In a nuisance action against an agricultural operation conducted on farmland:

1. The court may award costs and expenses, including reasonable attorney fees, to the prevailing party.

2. If the court determines that a party filed a nuisance action under one of the following circumstances, the court shall award reasonable costs and attorney fees to the other party:

- (a) The action was not filed in good faith.

- (b) The action was not grounded in fact or based on law.

(c) The action was filed for an improper purpose, such as to harass the other party, to cause an unnecessary delay or to increase the cost of litigation to the other party.

3. The court may not award punitive damages for a nuisance action unless the alleged nuisance emanated from an agricultural operation that has been subject to a criminal conviction or a civil enforcement action taken by a state or federal environmental or health regulatory agency pursuant to a notice of violation for the conduct alleged to be the source of the nuisance.

D. For the purposes of this section, costs and expenses may include attorney fees, deposition costs and other reasonable expenses as the court finds necessary to the full and proper presentation of the action, including any appeal.

E. A city, town, county, special taxing district or other political subdivision of this state may not declare an agricultural operation conducted on farmland to be a nuisance if the agricultural operation's practices are lawful, customary, reasonable, safe and necessary to the agriculture industry as the practices pertain to an agricultural operation's practices as determined by the agricultural best management practices committee established by section 49-457, the Arizona department of agriculture or the department of environmental quality.

3-113. Action for false claims against perishable agricultural food product; limitation; definitions

A. A producer, shipper, or an association that represents producers or shippers, of perishable agricultural food products that suffers damages as a result of malicious public dissemination of false information that the food product is not safe for human consumption may bring an action for damages and for any other appropriate relief, including compensatory and punitive damages, in a court of competent jurisdiction.

B. A person who intentionally disseminates false information to the public that a perishable agricultural food product is not safe for human consumption for the purpose of harming a producer or shipper is liable for damages determined under subsection A.

C. In any action brought under this section the court may award the successful party court costs and reasonable attorney fees.

D. An action under this section shall be commenced within two years after the false information is disseminated.

E. For purposes of this section:

1. "False information" means information that is not based on reliable scientific facts and reliable scientific data and that the disseminator knows or should have known to be false.

2. "Perishable agricultural food product" means any agricultural or aquacultural food product or commodity that is grown or produced in this state and that is sold or distributed in a form that will perish or decay within a reasonable period of time.

3. "Producer" means the person who grows or produces perishable agricultural food products.

4. "Shipper" means a person who ships, transports, sells or markets perishable agricultural food products under the person's registered trademark or label or a person who first markets the perishable agricultural food product on behalf of the producer.

3-114. Liability for unauthorized destruction of field crop product; damages; definition

A. A person who knowingly damages, destroys or removes any legal crop or crop product that is grown for commercial purposes or for testing or research purposes in the context of a product development program in conjunction or coordination with a private research facility, a university or a federal, state or local government agency is liable for:

1. Up to twice the market value of the damaged, destroyed or removed crop, measured before the damage or destruction.

2. Up to twice the actual costs of production, research, testing, replacement and crop development directly related to the damaged, destroyed or removed crop.

3. Litigation costs including court costs, attorney fees and expert witness fees.

B. The rights and remedies available under this section are in addition to any other rights and remedies otherwise available in law.

C. For purposes of this section, "in conjunction or coordination" means having a written contract involving testing or a product development program relating to the field crop product.

Arizona Revised Statutes

Title 3, Article 7

Sale of Food Products by Producers

Sections 3-591, 3-562, 3-563

- Section 3-561, Definitions
- Section 3-562, Restrictions on sales by food producers prohibited
- Section 3-563, Tax, license or fee against producers and purchasers prohibited

3-561. Definitions

In this article, unless the context otherwise requires:

1. "Food product" includes:

(a) Every product of the soil in its natural or manufactured state.

(b) Beef and beef products.

(c) Swine and pork products.

(d) Fowls and poultry products.

(e) Eggs and egg products.

(f) Milk and milk products.

(g) Lamb and sheep products.

(h) Animal feed that is grown or raised by the producer and sold as feed for livestock, poultry or ratites purchased or raised for slaughter, including livestock purchased or raised for production or use, such as milk cows, breeding bulls, laying hens and riding or work horses.

2. "Producer" includes owners, proprietors or tenants of agricultural lands, orchards, farms and gardens where food products are grown, raised or prepared for market.

3-562. Restrictions on sales by food producers prohibited

A. The producers of food products on agricultural lands, farms and gardens shall never under any pretext be denied or restricted the right to sell and dispose of their products, except in the manner and to the extent provided in this article, and subject to inspection by lawful authority when the inspection is uniform as to the same product and without cost to the producer.

B. The right to sell and dispose of food products shall extend to the producer in person, members of his family, his agents and all persons in his service, when the products are sold or disposed of on his behalf and for his benefit.

3-563. Tax, license or fee against producers and purchasers prohibited

A. A tax, license or fee may not be imposed or levied on or demanded or collected from:

1. A producer for a sale of a food product.
2. A purchaser of a food product from a producer.

B. A penalty or punishment may not be imposed on account of the sale of a food product, except for a violation of laws providing for inspection.

C. A municipal ordinance that seeks to impose or subject a producer, or a purchaser of a food product from a producer, to a tax, license or fee is void, except that all such products in common with similar products offered for sale by persons not the producers thereof are subject to inspection. A municipal ordinance providing for inspection is not valid unless it applies in the same manner and terms to other persons offering similar products for sale.

Attachment F
August 04, 2022
Planning and Zoning
Minutes



Support your local merchants

**Minutes
Town of Camp Verde – Planning & Zoning Commission
Regular Session
473 S. Main Street, Suite 106
Thursday, August 4, 2022 at 6:30 P.M.**

1. **Call to Order at 6:31 pm.**
2. **Roll Call.** Chairman Andrew Faiella, Vice Chairman Todd Scantlebury, Greg Blue, Robert Foreman, William Tippet, Michael Hough, Ingrid Osses

Roll Call:

Commissioner Osses: Present
Chairman Faiella: Present
Vice Chairman Scantlebury: Present via Zoom
Commissioner Hough: Present
Commissioner Blue: Present
Commissioner Tippet: Absent
Commissioner Foreman: Absent

Also present: Rob Witt (applicant); Community Development Director John Knight; Planner BJ Ratlief; Cory Mulcaire, Zoning Inspector; and multiple members of the community.

3. **Pledge of Allegiance – Chairman Faiella**
4. **Consent Agenda** - All 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 the Commission so requests.
 - 4.a. **Approval of Minutes: June 9, 2022**
 - 4.b. **Set Meeting Dates:**
 - August 11, 2022, at 6:30 pm (Special Session)
 - September 1, 2022, at 6:30 pm (Regular Session)
 - September 8, 2022, at 6:30 pm (Special Session)

Motion by Commissioner Blue to approve Consent Agenda as presented.
Second was made by Commissioner Osses.

Roll Call Vote:

Commissioner Osses: Aye
Commissioner Hough: Aye
Commissioner Blue: Aye
Vice Chairman Scantlebury: Aye
Chairman Faiella: Aye

Motion carried 5-0.

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.

No comments from public.

6. **Public Hearing** – Discussion, consideration, and recommendation to Council regarding an application for a Zoning Map Change from R1L (Residential: Single-Family Limited) to R1 (Residential: Single-Family) for parcels 404-13-500 and 404-13-501, located at 2802 Twin Leaf Circle and 2804 Twin Leaf Circle.

Staff Comments: BJ Rattlief spoke about the reasons for the Zoning Map Change request. In December of 2019, 27 of the 33 lots in the Preserve at Clear Creek Subdivision had been rezoned from R1L-18 to R1-18. The six remaining lots had already been built on, or the owners did not wish to change the zoning of. Since 2019, Mr. Witt had purchased the two lots in discussion and would like to bring them into conformance with the rest of the subdivision as well as start development.

Public Hearing Opened at 6:40 pm: No comments from public.

Public Hearing Closed at 6:40 pm.

Commission Discussion: No commission discussion.

Motion was made by Chairman Faiella to recommend approval of a Zoning Map Change from R1L-18 (Residential: Single-Family Limited, 18,000 Square Foot Minimum) to R1-18 (Residential: Single Family, 18,000 Square Foot Minimum) to the Mayor and Town Council for parcels 404-13-500 and 404-13-501, which are part of the Preserve at Clear Creek Subdivision located at 2802 and 2804 Twin Leaf Circle, Camp Verde, Yavapai County, Arizona.

Second was made by Commissioner Blue.

Roll Call Vote:

Commissioner Osses: Aye

Commissioner Hough: Aye

Commissioner Blue: Aye

Vice Chairman Scantlebury: Aye

Chairman Faiella: Aye

Motion carried 5-0.

7. **Public Hearing** – Discussion, consideration and recommendation to Council to amend the Zoning Ordinance to allow an increase in height in the C2 (Commercial: General Sales and Service) Zoning District. The proposed change is anticipated to only affect properties that are zoned C2 and located within 2,500 feet of the I-17/Highway 260 Interchange. Amendments include, but may not be limited to, Section 203.G. of the Zoning Ordinance. Staff resource: John Knight.

Mr. Knight spoke about how the amendment came to be. At the request of developers and the direction of Council, Community Development Director Knight was advised to start a “Height Amendment,” along the I-17/260 corridor allowing businesses to build up to 65 feet in the C2 zone.

BJ Ratlief read an email into the record from Andy Groseta, asking that the radius of the amendment go out to 5,000 feet and that it includes all commercial zoning in that radius.

Public Hearing Open at 6:50 pm.

Patrick Denny, via Zoom, asked about his parcel 403-23-103L. Part of the 2,500-foot radius falls on his property so he wanted to know if this change would be beneficial to him and that he would like to see it cover all commercial zones as well as be a larger radius.

At the direction of the Chair, Director Knight responded that currently the way the amendment is written, the whole building would have to be in the 2,500-foot radius and this amendment would not be a benefit to Mr. Denny at this time.

Public Hearing Closed at 6:53pm.

Commission Discussion:

Commissioner Blue expressed that he feels if the applicant is partly in the radius, the best way for them to proceed is to apply for a variance.

Chairman Faiella is concerned that a blanket change, allowing any C2 in the area to build to 65 feet, does not give us adequate control over what is happening to the “gateway” of our city. He would recommend that a PAD overlay for C2 zoning would be more appropriate for the Commission and staff to have more control over what is done in that area.

Commissioner Hough spoke of this being a low-lying area and a 60- or 70-foot elevation is not going to make us a casino row. If this is what it takes to make a profit, this is what need to allow to bring businesses in. He would like this to include all commercial properties, not just the C2.

John Knight mentioned that variance may not be appropriate because it is difficult to meet the criteria under the State Law. A PAD could apply but is a different approach and we do not have a PAD application for consideration. It is reasonable to include other zoning districts, but we will need to go back through the noticing process and return to the Commission.

Commissioner Osses asked why is only C2 the only zoning district in this amendment.

Mr. Knight answered that the zone that are proposed are only C2, but we can come back with the other districts in September.

Commissioner Scantlebury commented that he is ready for the motion.

Commissioner Faiella asked again about a PAD and how to present this as a motion as does not want a blanket rezone.

Director Knight again stated that we have to vote on the issue in front of the Commission. A PAD has to be requested by the applicant.

Commissioner Blue asked if this can be postponed.

Director Knight says yes, and they can request that we notice with more commercial zones.

Commissioner Hough says that these parcels are too small for a PAD and it's not appropriate to ask a merchant to do a PAD for a small project.

Motion was made by Commissioner Hough to recommend Council amend the Zoning Ordinance to allow an increase in height in the C2 (Commercial: General Sales and Service) Zoning District. The

proposed change is anticipated to only affect properties that are zoned C2 and located within 2,500 feet of the I-17/Highway 260 Interchange. Amendments include, but may not be limited to, Section 203.G. of the Zoning Ordinance.

Second was made by Vice Chairman Scantlebury.

Commissioner Osses would like to know what else is allowed in a C2 zoning district. Maybe there needs to be a little more time in discussion.

Director Knight explains that anything allowed in a C2 zone can be built and it is not just limited to a hotel. He then went on to list some of the permitted uses in the C2 zone.

Commissioner Hough discussed the reason that we have sales tax and no property taxes so we should allow more development in this area.

Chairman Faiella discussed that we need to see developments before they are built and should recommend a PAD and he does not see it as a big deterrent.

Roll Call Vote:

Commissioner Osses: No

Commissioner Hough: Aye

Commissioner Blue: No

Vice Chairman Scantlebury: Aye

Chairman Faiella: No

Motion fails 2-3.

Chairman Faiella asked the agenda title to be changed to “Discussion”, not Work Session, and to adjust the order of the agenda.

Director Knight stated that a motion needs to be made to amend the agenda.

Motion was made by Chairman Faiella to change the order of the under section 8, starting at the bottom and going up. The Right to Farm would be first, then Minor Code Amendments then the Sign Ordinance.

Second was made by Commissioner Blue.

Motion carried 5-0.

8. Discussion on Code Amendments – The Community Development Department is working on several code amendments. These are noted below. These items are for preliminary discussion and direction only.

