



It's in your hands ~ "Build a stronger community – Shop Locally"

**AGENDA**  
**COUNCIL HEARS PLANNING & ZONING MATTERS (SPECIAL SESSION)**  
**AND**  
**REGULAR SESSION**  
**MAYOR AND COUNCIL**  
**COUNCIL CHAMBERS · 473 S. Main Street, Room #106**  
**WEDNESDAY, MARCH 6, 2013 at 6:30 P.M.**

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
  - a) **Approval of the Minutes:**
    - 1) February 20, 2013 – Regular Session
    - 2) February 20, 2013 – Work Session
  - b) **Set Next Meeting, Date and Time:**
    - 1) March 20, 2013 at 6:30 p.m. – Regular Session
    - 2) March 27, 2013 at 5:30 p.m. – Work Session - Circle K tri-intersection
    - 3) March 27, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters
5. **Special Announcements & Presentations**
  - **Possible approval of the following proclamations:**
    - ❖ **Proclaiming March 20<sup>th</sup> as “Arizona Gives Day”, encouraging Arizonans to contribute to the strength of nonprofit organizations.**
    - ❖ **Declaring April 2013 as “Go Blue for CASA” Month (CASA is the acronym for Court Appointed Special Advocates that provide financial assistance for the unmet needs of Verde Valley children who are wards of the Court.)**
    - ❖ **Designating March 30, 2013 as “Vietnam Veterans Remembrance Day”.**
6. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
7. **Call to the Public for items not on the agenda.**
8. **Update by Michael Mandell from Marathon Consulting Group regarding Highway 260 projects.** Staff Resource Russ Martin
9. **Public Hearing and discussion, consideration, and possible approval of Resolution 2013-881, a resolution of the Common Council of the Town of Camp Verde, Arizona replacing Resolution PZ 97-07 for parcel 403-19-013V to allow for the addition of a wireless tower facility and continued operation of the Rancho Verde RV Park with no time limit. Any changes to these uses must come before the Planning & Zoning Commission and Town Council for approval. This resolution is for Use Permit 20120319: an application submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit application will replace the current Use Permit to allow for the addition of a wireless tower facility at the Rancho Verde RV Park located at 1488 W. Horseshoe Bend and is requested in perpetuity. Staff Resource: Mike Jenkins**
  - **Call for STAFF PRESENTATION**
  - **Declare PUBLIC HEARING OPEN**

- Declare PUBLIC HEARING CLOSED
- Call for COUNCIL DISCUSSION

10. **Public Hearing and discussion, consideration, and possible approval of Resolution 2013-884, a resolution of the Common Council of the Town of Camp Verde, Arizona approving a Use Permit to place a 90' wireless tower owned by AT&T Mobility on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend. Per Part 8, Section 806.1.d, this Use Permit would be valid for ten (10) years with Council approval in five (5) years. Staff Resource: Mike Jenkins**
  - Call for STAFF PRESENTATION
  - Declare PUBLIC HEARING OPEN
  - Declare PUBLIC HEARING CLOSED
  - Call for COUNCIL DISCUSSION
11. **Discussion, consideration, and possible direction to staff relative to the abatement of dangerous buildings (pursuant to the Town Administrative Building Code, Sections 7-2-108 & 7-2-108.4) including, but not limited to buildings located at 3210 Robin Lane, 3480 E. Clinton Lane, and 4141 Sparkling Lane. Staff Resource: Mike Jenkins**
12. **Discussion, consideration, and possible direction to staff relative to updates and requested action(s) concerning proposed legislation, as described in the attached League of Arizona Cities and Towns Legislative Bulletins Issues #2 through #7. These bulletins are also available at <http://www.azleague.org/>. Staff Resource: Russ Martin**
13. **Call to the Public for items not on the agenda.**
14. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
15. **Adjournment**

Posted by: V Jones

Date/Time: 2-27-2013 9:00 a.m

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

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

**DRAFT MINUTES**  
**REGULAR SESSION**  
**MAYOR AND COUNCIL**  
**COUNCIL CHAMBERS · 473 S. Main Street, Room #106**  
**WEDNESDAY, FEBRUARY 20, 2013 at 6:30 P.M.**

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

1. **Call to Order**  
Mayor Burnside called the meeting to order at 6:30 p.m.
  
2. **Roll Call**  
Mayor Burnside, Vice Mayor Kovacovich, and Councilors Baker, George, German, Jones, and Whatley were present.  
  
**Also Present**  
Town Manager Martin, Detectives Freeman and Grover, Marshal Gardner, Finance Director Showers, and Town Clerk Barber
  
3. **Pledge of Allegiance**  
Detective Freeman led the pledge.
  
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
  - a) **Approval of the Minutes:**
    - 1) February 6, 2013 – Regular Session
    - 2) January 30, 2013 – Work Session
  - b) **Set Next Meeting, Date and Time:**
    - 1) February 27, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters-Cancelled
    - 2) March 1, 2013 at 9:00 a.m. – Work Session
    - 3) March 6, 2013 at 6:30 p.m. – Regular Session
    - 4) March 20, 2013 at 6:30 p.m. – Regular Session
    - 5) March 27, 2013 at 5:30 p.m. – Work Session PARA Study (Planning Assistance for Rural Areas) for Circle K tri-intersection
    - 6) March 27, 2013 at 6:30 p.m. – Council Hears Planning & Zoning Matters
  - c) **Possible approval of recommendations to move the monies in the LGIP-HURF (#91826) account into the LGIP-General account (#91825) and subsequently close the LGIP-HURF account.** Staff Resource: Mike Showers
  - d) **Possible approval of Resolution 2013-880, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona establishing the Mayor and Council Salary Amount and superseding Resolution 2002-511. The Mayor's salary is set at \$350 per month and the Council Salary is set at \$250 per month beginning July 1, 2013.** Staff Resource: Russ Martin
  - e) **Possible award of contract to Centennial Contractors Enterprises, Inc. (Mohave JOC #9D-CENT-0902) for the renovation of Heritage Swimming Pool and authorizing the Mayor to execute the contract in the amount of \$95,400.70 to resurface the pool.** Staff Resource: Ron Long
  - f) **Possible approval of the budget calendar for FY 2013-14.** Staff Resource: Mike Showers

On a motion by Kovacovich, seconded by Baker, the Council voted unanimously to approve the Consent Agenda as presented, excluding the February 6 minutes and Item E

On a motion by German, seconded by Baker, the Council voted unanimously to approve Items 4A.1 and E.

Whatley expressed concern with the way in which the minutes reflected the motion on Item #9 (Chamber request for funding on Oasis property.) After some discussion, Council determined that the motion accurately reflected the discussion and it was suggested that Whatley clarify her opposition in these minutes. Whatley advised that she voted no because she preferred to support the Manager's recommendation of \$7,500 to clear any questions about the Oasis property.

Regarding Item E, Burnside was concerned with a discrepancy with dates and verbiage in the contract relative to familiarity with laws, liquidated damages, and the alternate options. Martin advised that staff would add the liquidated damages, make sure the time for completion was acceptable and correct the typos. He further advised that there was \$94,000 budgeted for the pool resurfacing and appurtenances. He explained that due to extensive changes in ADA requirements over the years, the bid would cover only the resurfacing and ADA improvements, noting that the appurtenances would be budgeted in a future CIP budget.

**5. Special Announcements & Presentations**

- Possible approval of a proclamation proclaiming support for the "Prescription Drug Abuse Reduction Initiative." Staff Resource: Marshal Gardner
- Welcome to New Businesses: Copperstate Wall Systems, LLC – Peoria, Anasazi Creations Jewelry – Camp Verde, Red Rock Masonry, Inc. – Cornville, Verde Valley Tile, LLC – Cornville, Ledic Management Group LLC – Memphis, TN, Tim Petefish & Sons Construction – Camp Verde, Granite Creek Vineyards, LLC – Chino Valley, Special Event, Javelina Leap Winery – Cornville, Special Event, Page Springs Cellars – Cornville, Special Event, Oak Creek Vineyard & Winery – Cornville, Special Event, Kokopelli Winery – Chandler, Special Event, Fire Mountain Winery, LLC – Cottonwood, Special Event, Carlson Creek Vineyard, LLC – Willcox, Special Event, Caduceus Cellars, LLC – Jerome, Special Event, Burning Tree Cellars, LLC – Cottonwood, Special Event, Bittercreek Winery – Mesa, Special Event, Arizona Stronghold Vineyards – Cottonwood, Special Event, Alcantara, LLC – Cottonwood, Special Event, Gallifant Cellars – Peoria, Special Event, Damage Control Builders, LLC – Mesa, Burden Electric, LLC – Globe

Mayor Burnside banged his gavel proclaiming support for the Prescription Drug Abuse Reduction Initiative, and then welcomed the new businesses.

**6. Council Informational Reports.**

Whatley expressed kudos to the Goettings for the success of the Pecan & Wine Festival, noting that it was well attended and that even a bus arrived. She said the weather was beautiful. She also attended the Chili Cook-Off at the school, noting that it was a great fundraising event.

German also volunteered at the Pecan & Wine Festival and the Educational Foundation Chili Cook-Off. She said that both were nice events.

George provided a slide show of the Chili Cook-Off and reported that they had raised \$981.00 and expected next year to be even better.

Kovacovich advised that this was the first time in 10 years that he had come to a Council meeting in a snow storm.

Baker reported that she also volunteered at the Pecan & Wine Festival. She expressed her appreciation for the event and what it brings to our community.

Burnside reported that he attended the Verde River Basin Partnership meeting at which Ann Kirkpatrick presented a nice briefing. He also advised that he would be serving on a panel in Phoenix tomorrow where they would be discussion how to bring in more money.

**7. Call to the Public for items not on the agenda.**

Barbara Goetting reported that the Pecan & Wine Festival went extremely well. She said that the weather was gorgeous, and she thanked everyone who helped, noting there were great volunteers, including the Marshal's Office and Fire Department. She said that it went smoothly and there was a great turnout. She reported that they checked with local business who also said they did well, noting that the motels in Town were sold out. She said that they hoped that the event was profitable for the Town.

Steve Goetting reported that there were people from out of state that attended the event and indicated that they would like to buy a home in Camp Verde. He referred them to local realtors. He also reported that the Chamber of Commerce Board sponsored a dinner with Ann Kirkpatrick and had discussed many items of concern, including business incubators and raising interest in the Clear Creek Ruins. He advised that the Ruins could bring as many as 15,000 visitors through Town and the Chamber looked forward to collaborating with others in the community to get this proposal off the ground.

There was no other public input.

**8. Discussion, consideration, and possible appointment of a member to the Board of Adjustments and Appeals. The term expires in January 2016. The applicant for the position is former Council Member Alan Buchanan. Staff Resource: Debbie Barber**

On a motion by German, seconded by Baker, the Council voted unanimously to appoint Alan Buchanan to the Board of Adjustments and Appeals for the term expiring in January 2016.

Barber reported there was an opening on the BOA and there was one qualified applicant for Council consideration.

**9. Update by Michael Mandell from Marathon Consulting Group regarding Highway 260 projects. Staff Resource Russ Martin**  
Council took no action on this item.

Martin advised that Mr. Mandell was unable to make the meeting and asked that this item be postponed.

**10. Presentation, followed by discussion, consideration, and possible acceptance of the FY11-12 Audit. Staff Resource: Mike Showers**

On a motion by Jones, seconded by Baker, the Council voted unanimously to accept the Town of Camp Verde Annual Financial Report for June 30, 2012 and the Town of Camp Verde Report on Internal Control for June 30, 2012.

Scott Graff with Colby & Powell presented the audit for the period ending 6-30-12, drawing attention to the financial statements in the audit. He explained that the auditors' responsibility is to state their opinions on the financial statements to obtain a reasonable assurance that they were free from material misstatements. He said that they look for misstatements related to material errors or fraud and it is their responsibility to report such misstatements. He advised that the Town received a clean opinion and he congratulated the Town. Graff recommended that Council read the Management's Discussion and Analysis that addresses the Town's financial condition.

Graff praised the Town's ability to recover well from the turnover and changes that occurred over the past three years. He said that he was surprised how well things have turned around in such a short time, noting that there is good staff in place. He pointed out that they had to do very few, if any, journal entries, which is

almost unheard of. He said that Camp Verde is one of the few communities that have accomplished this.

In answer to Council questions, Graff reported that there were no deficiencies and explained the audit process. He explained that before beginning an audit, they perform a risk analysis through reviewing policies and procedures and minutes. Once the risk areas are identified, they test those areas for deficiencies, noting that many tests were done and no problems were found.

Martin reported that though the cash fund was down \$200,000 due to capital outlay, it was important to note on that we spent \$100,000 less than what was budgeted. He advised that our operations are running very well, noting savings in most departments including the library saving \$50,000 and the Marshal's Office over \$100,000. He advised that the financial statement shows exactly how the funds are spent, making our operations very transparent. He encouraged the Council to take pride in accomplishing the services that they have provided, while maintaining a sound financial foundation.

11. **Presentation and possible discussion of the report and update on the activities of the Verde Valley Archaeology Center.**

Council took no action on this item.

President James Graceffa reviewed the report in the packet and advised that the Center is striving to reach the curative standards for museums. He spoke to proposed building improvements that would enhance services. Graceffa advised that in the first 8 weeks, 1,325 visitors had signed their log. He spoke to the Docent Program that takes visitors to sites, noting that the Archaeology Center ranks 3<sup>rd</sup> among travel destinations, following the Casino and Out of Africa. He said that the Center has collaborated with Canyon Records to bring Grammy-Award winning artists in to perform in June, July, and August. Other planned activities include Hoop Dancers. He also advised that they were working closely with Economic Development Director Steve Ayres to develop a Heritage Program. He said that the Center often receives calls from out-of-towners who make Camp Verde their base camp to visit other Verde Valley sites and they feel good about helping the Town. Graceffa expressed appreciation on behalf of the Town for all that has been done to make their efforts a success.

Council members expressed their appreciation for the Archaeology Center's contribution to the Town.

12. **Discussion, consideration, and possible authorization for the Town to enter into a 5 year Lease/Purchase agreement with US Bank for the purchase of patrol and other department vehicles and equipment up to a total amount of \$770,000.00. Staff Resource: Mike Showers, Nancy Gardner, Ron Long, Russ Martin**

On a motion by Whatley, seconded by German, the Council voted to authorize staff to enter into a Lease/Purchase Agreement with US Bank for the purchase of equipment as listed in the attached document up to a total amount of \$770,000.00.

Martin asked Council not to be shocked by the amount requested. He explained that individual departmental operations cost more than this over a 5-year period and that this year alone, there is \$40,000 budgeted for vehicle maintenance. He advised that the payments would be around \$160,000 per year with a 1.16% interest rate. He explained that this is not a typical lease/purchase agreement that an individual would get with per mile charges, but rather, it is a purchase agreement. At the end of the 5 years, the vehicles would be the Town's or they could be traded. He also advised that if Council approves the transaction, staff plans to piggyback off another community's bids.

Detectives Freeman and Grover, representing AZCOPS, explained to Council that their agreement with the Town requires that no vehicle can have over 100,000 miles and that several of our police vehicles exceed that amount. Marshal Gardner explained her request for Tahoes as opposed to Crown Vics, noting that the life expectancy of the engine is greater and that a Tahoe is more powerful and will be something in which

the staff and citizens can take pride.

In answer to Council questions, Gardner and Martin explained that the existing vehicles would be auctioned or repurposed within other departments. Council thanked Gardner and Martin for bringing this option to their attention.

13. **Discussion, consideration, and possible direction to staff relative to updates and requested action(s) concerning proposed legislation that affects the Town.** Staff Resource: Russ Martin  
 Martin explained that this item would be on the Council agenda every two weeks until the legislative session ends. He noted that there were several bills of concern, such as the changes in the construction sales tax so that taxes are charged at the point of sale and changes in the tax laws that will do away with the option of self-collection. Council discussed these items at length. Martin explained that the Town has a policy wherein the proceeds from the construction sales tax are funneled into capital outlay and debt service. He asked Council to contact Representatives Fann and Tobin because there is a good chance that the Town will stand to lose \$150,000 annually if the law is passed.

Martin asked Council to let him know if there is anything that they would like to put on the agenda for discussion during the legislative session.

14. **Discussion, consideration, and possible direction to staff to include the Verde Valley Land Preservation Institute on the Council Committee Assignment List, and possible approval of membership fee up to \$100.00.**

On a motion by Jones, seconded by George, the Council voted unanimously to add the Verde Valley Land Preservation Institute to the Council Committee List, appointing Carol German to serve with Bruce George as alternate and to appropriate the \$100 membership fee.

German explained that she was approached by the VVLPi as to why Camp Verde did not have a representative on the Board. She advised that she had asked Bob Rothrock to attend and explain about the group's efforts. She also volunteered to serve on the VVLPi Board if Council approved the addition.

Walter Miller, a VVLPi Board member for several years, advised that he has seen other communities represented and wondered why Camp Verde did not have a Council representative. He explained that the Board does good work in terms of why we live here and advised that one of their accomplishments was overlay maps to use in the planning process. He advised that the group has received grants to repair property that provides river access and they work with homeowners to eliminate river contaminants and invasive species. .

VVLPi President Bob Rothrock said that our area is blessed with scenic beauty and cultural resources that must be preserved. He said that the group was working with Cottonwood on their General Plan revision and volunteered to help Camp Verde with our updates. He explained that they were working with artists to create a "River Runs through Us" campaign to raise funds to preserve the river. The organization was formed in 2004 in order to plan, create, and implement an open space plan for the Verde Valley.

Councilor George advised that he was a member of the organization, but was not a Board Member, and he would like to volunteer to serve as an alternate.

15. **Call to the Public for items not on the agenda.**

The was no public input.

16. **Manager/Staff Report**

Martin reminded Council of the Open House planned tomorrow night at 5:30 p.m. in Rooms 206-207 to provide information and answer questions about the dissolution of the Sanitary District and assuming

trusteeship.

17. **Adjournment**

On a motion by German, seconded by Baker, the meeting was adjourned at 8:15 p.m.

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Bob Burnside, Mayor

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Deborah Barber, Town Clerk

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the February 20, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Deborah Barber, Town Clerk



4.a.2

**DRAFT MINUTES  
WORK SESSION  
MAYOR AND COUNCIL  
COUNCIL CHAMBERS - 473 S. Main Street, Room #106  
WEDNESDAY, FEBRUARY 20, 2013  
5:30 P.M.**

**Minutes are a summary of the discussion. They are not verbatim.  
Public input is placed after Council discussion to facilitate future research.**

**1. Call to Order**

Mayor Burnside called the meeting to order at 5:30 P.M.

**2. Roll Call**

Mayor Burnside, Vice Mayor Bob Kovacovich, Councilors Jackie Baker, Robin Whatley, Bruce George, Carol German and Jessie Jones were present.

**ALSO PRESENT**

Town Manager Russ Martin, Town Clerk Debbie Barber, Economic Development Director Steve Ayers, Sheila Stubler, and Administrative Assistant Stephanie Sunstrom.

**3. Pledge of Allegiance**

Steve Ayers led the pledge.

**4. Discussion, consideration and possible direction to staff regarding possible five-year agreement with Arizona State Parks pertaining to Fort Verde State Historic Park. Staff Resource: Russ Martin**

Russ Martin advised that he had e-mailed a list of questions about Fort Verde Historical Park (Park) to Jay Ream of Arizona State Parks. The list of questions is included in the agenda packet, which is a permanent part of this record. He noted that the Park is one of Camp Verde's most important assets. He asked the Council for direction on these matters and if they agreed to the opportunities that he suggested. Council discussed the financial commitment at length and agreed that the amount requested was reasonable at this time. However, there were concerns as to whether the proposed amount could be lowered as State Park funding increased if this occurred during the term of the agreement. Martin felt that Arizona State Parks would need less funding from the Town as their budget increased. Council discussed the following:

- Including the possibility of sponsoring additional events at the Park in the agreement that could enhance the heritage of our community with free entrance fees for these events;
- Requesting a space, such as the bookstore to use as a Visitor's Center, with the Martin suggesting that this request would not likely be approved;
- Staffing hours not to be set at 700, but rather set on an as-needed basis, noting that Maintenance Staff is available for repairs and grounds maintenance, in addition to the Town providing services and supplies, such as toilet tissue, Internet, and phones; and
- A partnership with Arizona State Parks that would allow an exchange of resources between the Town and the Parks.

Council reminded Martin that he has the full support of the Council to find economic development opportunities.

**5. Adjournment**

On a motion by Jessie Jones, seconded by Jackie Baker the meeting was adjourned at 6:24p.m.