8.a. Right-to-farm ordinance – Possible addition of a Right to Farm Ordinance that will combine agriculture, ranching and animal numbers in one section of the Zoning Ordinance. References will also be added to reflect state law (Arizona Revised Statutes) sections related to agriculture.

Staff Comments: Director Knight spoke about the Right to Farm and how it came about regarding nuisance complaints being abundant in our town. He also mentioned that Agriculture is in our General Plan and allowed in every zoning district but is not clearly defined in our Code.

Public Comments: Mr. Backus spoke in favor of an ordinance.

Ms. Claudia Hauser was in favor of an ordinance update and willing to help establish “Good

Agriculture Practices” with the community and Town.

Mrs. Nancy Higginbotham was in favor and willing to participate in community meetings.

Ms. Georgia May was in favor of an ordinance update to protect Agriculture in Camp Verde.

Jessica Oium is in favor of the ordinance update but would like the Animal Count in the code done away with.

Mary Phelps is in support of a Right to Farm ordinance.

Marie Moore was in favor of a Right to Farm ordinance.

Commission Discussion: Commissioner Osses stated that she feels an Agriculture Ordinance needs to be a priority.

Commissioner Blue would like community members to form a committee and work with Planning and Zoning.

Chairman Faiella would also like to see a citizens committee.

8.b. Minor Code Amendments – Possible changes to the zoning ordinance related to accessory structures (height and setbacks), fencing (height and setbacks), and Scrivener’s Errors.

Staff Comments: Director Knight spoke of these being little things that we can easily take care of.

Accessory structure side and rear setbacks and height can be the same for all zoning districts and defined in the code. As well as a clear definition of an accessory structure being non-habitable.

Fencing needs to have a difference in internal and external height, as well as vacant lots need to be allowed fencing as long as it is not opaque.

Scrivener’s errors allow Community Development to correct small, grammatical errors in the code without having to come to Planning and Zoning Commission and Town Council.

Public Comments: Steven Backus spoke in favor of updating the setbacks and accessory structures.

Mary Phelps spoke that she is in favor of setbacks and accessory structures being updated in the code.

Marie Moore is in support of the accessory structure setbacks being updated. Fence should be allowed on vacant lots, as well as accessory structures.

Commission Comments: Commissioner Osses spoke that as a property owner you should be able to do whatever you want.

Commissioner Blue suggested that we come back to Planning and Zoning with accessory structures, setbacks, and fence as a Work Session.

Commissioner Hough spoke to the reason that accessory structures, are not allowed on vacant lots to protect property values and the neighborhood.

Chairman Faiella requested that these all come back to Planning and Zoning as Ordinances for approval.

Director Knight also spoke about the reason we do not allow an accessory structure on a vacant lot.

Chairman Faiella also asked that in the Work Session we look at the Fee Structure.

Director Knight stated that this is not likely to be changed by the Town Council.

8.c. Sign Ordinance Amendments – Possible changes to the sign ordinance primarily related to commercial signs. Amendments could include, but are not limited to, exemptions and prohibitions, definitions, and standards for both permanent and

temporary signs.

Staff Comments: Director Knight spoke about this being very preliminary input to updating the sign ordinance and getting into public outreach for the sign ordinance. He would like a Commissioner and Council Member to be involved in a citizens committee to update the ordinance. Also, that this needs to be customized to our jurisdiction, not just copied from another jurisdiction. He expects that this will be a six (6) to eight (8) month process.

Public Comments: Rob Witt spoke in favor of updating the sign ordinance. Marie Moore spoke in favor of updating the sign ordinance with a series of community meetings.

Commission Comments: Director Knight spoke about the difference between a community meeting as well as a formal committee.

Commissioner Osses spoke about the importance of signs for businesses and that the code needs to be updated. It is also important that we help businesses bring in revenue, not keep them from bringing in revenue.

Chairman Faiella suggested that we move forward with meetings.

Director Knight agreed and stated that we will likely take this to Council and get their input on how they would like us to proceed.

- 9. Current Events** - 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.

No Comments from Commissioners.

10. Staff Comments

10.a. Updates from Council meetings

Director Knight spoke about new staff positions, specifically a Building Inspector and Planner. Also mentioned that Alcantara and Firebird Rezones were approved by Council.

Planner Rattief stated that the Use Permit renewal for RRR Bed and Breakfast was also approved by Town Council.

10.b. Other Comments

Commissioner Osses asked if it is important for the Commissioners to go to the council meetings.

Director Knight stated yes, it is appropriate for Commissioners to know what is going on.

Planner Rattief directed the Commission on how to get notifications from the Town website that the library has set up.

Director Knight mentioned the purchase of the water company.

Planner Rattief spoke of Ken Krebbs becoming our new Public Works Director and resigning as Chairman of Board of Adjustments. She also informed Commission we need to fill that vacancy if they knew of anyone.

Planner Rattief also mentioned that election had not been fully called and Robert Foreman is still in the running.

Planner Ratlief also looked for guidance as to cancelling September Regular Session and have our September meeting on September 8 during the Special Session. She told them we will inform them as soon as we get approval from the Town Manager. Also, we will be cancelling the August 11 Special Session.

Director Knight spoke about what he thought the purpose of a Special Session is.

Commissioner Blue spoke that there was confusion about the Height Amendment motion, and he thought we would table it.

Chairman Faiella was confused as well.

Director Knight stated that you can only vote on what is in front of you, but that any Commissioner can request an item be put on the agenda for discussion at a future meeting.

11. **Adjournment-** Motion to adjourn was made by Commissioner Blue. Second was made by Commissioner Osses

Motion carried unanimously.

Meeting adjourned at 9:10 pm.

Chairman Faiella

Community Development Director Knight

CERTIFICATION

I hereby certify that the foregoing minutes are a true and accurate accounting of actions of the Planning and Zoning Commission of the Town of Camp Verde during the Special Session of the Planning and Zoning Commission of the Town of Camp Verde, Arizona, held on June 9, 2022. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 8th day of August 2022.

Cory L. Mulcaire
Cory L. Mulcaire



Agenda Report Form – Section I

Meeting Date: Planning and Zoning Commission; Thursday, November 03, 2022

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Work Session

Requesting Department: Community Development

Staff Resource/Contact Person: John Knight, Community Development Director

Agenda Title - Public Hearing: Discussion, consideration and possible recommendation to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, to approve amending the Town of Camp Verde Planning & Zoning Ordinance, with minor text amendments within Sections 203, 301, 502 and 601 via Draft Ordinance 2022-A472, related to accessory structures, setbacks for nonconforming parcels, fencing, land division and scrivener’s errors.

List Attached Documents:

- A. Proposed Ordinance Amendments
 - a. Accessory Structures (Section 203) [Minor Amend page 4]
 - b. Setbacks (Section 301.A.) [Minor Amend page 6]
 - c. Utility and Marijuana Fencing Exception (Section 301.B.) [Minor Amend page 9]
 - d. Perimeter Fencing (Section 301.C.) [Minor Amend page 12]
 - e. Land Division (Section 502.A.) [Minor Amend page 13]
 - f. Scrivener and Formatting Errors (Section 601) [Minor Amend page 15]
- B. Minutes from August 4, 2022 P&Z Meeting [Minor Amend page 18]
- C. Draft Ordinance 2022-A472 (includes proposed amendments) [Minor Amend page 20]

Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 10 minutes

Background & Recommendation: The current Planning and Zoning Ordinance was adopted on May 25, 2011 via Ordinance 2011-A374. Various sections of the Zoning Ordinance have been amended since 2011. Some of the more significant changes included allowable uses, lighting, shipping containers, and signs.

Part Six (6) – Administration and Procedures, Section 600.C.1, allows for amendments to the Zoning Ordinance by the Council after a hearing before the Planning and Zoning Commission. Amendments may be initiated by the Council, the Planning and Zoning Commission, the public or by staff.

On August 4, 2022, staff presented to the Planning and Zoning Commission a list of minor amendments for consideration and public input. See Attachment A for minutes from that meeting.

The sections proposed for updating are noted below. In most cases, these sections are unclear or simply need to be updated. Most of these changes would be considered minor and not controversial.

- A. Accessory Structure Setbacks (Section 203):** Modify setback requirements to allow a reduced setback for non-habitable (accessory) structures. [Minor Amend page 4]
- B. Setbacks for Nonconforming Parcels (Section 301.A.):** Add clarification to provide administrative authority to adjust setback requirements for legal, nonconforming parcels. [Minor Amend page 6]
- C. Utility and Marijuana Fencing Exemption (Section 301.B.):** Amend ordinance to allow taller fence heights for utility infrastructure (such as APS) and Marijuana Cultivation Facilities (to be compatible with state statute requirements). [Minor Amend page 9]
- D. Perimeter Fencing (Section 301.C.):** Amend ordinance to allow vacant lots to be fenced. [Minor Amend page 12]
- E. Land Division (Section 502A.):** Update and correct the Land Division section within the Subdivision Ordinance to clarify when a Minor Land Division (MLD) is required. [Minor Amend page 13]
- F. Scrivener and Formatting Errors (Section 601):** Add a provision to allow administrative edits to the Zoning Ordinance for minor errors such as spelling or formatting. [Minor Amend page 15]

Each of these proposed changes are discussed below in Attachment B.

The following have been completed by staff:

- A public hearing notice was placed in the Verde Independent Newspaper on October 16, 2022 and October 19, 2022.
- A meeting agenda was posted at Town Hall and Bashas’.

Note – direct mail to residents is not required for zoning ordinance amendments.

Recommendation: Motion to recommend to the Mayor and Common of the Town of Camp Verde, Yavapai County, Arizona, to approve amending the Town of Camp Verde Planning and Zoning Ordinance, with minor text amendments within Sections 203, 301, 502 and 601 via Draft Ordinance 2022-A472, related to accessory structures, setbacks for nonconforming parcels, fencing, land division and scrivener’s errors.

Attachment A

Proposed Amendments

- a. **Accessory Structures (Section 203)**
- b. **Setbacks (Section 301.A)**
- c. **Utility and Marijuana Fencing Exception (Section 301.B.)**
- d. **Perimeter Fencing (Section 301.C.)**
- e. **Land Division (Section 502.A.)**
- f. **Scrivener and Formatting Errors (Section 601)**

Attachment A – Proposed Ordinance Amendments

A. Accessory Structure Setbacks (Section 203): The current Planning and Zoning Ordinance allows accessory structures to encroach into the rear setback. However, it does not provide a standard measurement of how far into a setback it may encroach. Staff recommends clarifying the ordinance by providing specific accessory structure setbacks for each residential Zoning Use District.

Discussion: Section 301 – Exceptions to yard and height requirements, specifically 301.A.2.c(3) – Rear Yard Encroachments (P&ZO, page 81), provides an exception for allowing accessory structures, such as sheds, gazebos, carports, barns, garages, etc. to encroach into the rear setback of a parcel. However, it does not specify how far into the rear setback these structures may encroach.

By working policy, staff have allowed these types of structures to encroach within five (5) feet of the rear boundary. This five (5) foot allowance is based upon building code. A building that is set at least five (5') foot from the property line does not require any special fire protection measures. This ensures a minimum 10' separation between structures on adjacent properties.

For purposes of standardization, staff recommends requiring a seven (7) foot internal side and rear setback for accessory structures for all residential zoning districts. Currently, most of the residential use districts have a seven (7) foot side setback with 10' on a corner lot. The only exception is the RR-2A Use District which is a 25' or 30' side boundary setback. For consistency and standardization, staff recommends a consistent seven (7) foot interior side yard and rear yard setback for all residential zoning districts.

See below for recommended revisions, red text, to the Tables of each Zoning Use District which details the required Dimensional Standards for each district. These tables will now display setbacks for livable structures and for accessory structures. See **Section 203 – Use Districts for R1L, R1, R2, RR, and RS (P&ZO, pages 31-43)**.