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Bob Burnside, Mayor

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Stephanie Sunstrom, Recording Secretary

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Work Session of the Town Council of Camp Verde, Arizona, held on February 20, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Debbie Barber, Town Clerk



## PROCLAMATION

### ARIZONA GIVES DAY March 20, 2013

**WHEREAS**, a joint effort must be made to leverage the collective energy of Arizona's \$24, billion non-profit community to build sound relationships with new donors and increase the engagement of individuals with Arizona's non-profit community; expand the capacity of nonprofits to incorporate the fastest growing source of individual investors: online giving; relieve pressure on institutional investors (foundations and corporations) to be funders of first choice for so many nonprofits; generate media messages which help to educate the wider public about the value and contributions of community impact missions in our city;

**WHEREAS**, a pathway for community non-profits to share their stories and connect with individuals throughout Arizona is a valuable asset to our community; and

**WHEREAS**, every individual in Arizona is encouraged to contribute to the strength of nonprofit organizations; and

**WHEREAS**, donations made to Arizona non-profits help to rally volunteers, change lives, build leaders, allow citizens to build leaders, allow citizens to build networks, fight for rights and champion community causes; and

**WHEREAS**, Arizona non-profits impact our local economy and all individuals;

**NOW THEREFORE**, the Town of Camp Verde hereby proclaim March 20<sup>th</sup> as Arizona Gives Day

**Issued this 6th day of March 2013.**

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**Bob Burnside, Mayor**

**Attest:**

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**Deborah Barber, MMC Town Clerk**



TOWN OF CAMP VERDE  
PROCLAMATION  
DECLARING APRIL, 2013  
"Go Blue for CASA®" Month

**WHEREAS**, the National CASA® (Court Appointed Special Advocate) Association is a network of 955 programs that are recruiting, training, and supporting volunteers to represent the best interests of abused and neglected children in the courtroom and other settings; and

**WHEREAS**, CASA® volunteers are appointed by judges to watch over and advocate for abused and neglected children, to make sure they don't get lost in the overburdened legal and social systems or languish in inappropriate group or foster homes; and

**WHEREAS**, the Verde Valley CASA® Children's Foundation, a member of the National CASA® Association, a nonprofit 501©(3), was created in 2006 to provide financial assistance for the unmet needs of the children of our greater Verde Valley who are wards of the Court; and

**WHEREAS**, the Mission Statement of the Verde Valley CASA® Children's Foundation reads: "To enhance the quality of life for dependent children under Court supervision in the Greater Verde Valley"; and

**WHEREAS**, at this time there are approximately 100 children in the Greater Verde Valley that have been removed from their homes and are currently wards of the Court; and

**WHEREAS**, independent research has demonstrated that children with a CASA® volunteer are substantially less likely to spend time in long-term foster care and less likely to reenter care; and

**WHEREAS**, the color blue is the national color representing abused and/or neglected children; and

**WHEREAS**, the month of April has been declared "Go Blue for CASA® Month" in the Greater Verde Valley and National Child Abuse Awareness Month,

**NOW, THEREFORE**, The Mayor and Common Council of the Town of Camp Verde do hereby proclaim April, 2013 as "Go Blue for CASA®" Month in the Town of Camp Verde.

Issued this 6<sup>th</sup> Day of March 2013

\_\_\_\_\_  
Bob Burnside, Mayor

Attest:

\_\_\_\_\_  
Deborah Barber, MMC Town Clerk



CASA® Children's Center, Inc.  
dba Verde Valley CASA® Children's Foundation  
PO Box 2523  
Cottonwood, AZ 86326

Ms. Virginia Jones  
Town of Camp Verde  
928-567-6631  
[Virginia.jones@campverde.az.gov](mailto:Virginia.jones@campverde.az.gov)

Dear Virginia,

As we discussed this morning, I am attaching the Proclamation that we are requesting the Mayor to issue during the April Town Council meeting. We are declaring April "Go Blue for CASA®" Month, and we are asking the Mayors of towns in the Greater Verde Valley to issue similar Proclamations.

Following is a brief explanation concerning our CASA® group.

We are a small volunteer-operated organization. We have 3 goals: 1)To assist dependent children by providing financial assistance through CASA® volunteers and CPS, by providing special occasion events and by providing small gift certificates as incentives; 2)To help recruit and support CASA® volunteers by providing assistance for additional training, by providing individual recognition, and by providing encouragement for continued service; 3)To promote community awareness in the Greater Verde Valley by providing coordination with other existing agencies, by providing for and initiating fund-raising activities and by providing a speakers' bureau to other community organizations.

Thank you for your assistance in this matter.

Sincerely,  
Karin Krippene, Director  
CASA® Children's Center, Inc.  
928-592-9483  
[kikrippene@att.net](mailto:kikrippene@att.net)



## PROCLAMATION

DESIGNATING MARCH 30, 2013

AS

**'VIETNAM VETERANS REMEMBRANCE DAY**

**WHEREAS**, the Vietnam War was fought in the Republic of South Vietnam from 1961 to 1975, and involved North Vietnamese regular forces and Viet Cong guerrilla forces in armed conflict with the United States Armed Forces and the Army of the Republic of Vietnam; and

**WHEREAS**, the United States Armed Forces became involved in Vietnam because the United States Government wanted to provide direct military support to the Government of South Vietnam to defend itself against the growing Communist threat from North Vietnam;

**WHEREAS**, members of the United States Armed Forces began serving in an advisory role to the Government of the Republic of South Vietnam in 1961;

**WHEREAS**, as a result of the Gulf of Tonkin incidents on August 2 and 4, 1963, Congress overwhelmingly passed the Gulf of Tonkin Resolution (Public Law 88-408), on August 7, 1964, which provided the authority to the President of the United States to prosecute the war against North Vietnam;

**WHEREAS**, in 1965, United States Armed Forces ground combat units arrived in Vietnam;

**WHEREAS**, by the end of 1965, there were 80,000 United States troops in Vietnam, and by 1969, a peak of approximately 543,000 troops was reached;

**WHEREAS**, on January 27, 1973, the Treaty of Paris was signed, which required the release of all United States prisoners-of-war held in North Vietnam and the withdrawal of all United States Armed Forces from South Vietnam;

**WHEREAS**, on March 30, 1973, the United States Armed Forces completed the withdrawal of combat units and combat support units from South Vietnam;

**WHEREAS**, on April 30, 1975, North Vietnamese regular forces captured Saigon, the capital of South Vietnam, effectively placing South Vietnam under Communist control;

**WHEREAS**, more than 58,000 members of the United States Armed Forces lost their lives in Vietnam and more than 300,000 members of the Armed Forces were wounded;

**WHEREAS**, in 1982, the Vietnam Veterans Memorial was dedicated in the District of Columbia to commemorate those members of the United States Armed Forces who died or were declared missing-in-action in Vietnam;

**WHEREAS**, the Vietnam War was an extremely divisive issue among the people of the United States and a conflict that caused a generation of veterans to wait too long for the United States public to acknowledge and honor the efforts and services of such veterans;

**WHEREAS**, members of the United States Armed Forces who served bravely and faithfully for the United States during the Vietnam War were often wrongly criticized for the policy decisions made by 4 presidential administrations in the United States;

**WHEREAS**, the establishment of a **‘Welcome Home Vietnam Veterans Day’** would be an appropriate way to honor those members of the United States Armed Forces who served in South Vietnam and throughout Southeast Asia during the Vietnam War; and

**WHEREAS**, March 30, 2013, would be an appropriate day to establish as **‘Welcome Home Vietnam Veterans Day’**:

***NOW THEREFORE, BE IT RESOLVED THAT***, the Mayor and Common Council of the Town of Camp Verde resolve:

- 1) Honors and recognizes the contributions of veterans who served in the United States Armed Forces in Vietnam during war and during peace;**
- 2) Encourages States and local governments to also establish ‘Welcome Home Vietnam Veterans Day’; and**
- 3) Encourages the people of the United States to observe ‘Welcome Home Vietnam Veterans Day; with appropriate ceremonies and activities that**
  - a. Provide the appreciation Vietnam War veterans deserve, but did not receive upon return home from the war;**
  - b. Demonstrate the resolve that never again shall the Nation disregard and denigrate a generation of veterans;**
  - c. Promote awareness of the faithful service and contributions of such veterans during their military service as well as to the communities since returning home;**
  - d. Promote awareness of the importance of entire communities empowering veterans and the families of veterans to readjust to civilian life after military service; and**
  - e. Promote opportunities for such veterans to assist younger veterans returning from the wars in Iraq and Afghanistan in rehabilitation from wounds, both seen and unseen, and to support the reintegration of younger veterans into civilian life.**

**Passed and approved by a majority voted of the Common Council at the Regular Session of March 6, 2013.**

\_\_\_\_\_  
Bob Burnside, Mayor

\_\_\_\_\_  
Date

Attest:

\_\_\_\_\_  
Deborah Barber, Town Clerk



**Agenda Item Submission Form – Section I**

**Meeting Date: March 06, 2013      Town of Camp Verde Town Council**

- Consent Agenda       Recommendation       Executive Session Requested
- Presentation Only       Action/Presentation

**Requesting Department: Community Development**

**Staff Resource/Contact Person: Michael Jenkins**

**Agenda Title (be exact): Public Hearing, Discussion and Possible approval of Resolution 2013 881 for Use Permit 20120319: An application submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit application will replace the current Use Permit to allow for the addition of a Wireless Tower Facility at the Rancho Verde RV Park. It is requested to make the New Use Permit perpetual. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

**List Attached Documents: (Rancho Verde RV Park)**

**Applicant’s application submittal (Use Permit for Rio Verde RV Park)**

- Use Permit Check List
- Draft Resolution
- Attorney comments on Resolution
- Directions to Property
- Letter of Intent
- Letter of Authorization, authorizing Adam Brixius from Clear Blue Services to act as the property owner’s Agent.
- Neighborhood Meeting Affidavit and sign-in sheet
- Yavapai County Assessor’s Office Parcel Information
- Land Use Map
- Zoning Map
- Resolution PZ 97-07
- Draft Minutes from P&Z Comm. mtg. 2-7-2013
- SITE PLAN 24" x 36"

**Estimated Presentation Time: 20 minutes (Staff & Applicant)**

**Estimated Discussion Time: 20 minutes**



**Reviews Completed by: Michael Jenkins (Community Development Director), Jenna Owens (Assistant Planner)**

**Department Head:**

**Town Attorney Comments: See Attached**

**Background Information:**

On September 24, 1997, the Town Council approved the current Use Permit for the Rancho Verde RV Park per Resolution 97-07 with no time limit established. Now, the current owner is requesting a new Use Permit as required by Section 601, item C.1.e. With no time limit, there have not had any violations or complaints.

The ordinance states as follows:

"The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No use may be modified, changed, altered or increased in intensity, in any manner that that conflicts with the Use Permit and / or required conditions of approval, without approval of a new Use Permit."

The change and modification to the current Use Permit is the requested addition of a **Wireless Communication Facility** (Wireless Cell Tower) at the location as proposed on the submitted Site Plan.

Staff has reviewed the submitted Site Plan for compliance with the Planning and Zoning Ordinance RV Park standards and has found that all requirements have been met per Section 306.C of the ordinance.

**Neighborhood Meeting:** As required, a neighborhood meeting was held by the applicant on December 19, 2012 in rooms 206-207 of the Town Campus Buildings. (Attached: Affidavit of the Neighborhood Meeting, Sign in Sheet & Questions and Answers).

**Rancho Verde RV Park Use Permit**

**Agencies were notified, the responses are as follows:**

**Town of Camp Verde Building Official – No Comments**

**Yavapai County Environmental Services – The Environmental Unit has no concerns with this Use Permit proposal due to a recent review.**

**Yavapai County Flood – No Objections**

**Town of Camp Verde Town Engineer – No Comments**

**Camp Verde Water System – We currently have a six inch (6") main that is paralleling Horseshoe Bend on the west side of the road. We currently serve this parcel. We have no objection to the approval of this request for a permit.**

**Camp Verde Fire District – Plans are Approved.**

**Planning & Zoning Commission Meeting 2-07-2013:**

***Public Hearing, Discussion and possible recommendation to Council on a Use Permit application submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.***

*A motion by Freeman to recommend to Council approval of a Use Permit application submitted by Mr. Adam Brixius of Clear Creek Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park; this is a Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park, following the recommendation of the Town of Camp Verde for a 10-year Permit, reviewable at the end of 5 years, **failed** for lack of a second.*

*On a motion by Hough, seconded by Blue, the Commission voted unanimously to recommend to Council approval of Item 6 on the Agenda, with a time limit of perpetual.*

**Council Recommended Motion: A motion to approve Resolution 2013 881, for Use Permit 20130319 submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit will replace the current Use Permit to allow for the addition of a Wireless Tower Facility at the Rancho Verde RV Park. This Use Permit would have a time limit of perpetual. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

- **Note: The Council has the option of setting a time limit on this Use Permit. Staff is recommending that this Use Permit be granted in perpetuity due to the previous years of operation of the Park with no reported violations.**

DRAFT



**RESOLUTION 2013- 881**  
**Replacing Resolution PZ 97-07**

**A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, REPLACING RESOLUTION PZ 97-07, FOR PARCEL 403-19-013V TO ALLOW FOR THE ADDITION OF A WIRELESS TOWER FACILITY AND CONTINUED OPERATION OF THE RANCHO VERDE RV PARK WITH NO TIME LIMIT. ANY CHANGES TO THESE USES MUST COME BEFORE THE PLANNING & ZONING COMMISSION AND TOWN COUNCIL FOR APPROVAL.**

The Common Council of 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 2012-0319 was filed by Clear Blue Services, Mr. Adam Brixius, agent for GL & SF Green Revocable Trust owners of parcel 403-19-013V located at 1488 W. Horseshoe Bend Dr. This parcel is zoned RR (Rural Residential), and the proposed uses are permitted under such zoning.
- B. The request was reviewed by the Planning and Zoning Commission on February 7, 2013 and by the Common Council on March 6, 2013 in public hearings that were advertised and posted according to state law.
- C. A neighborhood meeting was held on December 19, 2012 by the applicant as required by the Town of Camp Verde Planning & Zoning Ordinance, Part 6, Section 601 (Zoning Decisions) A.3.a-e.
- D. The purpose of the Use Permit is to add a Wireless Tower Facility on parcel 403-19-013V and the continued operation of the Rancho Verde RV Park. All of the current and proposed uses to continue with no time limit, but are subject to the requirements of Part 6, Section 601 (Zoning Decisions), C. 1 & 2 of the Town of Camp Verde Planning & Zoning Ordinance.

The Common Council of the Town of Camp Verde hereby approves UP 2012-0319 for the purpose of adding a Wireless Tower Facility and continuing the operation of the Rancho Verde RV Park located on parcel 403-19-013V with no time limit on this Use Permit, but subject to Part 6, Section 601 (Zoning Decisions), C 1 & 2 of the Town of Camp Verde Zoning Ordinance. Any changes to the allowed use will have to come before the Planning & Zoning Commission and the Town Council.

**PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON MARCH 06, 2013.**

\_\_\_\_\_  
Bob Burnside, Mayor

Approved as to form: \_\_\_\_\_

Town Attorney

Date: \_\_\_\_\_

Attest: \_\_\_\_\_

Deborah Barber, Town Clerk

# Use Permit Check List

Pre-Application Conference with staff and the Acting Community Development Director

**\*Staff Report**

Will include summary of agency & citizen's comments, Traffic Impact Analysis or ADOT approval of site access (if applicable), Town requirements, applicant's narrative as it addresses requirements for application and recommended stipulations if approved. (if any)

**\* Current Resolution for reference (if applicable)**

**\*Resolution (for Council Hears Planning & Zoning)**

Reviewed and approved by Town Attorney (For Council Hears P & Z)

**\* Application including:**

1. **\*Directions to Property**
2. **\*Letter of Intent (Narrative)**
3. **\*Consent or Approval letter from property owner (if applicable)**
4. **\*Public Participation, Neighborhood meeting, completed. Date: 12-19-12**
  - **\*Affidavit of summary of meeting**
  - **\*Statement of how the applicant addressed neighborhood concerns.**
  - Copy of letter sent to neighbor's within 300'
  - Posting of Property by applicant (photo)
  - Affidavit attesting to notification of neighbors
  - Sign in sheet

**\*Site Plan**

**\*Vicinity Map**

**\*Adjacent land use**

Legal Description

Advertising & Posting has been completed & meet State Law Requirements.

Off Premise Signs - ADOT outdoor advertising permit (if applicable) for commercial signage

Traffic Impact Analysis or ADOT approval of site access (if applicable)

**NOTE: \*Indicates included in packet**

473 S. MAIN ST. SUITE 109  
CAMP VERDE, AZ 86322

PH: (928) 554-0053

\*\*PLEASE CHANGE YOUR RECORDS TO REFLECT THE NEW PHONE NUMBER ABOVE

[REDACTED]

**From:** Bill Sims [REDACTED]  
**Sent:** Friday, February 08, 2013 9:13 AM  
**To:** Jenna Owens  
**Subject:** RE: New Resolution submittal for review Camp Verde

Jenna:

I have some questions:

1. Both deal with wireless communications devices. Reso 2013-884 shows how the applicant has complied with Zoning Code Section 806, as well as other Sections of Part 8. Why doesn't that apply to Reso 2013-881?
2. The Reclamation Plan described in Reso 2013-884 is required under Section 810. I think we need to explicitly refer to that Section (much like you did in Reso 2013 881 when you added the clause "but subject to Part 6, Section 601 of the Zoning Code, C 1 &2.") I like that reference in Reso 2013-881 that follows the reference to "no time limit" because of the zoning code requirement that the permit can be voided for non-use. Without the reference to Section 601, subsections C1 and C2 in Reso 2013-881, the applicant could say that the Town waived the void for non-use provision in the Code. I say this because Reso 2013-884 refers to a Reclamation Plan. We need to incorporate the provisions of the Zoning Code so that the applicant is on notice (please see attached).
3. Also, the issue of financial security to secure an obligation is something that we screwed up years ago regarding the completion of subdivision improvements. What kind of security do you require?

William J. Sims III

[REDACTED]

**From:** Jenna Owens [REDACTED]  
**Sent:** Friday, February 08, 2013 8:14 AM  
**To:** Bill Sims  
**Subject:** New Resolution submittal for review Camp Verde

**Jenna Owens**

---

**From:** Bill Sims [REDACTED]  
**Sent:** Friday, February 08, 2013 12:04 PM  
**To:** Jenna Owens  
**Subject:** RE: New Resolution submittal for review Camp Verde

This works

William J. Sims III  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** Jenna Owens [REDACTED]  
**Sent:** Friday, February 08, 2013 9:44 AM  
**To:** Bill Sims  
**Subject:** RE: New Resolution submittal for review Camp Verde

**Question #1:**

This Wireless Tower is going to be located within an existing RV Park which has an existing Use Permit. Due to the added use, we have asked the RV park to update their Use Permit to include the use of a Wireless Tower Facility.

Per our Part 8 (Wireless Towers) we have to have a separate Use Permit for them to be able to construct the Wireless Tower.

**Question #2:**

I have made the corrections to Resolution 2013-884 to reflect your request of adding the reference to the code for the Reclamation Plan. I have attached the Resolution with corrections noted in yellow for your reference.

**Question #3:**

Mike address via phone call.

I hope I have made the appropriate corrections. Have a good weekend!

*Respectfully,*

*Jenna Owens*

JENNA OWENS - ASST. PLANNER  
TOWN OF CAMP VERDE



# Land Use Application Form

1. Application is made for:

- |   |                                    |                        |
|---|------------------------------------|------------------------|
| Zoning Map Change                           | Use Permit                         | General Plan Amendment |
| Conceptual Plan Review                      | Preliminary Plat                   | Final Plat             |
| PUD Zoning                                  | Variance                           | Sign                   |
| Street Abandonment                          | Minor Land Division                | Wireless Tower         |
| Appeal                                      | Verification of Non-Conforming Use | Utility Exemption      |
| Site Plan Compatibility Review (Commercial) |                                    |                        |

Other: \_\_\_\_\_

2. Project Name: Rancho Verde RV Park

Please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name: George L. Green

Applicant Name: Clear Blue Services, Adam Brains

Address: P.O. Box 1078, Arroyo Grande, CA 93421

Address: 11011 S. 48th St. Phoenix, AZ 85044

Phone: \_\_\_\_\_

Phone: 602-426-9500

E-mail: \_\_\_\_\_

E-Mail: adam.brains@clearblueservices.com

4. Property Description:

Address or Location: 1489 W. Horseshoe Bend, Camp Verde, AZ 86322

Existing Zoning: RCU-2A + Use Permit Existing Use: RV Park

Proposed Zoning: RCU-2A + Use Permit Proposed Use: RV Park + Wireless Communications

5. Purpose: (describe intent of this application in 1-2 sentences)

Forty (40) RV Sites, One (1) mobile home and a two bedroom home with attached office. Plus, the ability to allow wireless communications.

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: AJB Date: 10/30/12 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: AJB Date: 10/30/12



## Directions to Property

Assessor's Parcel Number 403-19-013V

Applicants Name Adam Brixins, Clear Blue Services, Project Manager

Property Address 1488 W. Horseshoe Bend Drive Camp Verde, AZ 86322

### Directions To Property:

From: W. State Route 260, Exit east onto Park Verde  
Road, Head North on Central Ln, East on Horseshoe  
Bend Drive.

Property Entrance on right side of road.



## Letter of Intent – YA73

**REQUEST:** Use Permit

**PROPOSAL:** RV Park with a Wireless Communications Facility – forty (40) RV sites, one (1) mobile home and a two bedroom house with attached office.

**LOCATION:** 1488 W. Horseshoe Bend Camp Verde, AZ 86322

**SIZE:** 5.18ac

**APPLICANT:** Clear Blue Services, 11011 South 48<sup>th</sup> Street, Phoenix, AZ 85044 Suite 210

**CONTACT PERSON :** Adam Brixius, Phone: 602-426-9500, Email: [adambrixius@clearblueservices.com](mailto:adambrixius@clearblueservices.com)

### REQUEST

Clear Blue Services on behalf of George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust is requesting a new perpetual Use Permit to replace the existing perpetual Use Permit for the Rancho Verde RV Park. The proposal is to replace the existing Use Permit with one that will permit the use of both an RV Park as well as a Wireless Communications Facility (WCF) on the same parcel. A separate Use Permit for the specific WCF is requested under a separate application. The RV Park / WCF permit application is intended to provide recreation and wireless communication opportunities to this region in Camp Verde. Rancho Verde RV Park has been a successful operation with no violations since the original Use Permit was approved September 24, 1997, resolution No. PZ 97-07.

### DESCRIPTION OF PROPOSAL

The proposed Use Permit is for 40 RV sites, one mobile home, one two-bedroom house with attached office, and a Wireless Communications Facility. With the exception of the WCF; all of the proposed uses were included with the approval of the current Use Permit. Because the current Use Permit under which the RV park presently operates has a perpetual life span, we request that the new Use Permit be granted with no expiration as well. It is understood that the separate WCF Use Permit request submitted concurrently with this application will not have a perpetual status.

### RELATIONSHIP TO SURROUNDING PROPERTIES

The subject parcel has an RR zoning designation with an approved Use Permit. The property's current use is a RV Park. The surrounding properties to the north, south, and east have zoning designations of RR and PUD to the west.

### LOCATION AND ACCESSIBILITY/CIRCULATION SYSTEM

Ingress and egress will be from West Horseshoe Bend Drive road on the southwestern portion of the parcel. There are two driveways off Horseshoe Bend providing direct access to the mobile home and home/office and a third drive off Horseshoe Bend provides direct access to all RV Park Sites. There is a gated access on the northern end of the property providing access to sites on the lower portion of the property along the east.

## **HOURS OF OPERATION**

Rancho Verde RV Park will operate 24 hours a day, seven days a week 365 days a year.

## **PARK UTILITIES**

### **Water:**

Water service is provided by the Camp Verde Water System (private water company) with service to each RV site, tent camping site, workshop, laundry/showers, mobile home and office. The main water service is via a 2" piping system with back flow preventer.

### **Waste Water Processing:**

The park is not connected to a city sewer system. The park waste water is processed in seven septic tanks. The upper level of the RV Park is serviced by four 1,850 gallon septic tanks. The lower RV park spaces are serviced by one 2,000 gallon septic tank. The office and two-bedroom house is serviced by one 1,500 gallon septic tank. The mobile home is serviced by one 1,200 gallon septic tank. The park does not provide RV dump station services to the general public. Waste water processing is only for tenants of the park.

### **Electric Provider:**

Electric service to the park is provided by APS through a 600 Amp service center for the RV sites and laundry/toilet and shower facility. The two bedroom home office has a 150 amp service center and separate meter. The mobile home has a 100 amp service center with a separate meter. The three irrigation pumps have a 200 amp three phase service center and separate meter.

There are a total of 40 RV sites and two tent camping sites in the park. 36 of the RV sites have 100 amp power pedestals providing 50 amp, 30 amp and 20 amp outlets. A RV will only connect to only one of the outlets. All of the outlets are 120 volt AC. Four of the RV sites have 30 amp service only.

### **Telephone:**

Telephone service in the park is provided by CenturyLink. Copper wire is buried and there is service to the office, mobile home and 12 of the RV sites. There is a telephone outlet box adjacent to the proposed facility equipment shelter. The hard wired telephone is only used by a few of the long term tenants. The telephone wiring from the pole to the sites is park owned and not maintained by the telephone utility.

The park has cable service to the office, mobile home, and to the laundry/storage building. The cable service is for internet Wi-Fi service to the RV sites via an antenna located on the laundry building. There are no individual RV sites with direct cable (wired) provisions.

## **NOISE, LIGHT, NUISANCES**

The park has two dusk to dawn pole mounted street lights maintained by the APS electric utility. There is outdoor lighting at the laundry/ shower building. One light is located on the north end of the center RV site row and the other light is at the SE corner of the laundry / shower building. There are no excessive noises or nuisances.

## **NEIGHBORHOOD IMPACT**

Rancho Verde RV Park is a valued asset to the Town of Camp Verde. With no violations since it has been in operation it provides numerous people an opportunity to live, vacation, or relax.

## **WIRELESS COMMUNICATIONS**

In today's society Wireless Communications are as much of a needed service as traditional utilities such as electric power and land-line telephone. AT&T has recognized a significant gap in coverage in the area around the Rancho Verde RV Park. The approval of this Use Permit will allow AT&T to close this coverage gap with a single co-locatable WCF. The Rancho Verde RV Park location is the least obtrusive location and covers the most area. This WCF site will benefit consumers by lower pricing on competing technologies, benefit businesses with more access to technology, and most importantly provides coverage to everyone with a wireless device in the case of an emergency.

**Letter of Authorization**

Date:

TO WHOM IT MAY CONCERN:

This letter will serve as authorization for Adam Brixius, to act as an agent on behalf of George J. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust, under Agreement dated September 21, 1987, including, but not limited to, power of attorney for the purpose of obtaining a Use Permit, for a RV Park with a Wireless Communications Facility and a Use Permit for a Wireless Tower in cooperation with Camp Verde, Development Services Department.

Located on Assessor Parcel Number: 403-19-013V

Landowner Signature: George J. Green Date: 09/31/2012

State of Arizona

ss

County of Yavapai

On this 31 day of August 2012 before me, the undersigned Notary Public, personally appeared George L. Green who executed the foregoing instrument for the purpose therein contained.

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



Joy N. Zurlinden  
Notary Public

Oct 30, 2015  
Date Commission Expires

# Affidavit

I Adam Brixius owner/agent of parcel 403-19-013V have notified neighbors within 1000' of parcel 403-19-013V, by sending letters on 11/30/12 to notify them of the neighborhood meeting that I conducted on the 19<sup>th</sup> day of DECEMBER 2012.

I posted parcel 403-19-013V with meeting date and time on the 4<sup>th</sup> day of DECEMBER 2012.

I Adam Brixius owner/agent of parcel 403-19-013V have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 19<sup>th</sup> day of DECEMBER 2012.

Summary

Statement: No questions were ask about the R.V. Park. it was explained that this Use Permit was needed because The Use of The property was intensifying.

If Summary statement is too long, attach a copy.

State of Arizona }

County of Yavapai }

AB  
Signature of Document Signer No. 1

ADD  
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 20<sup>th</sup> day of DECEMBER 2012.



Sarah Livingston  
Signature of Notary





**Parcel ID** 403-19-013V **Check Digit** 6

**Owner** GREEN GL & SF REVOCABLE TRUST

**Owner's Mailing Address**  
PO BOX 1078  
ARROYO GRANDE, CA 934211078

**Secondary Owner** GREEN GEORGE L & SIGRID TTEES

**Recorded Date** 2006-05-01

**Last Transfer Doc Docket** 4411 **Last Transfer Doc Page** 823

**Physical Address** 1488 W Horseshoe Bend **Incorporated Area** Town of Camp Verde

**Assessor Acres**  
5.18

**Subdivision**  
N/A

**Subdivision Type**  
N/A

**School District**  
Camp Verde Unified SD #28

**Fire District**  
Camp Verde FD

**County Zoning Violation**  
No Zoning Violation

**Improvements (8)**

**Type:** Single Family Residential  
**Floor area:** 1031  
**Effective/constructed:** 1960

**Type:** Recreational Vehicle Parks  
**Floor area:** 41  
**Effective/constructed:** 1999

**Type:** Residential Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 2000

**Type:** Office Building  
**Floor area:** 196  
**Effective/constructed:** 2004

**Type:** Commercial Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 1999

**Type:** Mobile Home Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 1995

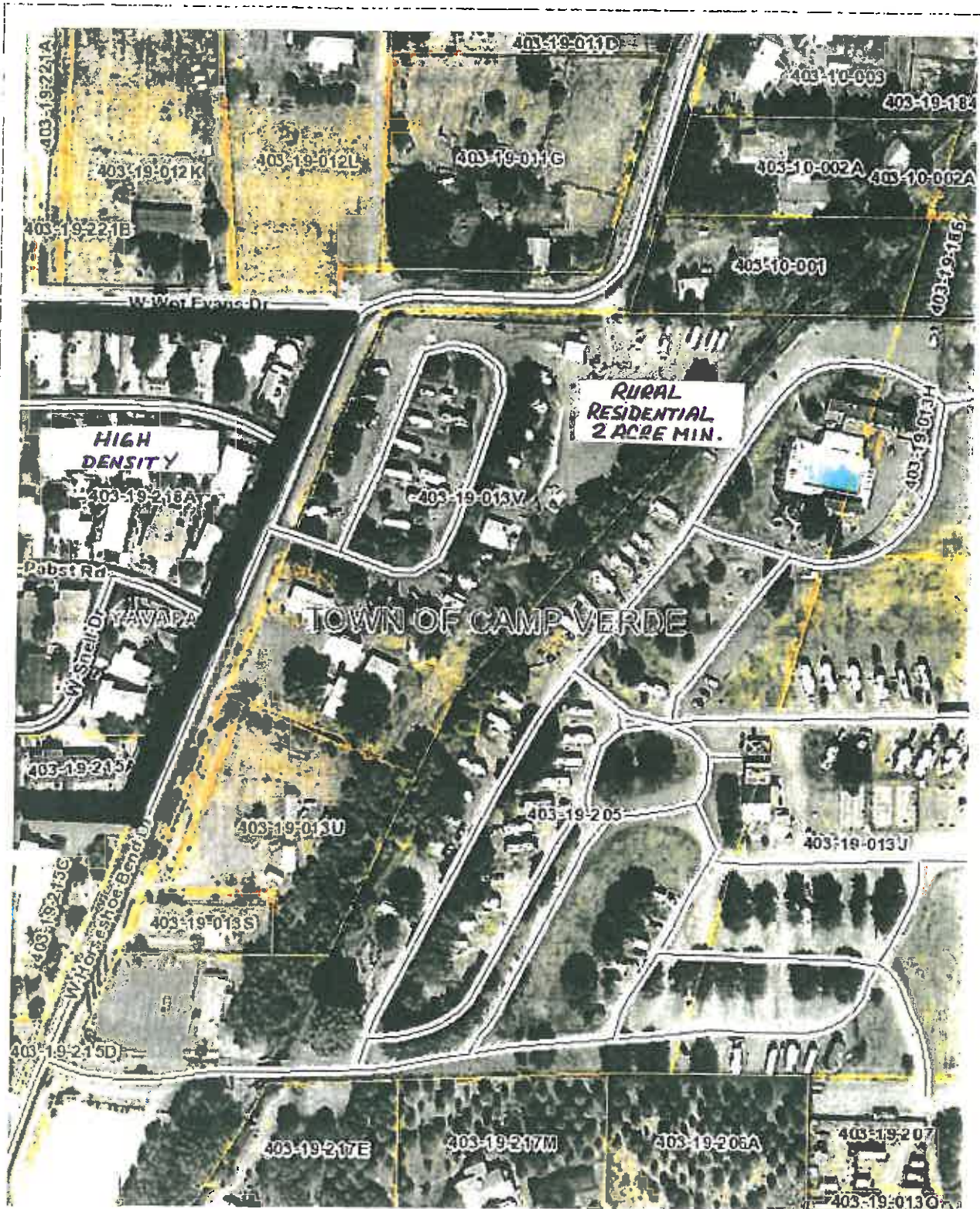
**Type:** Shed - Equipment  
**Floor area:** 576  
**Effective/constructed:** 2000

**Type:** Laundromat  
**Floor area:** 576  
**Effective/constructed:** 1999

**Assessment**

# Land Use Map

Attachment no. 1

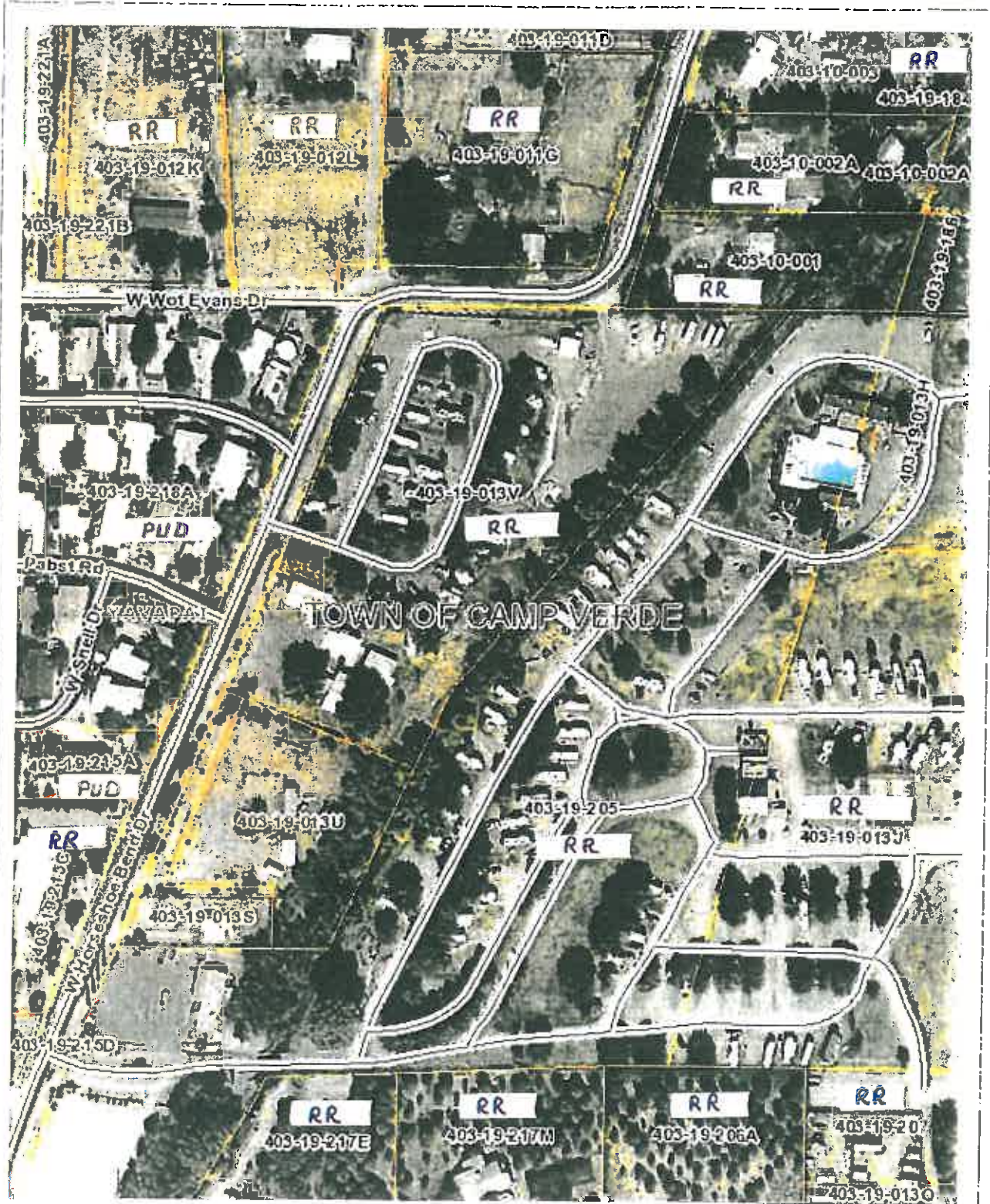


*Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for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

Map printed on: 12/15/2012



# Zoning Map



*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 that may arise from the use of this data.*

Map printed on: 12.15.2012

RESOLUTION NO. PZ 97-07

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING USE PERMIT 97-05 FOR DEVELOPMENT OF A RECREATIONAL VEHICLE PARK ON TAX PARCEL 403-19-013 LOCATED 1488 WEST HORSESHOE BEND WITH THE ZONING OF RCU-2A.


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

- I. The Town Council hereby finds as follows:
  - A. A request for a Use Permit(97-05) was filed by Arthur and Charlene Ferguson, property owners, for the purpose of constructing a recreational vehicle park on their property, a 5.18 acre parcel, Tax Parcel 403=19-013.
  - B. The request was reviewed by the Planning Commission on September 4, 1997, and the Town Council on September 24, 1997 in public hearings that were advertised and posted according to state law.
  - C. The proposed Use Permit will not consitute a threat to the health, safety, welfare or convenience to the general public and should be approved.
  - D. The Use Permit(97-05) is approved, based upon the following findings:
    1. The Use Permit will not injure the public health, safety, welfare or convenience.
- II. The Town Council of the Town of Camp Verde hereby approves Use Permit 97-05 for the purpose of constructing a recreational vehicle park on Tax Parcel 403-19-013.

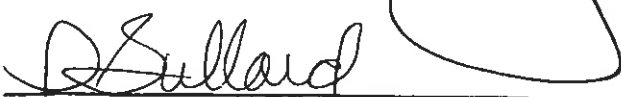
PASSED AND ADOPTED AT A REGULAR SESSION OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON SEPTEMBER 24, 1997.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Ronald Ramsey  
Town Attorney

  
\_\_\_\_\_  
Carter Rogers  
Mayor

WITNESS:

  
\_\_\_\_\_  
Dane Bullard  
Town Clerk

**MINUTES DRAFT**  
**Special Session**  
**THE PLANNING AND ZONING COMMISSION**  
**TOWN OF CAMP VERDE**  
**CAMP VERDE, AZ.**  
**COUNCIL CHAMBERS SUITE #106**  
**THURSDAY FEBRUARY 07, 2013**  
**6:30 PM**

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

1. **Call to Order**  
The meeting was called to order at 6:30 p.m.
2. **Roll Call**  
Chairperson Norton, Vice Chairperson Blue, Commissioners Gordon, Freeman and Hough were present; Commissioners Hisrich and Parrish were absent.
3. **Pledge of Allegiance**  
The Pledge was led by Hough.
4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
  - a. **Approval of Minutes:**  
**01-03-2013 Regular Session**
  - b. **Set Next Meeting, Date and Time:**  
As NeededOn a motion by Gordon, seconded by Freeman, the Consent Agenda was unanimously approved as presented.
5. **Call to the Public for Items not on the Agenda**  
There was no public input.
6. **Public Hearing, Discussion and possible recommendation to Council on a Use Permit application submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**  
A motion by Freeman to recommend to Council approval of a Use Permit application submitted by Mr. Adam Brixius of Clear Creek Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park; this is a Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park, following the recommendation of the Town of Camp Verde for a 10-year Permit, reviewable at the end of 5 years, failed for lack of a second.

On a motion by Hough, seconded by Blue, the Commission voted unanimously to recommend to Council approval of Item 6 on the Agenda, with a time limit of perpetual.

**Staff Presentation**

Asst. Planner Owens reviewed the background of the current Use Permit for the subject Park that was approved on September 24, 1997, with no time limit established. Pursuant to Town Code no changes or modifications may be made without approval of a new Use Permit. The change and modification to the current Use Permit is the requested addition of a Wireless Cell Tower on the property as shown on the newly submitted Site Plan, a

copy of which was included in the agenda packet. Staff has reviewed the Site Plan for compliance with the Planning & Zoning Ordinance RV Park standards and found that all requirements have been met per Section 306.C. The required neighborhood meeting was held on December 19, 2012; there were no concerns or objections from the various Town and County agencies.

#### **Applicant's Statement**

Adam Brixius, agent for the owners of Rancho Verde RV Park, said that there are no changes being requested, and he would be making his presentation in connection with the following Item 7.

#### **Commission Discussion**

A discussion followed the original motion made by Freeman, with Community Development Director Freeman noting that the request was for approval of the Use Permit in perpetuity and suggesting that the motion be revised. The Commissioners discussed the motion and the added revision. Owens pointed out that the Use Permit for the RV Park was separate from actually placing the tower on the site. The request is simply to allow the Park their privilege to have the wireless tower within the Park boundaries. Jenkins added that the new Use Permit is necessary because of the requested change to include the wireless tower. Freeman said he preferred to stand by his motion requiring a time limit of 10 years. Hough commented that the owners currently have perpetual use of the property as an RV Park, have done everything correctly, and he questioned imposing a time limit at this point. After further discussion, it was noted that although Blue had seconded the original motion, Freeman had added the revision, with no second. Chairperson Norton announced that the motion failed for lack of a second.

Hough then made his motion for approval of the Use Permit request. Freeman said he would go along with the motion for perpetuity, although in the past things have been done differently.