Proposed Amendment to Dimensional Standard Tables:

Table 2-1 R1L: Dimensional Standards (page 33)

Zoning District R1L	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	7,500'	7,500
Minimum Width OR Depth (feet)	75'	75'
Maximum Bldg Ht (stories)	2	2
Maximum Bldg Ht (feet)	30'	30'
Maximum Lot Coverage (%)	50%	50%
Minimum Front Yard (feet)	20'	20'
Minimum Rear Yard (feet)	25'	7'
Minimum Side Yard Interior (feet)	7'	7'
Minimum Side Yard Exterior (feet)	10'	10'

Table 2-2: R1 Dimensional Standards (page 35)

Zoning District R1	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	10,000' (or as determined by suffix)	10,000' (or as determined by suffix)
Minimum Width OR Depth (feet)	80' (or as determined by suffix)	80' (or as determined by suffix)
Maximum Bldg Ht (stories)	2	2
Maximum Bldg Ht (feet)	30'	30'
Maximum Lot Coverage (%)	50%	50%
Minimum Front Yard (feet)	20'	20'
Minimum Rear Yard (feet)	25'	7'
Minimum Side Yard Interior (feet)	7'	7'
Minimum Side Yard Exterior (feet)	10'	10'

Table 2-3: R2 Dimensional Standards (page 37)

Zoning District R2	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	7,500'	7,500'
Minimum Width OR Depth (feet)	75'	75'
Maximum Bldg Ht (stories)	3	3
Maximum Bldg Ht (feet)	30'	30'
Maximum Lot Coverage (%)	50%	50%
Minimum Front Yard (feet)	10'	10'
Minimum Rear Yard (feet)	25'	7'
Minimum Side Yard Interior (feet)	7'	7'
Minimum Side Yard Exterior (feet)	10'	10'

Table 2-4: RR Dimensional Standards (page 40)

Zoning District R-R	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	87,120' (2 acres)	87,120' (2 acres)
Minimum Width OR Depth (feet)	225'	225'
Maximum Bldg Ht (stories)	2	2
Maximum Bldg Ht (feet)	30'	30'
Maximum Lot Coverage (%)	15%	15%
Minimum Front Yard (feet)	50'	50'
Minimum Rear Yard (feet)	50'	7'
Minimum Side Yard Interior (feet)	25'	7'
Minimum Side Yard Exterior (feet)	30'	10'

Table 2-5: RS Dimensional Standards (page 43)

Zoning District R2	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	7,500'	7,500'
Minimum Width OR Depth (feet)	75'	75'
Maximum Bldg Ht (stories)	3	3
Maximum Bldg Ht (feet)	30'	30'
Maximum Lot Coverage (%)	50%	50%
Minimum Front Yard (feet)	10'	10'
Minimum Rear Yard (feet)	25'	7'
Minimum Side Yard Interior (feet)	7'	7'
Minimum Side Yard Exterior (feet)	10'	10'

B. Setbacks for Nonconforming Parcels (Section 301.A.): The current Ordinance does not provide clear and concise authority to administratively adjust setbacks on legal, nonconforming parcels that are substandard in size. Staff recommends amending the Ordinance to provide this authority.

Discussion: The Town of Camp Verde has a significant number of lots or parcels that are substandard in size but were created legally prior to incorporation of the Town. These parcels are referred to as “nonconforming lots of record” and are often referred to as being grandfathered.

Simply stated, a nonconforming lot is a parcel which does not meet current zoning standards such as minimum lot area or minimum lot dimensions. Provided the lot was legally created, then a home or other allowable use can be constructed on the lot.

A common example is an existing ½ or ¼ acre lot which is zoned RR-2A which is supposed to be a 2-acre lot or greater. The required setbacks for RR-2A zoning is 50’ on the front and rear boundary and 25’ on the sides. Substandard parcels such as this often cannot physically meet these greater setbacks and still have enough space to actually build a home.

The accepted method of permitting building and development on such lots is to apply the zoning standards for the use district which, by size and dimensions, most closely applies to the physical dimensions of the actual lot. In the above example, the setback standards of the R1 zoning district would be applied to this nonconforming lot which would allow the lot to be developed.

Past Community Development Directors, have by policy, authorized building and development on these nonconforming lots by applying the above standard. However, such authority is not explicitly detailed in the current Ordinance. Staff recommends amending the current Ordinance to clarify this authority and procedure.

See below for recommended revision, red text, to **Section 301.A.1 – Yard Adjustments** (P&ZO, page 80-81):

Proposed Amendment:

301.A Yards and Courts

The required setback for a structure on any property is the minimum yard allowed. No structures other than fences, free standing walls, swimming pools, signs and other structures or projections cited in this section shall be permitted in the required setback. No lot shall be divided or diminished so that the setback and lot coverage requirements cannot be met. Structures on different lots shall not share the same yard to meet setback requirements. Except front setbacks in the Townsite Plat may be reduced to match either of the adjacent front property setbacks and may reduce front setbacks to zero.

In calculating setbacks, through lots (fronting on two streets) shall be considered as having two front yards. No door, window or other device, when opened, extended or otherwise in operation, shall protrude beyond a lot boundary.

1. **Yard Adjustments:** (Where the minimum length or width requirements can be met):

a. Side Yard Deviations

- 1). Any residentially- zoned interior lot lacking rear access shall provide a side yard measuring no less than 9 feet to provide access to any rear parking.
- 2). On a reverse corner lot backing to the adjoining lot, no structure exceeding a four (4) foot height may be located adjacent to the side street within a triangular area formed by a line connecting the street intersection with the required front setback line of the adjoining lot.

b. Legal Nonconforming Lots – All yards:

~~Structures located on legal, non-conforming lots shall meet the district setback requirements notwithstanding the substandard area of the lot.~~

Setbacks may be administratively adjusted for legal, nonconforming lots where district setbacks cannot be met due to substandard lot size. Setback standards for the nearest zoning district which most closely applies to the actual lot size will be used as the allowable setbacks. Administrative adjustments made under this section shall be documented on all Zoning Clearance documents.

2. **Encroachment into Yards** (where not in conflict with future width lines): No structure (other than fences, free standing walls or signs) shall be located so as to encroach upon or reduce any open space, yard, setback requirement, lot area or parking area as is designated under these provisions or under the provisions of the District in which it is located, except that:

a. All Yard Encroachments:

- 1) Cornices, eaves, coolers and open balconies, fire escapes, stairways or fire towers may project no more than five feet into any required yard (see definition) or court but no closer than three feet from any lot boundary.
- 2) Chimneys may project two feet into any required yard or court.

b. Front Yard Encroachments:

- 1) A bay window or entranceway less than ten feet wide may project three feet into any required front yard.
- 2) An attached open porch, balcony or carport may project no more than 6 feet into any front yard.

c. Rear Yard Encroachments:

- 1) A bay window or entranceway less than ten feet wide may project three feet into any required rear yard.
- 2) An attached open porch, balcony or carport may project no more than 10 feet into any required rear yard (but no closer than 10 feet from any common lot boundary).
- 3) A detached accessory structure may be placed in a required rear yard provided it does not:
 - a) Encroach upon the end quarter of a through lot, or double frontage lot
 - ~~b) Be nearer the side property line of the front half of any adjacent lot than the required side yard of such lot.~~
 - e)b) No portion of an accessory building to be used for dwelling or sleeping purposes shall be nearer any property line than is allowed for a principal building.

- d)c) Except that none of these provisions for detached accessory buildings shall prohibit their construction in a location farther than 75 feet from any lot boundary.
- 4) Swimming pool setbacks from any lot boundary shall be no less than five (5) feet for any outdoor private pool and twenty-five feet for any outdoor public pool.

C. Utility and Marijuana Fencing Exemption (Section 301.B.): Currently, the maximum height of a perimeter fence on commercial property is eight (8) feet. Staff proposes amending this height limit in two specific circumstances; utility companies such as APS and marijuana cultivation.

Discussion: For purposes of public safety, utility companies such as APS have internal-company standards which require perimeter fencing of their installations to be greater than eight (8) foot, primarily for safety and security reasons. Currently, the only way to increase the height would be a variance. Staff recommends exempting utility companies from the current eight (8) foot wall-fence height requirement.

Similarly, the State of Arizona requires marijuana cultivation sites to have perimeter fencing up to 12 feet in height. Staff have approved these increased heights since local ordinances are superseded by State Statutes. However, staff recommends exempting these cultivation sites from the current fence height requirement for and industrial zoned parcels.

Additionally, staff recommends a few editorial corrections within in this section.

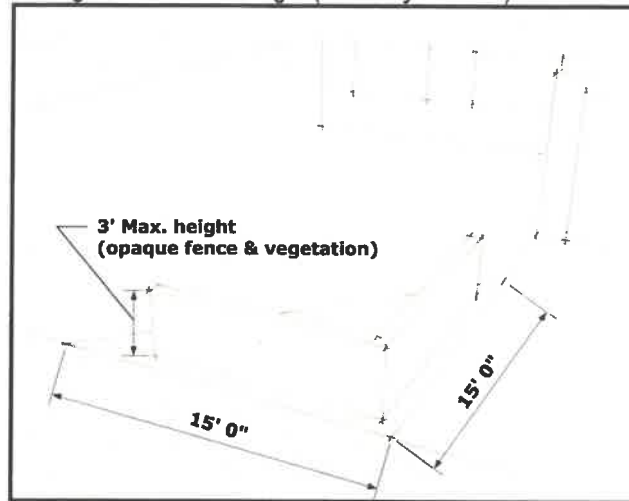
See below for recommended revision, red text, to **Section 301.B.2 – Fences and Freestanding Walls** (P&ZO, page 82):

Proposed Amendment:

301.B. Height Limits:

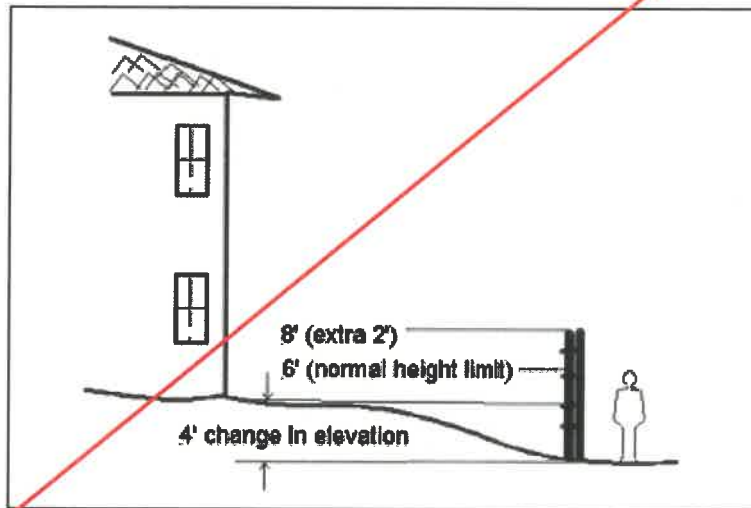
1. **Exceptions to Height Limits:** The district height limitations for buildings are not applicable to spires, cupolas, chimneys, flues, vents, poles, beacons or towers; nor to any bulkhead, elevator, tank (or similar) extending above a room when same occupies no more than 25 percent of such roof area. Any such structure must be so located on a lot that its length (in case of collapse) would be contained within the bounds of the lot unless based on safety engineering data that demonstrates the proposed structure would satisfy this requirement.
2. **Fences and ~~Free~~standing Walls:**
 - a. The maximum height of a fence or freestanding wall is determined by measuring from the finished grade at the base of the fence or wall.
 - b. Fences and freestanding walls within the required yards or setbacks shall maintain the following maximum heights:
 - 1) Fences or ~~free~~standing walls, not to exceed a height of six (6) feet in any required front yard, with at least the top two (2) feet open fencing, not opaque or solid and not to exceed six (6) feet elsewhere on residentially zoned lots. Agricultural fences (may not be opaque or solid) intended for confining livestock are exempt from the height restrictions.
 - 2) Three (3) feet within the triangular area formed by measuring 15 feet along the boundary of roadways and drives from their intersection. This three (3)-foot limit includes hedges and other plantings but may include open fencing above three feet to otherwise permitted height.

Figure 3-1: Fence Height (Driveway & Street)



- 3) The following exceptions apply to subsection b.1), above:
A fence or freestanding wall may be erected or altered up to a height of eight (8) feet where the ground floor elevation of the principal dwelling on an abutting lot is at least four feet higher than the elevation at the abutting lot line (see Figure 3-1) where there is an elevation difference of two (2) feet or more between adjacent lots. For purposes of measuring height, the maximum height of eight (8) feet shall be measured from whichever side is taller.

Figure 3- 2: Fence Height Exception



Additional height where home on adjacent lot is 4 feet higher.

- 4) On commercial and industrial zoned lots: eight feet, except as noted below for utility companies and marijuana cultivation.
- 5) Where a fence or wall is required as a screening or other protection for residentially-zoned lots, it shall comply with the height limits for fences on residentially-zoned lots.
- 6) Exception for utility companies and commercial marijuana cultivation:
- a. Utility companies such as APS (Arizona Public Service Company), Salt River Project, Unisource, etc. providing support and services for public utilities, are exempt from wall-fence height limits as these installations often require higher walls-fences in order

to protect critical infrastructure. Perimeter fences for these utility companies will be only as tall as minimally required by each company.

- b. Marijuana Cultivation facilities, with approved cultivation licenses through Arizona Department of Health Services, are exempt from wall-fence heights. Fences for cultivation facilities will be required to meet Arizona State Law requirements.

D. Perimeter Fencing (Section 301.C.): The current Planning and Zoning Ordinance prohibits vacant/undeveloped lots or parcels less than two (2) acres from being fenced. Staff recommends dropping this prohibition to allow non-opaque (open) fencing to be permitted on these properties prior to installing or building a primary use structure such as a home.

Discussion: The current prohibition of fencing vacant lots inhibits property owners from protecting their private property. The Town has investigated several code violations where unknown persons have dumped trash and debris as well as parked/abandoned dilapidated vehicles on vacant/open lots. There are even several cases where people have been living in RVs (recreational vehicle) on vacant lots. The current prohibition prevents property owners from effectively stopping unwanted trespass on their private property.

However, for purposes of public safety and protection against other code violations, staff believes it is important to be able to see/observe vacant lots. Many of the Town's existing code violation cases of building without a permit occur where lots are fenced and the building is not easily seen by neighbors or staff. Additionally, the Town does not want vacant lots to be used for storing/dumping dilapidated vehicles, equipment and supplies or other illegal activities. Therefore, staff recommends removing the current prohibition on fencing vacant lots with a requirement that the fence be non-opaque fencing.