**7. Public Hearing, Discussion and possible recommendation to Council on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Use Permit to place a 90' Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

On a motion by Gordon, seconded by Hough, the Commission unanimously voted to recommend to Council approval on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Use Permit to place a 90-foot Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park; per Part 8, Section 806.1.d.this Use Permit is good for ten (10) years with Town Council review in five (5) years; the property is located on Parcel 403-19-013V at 1488 W. Horseshoe Bend. The following conditions of approval are as follows:

1. That the Tower will be a mono-pine or other stealth treatment;
2. Per Part 8, Section 802 (General Provisions), Item 2.d of the Planning & Zoning Ordinance, it states: "Proposed antenna facilities, including concealed antennas shall be designed to accommodate not only equipment for the applicant's use, but also for the collocation for at least one additional wireless communications provider for every 30' of height proposed. The Town Council may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character."
3. Per Part 8, Section 802, Item 12 of the Planning & Zoning Ordinance it states: "Camp Verde Fire Department and Camp Verde Marshal's Office shall have access to the exterior and interior via keys or other method in case of emergency."
4. Per Part 8, Section 810 (Reclamation Plan) the applicant will be required to make all Reclamation Plan Submittals to the Community Development Department with the building permit plans after the Use Permit has been approved. The Community

Development Department will review the Reclamation Plan Submittal and once approved the Department will set up a one-time Financial Assurance amount to be prorated over 20 years. Staff is requesting that the Town Council allow for a one-time Financial Assurance to be determined by the staff and established prior to the Building Permit being issued for the Tower structure.

#### **Staff Presentation**

Community Development Director Jenkins reviewed in detail the purpose and intent of the Town Ordinance under Part Eight that sets forth the Wireless Communication Facility requirements. Those requirements address protecting the public health, safety, welfare and citizens' properties, the authority of the Telecommunications Act of 1996, height restrictions, location of the facility, and concealed sites. Staff has reviewed the applicant's submittal package, the intent of which is to provide residential service to the subject area, as well as providing coverage along a portion of I-17, a one-half mile to the East. Displaying maps and drawings, Jenkins noted that the site promulgation maps provided by the applicant illustrated the effects of coverage with and without the proposed wireless tower.

Jenkins outlined staff's thorough evaluation of other possible locations, including the Town Street Yard. The resulting analysis of staff is that it would appear that, based on engineering provided by AT&T and practical purposes, the proposed tower placement is in the best location for the most effective coverage. That would therefore require fewer towers, which is the intent of the Ordinance. Jenkins also displayed an example of a mono-pine, or stealth-type tower.

#### **Applicant's Statement**

Adam Brixius, agent for AT&T Mobility, gave a Power Point presentation on the proposed placement of the wireless tower, explaining that they have been working on the site for five months, why it was chosen, and keeping the Community Development Department up to date on the research, including visits by AT&T. He displayed examples of the types of stealth towers, noting that effort is made to try to match the trees that are in the area. Mr. Brixius said that their facility can also be used by other providers, and commented on the need for wireless capability, including 911 calls. He displayed maps and charts showing that the proposed site and height of the tower would provide the most effective coverage. As for the request for the Use Permit in perpetuity, Mr. Brixius said it was understood that if at any time the facility would be out of compliance, the Use Permit could be immediately voided.

#### **Commission Discussion**

In response to a question, Jenkins explained that permission for other carriers to also use the facility would be granted through administrative review pursuant to Town Code. There was some concern expressed regarding assurance that some kind of camouflage for the tower will be required as a condition of approval. Hough pointed out a possible discrepancy on the land use application; the word "owner" should be replaced by "agent." Gordon addressed the letter from Sharon Lara regarding the issue of cancer, and cited an American Cancer Society article that basically states that most scientists agree that cell phone towers are unlikely to cause cancer.

Norton said he wanted to note that at the neighborhood meeting two people showed up; one was a reporter and the other was the son of the landowner who was in support of the project.

Prior to the Commission taking action, Jenkins said that staff has requested that any motion include a provision to allow staff to calculate a one-time financial assurance amount for the reclamation of the site, prorated over a 20-year period. There was no further discussion.

- 8. Call to the Public for Items not on the Agenda**  
There was no public input.
- 9. Commission Informational Reports:**  
There were no Commission informational reports.
- 10. Staff**  
There was no staff report.

11. **Adjournment**

On a motion by Hough, seconded by Gordon, the meeting was adjourned 7:24 p.m.

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Chip Norton, Chairman

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Planning & Zoning

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 7<sup>th</sup> day of February 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Margaret Harper, Recording Secretary

**MINUTES  
REGULAR SESSION  
COMMON COUNCIL  
of the  
TOWN OF CAMP VERDE FOR PLANNING & ZONING MATTERS  
September 24, 1997  
6:30 p.m.**

Minutes are a summary of the actions only. They are NOT verbatim.

**1. CALL TO ORDER:**

Mayor Rogers called the meeting to order at 6:31 p.m.

**2. ROLL CALL:**

**Council members present:**

Carter Rogers, Mayor	Ray Larkey, Councilman
Wayne Dickinson, Councilman	John Garello, Councilman
Tom Hall, Councilman	

**Council members absent:**

Jesse Reeves, Councilman  
Brenda Hauser, Councilwoman

**Staff present:**

Bob Lau, Community Development Director  
Bruce Billstrand, Zoning Inspector  
Maurine E. "Mo" Weaver, Community Development Secretary and Recording Secretary

Mayor Rogers introduced the new Community Development Department Planner, Nancy Buckel and asked her to elaborate on her ties to the town of Camp Verde. Ms. Buckel stated her mother has lived in Camp Verde for twenty years and she and her family have been visiting back and forth from California up to three times a year and over that period of time have become well acquainted with the Town.

**3 PLEDGE OF ALLEGIANCE:**

Pledge was led by Councilman Wayne Dickinson

**4. INFORMATION & UPDATES:**

Community Development Director, Bob Lau updated everyone on the pending weather conditions and Hurricane Nora's possible effects on the Town. These updates are based on FAX'd information from the Yavapai County Emergency Services. He added that sandbags will be available at the Fire Department and Town yard for those who may need them.

**5. APPROVAL OF MINUTES: (Regular Session: July 23, 1997 / Work Session: August 13, 1997):**  
**Revision to July 23, 1997 Minutes:** Page 1, last paragraph should read: "They were told what areas will be affected and spoke to a gentleman from Federal Fish & Wildlife....."

**Page 3, No. 5. John Momeyer:** Change "Paconi" to "Punkoney"

**Page 3, No. 6: Bert Gardner:** "Has lived in Camp Verde for 41 years" - not Cottonwood.

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There being no further revisions, motion was made Wayne Dickinson to approve the minutes. Motion was seconded by Tom Hall and carried.

**6. CALL TO THE PUBLIC (For items not on the Agenda):**

None

**7. A. APPLICATION FOR SPECIAL EVENT LIQUOR LICENSE for Bread of Life Benefit,**

**Max Pais, KZGL Radio Station:** Community Development Director, Bob Lau explained there was some confusion on this item explaining that Mr. Pais came in inquiring about a special event liquor license for a Battle of the Bands concert at Cowboys and Outlaws. They wanted to make a donation to the Bread of Life Benefit and inadvertently listed Bread of Life as the name of the organization applying for the special use permit. A letter was then received from Bread of Life stating they were not associated with this event and requested the item be pulled from the Agenda. The Town then opted to leave the item on the agenda in order to discuss in a public forum to make it clear that the Bread of Life did not have any involvement in this event. Mr. Lau also stated that Mr. Pais did not realize what he had done and wanted to apologize.

Lee Cook (retired pastor) and volunteer for the Bread of Life organization, further explained that Mr. Pais spoke with him as well expressing his concerns over the error and in no way wished to involve the Bread of Life organization.

There was no further action needed nor taken on this item.

Mayor Rogers inquired if there was anyone in the audience representing Mr. Blevins. There being none, he inquired of Council if they wanted to go on to the next agenda item in case they were running late. It was the decision of the Council to proceed with the next agenda item.

**7.B. USE PERMIT 97-04:** Upon the application of Steve MacKinder, agent for Allstar Gas Corporation, a request for a 2.5 acre portion of Tax Parcel 403-16-001E to accommodate a propane gas sales facility including an office, loading bulkhead, bottle filling site, storage tanks, and tank and delivery truck storage areas. The site is located at 3830 W. Highway 260, zoned M1-CU.

Community Development Director, Bob Lau summarized for Council stating this Use Permit is requested by the applicant for purposes of establishing a propane storage business. There will be access from Hwy. 279 via an easement through the remainder of the parcel. A traffic study was conducted by the Town Engineer and his evaluation states there will be a very low, if any, impact on traffic. Additionally, a letter was received from Superior Companies stating they had no objection. Mr. Mike Punkoney, owner of the carpet facility along with a letter from the owner of Cherry Creek Village Co. expressed concerns with the landscaping and screening.

Mr. MacKinder spoke to Council stating he has abandoned the goal of receiving permission from ADOT for a Hwy. 260 access and has re-negotiated with the owners (Richard Cook) to buy a strip of land along the eastern border of the 10 acre parcel so they will be able to access.

**Questions from Council:**

**John Garello:** Landscaping plans: Mr. MacKinder has planned for low-lying shrubs (low maintenance) with a fair amount of graveled area. However, he would still like to have visibility from the highway. The storage tanks will be visible from Highway 260. Flood drainage: The two acres in question are not included in the drainage area and is outside of the flood plain.

**Wayne Dickinson:** Mr. Punkoney's concerns are with painting the tanks to match the landscaping and installing a slatted chain link fence. Mr. Punkoney is worried about it becoming an "eyesore": Mr. MacKinder stated the tanks will be shifted to the far side of the property away from the carpet store property line. They will be coming in from the west end of the property 75 feet to install the



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tanks. At the south end they will be 50 ft. back from the ADOT easement but shifted west approx. 75 feet. They are installing as far back as possible without exceeding setbacks.

Carter Rogers: Isn't it a safety requirement that the tanks be white: Mr. MacKinder stated it is a preference, however it is coincidence that AllStar's color scheme is red, white and blue. AllStar's tanks will be white with 2 foot lettering in "blue".

Tom Hall: Slatted chain link fence installation: Mr. MacKinder stated he has to put a certain portion of their plumbing behind a chain link fence. They intend to create some sort of a yard situation where a fence runs along side one of the tanks and will actually be fenced in the entire corner in order to park their trucks after hours. Slats are very expensive and require a lot of maintenance; they would rather put in a lot of shrubs along the outer perimeter.

Mayor Rogers opened the floor for public input:

Faye Pierce: She is a Realtor with Kilby Realty. When she was assisting Mr. MacKinder in finding property for their business they took into consideration the effect it would have on neighboring properties. She feels that when the facility is completed it will be much less of an eyesore than anticipated and feels that AllStar will work very hard to make their business appealing.

There being no further discussion on this matter, motion was made by Councilman Larkey to approve Use Permit, Resolution PZ97-06 as submitted. Motion was seconded by Councilman Garello and carried unanimously.

**7.D. USE PERMIT 97-05:** Upon the application of Arthur and Charlene Ferguson, property owners, a request for a Use Permit on Tax Parcel 403-19-013. The Use Permit would be for a Recreational Vehicle Park at that location. The property is located at 1488 W. Horseshoe Bend. Current zoning is RCU-2A.

Community Development Director, Bob Lau summarized for Council stating this permit was originally applied for in 1995 but was not pursued. The property is bordered by American Adventure , Willows Mobile Home Park and residential property and has been reviewed by the Town Engineer. Ditch representative, John Reddell was contacted as well regarding retention and drainage. Their intent is to create an adult RV park. Mr. Lau also noted to Council that the Willows Mobile Home Park across the street is getting out of the RV parking business, therefore will not create any additional traffic. The current problem is when traffic exits from Hwy. 260 thinking there is an RV park and then find out it's a private park. They will then drive around causing congestion which poses safety issues as well.

Councilman Larkey commented he drives past this area several times a day and commended the Ferguson's for the excellent renovation of this property. He feels it will be one of the better facilities in Camp Verde as they will be living on the premises.

Councilman Garello asked a question of Mr. Lau regarding the zoning on this parcel. He stated the zoning is RCU2A and asked how many acres are zoned this way within Town boundaries. Mr. Lau stated that RCU2A was the designated zoning being used by the county for all property that was not already zoned.

Councilman Garello stated there are going to be owners who have property zoned RCU-2 that would feel they could come in and get a permit for whatever type of structure they wanted. He stated that he is not against the RV park but feels the zoning should have been changed to the correct zoning and drop the RCU-2A. His reasoning is that property owners with RCU-2 would be able to request a

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permit. He feels this should be sent back to staff to correct the zoning and then back to the P&Z Commission for review.

Mr. Lau commented that property with RCU-2A zoning requires that any activity on this property outside of residential requires a use permit and Town staff cannot turn them down.

Councilman Garelo feels that we are setting a precedent and that anyone with an RCU-2 zoning request will be hard to deny.

### Other questions from Council:

Mayor Rogers: Read an excerpt from zoning ordinance stating: "The purpose of RCU district is intended to achieve the following:

- a. Provide a zoning classifications for all areas of the incorporated area of Camp Verde not presently characterized by urban uses.
- b. Use Permit: All uses allowed in the R2 district.
- c. Other appropriate and compatible uses subject to securing a use permit.

Mayor Rogers feels that the "other appropriate and compatible uses subject to securing the use permit" is the area of concern.

Ray Larkey: Highest and best use - this is a situation where there is no other practical use for the land other than what the Fergusons are intending.

Councilman Garelo reaffirmed that he is not against the RV park but would like to see the zoning changed to correspond with the request.

Mayor Rogers turned the floor over for public input with the following persons speaking to Council:

Galen Snell: Owner of Willows Mobile Home Park. They will be closing their park within the year and feels there is a very definite need for this and is pleased that the Fergusons are developing and feels it will be a great help to the total community.

There being no further discussion, motion was made by Councilman Larkey to approve Resolution PZ97-07 as submitted. Motion was seconded by Councilman Hall and carried with Councilman Garelo voting "nay".

**8. DISCUSSION AND POSSIBLE ACTION ON SECTION 108 OF THE TOWN ZONING ORDINANCE:** Community Development Director, Bob Lau summarized for Council that the Town has been working on this for several years and are attempting to get a zoning ordinance that is more in line with Camp Verde's needs. The Commission held several meetings and listened very closely to public input with one of the biggest issues relating to "animals". This ordinance will increase the amount of animals that residents can have on a piece of property with input based on a local veterinarian's study.

Mr. Lau stated that Council had a question regarding "swine" and what was involved on health testing. A letter received from State Veterinarian, David Hilbers states that all importers in the State of Arizona must obtain an import permit and health papers at the time the swine enter the State. At this time the State of Arizona is free of pseudo rabies and if the Town of Camp Verde should decide to test animals it would be a duplication of the State's work. Mr. Lau stated the way the ordinance currently reads makes it easy to enforce and feels swine should not be added in.

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Councilman Garello stated he has read the ordinance several times, the corrections were made Council wanted and feels Council should approve "as is".

Mayor Rogers had a question relating to pre-1976 mobile home units.

A revision to page 3, E.2.3.: Mr. Lau commented that if you go to page 4, number 3 under "Buildings" it reads: *"No portion of any building exceeding 4 feet shall occupy the triangular area formed by measuring back 10 feet along the right-of-way lines from the intersection of two streets"*. This paragraph covers basically the same as on the previous page. The consensus of Council was this reads better and requested staff to change accordingly.

Mayor Rogers opened the floor for public input with input from the following persons:

1. Dawn Kirkendall: Commented that she is speaking on this issue after the fact, however has been reading in the paper about different varieties of animals but has heard nothing about "chickens". She lives in an area where the homes are close together and has a neighbor that has approximate 120 "fighting chickens" that are a definite nuisance. All her neighbors feel the same way. Would like the Town to investigate.
2. Charlene Johnson: Agreed with Ms. Kirkendall - there are 100 plus chickens that are tethered and they are indeed a nuisance. In regards to the Section 108 "Animal" section she commended the Commission for studying hard and long and hopes it will pass in its entirety. Additionally, one reason she does not want "pigs" because they carry diseases with the exception being 4Hanimals as they are raised by competent breeders. She thanked the Commission for allowing a few more animals.
3. Mrs. Baldwin: Would like to see 10 pygmy goats allowed instead of the 8 recommended.

There being no further discussion or questions, motion was made by Councilman Garello to approve Section 108 of the Town Zoning Ordinance with the changes made on Height Limits B.3. Motion was seconded by Wayne Dickinson and carried unanimously.

Councilman Garello stated he would like to commend the Planning and Zoning Commission for their work on Section 108 of the Zoning Ordinance. They spent a lot of time, did a good job and should be proud.

Mayor Rogers commented that the Town Council and Planning & Zoning Commission all have copies of the Town code and requested of staff that whenever changes are made, they receive revised "inserts" in order to keep their copies updated at all times.

Councilman Hall: Question to Zoning Inspector, Bruce Billstrand on the status of a mobile home on Cactus Blossom that was to be disposed of. Mr. Billstrand stated it is being collapsed, the metal is being recycled and the rest will be disposed of.

Councilman Dickinson: Inquired about what can be done when residents leave their trash containers out by the road after the trash is picked up by the local waste management. He has received some complaints about this.

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Mr. Billstrand stated there is no current provision in the code, however if they are left in the road he could contact Street Superintendent, Doug Jones and/or talk to the homeowners about it becoming a possible hazard.

Councilman Garello inquired of the Planning & Zoning Commissioners that were present the status of the General Plan. Nancy Jungling stated it will probably be no later than February, 1998 when it goes to Council. It is required by law to have at least one public hearing and with the holidays coming up, will not be scheduling any work session during the months of November and December. There is also a 60-day period for agency review before the Commission public hearing and when Council receives.

**9. SET NEXT MEETING, DATE AND TIME:**

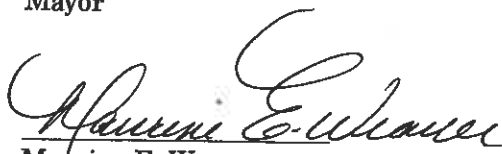
Next Town Council Hears Planning & Zoning Matters is scheduled for October 22, 1997 at 6:30 p.m. Mayor Rogers clarified with staff that the correct meeting dates scheduled for November and December, 1997 are November 20<sup>th</sup> and December 17<sup>th</sup>.

**10. ADJOURNMENT:**

There being no further business to discuss, Mayor Rogers adjourned the meeting at 7:55 p.m.



Carter Rogers  
Mayor

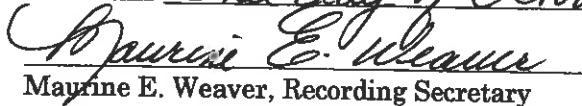


Maurine E. Weaver  
Recording Secretary

**CERTIFICATION:**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Council Hears Planning and Zoning Matters held on the 24<sup>TH</sup> day of September, 1997. I further certify that the meeting was duly called and that a quorum was present.

Dated this 3rd day of October, 1997



Maurine E. Weaver, Recording Secretary



**Agenda Item Submission Form – Section I**

**Meeting Date: March 06, 2013 Town of Camp Verde Town Council**

- Consent Agenda       Recommendation       Executive Session Requested
- Presentation Only       Action/Presentation

**Requesting Department: Community Development**

**Staff Resource/Contact Person: Michael Jenkins**

**Agenda Title (be exact): Public Hearing, Discussion and Possible Approval of Resolution 2013-884 for Use Permit 2012-0320: An application by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT &T Mobility, to place a 90 foot Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. Per Part 8, Section 806.1.d.this Use Permit would be good for ten (10) years with Town Council review in five (5) years. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

**List Attached Documents: (AT&T Tower YA73)**

**Applicant’s application submittal and Part Eight (Wireless Communication Facility Regulations)**

- Use Permit Check List
- Draft Resolution
- Attorney Comments on Resolution
- Application
- Directions to Property
- Letter of Intent
- Letter of Authorization from property owner
- Letter of Authorization from AT&T Mobility Corporation
- Letter of Compliance with Federal, State and Local Laws
- 1A Certification
- Neighborhood Meeting affidavit and sign-in sheet
- Letter of opposition from Ms. Sharon Lara
- Yavapai County GIS site plan
- Land Use Map
- Zoning Map
- Telecommunication Act of 1996
- Enhanced Promulgation Map
- Elevation Contour Map

- Street Yard Proximity
- Surrounding Zoning Map
- Photo Location Maps
- Fall Zone Map
- Part Eight Planning & Zoning Ordinance (Wireless Communication Facility Regulations)
- Draft Minutes P&Z Commission Meeting 2-07-2013
- **Applicant's Proposed Tower YA73 information packet**
  - Letter of Intent – YA73
  - Alternative Site Analysis
  - Search Ring Analysis
  - Appendix (AT&T Proposed and Existing WCF's, RF frequency propagation maps, Photo simulations, Fall Zone letter, Federal Communication Commission license, Federal Communication Commission (E9-1-1), Surrounding Tower Locations, Search Ring and AT&T certification of compliance).

**Staff's Enhanced Power Point attachments**

Attachment no. 1: Section 332(c) (7) of the Federal Telecommunications Act of 1996.

Attachment no. 2: Staff enhanced signal promulgation map.

Attachment no. 3: Elevation Contour Map.

Attachment no. 4: Wireless Tower & Street Yard Proximity Map also depicting roof top densities.

Attachment no. 5: Surrounding Zoning (Wireless Tower)

Attachment no. 6 & 7: Proposed Tower Site photos.

Attachment no. 8: Aerial showing projected 20 ft. fall zone at proposed Tower Site.

***Estimated Presentation Time: 30 minutes (Staff & Applicant)***

***Estimated Discussion Time: 30 minutes***

***Reviews Completed by: Michael Jenkins (Community Development Director), Jenna Owens (Assistant Planner)***

***Department Head:***

***Town Attorney Comments: Attached***

***Background Information:***

**TOWN OF CAMP VERDE WIRELESS COMMUNICATION FACILITY REGULATIONS, OVERVIEW**

**Telecommunications Act of 1996 – and other Town Ordinances pertinent inclusions.**

- Under Part Eight (Wireless Communication Facility Regulations) of the Town of Camp Verde, the Purpose and Intent of the Ordinance is as follows:

"The purpose of this Ordinance is to provide for the development of wireless communications services throughout the Town of Camp Verde while protecting the public health, safety, welfare, and property of the citizens and to ensure the community's remarkable scenic, wildlife, historic and cultural qualities."

- The Telecommunications Act of 1996 prohibits laws or ordinances by states, counties or municipalities that prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.
- Also, the Telecommunications Act of 1996, Section 332 (c)(7) (attachment no. 1) preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, assuming that the provider is in compliance with the Commissions RF rules. (This preemption rule applies to State and Local authority zoning and land use decisions).
- **Height restrictions:** Per Section 301, B,1 of the Planning & Zoning Ordinance: "The district height limitations for buildings are not applicable to spires, cupolas, chimneys, flues, vents, poles, beacons or towers;..... 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." (STAFF REVIEW) Staff reviewed the Fall Zone letter that is included in the applicant's packet under the Appendix, page 8. This letter, being prepared by an Arizona Registered Structural Engineer, states that " The Mono-Pine structure proposed for the subject site will be designed for a "fall zone" radius limited to 20'." The provided applicants Site Plan shows a separation set back distance from the closest property line to the Tower of being 32' 7" and shows that there is no imminent fall danger to on-site structures. The equipment masonry wall enclosure is setback from the North property line by 25.58'. The RCU-2A or now known as the RR-zoning district has a required exterior side set back of 30 feet. The applicant has shown on the proposed Site Plan a setback for the proposed Tower of 32' 7". The proposed Front and Rear Yard setbacks are also in compliance with the Dimensional Standards for the zoning district.
- Under Part Eight, Section 802.7.c: "It is required that a Tower Facility must be located no closer than 5,000 feet to residential areas."
- Under Part Eight, Section 802.10.a: "All other locations must be exhausted before a wireless communications facility applies for location in a residential zone."
- Under Part Eight, Section 806.2: (**Performance Criteria**) "The order of preference for wireless communication facilities is, from most preferred to least preferred:" (As Follows :)
  - a. Concealed Sites.
  - b. Collocation on an existing Town property.
  - c. Collocation on an existing facility, tower, or electrical utility pole.
  - d. New sites located on public lands at least 5000' from private land.
  - e. New concealed or attached antenna sites located on/at public or quasi-public facilities.
  - f. New Towers /facilities under 99'.
  - g. New Towers/facilities 100' to 199'.
  - h. New Towers/facilities 200' and over.

Concealed (stealth) is defined in Section 801 as follows: An antenna with a support structure that screens or camouflages the presence of antennas and/or towers from public view, in a manner appropriate to the site's context and surrounding environment. Examples of concealed antennas include but are not limited to

manmade trees, clock towers, flagpoles that do not exceed ten feet above the maximum building height, light structures, steeples, water tanks, and architectural façade and parapet features. The applicant's proposed mono-pine is a concealed (stealth) Tower.

(STAFF REVIEW) Per the prior 3 bullet points above, staff has reviewed the applicant's submittal package with the following evaluations:

- Per the applicants submittal, (2) other locations were reviewed by AT&T as possible locations for the Wireless Tower as follows:

1472 W. Horseshoe Bend Drive: This property is located adjacent to and south of the primary selected property.

Water Tower located at the Camp Verde Water System Office on 6<sup>th</sup> street.

It appears evident that the intent of placing the Wireless Tower Facility at the proposed parcel located at 1488 W. Horseshoe Bend is to provide residential service to the area as well as providing coverage along a portion of I-17, which lies only a ½ mile to the East.

- Prior to accepting the application for the Wireless Tower Facility, Staff invited Mr. Steve Burroughs from the Public Works Department to meet with the applicants. It was brought forward at that time that the Tower might be placed at the Town's Street Yard (with Council approval) located off of Industrial Drive (Map Attached). The Street Yard is an industrially zoned property with a secured fenced site. Additionally, the Town's Wireless Tower Facility Ordinance, under Part Eight, Section 802.2.b states that "Wireless communications facilities located on property owned, leased or controlled by the Town of Camp Verde pursuant to agreement of or approved by the Town of Camp Verde shall be a permitted use in all zoning districts, except residential districts, with a zoning clearance." This means that AT&T could place a tower at the Street Yard with Council approval, a building permit and a zoning clearance.

A signal propagation map has been requested from the applicant showing signal rates from the street yard location to the surrounding area. Per the applicant's letter of intent, items 3 & 4, it is explained that due to customer coverage and 9-1-1 reliability, wireless towers are intended to be located at their most effective location. All in all, the intent of the Wireless Communication Facilities Ordinance is to allow specific tower locations that are most effective to reduce the proliferation of such towers with the added help of collocation requirements.

Under the applicant's Alternative Site Analysis (Performance Criteria) it is stated that the proposed site meets the Ordinances most preferred rating of a Concealed Site. Staff agrees with this interpretation. Staff also agrees that the Proposed Tower has a median preferred rating since it is less than 99' in height.



**Staff Conclusion:**

Per Section 802.10.a, The Ordinance states clearly that “All other locations must be exhausted before a wireless communication facility applies for location in a Residential Zone.” Staff has evaluated the information that has been presented by the applicant. The applicant provided site promulgation maps showing the effects of coverage with and without the proposed wireless tower. In order to better evaluate the effect of the proposed wireless tower, staff created an enhanced promulgation (Signal Coverage) map (Attachment no. 2) with added features such as the Town Boundary, Town street yard and a red circle that shows the improved signal area from the proposed tower.

Following the intent of the Wireless Tower Facilities Ordinance, it was hoped that the proposed tower could be located outside of a residential zoning district. It would appear that the proposed tower location is in the best location for the most effective coverage. Also, attached is a copy of the zoning district map for the proposed tower location area and as can be seen, commercially or industrially zoned property is situated so that locating the tower in those areas would either bring the proposed tower too close to or too far away from an existing tower for effective coverage. Again, the intent of the ordinance is not only to discourage the location of a wireless tower in a residential district but, also to allow for wireless tower locations in an area that is the most effective for coverage and keeping the number of required wireless towers to a minimum.

**Neighborhood Meeting:** As required, a neighborhood meeting was held by the applicant on December 19, 2012 in rooms 206-207 of the Town Campus Buildings.

***One letter in opposition received 1/28/2013 from Ms. Sharon Lara.*** (In the Wireless Tower packet after the Neighborhood Meeting information)

**AT&T Wireless Tower Use Permit**

**Agencies were notified, the responses are as follows:**

**Town of Camp Verde Building Official** – In regard to a Tower, if approved, design and calculation would have to be completed by a structural engineer registered in the State of Arizona with their wet seal stamp provided on all plans and calculations. Work and construction would have to be done by a properly licensed contractor and any need special inspections would be the responsibility of the owner. The design of the tower would have to be such that any catastrophic failure would be contained within the property boundaries.

**Yavapai County Flood** – No Objections

**Town of Camp Verde Town Engineer** – No Comments

**Camp Verde Fire District** – Plans are Approved. The final installation and construction must be in accordance with the code.

**Planning & Zoning Commission meeting 2-07-2013 minutes**

*Public Hearing, Discussion and possible recommendation to Council on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Use Permit to place a 90' Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.*

*On a motion by Gordon, seconded by Hough, the Commission unanimously voted to recommend to Council approval on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Use Permit to place a 90-foot Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park; per Part 8, Section 806.1.d.this Use Permit is good for ten (10) years with Town Council review in five (5) years; the property is located on Parcel 403-19-013V at 1488 W. Horseshoe Bend. The following conditions of approval are as follows:*

- 1. That the Tower will be a mono-pine or other stealth treatment;*
- 2. Per Part 8, Section 802 (General Provisions), Item 2.d of the Planning & Zoning Ordinance, it states: "Proposed antenna facilities, including concealed antennas shall be designed to accommodate not only equipment for the applicant's use, but also for the collocation for at least one additional wireless communications provider for every 30' of height proposed. The Town Council may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character."*
- 3. Per Part 8, Section 802, Item 12 of the Planning & Zoning Ordinance it states: "Camp Verde Fire Department and Camp Verde Marshal's Office shall have access to the exterior and interior via keys or other method in case of emergency."*
- 4. Per Part 8, Section 810 (Reclamation Plan) the applicant will be required to make all Reclamation Plan Submittals to the Community Development Department with the building permit plans after the Use Permit has been approved. The Community Development Department will review the Reclamation Plan Submittal and once approved the Department will set up a one-time Financial Assurance amount to be prorated over 20 years. Staff is requesting that the Town Council allow for a one-time Financial Assurance to be determined by the staff and established prior to the Building Permit being issued for the Tower structure.*

**Council Recommended Motion:** *A Motion to approve Resolution 2013 884, Use Permit 20120320 submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT &T Mobility, for a Use Permit to place a 90 foot Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. Per Part 8, Section 806. 1.d., this Use Permit is good for ten (10) years with Town Council review in five (5) years. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.*

*The following conditions of approval are as follows:*

- 1. That the Tower will be a mono-pine or other stealth treatment;*
- 2. Per Part 8, Section 802 (General Provisions), item 2.d of the Planning & Zoning Ordinance, it states: "Proposed antenna facilities, including concealed antennas shall be designed to accommodate not only equipment for the applicants use, but also for the collocation for at least one additional wireless*

*communications provider for every 30' of height proposed. The Town Council may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character'*

3. *Per Part 8, Section 802, item 12 of the Planning & Zoning Ordinance it states: "Camp Verde Fire Department and Camp Verde Marshal's Office shall have access to the exterior and interior via keys or other method in case of emergency."*
4. *Per Part 8, Section 810 (Reclamation Plan) the applicant will be required to make all Reclamation Plan Submittals to the Community Development Department with the building permit plans after the Use Permit has been approved. The Community Development Department will review the Reclamation Plan Submittal and once approved the Department will set up a one-time Financial Assurance amount to be prorated over 20 years. Staff is requesting that the Town Council allow for a one-time Financial Assurance to be determined by the staff and established prior to the Building Permit being issued for the Tower structure.*

*Staff is requesting that the Town Council allow for a one time Financial Assurance to be determined by staff and established prior to the Building Permit being issued for the Tower structure.*

**DRAFT**



**RESOLUTION 2013-884**

**A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING A USE PERMIT TO PLACE A 90' WIRELESS TOWER OWNED BY AT&T MOBILITY ON PROPERTY OWNED BY GL & SF GREEN REVOCABLE TRUST, OWNERS OF RANCHO VERDE RV PARK. THE PROPERTY IS LOCATED ON PARCEL 403-19-013V AT 1488 W. HORSESHOE BEND.**

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 2012-0320 was filed by Mr. Adam Brixius and/or Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Wireless Communication Facility (Wireless Tower) on said parcel 403-19-013V.
  - B. Per Part Eight, Section 809 of the Town of Camp Verde Planning and Zoning Ordinance "Any new wireless communication facility that exceeds ten (10) feet above the maximum height allowed in the density district, or does not meet all of the criteria to be allowed in the Administrative review processes, shall require a USE PERMIT".
  - C. The request was reviewed by the Planning and Zoning Commission on February 7, 2013 and by the Common Council on March 6, 2013 in public hearings that were advertised and posted according to state law.
  - D. A neighborhood meeting was held on December 19, 2012 by the applicant 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 a Wireless Communication Facility (Wireless Tower) on a portion of parcel 403-19-013V as specified on the submitted site plan for this project with a required time limit of ten (10) years with Council review after five (5) years with the following conditions of approval as required in Part Eight of the Town of Camp Verde Planning & Zoning Ordinance:
    1. That the Wireless Tower will be a Monopine Design.
    2. Proposed antenna facilities, including concealed antennas shall be designed to accommodate not only equipment for the applicants use, but also for the collocation for at least one additional wireless communications provider for every 30' of height proposed. The proposed height of the tower is 90' thus requiring the accommodation for at least (3) additional collocated wireless communications providers.

3. The Camp Verde Fire Department and Camp Verde Marshall's Office shall have access to the exterior and interior of the wireless communications facility via keys or other method in case of emergency.

4. The applicant shall make a Reclamation Plan Submittal and Cost Estimate to the Community Development Department with the building permit plans, as required by Part Eight, Section 810 (Reclamation Plan). The Community Development Department will Review the Reclamation Plan Submittal and once approved, the Department will set up a onetime Financial Assurance as prorated over a 20 year period. No building permits will be issued to the applicant until the Financial Assurances are in place.

F. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

The Common Council of the Town of Camp Verde hereby approves UP 2012-0320 for the purpose of installing and operating a Wireless Communication Facility on parcel 403-19-013V in the specified location as shown on the submitted site plan and per the conditions of approval listed above under item E of this Resolution.

**PASSED AND ADOPTED BY MAJORITY VOTE OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON MARCH 06, 2013.**

\_\_\_\_\_  
Bob Burnside – Mayor

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Bill Sims – Town Attorney

Attest: \_\_\_\_\_  
Deborah Barber, Town Clerk

# Use Permit Check List

Pre-Application Conference with staff and the Acting Community Development Director

**\*Staff Report**

Will include summary of agency & citizen's comments, Traffic Impact Analysis or ADOT approval of site access (if applicable), Town requirements, applicant's narrative as it addresses requirements for application and recommended stipulations if approved. (if any)

**\* Current Resolution for reference** (if applicable)

**\*Resolution** (for Council Hears Planning & Zoning)

Reviewed and approved by Town Attorney (For Council Hears P & Z)

**\* Application including:**

1. **\*Directions to Property**

2. **\*Letter of Intent (Narrative)**

3. **\*Consent or Approval letter from property owner** (if applicable)

4. **\*Public Participation, Neighborhood meeting, completed. Date: 12-19-12**

- **\*Affidavit of summary of meeting**
- **\*Statement of how the applicant addressed neighborhood concerns.**
- Copy of letter sent to neighbor's within 300'
- Posting of Property by applicant (photo)
- Affidavit attesting to notification of neighbors
- Sign in sheet

**\*Site Plan**

**\*Vicinity Map**

**\*Adjacent land use**

Legal Description

Advertising & Posting has been completed & meet State Law Requirements.

Off Premise Signs - ADOT outdoor advertising permit (if applicable) for commercial signage

Traffic Impact Analysis or ADOT approval of site access (if applicable)

**NOTE: \*Indicates included in packet**

473 S. MAIN ST. SUITE 109  
CAMP VERDE, AZ 86322

PH: (928) 554-0053

\*\*PLEASE CHANGE YOUR RECORDS TO REFLECT THE NEW PHONE NUMBER ABOVE

[REDACTED]

**From:** Bill Sims [REDACTED]  
**Sent:** Friday, February 08, 2013 9:13 AM  
**To:** Jenna Owens  
**Subject:** RE: New Resolution submittal for review Camp Verde

Jenna:

I have some questions:

1. Both deal with wireless communications devices. Reso 2013-884 shows how the applicant has complied with Zoning Code Section 806, as well as other Sections of Part 8. Why doesn't that apply to Reso 2013-881?
2. The Reclamation Plan described in Reso 2013-884 is required under Section 810. I think we need to explicitly refer to that Section (much like you did in Reso 2013 881 when you added the clause "but subject to Part 6, Section 601 of the Zoning Code, C 1 &2.") I like that reference in Reso 2013-881 that follows the reference to "no time limit" because of the zoning code requirement that the permit can be voided for non-use. Without the reference to Section 601, subsections C1 and C2 in Reso 2013-881, the applicant could say that the Town waived the void for non-use provision in the Code. I say this because Reso 2013-884 refers to a Reclamation Plan. We need to incorporate the provisions of the Zoning Code so that the applicant is on notice (please see attached).
3. Also, the issue of financial security to secure an obligation is something that we screwed up years ago regarding the completion of subdivision improvements. What kind of security do you require?

William J. Sims III

[REDACTED]

**From:** Jenna Owens [REDACTED]  
**Sent:** Friday, February 08, 2013 8:14 AM  
**To:** Bill Sims  
**Subject:** New Resolution submittal for review Camp Verde

Jenna Owens

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**From:** Bill Sims [REDACTED]  
**Sent:** Friday, February 08, 2013 12:04 PM  
**To:** Jenna Owens  
**Subject:** RE: New Resolution submittal for review Camp Verde

This works.

William J. Sims III  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**From:** Jenna Owens [REDACTED]  
**Sent:** Friday, February 08, 2013 9:44 AM  
**To:** Bill Sims  
**Subject:** RE: New Resolution submittal for review Camp Verde

Question #1:

This Wireless Tower is going to be located within an existing RV Park which has an existing Use Permit. Due to the added use, we have asked the RV park to update their Use Permit to include the use of a Wireless Tower Facility.

Per our Part 8 (Wireless Towers) we have to have a separate Use Permit for them to be able to construct the Wireless Tower.

Question #2:

I have made the corrections to Resolution 2013-884 to reflect your request of adding the reference to the code for the Reclamation Plan. I have attached the Resolution with corrections noted in yellow for your reference.

Question #3:

Mike address via phone call.

I hope I have made the appropriate corrections. Have a good weekend!

*Respectfully,*

*Jenna Owens*

JENNA OWENS - ASST. PLANNER  
TOWN OF CAMP VERDE





# Land Use Application Form

1. Application is made for:

Use Permit

Wireless Tower

2. Project Name: YA73 Rancho Verde

Please print or type legibly

3. Contact information: (a list of additional contacts may be attached)

Owner Name: George L. Green

Applicant Name: Clear Blue Services

Address: P.O. Box 1078 Arroyo Grande  
CA. 93421

Address: 11011 S. 48<sup>th</sup> St Suite 210

Phone: \_\_\_\_\_

Phone: Phoenix, AZ 85044  
602-426-9500

E-mail: \_\_\_\_\_

E-Mail: adambrinius@clearblueservices.com

4. Property Description:

Address or Location: 1488 W. Horseshoe Bend Camp Verde, AZ 86322

Existing Zoning: RCU-2A + Use Permit

Existing Use: RV Park

Proposed Zoning: RCU-2A+(2) <sup>USE</sup> Permits

Proposed Use: RV Park + Wireless Communications

5. Purpose: (describe intent of this application in 1-2 sentences)

To locate a Wireless Communications Facility w/ 90'  
monopine tree and State Approved Shelter, surrounded by black wall.

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: [Signature]

Date: 9/17/2012

AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: [Signature]

Date: 9/17/2012



## Directions to Property

Assessor's Parcel Number 403-19-013V

Applicants Name Adam Brixins, Clear Blue Services, Project Manager

Property Address 1488 W. Horseshoe Bend Drive Camp Verde AZ 86322

Directions To Property: From W. State Route 260

Exit east onto Park Verde Road, Head North on  
Central Ln, East on Horseshoe Bend Drive. Property  
entrance on right side of road Rancho Verde.

Follow interior loop road to northern end of Parcel.  
Proposed Site location is on grass Pad just  
west of storage shed adjacent to rear fence.

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## Letter of Intent – YA73

**REQUEST:** Wireless Facility Use Permit

**PROPOSAL:** Wireless Communications Facility – 90' Monopine

**LOCATION:** 1488 W. Horseshoe Bend Camp Verde, AZ 86322

**SIZE:** 24' x 30' Lease Area and 90' Monopine.

**APPLICANT:** Clear Blue Services, 11011 South 48<sup>th</sup> Street, Phoenix, AZ 85044 Suite 210

**CONTACT PERSON :** Adam Brixius, Phone: 602-426-9500, Email: [adambrixius@clearblueservices.com](mailto:adambrixius@clearblueservices.com)

### PURPOSE OF REQUEST

This Wireless Facility Use Permit application is intended to provide wireless services, as required by AT&T mobility's FCC license. This site has been designed to improve gaps for AT&T service in the area. AT&T strives to serve its subscribers while working with each jurisdiction to meet the local site design needs and requirements as well as provide collocation opportunities when practical to reduce unnecessary visual impacts.

### DESCRIPTION OF PROPOSAL

AT&T Mobility is proposing the installation of a wireless communication facility (WCF) at 1488 W. Horseshoe Bend Camp Verde, AZ 86322. The facility will consist of a 90' tower disguised as a pine tree (monopine), inside a 24' x 30' area surrounded by an 8' high block wall textured and painted to match existing structures. The WCF site is located on the northern end of the property. The location and design of the WCF are intended to be the least obtrusive to the neighborhood while still providing the needed coverage. The tower is setback 32'-7" from the north property line, 219'-6" to the east property line, 573'-6" to the south, and 220'-10" to the west.