See below for recommended revision, red text, to **Section 301.C.1 – Accessory Uses and Structures** (P&ZO, page 83).

301. C. Accessory Uses and Structures

1. Accessory Uses and Structures are allowed prior to installation of the principal structure only when a construction permit is issued for the principal structure and construction of same is commenced within six months. On lots of two acres or more in size, an accessory structure may be constructed for the purpose of storing machinery or other miscellaneous equipment without a primary structure being required. A building permit, and/or zoning clearance, must be obtained prior to installation of construction and all structures must be built to conform to the International Building Code and Zoning District setback requirements.

Perimeter fences are exempt from the above paragraph. Vacant parcels may be fenced, prior to installation of a principle use or structure. Such fences shall comply with all other zoning requirements. Additionally, if the parcel or lot is vacant, then all perimeter fencing shall be non-opaque in order that the parcel may be clearly seen/observed.

2. Residential uses in manufactured homes and mobile homes and long term stays in RV Parks (over 30 days), that do not include an enclosed garage, shall provide enclosed storage, attached or detached, of a minimum area of one hundred (100) square feet as an accessory use to such dwellings.

E. Land Division Lot Size (Section 502A): The current Planning and Zoning Ordinance, Section 502.A-Land Division, contains several text errors. Staff recommends the following corrections which are in compliance with Arizona Revised Statutes.

Discussion: The current Land Division section contains several text errors which create confusion and appear to say only land divisions of parcels 2.5 acres or less require Land Division approval. These text errors have resulted in several land division which were never reviewed nor approved by Town staff. Therefore, staff recommends the following updates and corrections in compliance with Arizona Revised Statutes.

See below for recommended revision, red text, to **Section 502A. – Land Division** (P&ZO, page 139):

Proposed Amendment:

Section 502A. – Land Division

Land Divisions 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. Arizona Revised Statutes, Title 9, Section 463.01 provides authority for municipalities to regulate by ordinance land splits. 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~~will require a Minor Land Division permit, Lot Line Aadjustment or Subdivision Plat as described herein.

1. 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 Community Development 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.
 - e. Adjustments may be made to add to an existing non-conforming parcel as long as a.-d. above are satisfied even if the lot line adjustment does not bring the property to a conforming lot size status.

F. Scrivener and Formatting Errors (Section 601): The Zoning Ordinance has several minor grammatical, typographical and formatting errors. Staff recommends amending the Ordinance to provide administrative authority to correct such errors.

Discussion: The current Planning and Zoning Ordinance was approved in May of 2011. As a living document, there have been several amendments to it in order to update and clarify sections. Those amendments were intended to modify actual content and intent of the Ordinance. However, there are also many minor grammatical and typographical errors within the document. The purpose of adding this provision to the Ordinance is to provide authority to the Community Development Director to correct these errors.

Example: One example of this type of error is contained in the definition of Assembly, Construction & Processing Plants (P&ZO, page 13). See highlighted below:

ASSEMBLY, CONSTRUCTION & PROCESSING PLANTS: Includes the following activities within a closed or partially closed buildings: machining, tooling, assembly, molding, decorating, cleaning, equipping, repairing, servicing, printing, publishing, welding, milling, planning, manufacturing, fabrication, processing, compounding, packaging, mixing, glazing, winding, binding, weaving, knitting, sewing, baking, cooking, roasting, pickling, brewing, distilling, salvage (but not wrecking), equipment, material and dead storage yards, plating, 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.

No doubt, this definition was originally intended to say is “breeding”, however, this spelling error has persisted in the document since 2011. It is these types of errors which this exception is intended to address.

This proposed change to the Zoning Ordinance Text Amendments is only for administrative authority to correct these types of typographical and editing errors. All other corrections and edits of the document will be required to go through the citizen review and public hearing process.

See below for recommended revision, red text, to **Section 601 A.4 – Zoning Ordinance Text Amendments** (P&ZO, page 175):

Proposed Amendment:

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 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 noon on the Monday 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, as may be amended, 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 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, as may be amended, and the public hearing notice procedures set forth in ARS 9-462.04.A as may be amended.

The Community Development Director is authorized to correct typographical, grammatical, punctuation, and formatting errors, as necessary, in the Planning and Zoning Ordinance; for purposes of clarity, form, and consistency. The Community Development Director is authorized to make such necessary corrections to any ordinance, before, during or following codification and without the public hearing requirements as above detailed in section.

Attachment B

Minutes August 04, 2022 P & Z Commission

- 1.a. Minor Code Amendments** – Possible changes to the zoning ordinance related to accessory structures (height and setbacks), fencing (height and setbacks), and Scrivener’s Errors.

Staff Comments: Director Knight spoke of these being little things that we can easily take care of.

Accessory structure side and rear setbacks and height can be the same for all zoning districts and defined in the code. As well as a clear definition of an accessory structure being non-habitable.

Fencing needs to have a difference in internal and external height, as well as vacant lots need to be allowed fencing as long as it is not opaque.

Scrivener’s errors allow Community Development to correct small, grammatical errors in the code without having to come to Planning and Zoning Commission and Town Council.

Public Comments: Steven Backus spoke in favor of updating the setbacks and accessory structures.

Mary Phelps spoke that she is in favor of setbacks and accessory structures being updated in the code.

Marie Moore is in support of the accessory structure setbacks being updated. Fence should be allowed on vacant lots, as well as accessory structures.

Commission Comments: Commissioner Osses spoke that as a property owner you should be able to do whatever you want.

Commissioner Blue suggested that we come back to Planning and Zoning with accessory structures, setbacks, and fence as a Work Session.

Commissioner Hough spoke to the reason that accessory structures, are not allowed on vacant lots to protect property values and the neighborhood.

Chairman Faiella requested that these all come back to Planning and Zoning as Ordinances for approval.

Director Knight also spoke about the reason we do not allow an accessory structure on a vacant lot.

Chairman Faiella also asked that in the Work Session we look at the Fee Structure.

Director Knight stated that this is not likely to be changed by the Town Council.

Attachment C

DRAFT Ordinance 2022-A472



ORDINANCE 2022-A472

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE, WITH MINOR TEXT AMENDMENTS WITHIN SECTIONS 203, 301, 502 AND 601 VIA DRAFT ORDINANCE 2022-A472, RELATED TO ACCESSORY STRUCTURES, SETBACKS FOR NONCONFORMING PARCELS, FENCING, LAND DIVISION AND SCRIVENER'S ERRORS.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011; and

WHEREAS, Part 6, Section 600, C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation 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 and text amendments.

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

Section 1. The Town Council hereby finds as follows:

- A. Text Amendments may be initiated by the Planning & Zoning Commission, the Town Council, staff of the Town of Camp Verde or by application of a property owner per Part 6, Section 600, C.1 of the Planning and Zoning Ordinance. These Text Amendments were initiated by staff of the Community Development Office.
- B. These Text Amendments were reviewed by the Planning and Zoning Commission on November 3, 2022, in a public hearing that was advertised and posted according to state law. A recommendation for approval was forwarded to the Town Council by the Planning and Zoning Commission on November 3, 2022.
- C. The proposed Text Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Section 2. Accessory Structure Setbacks - Section 203 – Use Districts for R1L, R1, R2, RR and RS:

Table 2-1 R1L: Dimensional Standards (page 33)

Zoning District R1L	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	7,500'	<u>7,500</u>
Minimum Width OR Depth (feet)	75'	<u>75'</u>
Maximum Bldg Ht (stories)	2	<u>2</u>
Maximum Bldg Ht (feet)	30'	<u>30'</u>
Maximum Lot Coverage (%)	50%	<u>50%</u>
Minimum Front Yard (feet)	20'	<u>20'</u>
Minimum Rear Yard (feet)	25'	<u>7'</u>
Minimum Side Yard Interior (feet)	7'	<u>7'</u>
Minimum Side Yard Exterior (feet)	10'	<u>10'</u>

Table 2-2: R1 Dimensional Standards (page 35)

Zoning District R1	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	10,000' (or as determined by suffix)	<u>10,000' (or as determined by suffix)</u>
Minimum Width OR Depth (feet)	80' (or as determined by suffix)	<u>80' (or as determined by suffix)</u>
Maximum Bldg Ht (stories)	2	<u>2</u>
Maximum Bldg Ht (feet)	30'	<u>30'</u>
Maximum Lot Coverage (%)	50%	<u>50%</u>
Minimum Front Yard (feet)	20'	<u>20'</u>
Minimum Rear Yard (feet)	25'	<u>7'</u>
Minimum Side Yard Interior (feet)	7'	<u>7'</u>
Minimum Side Yard Exterior (feet)	10'	<u>10'</u>

Table 2-3: R2 Dimensional Standards (page 37)

Zoning District R2	Livable Structures	Accessory Structures
Minimum Lot Area (sq.ft.)	7,500'	<u>7,500'</u>
Minimum Width OR Depth (feet)	75'	<u>75'</u>
Maximum Bldg Ht (stories)	3	<u>3</u>
Maximum Bldg Ht (feet)	30'	<u>30'</u>
Maximum Lot Coverage (%)	50%	<u>50%</u>
Minimum Front Yard (feet)	10'	<u>10'</u>
Minimum Rear Yard (feet)	25'	<u>7'</u>
Minimum Side Yard Interior (feet)	7'	<u>7'</u>
Minimum Side Yard Exterior (feet)	10'	<u>10'</u>

Table 2-4: RR Dimensional Standards (page 40)

Zoning District R-R	<u>Livable Structures</u>	<u>Accessory Structures</u>
Minimum Lot Area (sq.ft.)	87,120' (2 acres)	<u>87,120' (2 acres)</u>
Minimum Width OR Depth (feet)	225'	<u>225'</u>
Maximum Bldg Ht (stories)	2	<u>2</u>
Maximum Bldg Ht (feet)	30'	<u>30'</u>
Maximum Lot Coverage (%)	15%	<u>15%</u>
Minimum Front Yard (feet)	50'	<u>50'</u>
Minimum Rear Yard (feet)	50'	<u>7'</u>
Minimum Side Yard Interior (feet)	25'	<u>7'</u>
Minimum Side Yard Exterior (feet)	30'	<u>10'</u>

Table 2-5: RS Dimensional Standards (page 43)

Zoning District R2	<u>Livable Structures</u>	<u>Accessory Structures</u>
Minimum Lot Area (sq.ft.)	7,500'	<u>7,500'</u>
Minimum Width OR Depth (feet)	75'	<u>75'</u>
Maximum Bldg Ht (stories)	3	<u>3</u>
Maximum Bldg Ht (feet)	30'	<u>30'</u>
Maximum Lot Coverage (%)	50%	<u>50%</u>
Minimum Front Yard (feet)	10'	<u>10'</u>
Minimum Rear Yard (feet)	25'	<u>7'</u>
Minimum Side Yard Interior (feet)	7'	<u>7'</u>
Minimum Side Yard Exterior (feet)	10'	<u>10'</u>

Section 3. Yards and Courts - Section 301.A.

The required setback for a structure on any property is the minimum yard allowed. No structures other than fences, free standing walls, swimming pools, signs and other structures or projections cited in this section shall be permitted in the required setback. No lot shall be divided or diminished so that the setback and lot coverage requirements cannot be met. Structures on different lots shall not share the same yard to meet setback requirements. Except front setbacks in the Townsite Plat may be reduced to match either of the adjacent front property setbacks and may reduce front setbacks to zero.

In calculating setbacks, through lots (fronting on two streets) shall be considered as having two front yards. No door, window or other device, when opened, extended or otherwise in operation, shall protrude beyond a lot boundary.

1. Yard Adjustments: (Where the minimum length or width requirements can be met):

a. Side Yard Deviations

- 1). Any residentially- zoned interior lot lacking rear access shall provide a side yard measuring no less than 9 feet to provide access to any rear parking.
- 2). On a reverse corner lot backing to the adjoining lot, no structure exceeding a four (4) foot height may be located adjacent to the side street within a triangular area formed by a line connecting the street intersection with the required front setback line of the adjoining lot.

b. Legal, Nonconforming Lots – All yards:

~~Structures located on legal, non-conforming lots shall meet the district setback requirements notwithstanding the substandard area of the lot.~~

Setbacks may be administratively adjusted for legal, nonconforming lots where district setbacks cannot be met due to substandard lot size. Setback standards for the nearest zoning district which most closely applies to the actual lot size will be used as the allowable setbacks. Administrative adjustments made under this section shall be documented on all Zoning Clearance documents.

2. **Encroachment into Yards** (where not in conflict with future width lines): No structure (other than fences, free standing walls or signs) shall be located so as to encroach upon or reduce any open space, yard, setback requirement, lot area or parking area as is designated under these provisions or under the provisions of the District in which it is located, except that:

a. All Yard Encroachments:

- 1) Cornices, eaves, coolers and open balconies, fire escapes, stairways or fire towers may project no more than five feet into any required yard (see definition) or court but no closer than three feet from any lot boundary.
- 2) Chimneys may project two feet into any required yard or court.

b. Front Yard Encroachments:

- 1) A bay window or entranceway less than ten feet wide may project three feet into any required front yard.
- 2) An attached open porch, balcony or carport may project no more than 6 feet into any front yard.

c. Rear Yard Encroachments:

- 1) A bay window or entranceway less than ten feet wide may project three feet into any required rear yard.
- 2) An attached open porch, balcony or carport may project no more than 10 feet into any required rear yard (but no closer than 10 feet from any common lot boundary).
- 3) A detached accessory structure may be placed in a required rear yard provided it does not:

a) Encroach upon the end quarter of a through lot, or double frontage lot

~~b) Be nearer the side property line of the front half of any adjacent lot than the required side yard of such lot.~~

~~e)b)~~ No portion of an accessory building to be used for dwelling or sleeping purposes shall be nearer any property line than is allowed for a principal building.