The tower will be designed to accommodate other wireless carriers for collocation on the monopine; however, no other wireless carriers are a part of this application.

### RELATIONSHIP TO SURROUNDING PROPERTIES

The subject parcel has an RCU-2A zoning designation with an approved Use Permit. The Use Permit for Rancho Verde RV Park was approved September 24, 1997, resolution No. PZ 97-07. The property's current use is a RV Park. The surrounding properties to the north, south, and east have zoning designations of RCU-2A and PUD to the west.

Concurrent with this application is an application to replace the existing Use Permit for the RV Park with a Use Permit that can allow for the WCF use in addition to the RV park. It is understood that the new RV Park Use Permit is a prerequisite for the WCF Use Permit

## **LOCATION AND ACCESSIBILITY/CIRCULATION SYSTEM**

Ingress and egress will be from West Horseshoe Bend Drive road on the south western portion of the parcel. There is a concrete driveway with direct access to the proposed wireless communications facility. Except for sporadic maintenance and service visits the proposed site will be unmanned with no regular hours of operation or impact to existing traffic patterns. The lease area has sufficient technician parking space shown on the site plan.

## **PROVIDERS COMMUNICATION PLAN**

AT&T is proposing a stealth monopine with collocation abilities in order to meet the needs in the area. Appendix Pg.1, shows AT&T's current and proposed towers extending more than five miles beyond the town border. YA73 supports the needs of AT&T and accommodates other carriers if they need to collocate on the monopine. This proposed tower is a 2013 build project. Appendix Pg. 2 and 3, shows the current coverage today and the coverage with the proposed 90' monopine.

AT&T's intention is to avoid proliferation of such facilities; this specific site is chosen to mitigate the number of sites needed to fill gaps in the AT&T network. It's likely that without this location, two to four sites would be required to meet the same need. AT&T is using the best and most recent technology available to keep their designs low profile and environmentally compatible with their surroundings. (Pg.7 of site plan for equipment detail)

## **HOURS OF OPERATION**

The proposed site will operate 24 hours a day, seven days a week and is unmanned with no personnel onsite except during periodic servicing and maintenance. The site will be connected to and monitored by a central switching center.

## **DEVELOPMENT PHASING**

A typical site of this nature has a four to six week construction schedule.

## **COMMUNITY FACILITIES/PUBLIC UTILITIES AND SERVICES**

The site will be served by a single meter 200 amp service; APS will be the service provider. Centurylink will provide service for the coax. All necessary telco and electrical services will be run underground in existing and proposed utility easements. The site does not require any potable water and does not generate any wastewater or solid waste.

## **NOISE, LIGHT, NUISANCES, AND OTHER ENVIRONMENTAL CONSIDERATIONS**

The proposed wireless communication facility will not use any water or generate any wastewater or solid waste. Tech lighting with full cut off fixtures on a four hour timer will be on site for maintenance and will be used during periodic servicing. The proposed facility will not generate any noxious odors. Sounds and vibrations are limited to small cooling fans within the equipment cabinets, within the equipment enclosure.

## **NEIGHBORHOOD IMPACT**

The proposed facility's impact on the surrounding neighborhood will be minimal. The facility is adjacent to RCU-2A residential. The stealth design of the monopine helps minimize the impact of facility.

## Exemptions being requested:

### Camp Verde Planning & Zoning Ordinances and Subdivision Regulations

- Item 1:** Height: Section 809, the maximum height of 40' (30' in an RCU-2a District, plus 10' for a wireless tower) is being exceeded. A 90' disguised tower is being requested in order to provide the most coverage possible with a single new verticality in the Camp Verde. This height is necessary to transmit its signal over existing trees, structures, and geographical obstacles to the widest array of dead zones (no or low coverage areas).
- Item 2:** Setbacks: All setbacks are met except at the north property line. Section 802, Item 7b calls for 100% tower height to equal the minimum setback. The north property line has a 32'-7" setback; the setback requirement is being mitigated by a fall zone letter, signed and sealed by a State of Arizona registered structural engineer. The fall zone has been calculated at more than 160% of the proposed setback from the north property line. (Appendix Pg. 8.)
- Item 3:** Section 802, Item 7c says wireless towers must be 5,000' feet from residential. To provide adequate coverage and signal strength in rural areas of cities, towns, and counties wireless communication facilities must be strategically located to provide continuous and reliable service. AT&T has an obligation not only to its subscribers but also every person who owns a wireless device. AT&T is required by the Federal Corporation Commission enhanced 9-1-1 (E9-1-1) rules seek to improve the effectiveness and reliability of wireless 9-1-1 services by providing 9-1-1 dispatchers with additional information on wireless 9-1-1 calls. The FCC's wireless E9-1-1 rules apply to all wireless licensees, Appendix Pg. 9 and 10, broadband Personal Communications Service (PCS) licensees, and certain Specialized Mobile Radio (SMR) licensees. Appendix Pg. 11, within a four-mile radius of the Rancho Verde RV Park, only one other tower exists. The tower is owned by the Camp Verde Fire Department. Collocate on that tower is not possible, nor would it meet the needs of the areas lacking coverage. (Appendix Pg. 12.)
- Item 4:** Section 802, Item 10a, states all other locations must be exhausted before locating in a residential zone. Cell tower locations are the result of a cell phone carrier working with their internal engineering staff to satisfy specific needs that company has in certain locations throughout the country. The Radio Frequency Engineering or RF Engineering, for short must act in concert with its company's site development and construction staff to optimize any cell tower site development and related construction projects it may have scheduled. Cell towers are built to eliminate the locations in which cell phone companies' services are lacking also known as the hated "Dead Spot." RF Engineers determine where there are high rates of service interruption because of either interference or cell phone signal issues and a new cell tower will be selected and developed to eliminate

these dead areas. ("Cell Tower Development-How Are Cell Tower Locations Selected?", 2012). Appendix Pg. 13 shows the RF Engineering calculated area that could satisfy multiple dead spots. The entire area was evaluated and two other locations were identified as being potential uses by the field team. These candidates, along with the current proposed location, were evaluated by ATT's RF Engineering but the two listed below were determined to be not adequate:

- 1472 W. Horseshoe Bend Drive Camp Verde, AZ 86322
- Camp Verde Water System - Stan Bullard - Camp Verde, AZ 86322

These search ring areas are very small and very specific to the region. Determination factors include topography, population centers, existing AT&T sites, and environmental factors. This majority of this region in Camp Verde is residential use, with the exception of commercial districts approximately ½ mile outside the ring of interest. The commercial districts are also surrounded and adjacent to residential land use. There are no municipally owned sites or existing wireless facilities that meet the needs of AT&T.

The Commercial and Industrial district has also been evaluated and coverage possibility plotted by ATT engineering. Based on the propagation plots the commercial zone, which was plotted both at its center and farthest northeastern zone, and lies closest to the current proposal, fails to provide enough coverage in the north part of Camp Verde. This is a significant target area around the primary candidate YA73-A. These commercial locations also provide substantial overlapping coverage to existing site in the south (YA41A), which could cause interference issues resulting in poor coverage to existing served areas. Unfortunately, the commercial zoned properties cannot be used to provide the needed coverage. (See attached maps)

## **Reference Page**

Federal Communications Commission. (2012). Retrieved from  
<http://transition.fcc.gov/pshs/services/911-services/enhanced911/psapregistry.html>

Cell Tower Development-How Are Cell Tower Locations Selected?. (2012). Retrieved from  
<http://www.vertical-consultants.com/landowners/cell-tower-development-how-are-cell-tower-locations-selected/>

**Letter of Authorization**

Date:

TO WHOM IT MAY CONCERN:

This letter will serve as authorization for Adam Brixius, to act as an agent on behalf of George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust, under Agreement dated September 21, 1987, including, but not limited to, power of attorney for the purpose of obtaining a Use Permit, for a RV Park with a Wireless Communications Facility and a Use Permit for a Wireless Tower in cooperation with Camp Verde, Development Services Department.

Located on Assessor Parcel Number: 403-19-013V

Landowner Signature: George L. Green Date: 08/31/2012

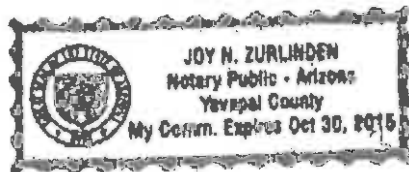
State of Arizona

ss

County of Yavapai

On this 31 day of August 2012 before me, the undersigned Notary Public, personally appeared George L. Green who executed the foregoing instrument for the purpose therein contained.

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



Joy N. Zurlinden  
Notary Public

Oct 30, 2015  
Date Commission Expires



**Letter of Authorization**

Date: 10/19/12

TO: Town of Camp Verde Planning & Development

RE: AT&T Site: YA73

To Whom it May Concern:

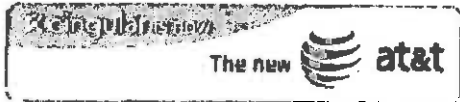
This letter will serve as authorization for Adam Brixius and/or Andy Livingston of Clear Blue Services to act as an agent on behalf of AT&T Mobility for the purpose of obtaining zoning approval, building permit, and any other entitlements necessary for construction of a Wireless Telecommunication Facility in cooperation with the Town of Camp Verde Planning and Development Department.

Assessor Parcel Number: 403-19-013V

New Cingular Wireless PCS, LLC,  
a Delaware limited liability company  
By: AT&T Mobility Corporation

Signature:  Date: 10/22/12

Title: Senior Site Acquisition Manager



December 3, 2012

Mike Jenkins, AICP  
Community Development Director  
Town of Camp Verde  
Community Development  
473 S. Main St., Suite 108  
Camp Verde, AZ 86322

Re: AT&T: YA73 Rancho Verde

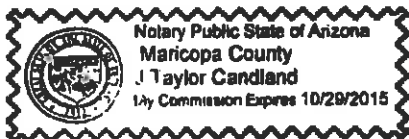
Dear Mr. Jenkins:

As you know, New Cingular Wireless PCS, LLC ("AT&T") has applied to the Town of Camp Verde to obtain the necessary land use entitlements to construct a wireless telecommunications facility (the "Communication Facility") in the area of 1488 W. Horseshoe Bend Dr, Camp Verde, AZ 86322 (the "Premises"). This letter shall confirm that AT&T shall comply with all federal, state and local laws, orders, rules and regulations, including, without limitation, Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) rules and regulations, applicable to Tenant's construction and use of the Communication Facility.

New Cingular Wireless PCS, LLC,  
a Delaware limited liability company

By: Bechtel Corporation  
Its: Turnkey Manager

By: Beth Davison  
Print Name: Beth Davison  
Its: Site Acquisition Coordinator



STATE OF ARIZONA )  
 ) ss:  
COUNTY OF MARICOPA )

On the 3<sup>rd</sup> day of December, 2012, before me personally appeared Beth Davison and acknowledged under oath that she is the Site Acquisition Coordinator of Bechtel Corporation representing AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

J. Taylor Candland  
Notary Public

My Commission Expires: 10/29/2015



## 1A Certification

August 17, 2012

AT&T Wireless  
20830 N. Tatum Blvd Suite 400  
Phoenix, Arizona 85050

Site No.: YA73-AA  
Site Name: RANCHO VERDE  
Address: 1488 W. HORSESHOE BEND  
CAMPE VERDE, AZ 86322

On JULY 24, 2012, we performed a survey on the above-referenced site and submit the following data:

Elevations:

Ground Elevation	3129.30' NAVD88
Height of PROPOSED MONOPINE	90.00' AGL
Elevation at Top of Structure	3219.30' NAVD88

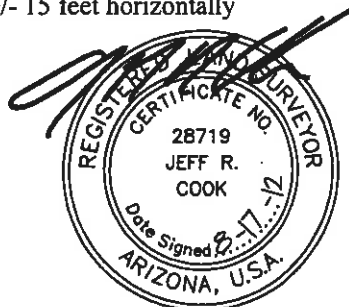
Geodetic Coordinates: NAD83    LATITUDE 34° 36' 07.25" NORTH  
LONGITUDE 111° 52' 57.69" WEST

Arizona Central Coordinate System

The vertical and horizontal positions shown are based on a field survey and are expressed in feet.  
The positive tolerances are +/- 3 feet vertically and +/- 15 feet horizontally

Submitted by:

Jeff R. Cook, R.L.S.  
Western Geomatics Services



EXPIRES: 3/31/2013

2925 E Riggs Rd Suite 8-191 Chandler, AZ 85249  
Phone: (480) 656-7912 Fax: (480) 219-5195

# Affidavit

I Adam Brixius owner/agent of parcel 403-19-013V have notified neighbors within 1000' of parcel 403-19-013V, by sending letters on 11/30/12 to notify them of the neighborhood meeting that I conducted on the 19<sup>th</sup> day of DECEMBER 2012.

I posted parcel 403-19-013V with meeting date and time on the 4<sup>th</sup> day of DECEMBER 2012.

I Adam Brixius owner/agent of parcel 403-19-013V have provided a summary of Neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde within 15 days attesting to the issues and concerns discussed at the Neighborhood Meeting held on the 19<sup>th</sup> day of DECEMBER 2012.

### Summary

Statement: Two citizens attended and one was a representative of property and the other was a reporter. In an informal setting details of the project were discussed and both citizens seemed to look forward to this project.

If Summary statement is too long, attach a copy.

State of Arizona}

County of Yavapai}

AB

Signature of Document Signer No. 1

AB

Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 20<sup>th</sup> day of DECEMBER 2012.



Sarah Livingston  
Signature of Notary



Sharon Lara

1500 W. Horseshoe Bend Dr.

Camp Verde, AZ 86322

RECEIVED  
JAN 23 2013

BY: 

January 23, 2013

Town of Camp Verde

Jenna Owens, Asst. Planner

Planning & Zoning Comm.

473 S. Main St.

Camp Verde, AZ 86322

American Cancer  
Society  
disagrees!

To Whom This May Concern:

Re: Use Permit for Rancho Verde RV Park

403-19-013V Rancho Verde RV Park property

Project nos. 201 203 19 and 201 203 20

Please be advised that I vehemently oppose the placement of a wireless tower on the above-named property. As a property owner within 1000 feet of the project, I strongly believe that the tower is dangerous to the health of my family, in addition to the value of my property.

I had a very close cousin in Columbus, Ohio, who recently passed away as a result of cancer of the blood. Her oncologist told her that had there been no wireless

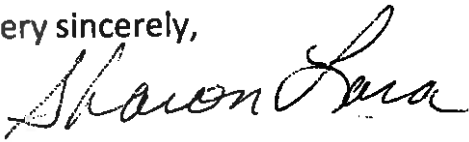
tower adjacent to her home, she would not have experienced death at the young age of 55.

RECEIVED  
JAN 28 2019

Therefore, you may enter my strong opposition to this project.

BY: 

Very sincerely,



Sharon Lara

Jenna Owens

---

**From:** Sharon Lara <sharonlara@campverdeschools.org>  
**Sent:** Thursday, February 21, 2013 2:41 PM  
**To:** Jenna Owens  
**Subject:** FW: Warnings on Wireless frequency

**From:** [Marcus@WeAreOne.com](mailto:Marcus@WeAreOne.com) [<mailto:Marcus@WeAreOne.com>]  
**Sent:** Monday, February 18, 2013 1:43 PM  
**To:** Sharon Lara; Sharon Lara  
**Subject:** Warnings on Wireless frequency

## BioInitiative 2012 Report: new urgent warnings on wireless and EMF public health risks

The BioInitiative 2012 Report updates five years of science, public health, public policy and global response to the growing health issue of chronic exposure to electromagnetic fields and radiofrequency radiation in the daily life of billions of people around the world.

The BioInitiative 2012 Report has been prepared by 29 authors from ten countries\*, ten holding medical degrees (MDs), 21 PhDs, and three MsC, MA or MPHs.

A new updated [Bioinitiative 2012 Report](#) says that evidence for risks to health has substantially increased since 2007 from electromagnetic fields (EMF) and wireless technologies (radiofrequency radiation). **The report reviews over 1800 new scientific studies and includes 29 independent science and medical experts from around the world.** Cell phone users, parents-to-be, young children and pregnant women are at particular risk.

### Summary of Key Scientific Evidence:

- Evidence for Damage to Sperm and Reproduction
- Evidence that Children are More Vulnerable
- Evidence for Fetal and Neonatal Effects
- Evidence for Effects on Autism (Autism Spectrum Disorders)
- Evidence for Electrohypersensitivity
- Evidence for Effects from Cell Tower-Level RFR Exposures
- Evidence for Effects on the Blood-brain Barrier
- Evidence for Effects on Brain Tumors
- Evidence for Effects on Genes (Genotoxicity)
- Evidence for Effects on the Nervous System (Neurotoxicity)
- Evidence for Effects on Cancer (Childhood Leukemia, Adult Cancers)
- Melatonin, Breast Cancer and Alzheimer's Disease
- Stress, Stress Proteins and DNA as a Fractal Antenna
- Effects of Weak-Field Interactions on Non-Linear Biological Oscillators and Synchronized Neural Activity

<http://www.bioinitiative.org/table-of-contents/>

NOTICE TO RECIPIENT: This information is confidential - do not forward. This communication is intended only for the person or entity to whom it is addressed, and the contents of this message may constitute a privileged communication and may be protected by law. If you receive this in error, any review, use,



# YAVAPAI COUNTY GOVERNMENT



**Parcel ID** 403-19-013V **Check Digit** 6

**Owner**  
GREEN GL & SF REVOCABLE TRUST

**Owner's Mailing Address**  
PO BOX 1078  
ARROYO GRANDE, CA 934211078

**Secondary Owner**  
GREEN GEORGE L & SIGRID TTEES

**Recorded Date**  
2006-05-01

**Last Transfer Doc Docket** 4411 **Last Transfer Doc Page** 823

**Physical Address** 1488 W Horseshoe Bend **Incorporated Area** Town of Camp Verde

**Assessor Acres** 5.18 **Subdivision** N/A

**School District** Camp Verde Unified SD #28 **Fire District** Camp Verde FD

**Improvements (8)**

**Type:** Single Family Residential  
**Floor area:** 1031  
**Effective/constructed:** 1960

**Type:** Recreational Vehicle Parks  
**Floor area:** 41  
**Effective/constructed:** 1999

**Type:** Residential Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 2000

**Type:** Office Building  
**Floor area:** 196  
**Effective/constructed:** 2004

**Type:** Commercial Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 1999

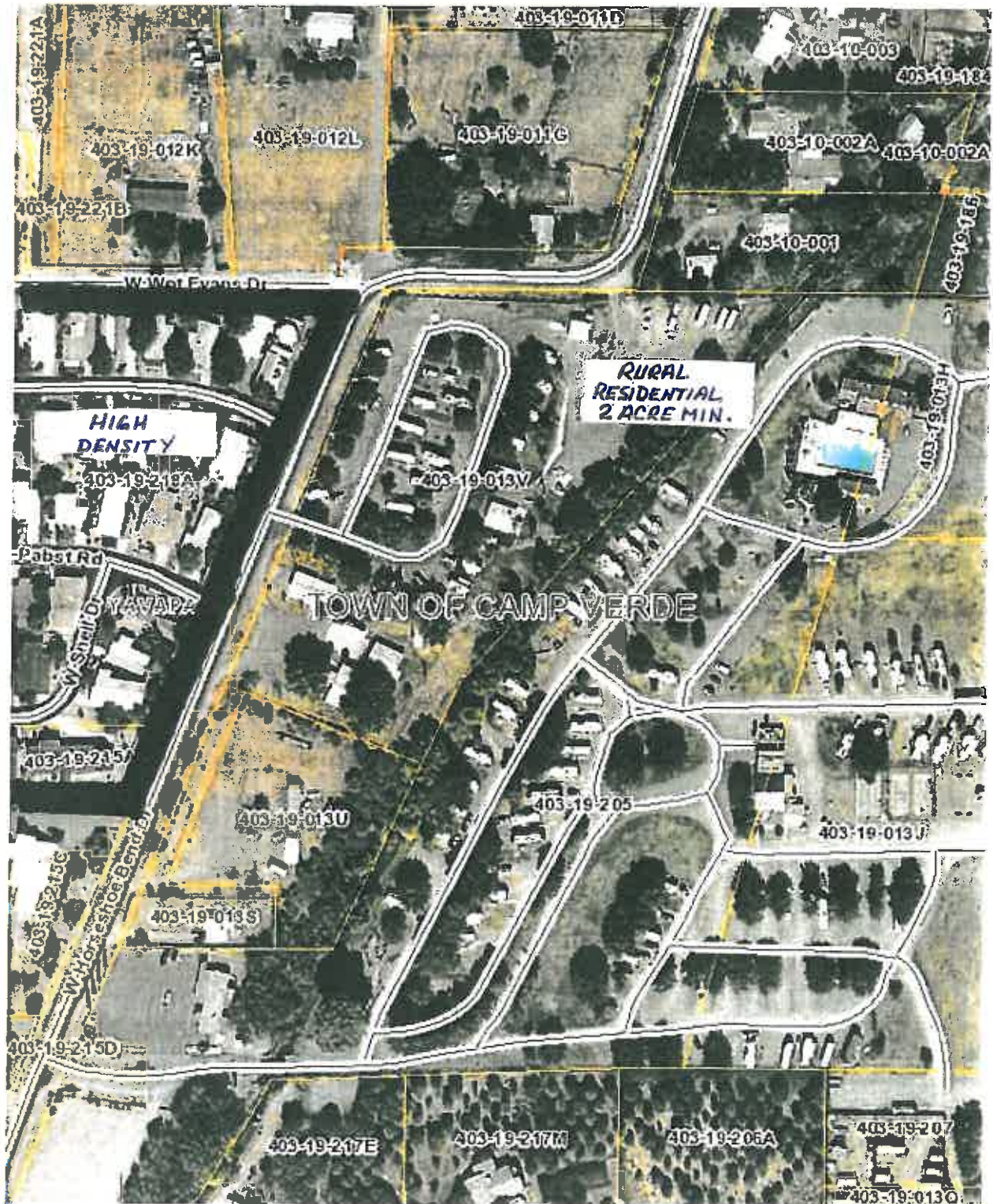
**Type:** Mobile Home Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 1995

**Type:** Shed - Equipment  
**Floor area:** 576  
**Effective/constructed:** 2000

**Type:** Laundromat  
**Floor area:** 576  
**Effective/constructed:** 1999

**Assessment**

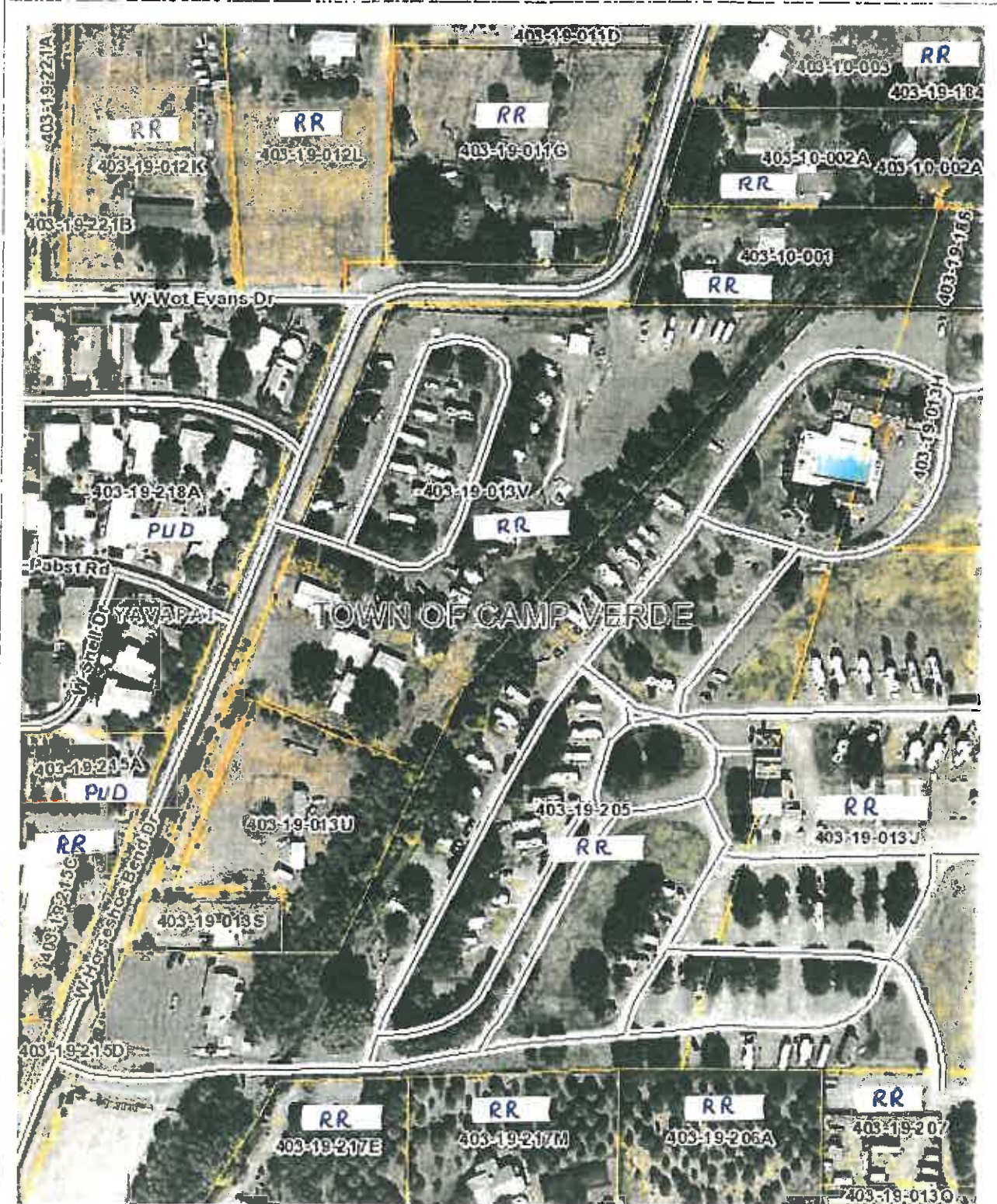
# Land Use Map



*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 that may arise from the use of this data.*

Map printed on: 12.18.2012

# Zoning Map



*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 that may arise from the use of this data.*

Map printed on: 12.18.2012

FCC Home | Search | RSS | Updates | E-Filing | Initiatives | Consumers | Find People

Federal Communications Commission



## Wireless Telecommunications Bureau

[FCC](#) > [WTB](#) > [Tower/Antenna Siting Issues](#) > [Government Authority](#)

[FCC Site Map](#)

Search the FCC:

[Help](#) - [Advanced](#)

### Siting Home

[TCNS/E-106](#)  
[Pre-Construction Review](#)  
[Registration and FAA Compliance](#)  
[Environmental Assessment Checklist](#)  
[Environmental Compliance](#)  
[Historic Preservation](#)  
[RF Safety Issues](#)  
[OTARDS](#)  
[State and Local Authority](#)  
[Radiofrequency Interference](#)  
[Contacts](#)

## Federal Guidelines for Local and State Government Authority over the Siting of Personal Wireless Service Facilities

[Section 332\(c\)\(7\) of the Communications Act](#) preserves state and local authority over zoning and land use decisions for personal wireless service facilities, but sets forth specific limitations on that authority. Specifically, a state or local government may not unreasonably discriminate among providers of functionally equivalent services, may not regulate in a manner that prohibits or has the effect of prohibiting the provision of personal wireless services, must act on applications within a reasonable period of time, and must make any denial of an application in writing supported by substantial evidence in a written record. The statute also preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, assuming that the provider is in compliance with the Commission's RF rules.

Allegations that a state or local government has acted inconsistently with [Section 332\(c\)\(7\)](#) are to be resolved exclusively by the courts (with the exception of cases involving regulation based on the health effects of RF emissions, which can be resolved by the courts or the Commission). Thus, other than RF emissions cases, the Commission's role in [Section 332\(c\)\(7\)](#) issues is primarily one of information and facilitation.

[Return to Top](#)

*Last reviewed/updated on 12/17/2010.*

### Related Sites

[Antenna Structure Registration/FAA Issues](#)

[Nationwide Programmatic Agreement](#)

[Arbor Day Foundation](#)  
 Tree Line USA Program recognizes utilities demonstrating practices that protect America's urban forests.

[Intergovernmental Advisory Committee](#)

[MB's NPRM](#)  
 Concerning Preemption of Local Regulations on the Siting of Broadcast Facilities

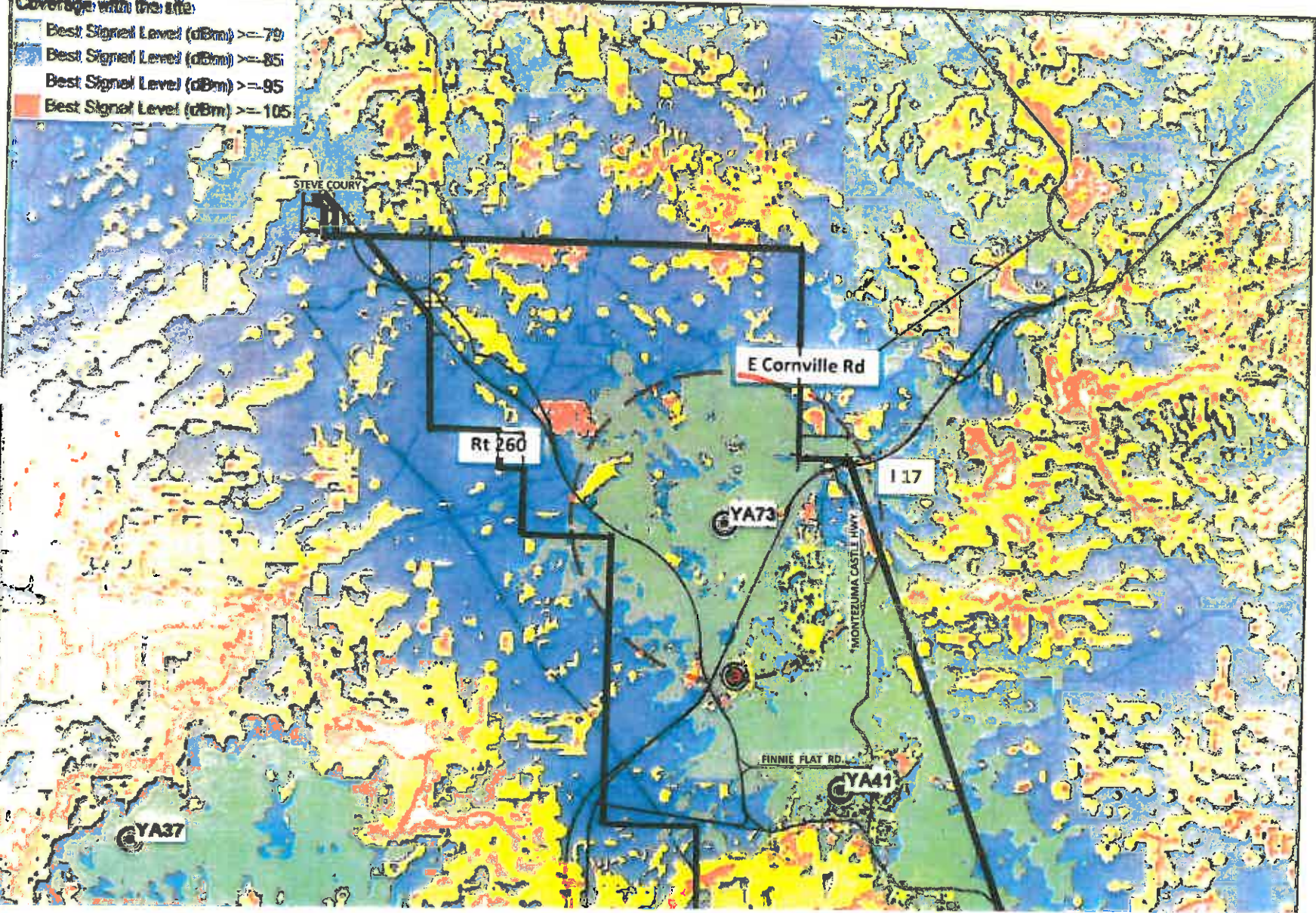
[Public Buildings Service Antenna Program](#)

[Search AM Database](#)  
 Determine Interference Potential from a New Cellular Tower Structure

[wow-com](#)  
 The World of Wireless

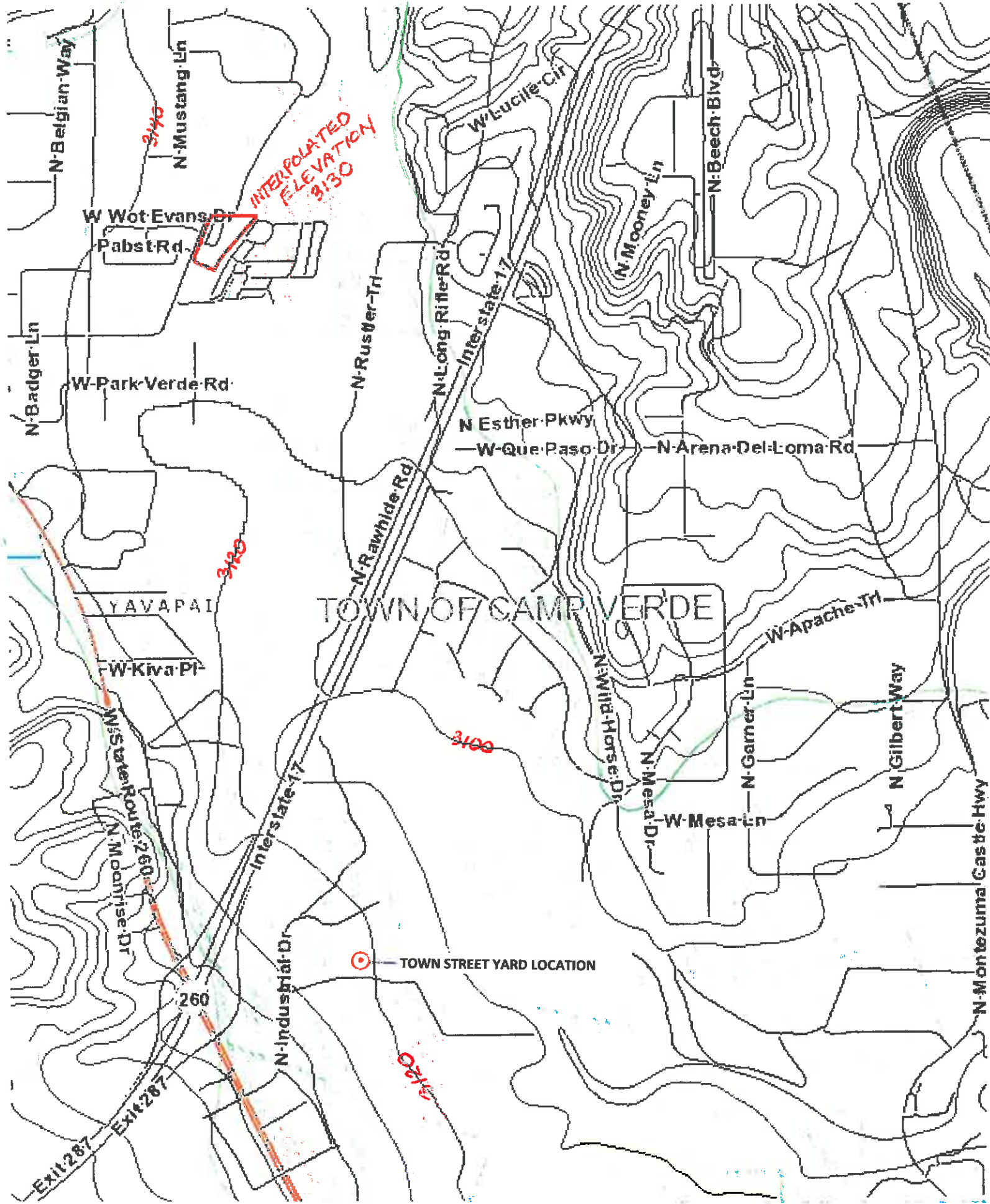
Coverage with Site

- Best Signal Level (dBm)  $\geq -79$
- Best Signal Level (dBm)  $\geq -85$
- Best Signal Level (dBm)  $\geq -95$
- Best Signal Level (dBm)  $\geq -105$