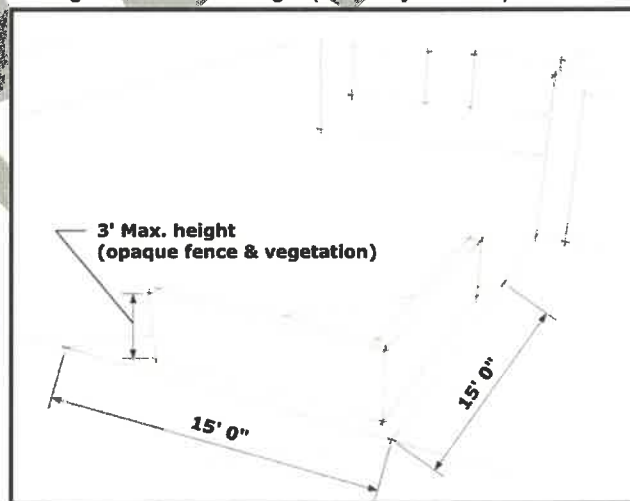
~~d)c)~~ Except that none of these provisions for detached accessory buildings shall prohibit their construction in a location farther than 75 feet from any lot boundary.

- 4) Swimming pool setbacks from any lot boundary shall be no less than five (5) feet for any outdoor private pool and twenty-five feet for any outdoor public pool.

Section 4. Height Limits – Section 301.B

1. **Exceptions to Height Limits:** The district height limitations for buildings are not applicable to spires, cupolas, chimneys, flues, vents, poles, beacons or towers; nor to any bulkhead, elevator, tank (or similar) extending above a room when same occupies no more than 25 percent of such roof area. Any such structure must be so located on a lot that its length (in case of collapse) would be contained within the bounds of the lot unless based on safety engineering data that demonstrates the proposed structure would satisfy this requirement.
2. **Fences and Freestanding Walls:**
 - a. The maximum height of a fence or freestanding wall is determined by measuring from the finished grade at the base of the fence or wall.
 - b. Fences and freestanding walls within the required yards or setbacks shall maintain the following maximum heights:
 - 1) Fences or freestanding walls, not to exceed a height of six (6) feet in any required front yard, with at least the top two (2) feet open fencing, not opaque or solid and not to exceed six (6) feet elsewhere on residentially zoned lots. Agricultural fences (may not be opaque or solid) intended for confining livestock are exempt from the height restrictions.
 - 2) Three (3) feet within the triangular area formed by measuring 15 feet along the boundary of roadways and drives from their intersection. This three (3)-foot limit includes hedges and other plantings but may include open fencing above three feet to otherwise permitted height.

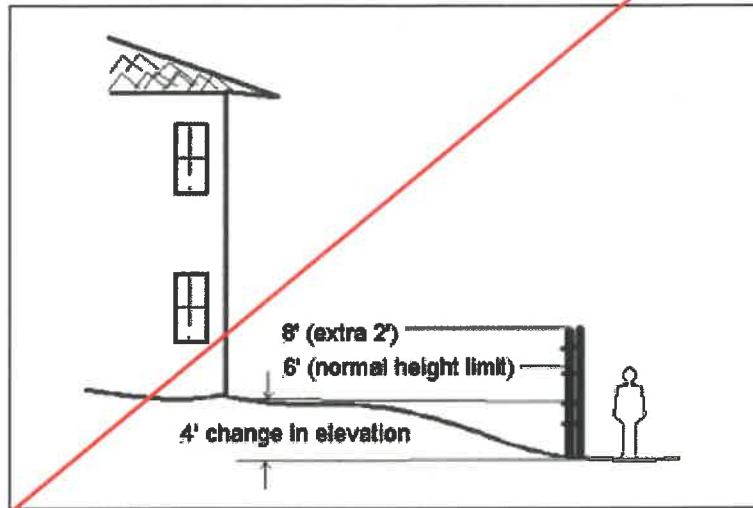
Figure 3-1: Fence Height (Driveway & Street)



- 3) The following exceptions apply to subsection b.1), above:
A fence or freestanding wall may be erected or altered up to a height of eight (8) feet where the ground floor elevation of the principal dwelling on an abutting lot is at least four feet higher than the elevation at the abutting lot line (see Figure 3-1) where there is an elevation difference of two (2) feet or more between adjacent lots. For purposes of

measuring height, the maximum height of eight (8) feet shall be measured from whichever side is taller.

Figure 3- 2: Fence Height Exception



Additional height where home on adjacent lot is 4 feet higher.

- 4) On commercial and industrial zoned lots: eight feet, except as noted below for utility companies and marijuana cultivation.
- 5) Where a fence or wall is required as a screening or other protection for residentially-zoned lots, it shall comply with the height limits for fences on residentially-zoned lots.
- 6) Exception for utility companies and commercial marijuana cultivation:
 - a. Utility companies such as APS (Arizona Public Service Company), Salt River Project, Unisource, etc. providing support and services for public utilities, are exempt from wall-fence height limits as these installations often require higher walls-fences in order to protect critical infrastructure. Perimeter fences for these utility companies will be only as tall as minimally required by each company.
 - b. Marijuana Cultivation facilities, with approved cultivation licenses through Arizona Department of Health Services, are exempt from wall-fence heights. Fences for cultivation facilities will be required to meet Arizona State Law requirements.

Section 5. Perimeter Fencing -Section 301.C – Accessory Uses and Structures

1. Accessory Uses and Structures are allowed prior to installation of the principal structure only when a construction permit is issued for the principal structure and construction of same is commenced within six months. On lots of two acres or more in size, an accessory structure may be constructed for the purpose of storing machinery or other miscellaneous equipment without a primary structure being required. A building permit, and/or zoning clearance, must be obtained prior to installation of construction and all structures must be built to conform to the International Building Code and Zoning District setback requirements.

Perimeter fences are exempt from the above paragraph. Vacant parcels may be fenced, prior to installation of a principle use or structure. Such fences shall comply with all other zoning requirements. Additionally, if the parcel or lot is vacant, then all perimeter fencing shall be non-opaque in order that the parcel may be clearly seen/observed.

2. Residential uses in manufactured homes and mobile homes and long term stays in RV Parks (over 30 days), that do not include an enclosed garage, shall provide enclosed storage, attached or detached, of a minimum area of one hundred (100) square feet as an accessory use to such dwellings.

Section 6. Land Division – 502.A

Land Divisions 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. Arizona Revised Statutes, Title 9, Section 463.01 provides authority for municipalities to regulate by ordinance land splits. 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 will require a Minor Land Division permit, Lot Line Aadjustment or Subdivision Plat as described herein.

1. 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 Community Development 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.
 - e. Adjustments may be made to add to an existing non-conforming parcel as long as a.-d. above are satisfied even if the lot line adjustment does not bring the property to a conforming lot size status.

Section 7. Zoning Decisions – Section 601

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 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 noon on the Monday 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, as may be amended, 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 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, as may be amended, and the public hearing notice procedures set forth in ARS 9-462.04.A as may be amended.

The Community Development Director is authorized to correct typographical, grammatical, punctuation, and formatting errors, as necessary, in the Planning and Zoning Ordinance; for purposes of clarity, form, and consistency. The Community Development Director is authorized to make such necessary corrections to any ordinance, before, during or following codification and without the public hearing requirements as above detailed in section.

Section 8. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 9. 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 10. These ordinances are effective upon the expiration of a thirty 30-day period following the adoption hereof and 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 xx DAY OF XXXX, 2022.**

Dee Jenkins - Mayor

Date: _____

Approved as to form:

Attest: _____
Cindy Pemberton, Town Clerk

Bill Sims - Town Attorney

DRAFT



Agenda Report Form – Section I

Meeting Date: Planning and Zoning Commission; Thursday, November 3, 2022

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation Work Session

Requesting Department: Community Development

Staff Resource/Contact Person: John Knight, Community Development Director

Agenda Title: Discussion, consideration, and possible recommendation to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, to amend via Draft Resolution 2022-A470, Zoning Ordinance Section 203 - Use Districts to include a new overlay district. This district will provide flexibility in the areas of height, density, and intensity for an associated highway interchange location.

Attached Documents:

- A. Draft Ordinance 2022-A470 [\[Overlay - Pg. 4\]](#)
- B. Minutes from August 4, 2022, P&Z Meeting [\[Overlay - Pg. 10\]](#)
- C. Minutes from September 7, 2022, Council Meeting [\[Overlay - Pg. 14\]](#)
- D. Letter sent to property owners within 300’ of the proposed boundary [\[Overlay - Pg. 18\]](#)
- E. Newspaper Notice [\[Overlay - Pg. 22\]](#)
- F. Summary of Neighborhood Meeting [\[Overlay - Pg. 24\]](#)
- G. Written Comments received by October 26, 2022 [\[Overlay - Pg. 26\]](#)

Estimated Presentation Time: 10

Estimated Discussion Time: 15

Background Information: In March of 2022, staff presented several long-range planning ideas to the Joint Council/P&Z meeting. One of the ideas presented was a possible increase to the intensity and density around the intersection of I-17 and Highway 260. Staff suggested doing an Area Plan that would look at this possibility in more detail. An Area Plan might consider changes in ordinance standards related to things like parking, height, setbacks, and signs. Although there was interest in pursuing this idea, it rated as a lower priority than other long-range plans, therefore it was not initially pursued.

Since that meeting, staff has been approached by two developers wanting to increase the maximum height in order to develop hotels in this area. The first hotel was Marriot which is being developed by Verde Commercial. The developer requested and received a height increase from 40’ to 55’ through the PAD process. Note: the location of this proposed hotel is located within an already existing C2-PAD.

The second developer is partnering with La Quinta Inn on property just south of Burger King at the intersection of Homestead Parkway and George Rothrock Road. Initially, this developer also proposed a 4-story building which would have been similar in height to the recently approved Marriott. However, this parcel is not zoned as a PAD, but is zoned C2. Therefore, the path taken for the Marriott developer is not available to this second developer without applying to rezone this C2 parcel to PAD. Instead, this developer requested a zoning text amendment to allow a 4-story hotel.

On April 6, 2022, the Community Development Department presented this preliminary request to the Town Council seeking direction on a possible height amendment to the existing C2 zoning. The Council, generally agreeing with the idea, passed a motion directing the Community Development Department to initiate a height amendment for the area around the I-17/260 interchange.

On August 4, 2022, the Planning and Commission held a public hearing for a text amendment to the C2 zoning criteria in order to allow a height increase from 40' to 65' for properties located within 2,500' of the I-17/Height 260 Interchange. A motion was made to approve the proposed height amendment, however it failed on a 2-3 vote. No further motion was made; therefore, the motion and proposed amendment was not recommended for approval.

At the public hearing, Commissioners brought up questions and concerns regarding the appropriate process. Additionally, Commissioners and nearby property owners raised questions about why the amendment only applied to the C2 and not the C3 and M zones (see Attachment B).

After the meeting, staff had the opportunity to discuss the concerns raised by the public and the Commission with the Town Attorney. The attorney advised staff the proposed amendment, as a text amendment only modifying C2 zones in one portion of the town, i.e. the proposed 2,500' radius of the I17/260 interchange, could be subject to a legal challenge on the "uniformity requirement" of the state statute. Section 9-462.01 of the Arizona Revised Statute states "*All zoning regulations shall be uniform for each class or kind of building or use of land throughout each zone...*" Since the proposal did not include other zoning districts within 2,500' of the intersection and treated properties in other areas of the town differently, this could result in a legal challenge.

On September 7, 2022, staff presented the above information and recommendation by the attorney to the Town Council (Attachment C). On a 4-0 vote, the Council approved a motion to send the item back to the Commission for consideration as an overlay zone that would allow for a 65' maximum height.

Staff Discussion: Staff previously discussed several potential paths forward with the developer, the Commission, the Council, the Town Attorney as well as other interested parties. After these discussions, staff believes the most appropriate mechanism to allow a height increase, is through the overlay zone process. Overlay zones provide a mechanism to modify uses and standards of an underlying zoning district. This is a common practice in many jurisdictions. The only overlay zone that Camp Verde currently has is the PAD (Planned Area Overlay) District. This was used successfully to modify standards and uses for the Simonton Ranch property (now Verde Ranch Estates, Verde Commercial, and Verde RV Resort), High View at Boulder Creek, and Alcantara Vineyards.

Under the PAD provisions, both standards and uses can be modified. Unlike the PAD, the IO (as proposed) would allow modification only to the height standard. Staff recommends a maximum building height of 55' with a provision to increase this height another 10' (65' max) for architectural features such as parapet walls. The building would be limited to a maximum of four (4) stories. All other uses and standards would be subject to the requirements of the underlying zoning district. The underlying zones of C-2, C-3, and M-1 currently allow a maximum of three (3) stories and 40'. For the properties that have an underlying PAD zone, the standards set by the PAD will still apply.

Other Considerations: There are several properties zoned R1L that abut the proposed overlay zone. Historically, there was significantly more residential property within this proposed overlay

area, but over the years, much of it has been re-zoned to commercial and industrial. Therefore, the remaining residential property is being slowly surrounding by commercial/industrial properties and uses.

Note that in the R1L District, the maximum allowable height is 30'. An adjacent commercial/industrial building that is 65' tall, could have an adverse impact on the adjacent residential property. The Commission may wish to consider a provision that restricts development in the IO by either decreasing the height or increasing the setback when adjacent to residential uses. A sentence could be added such as the following:

When adjacent to residentially zoned property, the height shall be restricted to 40' within a distance of 40' of the boundary of any residentially zoned property.

The following have been completed by staff:

- April 6, 2022 - Council initiated an amendment to the Zoning Ordinance
- October 4, 2022 - a notice was direct mailed to property owners in the boundary and within 300' of the proposed overlay zone boundary.
- October 16 and 19, 2022 – Notice was placed in the Verde Independent Newspaper.
- October 20, 2022 – A neighborhood meeting was held at Town Hall.
- October 27, 2022 - Meeting agendas were posted at Town Hall and Bashas'.

Communications from the Public: Staff have received two written communications from the public. These are included as Attachment G. No other letters, e-mails, or phone calls have been received as of October 26, 2022.

Recommended Action (Motion): Motion to recommend to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, to amend via Draft Ordinance 2022-A470, to amend Zoning Ordinance Section 203 – Use Districts to include a new overlay district. This district will provide flexibility in the areas of height, density, and intensity for an associated highway interchange location.

ATTACHMENT A
Draft Ordinance
2022-A470



ORDINANCE 2022-A470

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, TO AMEND ZONING ORDINANCE SECTION 203 – USE DISTRICTS TO INCLUDE A NEW OVERLAY DISTRICT. THIS DISTRICT WILL PROVIDE FLEXIBILITY IN THE AREAS OF HEIGHT, DENSITY, AND INTENSITY FOR AN ASSOCIATED HIGHWAY INTERCHANGE LOCATION.

WHEREAS, the Mayor and Common and Council desire to create an overlay district around the Interstate State 17 and Arizona State Highway 260 Interchange area within the Town of Camp Verde for the purpose of modifying existing zoning criteria in this unique area of the Town; and

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011; and

WHEREAS, Part 6, Section 600, C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning text regulations of the Planning & 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 & Zoning Ordinance by including definitions and text amendments.

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

Section 1. The Town Council hereby finds as follows:

- A. Text Amendments may be initiated by the Planning & Zoning Commission, the Town Council, staff of the Town of Camp Verde or by application of a property owner per Part 6, Section 600, C.1 of the Planning and Zoning Ordinance. This Text Amendment was initiated by the Town Council.
- B. The Text Amendment was reviewed by the Planning and Zoning Commission on November 3, 2022, in public hearing that was advertised and posted according to state law. A recommendation for approval was forwarded to the Town Council by the Planning and Zoning Commission on November 3, 2022.

- C. The proposed Text Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Section 2.

The Zoning Map will be amended in accordance with the boundaries shown on Exhibit A and the following new Use District, Section 203.P. IO District (Interchange Overlay), will be added to Part Two - Zoning Classifications, Regulations/Provisions of the Planning and Zoning Ordinance for the Town of Camp Verde:

SECTION 203 – Use Districts

P. IO District (Interchange Overlay)

1. Purpose: The IO District is intended to establish specific criteria associated with the unique geographic, physical, and infrastructural aspects of this area of Town. This District is intended to provide flexibility associated with the unique character of a highway interchange area. This includes flexibility in the areas of height, density and intensity for an associated highway interchange location.
2. Permitted Uses and Uses Subject to a Use Permit: Those permitted by the underlying Use District.
3. Maximum Height: The maximum height allowed for habitable space is 55'. However, an additional height increase of 10' may be allowed with approval of a height exception by the Community Development Director.
4. Additional Height Exception: In this IO District, buildings may be approved for an additional 10' for a total height of 65 feet for the purpose of screening or other architectural features.
 - a. Application and approval for this additional 10' height increase may be requested through the Development Standard Review process under Section 400 and may be only be approved by the Community Development Director.
 - b. Application Process: When submitting for Development Standard Review, an applicant is required to make specific request for this allowance for an additional 10' increase to structure(s). Additionally, when making application for this additional 10' height increase applicants are required to submit elevation views of all sides of the planned structure.
 - c. Approval of this increased 10' height allowance will be documented, in writing, via the final Development Review Standards final report. Subsequent modifications may be approved by submitting a written request to the Community Development Director for approval.
 - d. Final approval of this height increase will also be documented as a special condition as part of the Zoning Clearance for the building(s) as part of the review and approval for building permit(s).
5. Approval for an Additional Height Exception will be based only upon the following criteria:

- a. The increase is for a parapet wall or similar architectural feature that provides screening for mechanical equipment, or otherwise provides architectural interest to the building.
- b. The parapet wall or architectural feature is of similar colors and materials to the main building and will be compatible architecturally with the main building.
- c. The parapet wall or architectural feature does not increase the habitable space.
- d. The parapet wall or architectural feature is the minimum height necessary to accomplish the screening purpose for which it is intended.

6. PAD Overlay: This Overlay District may also be combined with a Planned Area Development (PAD) District. In the event a PAD District is established per Section 203, the uses, standards and requirements established through the PAD process will supersede the standards of this IO Overlay District.

Table 2-15: IO Dimensional Standards

<u>Zoning District</u>	<u>"IO District"</u>
<u>Minimum Lot Area (sq. ft.)</u>	<u>Per underlying district</u>
<u>Minimum Width OR Depth (feet)</u>	<u>Per underlying district</u>
<u>Maximum Bldg. Ht. (stories)</u>	<u>4</u>
<u>Maximum Building Height (feet)</u>	<u>55'*</u>
<u>Maximum Lot Coverage (%)</u>	<u>Per underlying district</u>
<u>Minimum Front Yard (feet)</u>	<u>Per underlying district</u>
<u>Minimum Rear Yard (feet)</u>	<u>Per underlying district</u>
<u>Minimum Side Yard Interior (feet)</u>	<u>Per underlying district</u>
<u>Minimum Side Yard Exterior (feet)</u>	<u>Per underlying district</u>
<u>* Note – refer to Section 203.P.4. and 5. above for additional provisions regarding</u>	

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30 day period following the adoption hereof and 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 xx DAY OF xx 2022.

Dee Jenkins - Mayor

Date: _____

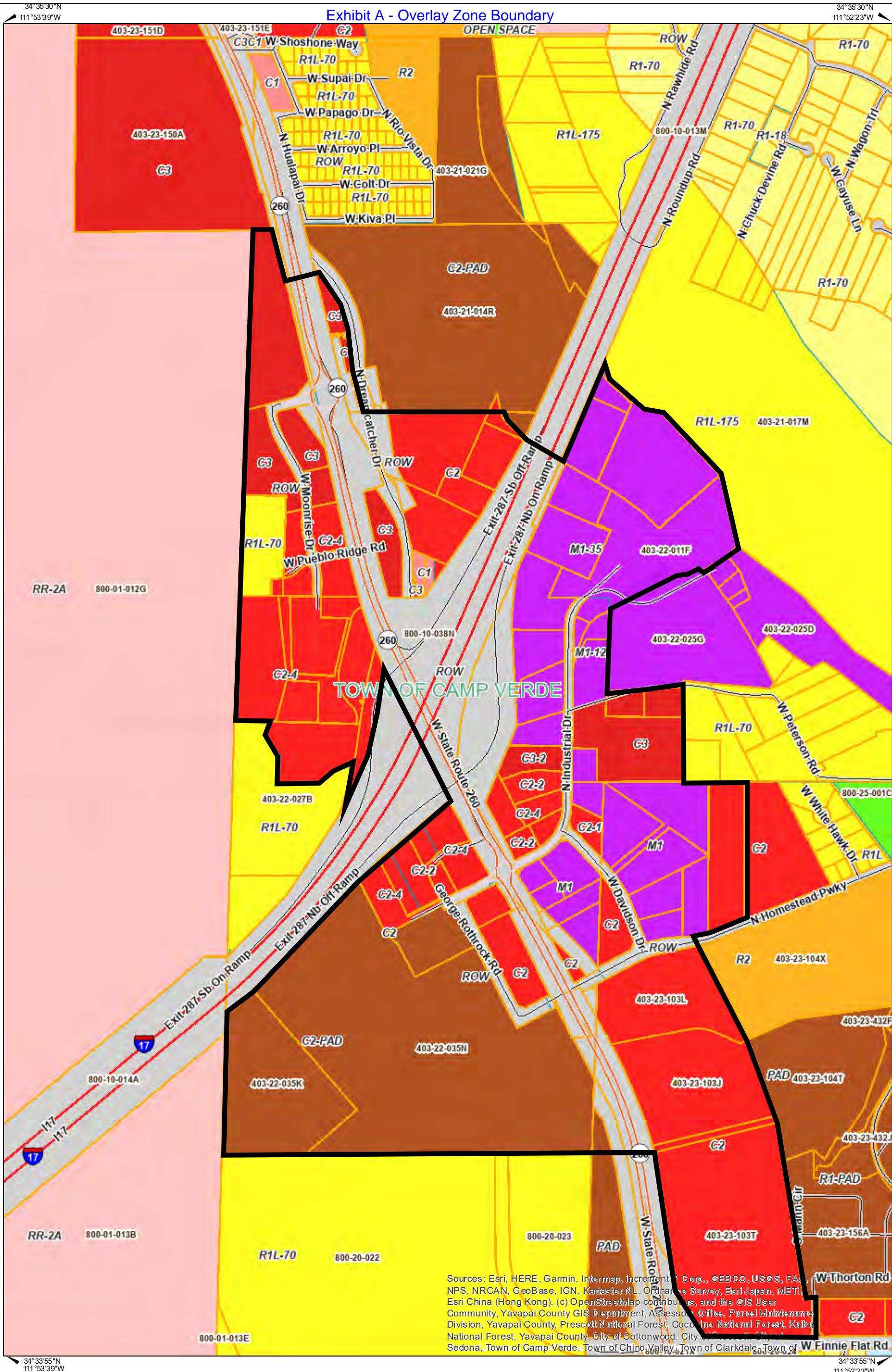
Approved as to form:

Attest: _____
Cindy Pemberton, Town Clerk

Bill Sims - Town Attorney

DRAFT

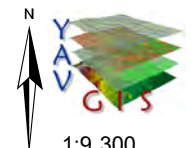
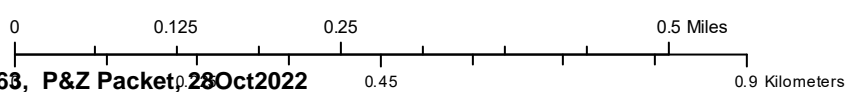
Exhibit A - Overlay Zone Boundary



Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Yavapai County GIS Department, Assessor's Office, Parcel Maintenance Division, Yavapai County, Prescott National Forest, Coconino National Forest, Kaibab National Forest, Yavapai County, City of Cottonwood, City of Sedona, Town of Camp Verde, Town of Chino Valley, Town of Clarkdale, Town of



Disclaimer:
Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County



ATTACHMENT B
Minutes from August 4, 2022
Planning and Zoning Meeting

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.

No comments from public.

6. **Public Hearing** – Discussion, consideration, and recommendation to Council regarding an application for a Zoning Map Change from R1L (Residential: Single-Family Limited) to R1 (Residential: Single-Family) for parcels 404-13-500 and 404-13-501, located at 2802 Twin Leaf Circle and 2804 Twin Leaf Circle.

Staff Comments: BJ Rattief spoke about the reasons for the Zoning Map Change request. In December of 2019, 27 of the 33 lots in the Preserve at Clear Creek Subdivision had been rezoned from R1L-18 to R1-18. The six remaining lots had already been built on, or the owners did not wish to change the zoning of. Since 2019, Mr. Witt had purchased the two lots in discussion and would like to bring them into conformance with the rest of the subdivision as well as start development.

Public Hearing Opened at 6:40 pm: No comments from public.

Public Hearing Closed at 6:40 pm.

Commission Discussion: No commission discussion.

Motion was made by Chairman Faiella to recommend approval of a Zoning Map Change from R1L-18 (Residential: Single-Family Limited, 18,000 Square Foot Minimum) to R1-18 (Residential: Single Family, 18,000 Square Foot Minimum) to the Mayor and Town Council for parcels 404-13-500 and 404-13-501, which are part of the Preserve at Clear Creek Subdivision located at 2802 and 2804 Twin Leaf Circle, Camp Verde, Yavapai County, Arizona.

Second was made by Commissioner Blue.

Roll Call Vote:

Commissioner Osses: Aye

Commissioner Hough: Aye

Commissioner Blue: Aye

Vice Chairman Scantlebury: Aye

Chairman Faiella: Aye

Motion carried 5-0.

7. **Public Hearing** – Discussion, consideration and recommendation to Council to amend the Zoning Ordinance to allow an increase in height in the C2 (Commercial: General Sales and Service) Zoning District. The proposed change is anticipated to only affect properties that are zoned C2 and located within 2,500 feet of the I-17/Highway 260 Interchange. Amendments include, but may not be limited to, Section 203.G. of the Zoning Ordinance. Staff resource: John Knight.

Mr. Knight spoke about how the amendment came to be. At the request of developers and the direction of Council, Community Development Director Knight was advised to start a "Height

Amendment,” along the I-17/260 corridor allowing businesses to build up to 65 feet in the C2 zone.

BJ Ratlief read an email into the record from Andy Groseta, asking that the radius of the amendment go out to 5,000 feet and that it includes all commercial zoning in that radius.

Public Hearing Open at 6:50 pm.

Patrick Denny, via Zoom, asked about his parcel 403-23-103L. Part of the 2,500-foot radius falls on his property so he wanted to know if this change would be beneficial to him and that he would like to see it cover all commercial zones as well as be a larger radius.

At the direction of the Chair, Director Knight responded that currently the way the amendment is written, the whole building would have to be in the 2,500-foot radius and this amendment would not be a benefit to Mr. Denny at this time.

Public Hearing Closed at 6:53pm.

Commission Discussion:

Commissioner Blue expressed that he feels if the applicant is partly in the radius, the best way for them to proceed is to apply for a variance.

Chairman Faiella is concerned that a blanket change, allowing any C2 in the area to build to 65 feet, does not give us adequate control over what is happening to the “gateway” of our city. He would recommend that a PAD overlay for C2 zoning would be more appropriate for the Commission and staff to have more control over what is done in that area.

Commissioner Hough spoke of this being a low-lying area and a 60- or 70-foot elevation is not going to make us a casino row. If this is what it takes to make a profit, this is what need to allow to bring businesses in. He would like this to include all commercial properties, not just the C2.

John Knight mentioned that variance may not be appropriate because it is difficult to meet the criteria under the State Law. A PAD could apply but is a different approach and we do not have a PAD application for consideration. It is reasonable to include other zoning districts, but we will need to go back through the noticing process and return to the Commission.

Commissioner Osses asked why is only C2 the only zoning district in this amendment.

Mr. Knight answered that the zone that are proposed are only C2, but we can come back with the other districts in September.

Commissioner Scantlebury commented that he is ready for the motion.

Commissioner Faiella asked again about a PAD and how to present this as a motion as does not want a blanket rezone.

Director Knight again stated that we have to vote on the issue in front of the Commission. A PAD has to be requested by the applicant.

Commissioner Blue asked if this can be postponed.

Director Knight says yes, and they can request that we notice with more commercial zones.

Commissioner Hough says that these parcels are too small for a PAD and it's not appropriate to ask a merchant to do a PAD for a small project.

Director Knight stated that this is not likely to be changed by the Town Council.

- 8.c. Sign Ordinance Amendments** – Possible changes to the sign ordinance primarily related to commercial signs. Amendments could include, but are not limited to, exemptions and prohibitions, definitions, and standards for both permanent and temporary signs.

Staff Comments: Director Knight spoke about this being very preliminary input to updating the sign ordinance and getting into public outreach for the sign ordinance. He would like a Commissioner and Council Member to be involved in a citizens committee to update the ordinance. Also, that this needs to be customized to our jurisdiction, not just copied from another jurisdiction. He expects that this will be a six (6) to eight (8) month process.

Public Comments: Ron Witt spoke in favor of updating the sign ordinance. Marie Moore spoke in favor of updating the sign ordinance with a series of community meetings.

Commission Comments: Director Knight spoke about the difference between a community meeting as well as a formal committee.

Commissioner Osses spoke about the importance of signs for businesses and that the code needs to be updated. It is also important that we help businesses bring in revenue, not keep them from bringing in revenue.

Chairman Faiella suggested that we move forward with meetings.

Director Knight agreed and stated that we will likely take this to Council and get their input on how they would like us to proceed.

- 9. Current Events** - 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.

No Comments from Commissioners.

10. Staff Comments

10.a. Updates from Council meetings

Director Knight spoke about new staff positions, specifically a Building Inspector and Planner. Also mentioned that Alcantara and Firebird Rezones were approved by Council.

Planner Rattief stated that the Use Permit renewal for RRR Bed and Breakfast was also approved by Town Council.

10.b. Other Comments

Commissioner Osses asked if it is important for the Commissioners to go to the council meetings.

Director Knight stated yes, it is appropriate for Commissioners to know what is going on.

Planner Rattief directed the Commission on how to get notifications from the Town website that the library has set up.

Director Knight mentioned the purchase of the water company.

ATTACHMENT C
Minutes from September 7, 2022
Town Council Meeting

Planning and Zoning Chairman Drew Fiaella stated the Commission has operated with 4-5 members before and can still get work done. He has polled the other members to get a feel for what they thought, and they all agreed they can still function without Mr. Foreman.

Councilor Moore said this is an amazing opportunity to have Mr. Foreman available to step in. She asked Mr. Knight if there would be a conflict of interest after working on these plans for these 3 months and then returns to the Commission. Would he have to recuse himself? Mr. Knight doesn't feel this will happen because the plan would have already gone through the Commission. He isn't concerned Mr. Foreman would follow the code requirements, and this will only last three months. Mr. Knight would like to have Mr. Foreman instead of someone from Phoenix who isn't familiar with Camp Verde.

Motion made by Councilor McPhail to allow Planning and Zoning Commissioner Robert Foreman to take a three (3) month leave beginning September 8th not to exceed past December 7th. Second was made by Councilor Whatley.

Roll Call:

Councilor Baker: absent
Councilor McPhail: aye
Councilor Murdock: absent
Councilor Whatley: aye
Councilor Moore: aye
Vice Mayor Butner: absent
Mayor Jenkins: aye

Motion carried 4-0.

10. Discussion, Consideration, and Possible Direction to direct the Planning and Zoning Commission to reconsider the proposed amendment to the Zoning Ordinance to allow an increase in height in the C2 (Commercial: General Sales and Service) Zoning District. Staff Resource John Knight

Community Development Director John Knight explained in March of 2022, staff presented several long-range planning ideas at the Joint Council/Planning & Zoning Meeting. One of the ideas presented was a possible increase to the intensity and density around the I-17 and Highway 260 interchange. He wanted to consider changes in Ordinance standards related to things like parking, height, setbacks, and signs so thought a PAD would be best. On April 6, 2022, the Community Development Department presented this preliminary request to the Town Council seeking direction on a possible height amendment to the existing C2 zoning. On August 4, 2022, staff held a hearing at the Planning and Commission Meeting to amend the Zoning Code to allow a height increase from 40' to 65' for properties in this area. The motion did not pass as Commissioners had concerns if this was the appropriate process. After the meeting, staff had the opportunity to discuss the concerns with the Town Attorney. The Attorney has advised staff that the proposed amendment could be subject to a challenge on the "uniformity requirement" in the state statute. Section 9-462.01 states that "All zoning regulations shall be uniform for each class or kind of building or use of land throughout each zone..." Since the proposal did not include other zoning districts within 2,500' of the intersection and treated properties in other areas of the Town differently, this could result in a legal challenge.

Currently, staff believes the most appropriate course of action is to return to the Commission with a revised proposal.

Councilor Moore asked why is PAD the best way to go? Mr. Knight stated this should be looked at in a broader perspective, not just in the C2 zone. Commission also questioned if this is really appropriate in this location. Ms. Moore also asked if the applicant not want to pursue PAD? Mr. Knight said yes. The applicant went silent after the first process. He is now trying to figure out the right way forward. We may want to consider doing an overlay zone: Zone Boundary District.

Mayor Jenkins stated she thought this was initiated through Economic Development? Mr. Knight stated yes, they wanted Town to process the zones. Mayor Jenkins would prefer to have full Council opinion.

Councilor Moore asked for clarity, that Mr. Knight has not spoken to applicant that he is looking to move forward with something like this so they could move forward with building permits? We don't know if applicant is still interested? Mr. Knight said he spoke with them after the Planning Commission Meeting. They thought it was approved at the meeting. He has tried to contact them. There might be some misunderstanding on their part about the whole process. He is not sure if they are still interested.

Mr. Knight clarified that they are requesting Council to consider sending this back to Planning and Zoning Commission to come up with a new strategy.

Councilor McPhail wanted to clarify that we would ultimately like to do a district that has its guidelines established and all are treated the same? She would be in favor of doing this overlay and having a plan for this area that included everything, so we can ultimately enhance that district. She would recommend that we send it back to Planning and Zoning with the recommendation for an overlay district.

Mr. Knight would like to be a little more thoughtful on this from a planning perspective. He would like to do another joint Commission/Council meeting if possible.

Motion made by Councilor McPhail to direct the Planning and Zoning Commission to reconsider the proposed amendment to the Zoning Ordinance and also direct them to consider an Overlay District and possible guidelines to what that district would entail. **Motion** failed due to the lack of a second.

Motion made by Councilor McPhail direct the Planning and Zoning Commission to reconsider the proposed amendment to the zoning Ordinance to allow an increased height to 65 feet in C2 and consider an overlay district and guidelines to what that entails. **Motion** failed due to the lack of a second.

Mr. Knight's concern is why adjust the C2; C3 is right there and is a more intensive zone. If we could get the overlay to include the area of proximally as we previously proposed around I-17 and Highway 260 interchange but also include other zones.

Motion made by Councilor Moore to direct the Planning and Zoning Commission to reconsider the proposed amendment to the zoning Ordinance to allow an increase height of 65 feet with consideration of an Overlay District Zone. Second was made by Councilor McPhail.

Roll Call:

Councilor Baker: absent

Councilor McPhail: aye

Councilor Murdock: absent

Councilor Whatley: aye

Councilor Moore: aye

Vice Mayor Butner: absent

Mayor Jenkins: aye

Motion carried 4-0.

11. **Discussion, Consideration, and Possible Approval of Ordinance 2022-A469, an Ordinance, of the Mayor and Common Council, for a Zoning Map Change from R1L-18 (Residential: Single Family Limited) to R1-18 (Residential: Single Family) for 0.87 acres, located at 2802 and 2804 South Twin Leaf Circle, a part of the Preserve at Clear Creek Subdivision, Town of Camp Verde, Yavapai County, Arizona (APNs 404-13-500 and 404-13-501).**

Community Development Director John Knight reviewed this item. Two lots have a different zoning designation and the applicant would like to get these rezoned to match the rest of the subdivision.

Councilor Moore asked if there were any neighbors that have a problem with this? Mr. Knight stated no.

Motion made by Councilor Moore to approve Ordinance 2022-A469, an Ordinance, of the Mayor and Common Council, for a Zoning Map Change from R1L-18 (Residential: Single Family Limited) to R1-18 (Residential: Single Family) for 0.87 acres, located at 2802 and 2804 South Twin Leaf Circle, a part of the Preserve at Clear Creek Subdivision, Town of Camp Verde, Yavapai County, Arizona (APNs 404-13-500 and 404-13-501). Second was made by Councilor McPhail

Roll Call:

Councilor Baker: absent

Councilor McPhail: aye

Councilor Murdock: absent

Councilor Whatley: aye

Councilor Moore: aye

Vice Mayor Butner: absent

Mayor Jenkins: aye

Motion carried 4-0.

12. **Discussion, consideration, and possible approval amendment to the Town's Salary Plan by adding the Assistant to Town Engineer to the Plan.** Staff Resource: Ken Krebs/Troy Odell

Director of Public Works Ken Krebs and Deputy Public Works Director Troy Odell would like to get the job description approved to be able to put out a job posting.

Councilor McPhail is concerned that we are not requiring them to be a civil engineer. Mr. Krebs stated that with the pay scale, they wouldn't be able to afford someone with those qualifications. Councilor McPhail asked if the pay scale should be changed? Mr. Odell stated this is sufficient for the current tasks.

Councilor Whatley wanted an explanation of a bachelor's degree in Civil Engineering. Mr. Odell explained the levels.

Councilor Moore doesn't feel like this is the way to go, we NEED another Engineer not an assistant. We need to reconsider what it takes to get another Engineer in this Town. Mr. Krebs said there is a lot of work to be done and we could really use another Engineer, but he is concerned about the salary scale.

Mayor Jenkins said we planned to get an engineer all along but it would be entry level.

ATTACHMENT D
Letter Sent to Property Owners
Within 300' of the Proposed
Boundary



Town of Camp Verde

Community Development Department

◆ 473 S. Main Street, Suite 108 ◆ Camp Verde, Arizona 86322 ◆

◆ Telephone: 928.554.0050 ◆ www.campverde.az.gov ◆

October 4, 2022

Re: Proposed Interchange Overlay Zone

Dear Landowner,

You are receiving this letter because you own property in the general vicinity of the Interstate 17 and State Route 260 highway interchange in Camp Verde, AZ.

The Town of Camp Verde is considering the creation of an Overlay Zoning District in the area of the Interstate 17 and State Highway 260 interchange. If approved, the Overlay District would allow an increase of building height from 40 feet to 55 feet for commercial and industrial parcels in the district.

The purpose of the letter is twofold:

1. Invite you to a neighborhood meeting (Thursday, October 20, 2022 at 5:30pm) and
2. Advise you of a public hearing regarding this proposed Overlay Zoning District (Thursday, November 03, 2022 at 6:30pm).

Some of you may have received a letter this past August for a Public Hearing held on September 8th regarding a similar matter. This was for a proposed text amendment to increase the permitted zoning height only on C-2 commercial properties within the interchange area. However, Town staff learned the initial proposal of a text amendment affecting only C-2 properties in this area was not extensive enough. Some of the Planning and Zoning Commissioners expressed concerns that a more comprehensive amendment should be considered that would include other commercial and industrial parcels within the interchange area. Hence, this proposed Overlay Zoning District now includes both commercial and industrial properties within the interchange area.

Attached as page 3 of this letter is the proposed area for this Overlay Zoning District. This would include both a text amendment and zoning map amendment. If passed by the Town Council, this new Overlay Zoning District will permit a maximum height of 55' for any building(s) located on commercial or industrially zoned parcels in this area. Additionally, Town staff are recommending the allowance of an additional 5-10' height increase, approved administratively, for parapet walls and similar architectural features. This would potentially allow buildings as high as 65' in this area.

We invite you to learn more and be part of this process through a Neighborhood Meeting and the Public Hearing. **Written comments received by October 26th will be included in the formal presentation packet for the public hearing.** Comments received after this date will be presented at the hearing.

Below are the details for both meetings:

Neighborhood Meeting:

Meeting Date & Time: Thursday, October 20, 2022 at 5:30-6:30 pm

Hearing Location: Council Chambers, Suite 106, 473 S. Main Street, Camp Verde

Application Type: Rezone and Zoning Ordinance Text Amendment to create an Interchange Overlay Zoning District

Affected Properties: See attached map, generally commercial (C2, C3) and industrial (M1) properties located within about 2,500' of the I-17/Highway 260 Interchange

Zoom Meeting: Meeting ID: 974 730 8717 Passcode: 5540054

<https://us06web.zoom.us/j/9747308717?pwd=cFlnd3M0cHcxTRVt3dPejcxYkhIQT09>

Dial by your location: +1 719.359.4580 US or +1 253.215.8782 US (Tacoma)

Public Hearing, Planning and Zoning Commission:

Hearing Date & Time: Thursday, November 03, 2022 at 6:30pm

Hearing Location: Council Chambers, Suite 106, 473 S. Main Street, Camp Verde

Application Type: Rezone and Zoning Ordinance Text Amendment to create an Interchange Overlay Zoning District

Affected Properties: See attached map, generally commercial (C2, C3) and industrial (M2) properties located within about 2,500' of the I-17/Highway 260 Interchange

Application Number: 20220541

Zoom Meeting: Meeting ID: 927 0548 1851 Passcode: 5540054

<https://us06web.zoom.us/j/92705481851?pwd=eFBLVXRscWJHdnlGL1ZXU1I1SIJLQT09>

Dial by your location: +1 719.359.4580 US or +1 253.215.8782 US (Tacoma)

The Agenda and accompanying presentation documentation for the Public Hearing will be available approximately 1-week prior to the hearing at this location:

<https://www.campverde.az.gov/departments/boards-commissions/planning-zoning-commission>

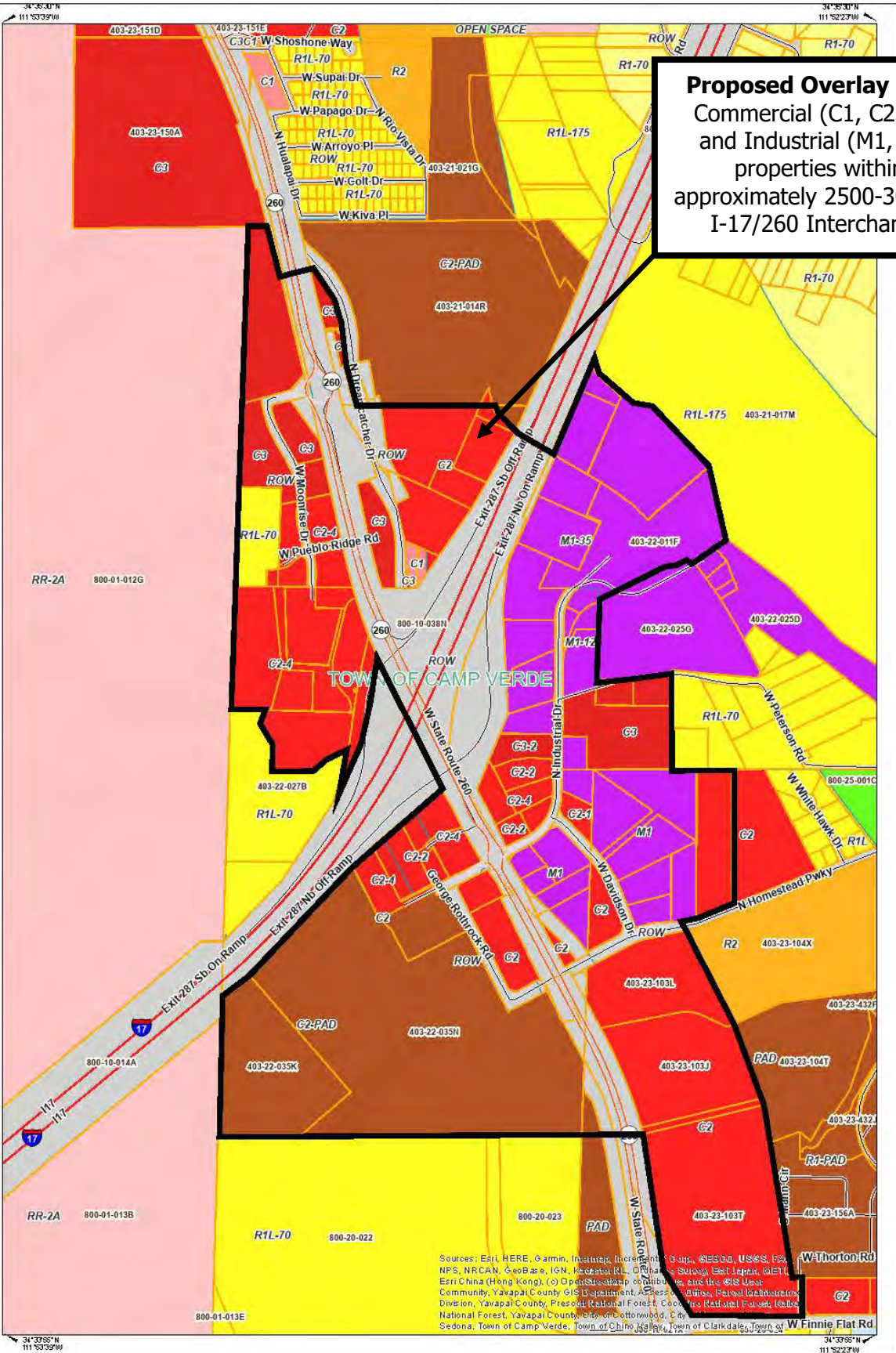
Please contact the Planning and Zoning Office with any questions, 928.554.0066 or emailing cory.mulcaire@campverde.az.gov.

Respectfully,



John Knight, Director
Community Development, Town of Camp Verde
John.Knight@CampVerde.az.gov or 928.554.0053

cc: Project File 20220541

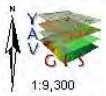
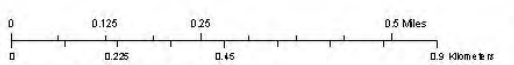


Proposed Overlay Zone
 Commercial (C1, C2, C3)
 and Industrial (M1, M2)
 properties within
 approximately 2500-3000' of
 I-17/260 Interchange

Sources: Esri, HERE, Garmin, Intermap, increment p Corp., GEBCO, USGS, Esri, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, Intel, Esri China (Hong Kong), Swire, OpenStreetMap contributors, and the GIS User Community, Yavapai County GIS Department, Assessor's Office, Retail Mathematics Division, Yavapai County, Prescott National Forest, Coconino National Forest, National Forest, Yavapai County, City of Cottonwood, City of Sedona, Town of Camp Verde, Town of Chino Valley, Town of Clarkdale, Town of W. Finnie Flat Rd.



Disclaimer:
 Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information shown is to be construed to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County.



Yavapai County assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product. Map Created 10/02/22

ATTACHMENT E
Newspaper Notice

Public Notice to be published Sunday October 16 and Wednesday October 19, 2022; including on-line version(s): The Town of Camp Verde Planning and Zoning Commission will hold a public hearing on Thursday, November 03, 2022 at 6:30pm in the Town Council Chambers at 473 S. Main Street in Camp Verde, AZ. The purpose of the hearing is to consider several text amendments to the Town's Planning and Zoning Ordinance as well as the creation of a new Overlay Zoning District. Text amendments are anticipated to include, but are not limited to, fence-wall height exception for a public utility, fencing vacant land, setbacks for accessory structures and scrivener errors as well as the addition of a Right-to-Farm Ordinance and an Overlay Zoning District around the I17/SR 260 Interchange. Interested parties may attend and provide comment. Copies of the draft amendments may be obtained by contacting Camp Verde Community Development at 928.554.0066 or cory.mulcaire@campverde.az.gov.

TAG: This notice is for Community Development Department

ATTACHMENT F
Summary of Neighborhood
Meeting

Height Amendment Neighborhood Meeting:

Dan Rubenstein,

Phone call - Called office Thursday, 20 October 2022, about 1330 hrs; spoke via phone for approx. 45 min. explained previous attempt at text amendment which has led to this full overlay district.

He stated he is generally in favor of the new ordinance.

William "Ed" Davidson,

Mr. Davidson attended the Neighborhood Meeting held on Thursday, October 20, 2022. He spoke about owning residential property that adjoins the proposed overlay zone and how a 65 foot height is going to destroy his views, as well as he property value. He is concerned that the Town is growing faster than it can sustain and moving away from the rural community we claim to be.

He is opposed to this new ordinance.

ATTACHMENT G
Written Comments Received
by October 26, 2022

RECEIVED

OCT 25 2022

10/25/2022

Town of Camp Verde

Community Development Department

Re: Proposed Interchange Overlay Zone

As an adjoining R1L-70 property owner to the proposed overlay zone, I am opposed to the amendment for the following reasons.

1. Adjoining Property Owner;

Allowing structures of this height will drastically devalue any residential properties in close proximity to this zone. At 55 to 65 feet there is no way to have any type of screening for vision, noise, lighting, or privacy. There are very few types of vegetation/trees that grow in our area that will reach this height and takes a numerous number of years to do so. The current screening ordinance only requires a maximum of 8 feet. All vision of the surrounding area, most of the mountains and skyline will be lost.

Please ask yourself, would you like to look out the window of your home and see a 65 foot wall or office windows with people watching you. With lighting and signage we will have no night time or dark-skies. If this is not a concern, why has the C2 property been omitted that adjoins the White Hawk development at the end of Homestead? To protect residential property values, I would like to request that an overlay be considered to reduce the height of commercial and industrial structures adjoining residential property to a maximum of 20 feet.

If this Proposed Interchange Overlay Zone was to be allowed, is the town willing to compensate residential property owners for their loss in value?

2. As a resident of Camp Verde;

I believe this type of zoning destroys the very things in our community that we who live here enjoy and the things that most people move here for. The open spaces, scenic views, dark skies, less noise, clean air, quality of life will all be significantly affected. The ordinances for the town have not been updated to protect adjoining properties or the community. This type of overlay is only a copy of every other freeway interchange, Camp Verde is better than that. If approved at HWY 260 and I-17, how long before it spreads to all the other roundabouts in our town? The type of development that this zoning will allow is everlasting and our community will lose more than it will gain.

Thank you for time and consideration of this matter.

William E. Davidson

Proposed Interchange Overlay Zone I-17/Highway 260 neighborhood properties

Peter Andrew Groseta

Wed 10/26/2022 3:37 PM

To: John Knight <John.Knight@campverde.az.gov>

Cc: Steve Ayers <Steve.Ayers@campverde.az.gov>; Cory Mulcaire <cory.Mulcaire@campverde.az.gov>

John:

I am writing this email to you regarding the October 4, 2022 Notice that I received regarding the Town of Camp Verde proposing to increase the height up to 55' for any buildings located on commercial and industrial parcels in the area of I-17/Highway 260 interchange. In addition, according to the Notice, the Town Staff is recommending the allowance of an additional 5-10' increase for parapet walls and similar architectural features.

As you know we own the property located on the NW Corner of Wilshire Blvd and Highway 260 (APN 403-21-015K) and it is included in this proposed Overlay Zoning District.

We strongly support this proposal as presented in the October 4, 2022 Notice to Landowners.

I respectfully am asking that you to include this email which includes my support in the packets/notebooks for each Planning and Zoning Commissioner.

Please keep me posted regarding whether or not this proposal is approved or denied at the P/Z Commission Hearing on November 3, 2022.

If you have any questions, please contact me.

Thanks.

Andy Groseta