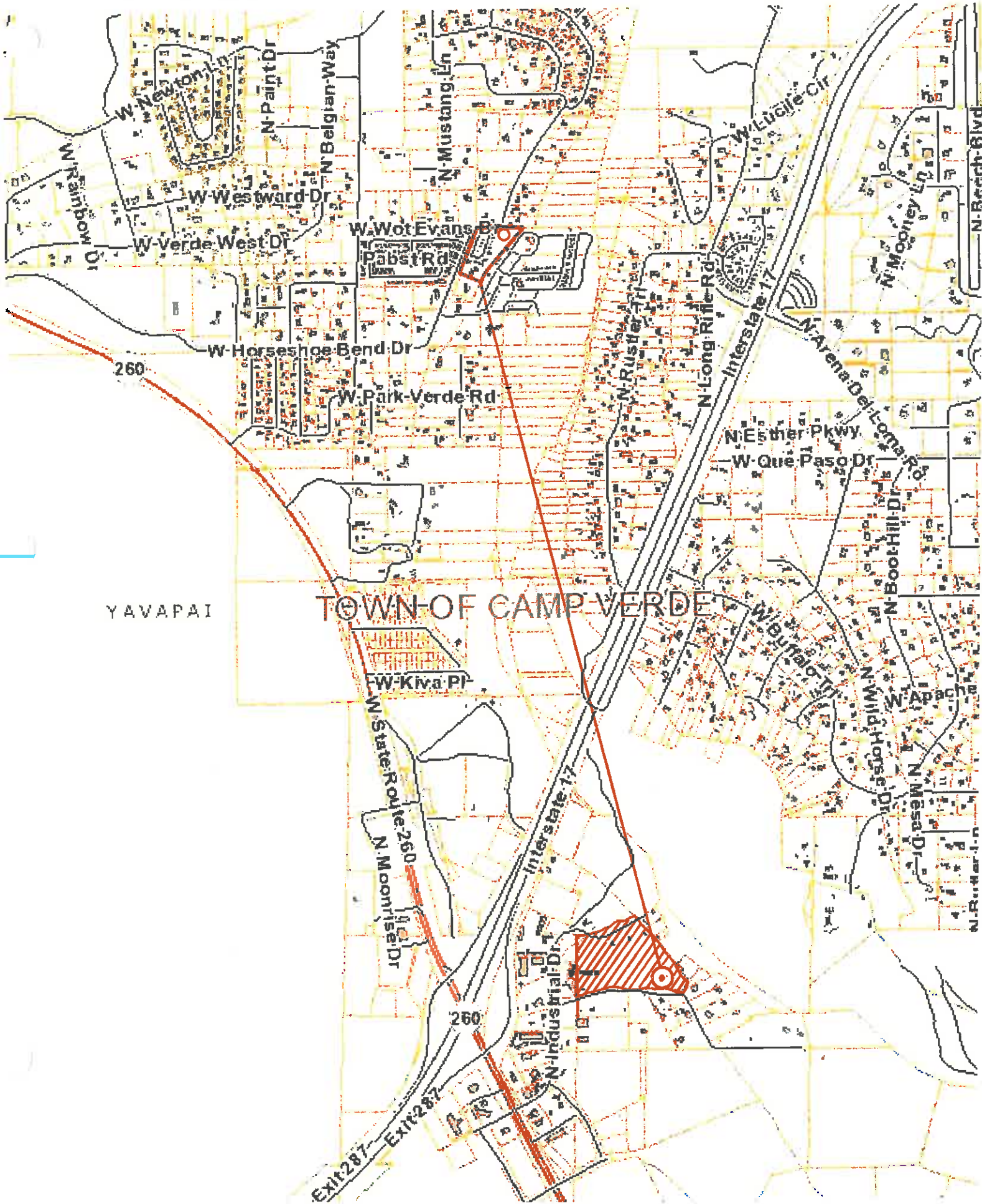


# Elevation Contour Map

Attachment no. 3



# Wireless Tower & Street Yard Proximity

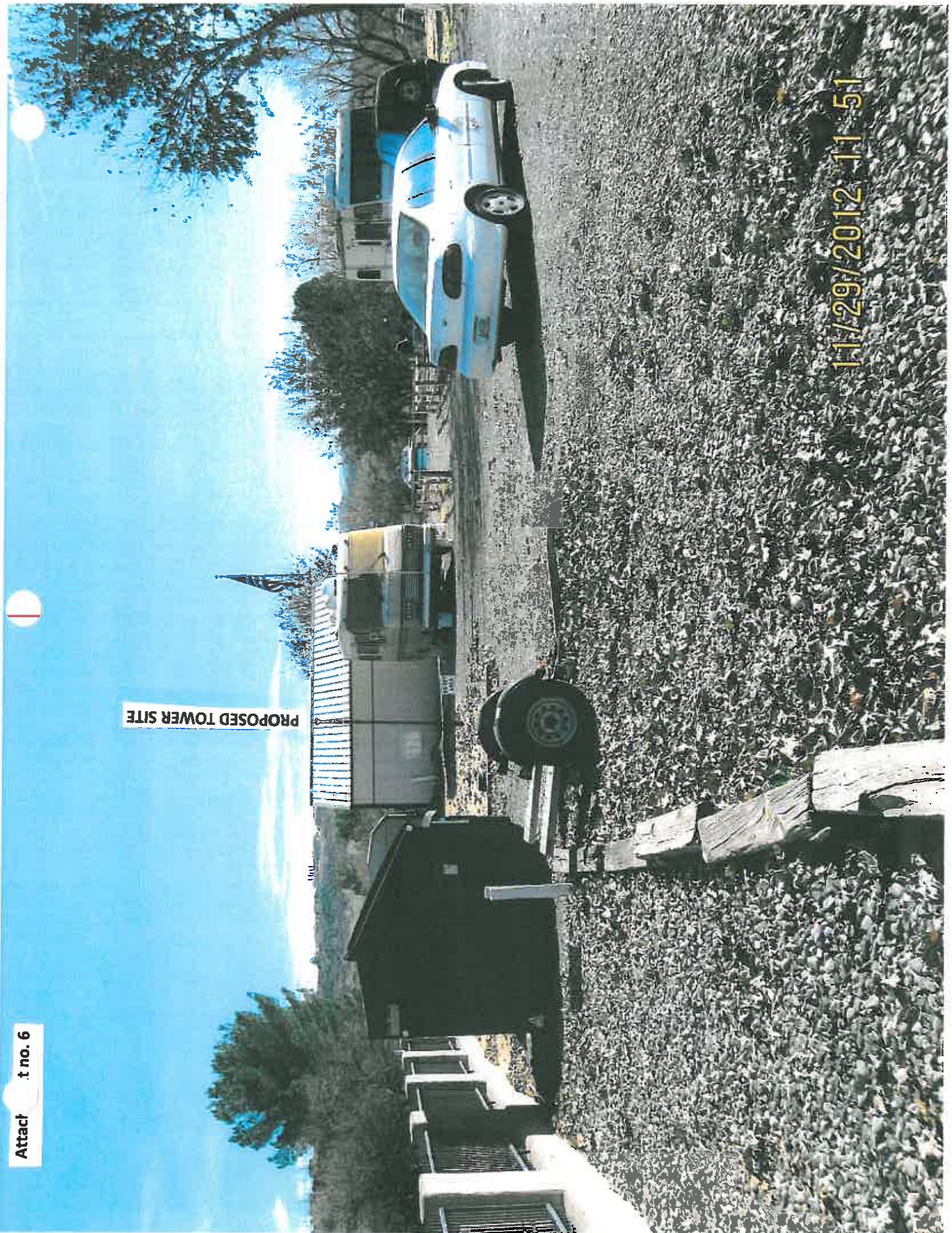






PROPOSED TOWER SITE

11/29/2012 11:51

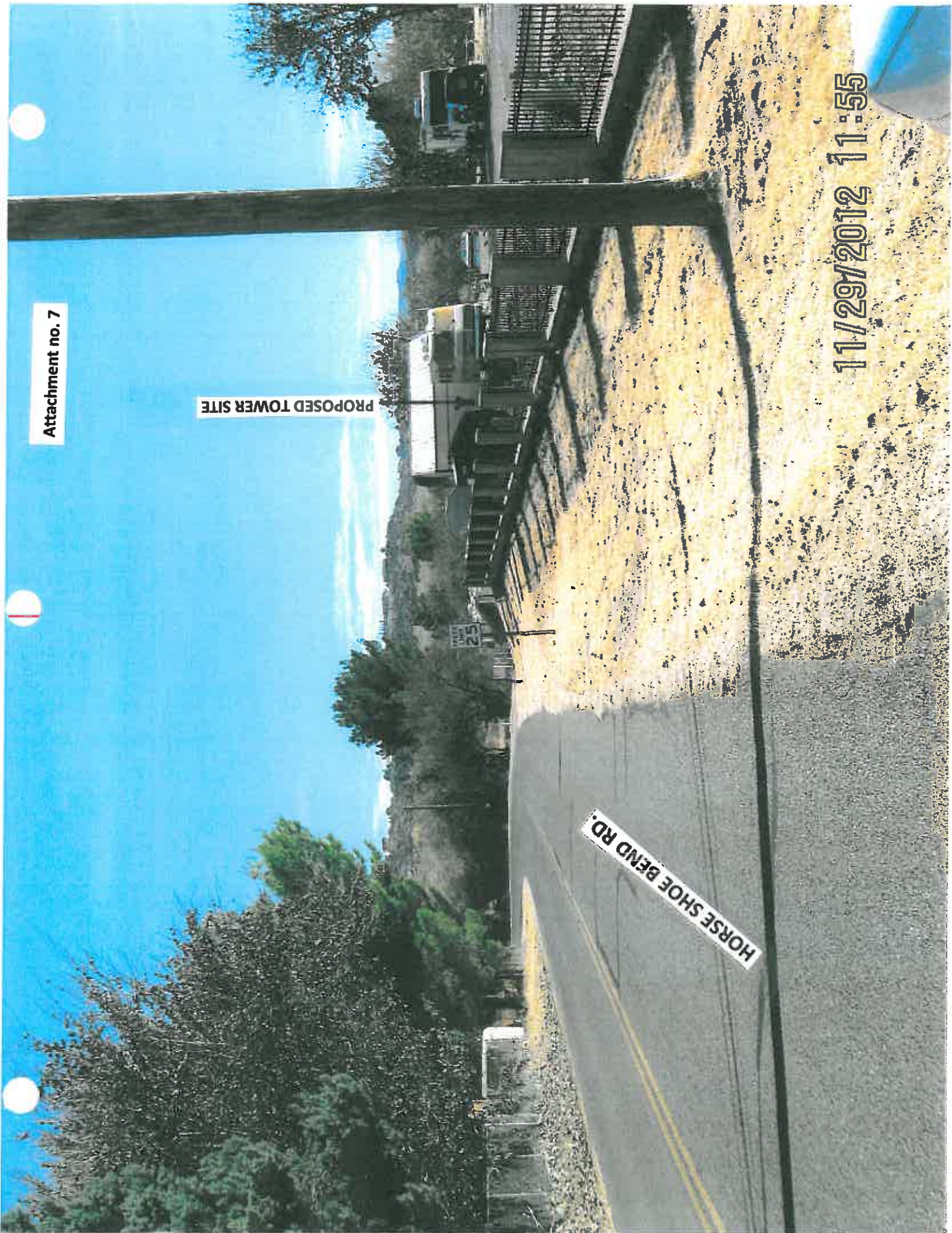


Attachment no. 7

PROPOSED TOWER SITE

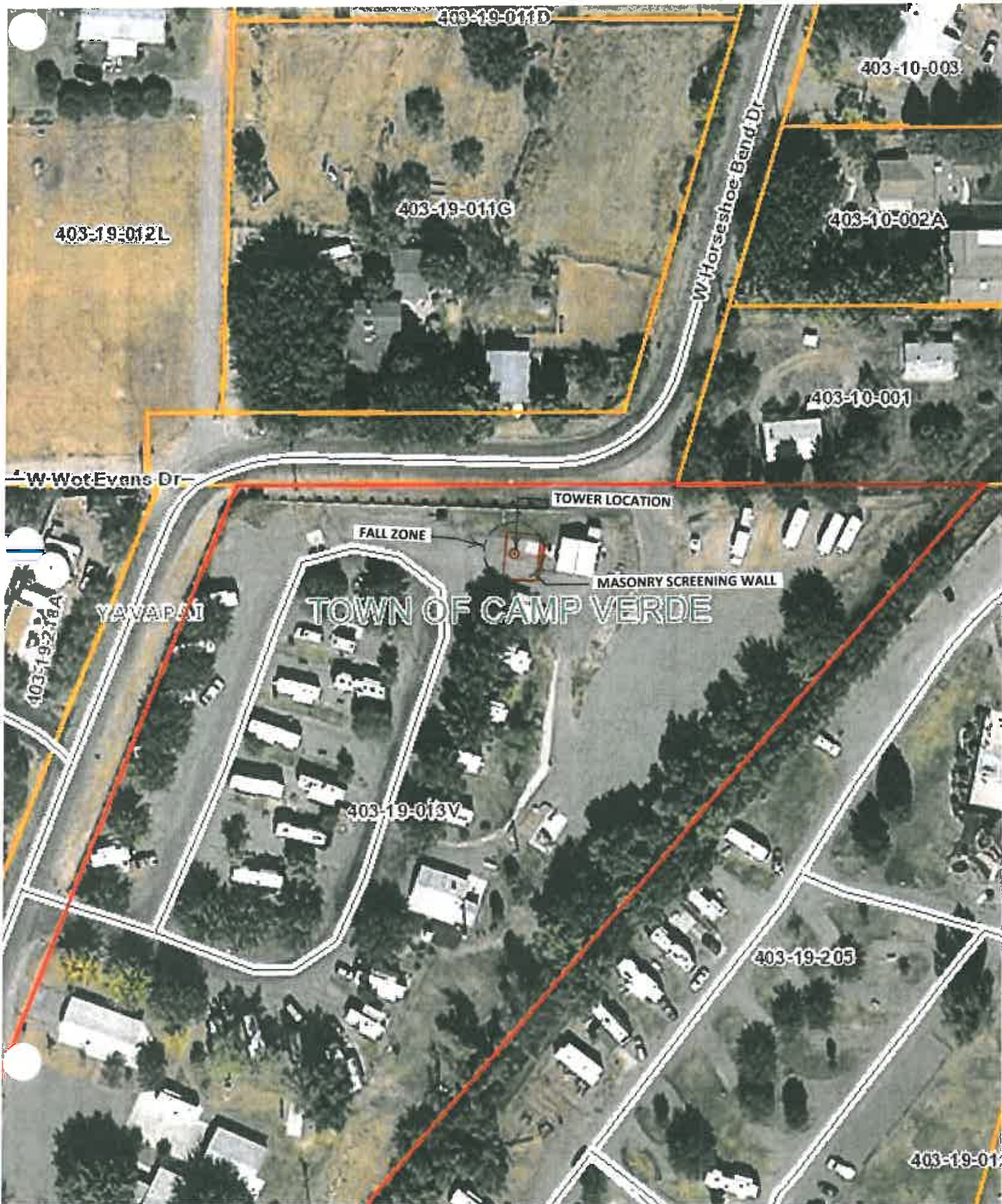
HORSE SHOE BEND RD.

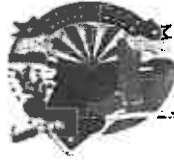
11/29/2012 11:55



# Wireless Tower

Attachment no. 8





## Planning & Zoning Ordinances And Subdivision Regulations

### PART EIGHT. WIRELESS COMMUNICATION FACILITY REGULATIONS

#### SECTION 800 - ADMINISTRATION

**1. Purpose & Intent:**

The purpose of this ordinance is to provide for the development of wireless communication services throughout the Town of Camp Verde while protecting the public health, safety, welfare, and property of the citizens and to ensure the community's remarkable scenic, wildlife, historic and cultural qualities.

**2. Conformance with Applicable Ordinances:**

This Ordinance shall be an addendum to the Camp Verde Zoning Ordinance. All wireless communications facilities shall conform to this Ordinance except those used solely for transmission and receipt by a single user and not otherwise restricted within that zoning district, including but not limited to amateur radio and devices necessary for the use of a subscription to a commercial wireless provider service.

In accordance to the Telecommunications Act of 1996, no legal statute or regulation, or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

#### SECTION 801 - DEFINITIONS

As used in this section, the following terms shall have the following meanings:

- 1. Alternative tower structure:** vertical components not generally designed for use as antenna support structures including but not limited to structures such as church steeples, ballpark light poles and water towers.

2. **Antenna:** any exterior device for transmitting and receiving wireless communication mounted on a tower, alternative tower structure, building or structure and used for transmitting and receiving wireless communication for a fee to more than one customer at one time.
3. **Antenna, attached:** an antenna mounted on the exterior of an existing building, silo, smokestack, water tower, utility or power pole, existing wireless communication tower, or an alternative support structure.
4. **Antenna, concealed (stealth):** an antenna with a support structure that screens or camouflages the presence of antennas and/or towers from public view, in a manner appropriate to the site's context and surrounding environment. Examples of concealed antennas include but are not limited to manmade trees, clock towers, flagpoles that do not exceed ten feet above the maximum building height, light structures, steeples, water tanks, and architectural façade and parapet features.
5. **Arbitrator:** person designated by the American Arbitration Association to resolve a dispute.
6. **Certification:** A written statement of the fact to be certified made under oath by the applicant or licensed professional working for the applicant and notarized.
7. **Collocation:** use by two or more wireless communication providers located on the same tower or alternative tower structure.
8. **Commercial Coverage:** a single FCC licensee's network of wireless communications facilities providing a level of service to all areas of the community which, when fully developed, will permit viable commercial operation.
9. **FAA:** Federal Aviation Administration.
10. **Facility, Existing:** a wireless communication facility in active use and for which a building permit has been properly issued and has not expired before the effective date of this section.
11. **Facility, New:** a wireless communication facility proposed to be located where a facility does not currently exist.
12. **FCC:** Federal Communications Commission.
13. **Financial Assurance:** bond, cash, contract or other acceptable document on file with the Town, submitted by the applicant guaranteeing the return of the site to a condition approved by the Town.
14. **Height:** the distance from the finished grade at the antenna tower base to the highest point of the tower. Overall tower height includes the base pad, mounting structures, panel antennae, lightning rods and whip antennae.
15. **Person:** includes a corporation, company, partnership, firm, association or society, as well as an individual property owner.
16. **Planning and Zoning Department:** the Director of the Planning and Zoning Department for the Town of Camp Verde or his/her designated representative.

17. **Proposed Site:** boundaries of the parcel proposed for development.
18. **Residence:** a home, abode, or place where an individual is actually living at a specific point in time.
19. **Residential:** suitable or used for a residence.
20. **Site Facility:** property as defined by parcel boundaries of where the facility is located.
21. **Tower Lattice:** a self-support structure, erected on the ground, which consists of cross bracing of structural steel to support antennae and related equipment.
22. **Tower Monopole:** a self-support structure, with a single shaft of wood, steel, or concrete, and a platform for antenna arrayed at the top known as a "top hat".
23. **Use, permanent:** the active daily use of antennae for the commercial transmission and receipt of wireless communication intended at the time of its installation and approved to be actively used for a permanent basis.
24. **Use, temporary:** the active daily use of antennae for the commercial transmission and receipt of wireless communication intended at the time of its installation and approved to be actively used for a specific period of time.
25. **User, single:** a single dwelling or a single business.
26. **Wireless Communication:** any technology for transmitting communication through the air.
27. **Wireless Communication Facility:** any combination of one or more antennae, towers and/or structures or equipment used for the transmission of wireless communication.
28. **Wireless Communication Provider:** any FCC licensed service provider for the Town of Camp Verde, and any supplier of wireless communication facilities for those providers.

## SECTION 802 – GENERAL PROVISIONS

The following are applicable to all wireless communication requests:

1. **Camouflaging:**
  - a. Improvements consisting of a wireless communication facility including tower structure, antennae and related electrical and mechanical equipment, shall, to the extent possible, use materials, colors, textures, screening, landscaping, and terrain to blend them into the natural and surrounding setting, unless subject to any applicable standards of the FAA.
  - b. The specific requirements for camouflaging will be determined on a case by case basis depending on the proposed location.
2. **Collocation:**

- a. Priority will be given, after a complete and correct application, fee and all required documentation and information is filed, to applicants who collocate on Town facilities.
- b. Wireless communications facilities located on property owned, leased, or controlled by The Town of Camp Verde pursuant to agreement of or approved by The Town of Camp Verde shall be a permitted use in all zoning districts, except residential districts, with a zoning clearance.
- c. An applicant who certifies in writing that the tower constructed will be suitable for collocating multiple providers of varying wireless technologies and, as a condition of zoning, executes a written agreement (collocation agreement) with The Town of Camp Verde on a form approved by the Town Attorney, consenting to application of the terms of this provision, shall, unless waived by the applicant, receive preferential treatment for a final approval or rejection of its application after a complete and correct application, fee and all required documentation and information is filed.
- d. Proposed antenna facilities, including concealed antennas, shall be designed to accommodate not only equipment for the applicant's use, but also for the collocation for at least one additional wireless communications provider for every 30' of height proposed. The Town Council may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character.
- e. Collocation Agreement: The collocation agreement shall provide for at least the following:
  - 1) The applicant shall accept for collocation any FCC licensed wireless communication provider (additional user) using any compatible technology on commercially reasonable terms considering all of the factors a reasonable tower leasing company would deem relevant in entering into such an agreement;
  - 2) Any additional user seeking collocation shall submit specifications for its equipment and use (request to the applicant and applicant shall, within 30 days thereafter, respond to such party in writing, furnishing all technical requirements which must be resolved before collocation.
  - 3) The applicant and the additional user shall, thereafter in good faith, attempt to resolve any technical or business terms. If, after 30 days from the response, the additional user may submit in writing a request for arbitration to applicant and the American Arbitration Association which shall designate a person knowledgeable in collocation of wireless communication carriers, to act as arbitrator and decide all issues between the parties. Such arbitration shall be held within 30 days of the request for arbitration. Upon the written agreement of both parties, a different procedure for binding dispute resolution may be used. The result of the arbitration or other resolution method agreed to by the parties shall be binding.
  - 4) If the arbitrator certifies in writing to the Town of Camp Verde that the applicant has failed to comply with the decision of the arbitrator within 15 days of its issuance by the arbitrator, the use permit or administrative approval for the wireless communication facility in question shall be terminated and the wireless communications facility shall be removed within 30 days of the date of the arbitrator's certification, failing which, The Town of Camp Verde shall have all of the remedies available to it for elimination of a use in violation of the zoning code;

- 5) The additional party, upon submitting the request shall become a third party beneficiary to the collocation agreement.
- 6) The Town of Camp Verde shall not be a party to any contract between the applicant and the additional party and shall not be a required party and shall not be made a party to any dispute or arbitration and applicant shall indemnify, defend and hold The Town of Camp Verde harmless from any cost, including reasonable attorney fees associated with such matters.
- 7) A lease or other agreement containing the business terms proposed by the applicant for collocation shall be attached as an exhibit to the collocation agreement.

### **3. Height Limitations**

Collocations on towers or structures are allowed on a 15' height increase above the standard height restrictions for the second, third, and fourth collocations.

### **4. Lot Size**

For purposes of determining whether the installation of a tower or antenna complies with district development regulations, even though the antennas or towers may be located on a separately leased portion of the lot, the density district requirements of the entire overall lot shall control requirements, including but not limited to setbacks, lot coverage percentages, and other such requirements.

5. Equipment shall not generate noise levels that exceed 45 DBA Sound Pressure Level (SPL) on directly adjacent properties. This maximum sound level does not apply to generators used in emergency situations when the regular power supply is temporarily interrupted and noise made during the regular maintenance and upkeep of the facility and site.

### **6. Principal or Accessory Use**

Antennas and towers may be considered either principal or accessory uses to the principal use of the property.

### **7. Setbacks**

- a. Setbacks and separation distances shall be calculated and applied irrespective of municipal and county jurisdictional boundaries.
  - b. Tower facilities must be set back from any lot line a distance equal to at least 100 percent of the height of the tower unless a greater setback is required for the particular zoning district: i.e., the reclining length of any tower must be located on the lot so that in the case of collapse, the tower would be contained within the bounds thereof.
  - c. Tower facilities must be located no closer than 5,000 feet to residential areas.
  - d. Guys and accessory structures must satisfy the minimum zoning district setback requirements.
  - e. Facilities that are located on existing or replaced streetlights, traffic signal poles or electrical utility poles are exempt from any setback requirements.
8. All wireless communication facilities shall be maintained in compliance with applicable state or local building codes under which they were constructed and any regulations of the FAA, the FCC, and any other federal government agency with the authority to regulate them or their components. If such Federal standards and regulations are changed, then the owners of the wireless communication



facilities governed by this chapter, which are applicable to these new federal standards shall bring such towers and antennas into compliance with such revised standards and regulations within three months of the effective date of such standards and unless a different compliance schedule is mandated by controlling law. Wireless communications facilities that are not in compliance, shall be removed at the owner's expense if not brought into compliance within 30 days after written demand by the Town of Camp Verde.

9. Wireless communications facilities shall be regulated and permitted pursuant to this section and shall not be regulated or permitted as essential services, public utilities, or private utilities.
10. **Zoning Districts**
  - a. All other locations must be exhausted before a wireless communication facility applies for location in a residential zone.
  - b. Except as provided in this section, all buildings and use processes and requirements, including height restrictions, applicable in the zoning district shall apply to wireless communication facilities.
11. Above ground equipment shall be enclosed by concrete masonry unit walls with landscaped screening, if located within 1,000 feet of existing residences.
12. Camp Verde Fire Department and Camp Verde Marshal's Office shall have access to the exterior and interior via keys or other method in case of emergency.

## **SECTION 803 - MODIFICATIONS**

No existing wireless telecommunications facility may be changed or modified except as follows:

1. The change or modification is required by a change in user or technology.
2. The change is required for the collocation of additional carriers on the existing structure.
3. The change does not increase the height of the tallest component above the height approved in the use permit, administrative approval, or in the case of a pre-existing facility, its then current height.
4. At the conclusion of the change or modification, the facility complies with all requirements of the Town of Camp Verde Community Development Department.
5. An explanation is submitted to the Planning and Building Director stating why the modification is necessary, and an updated Provider's Communication Plan, including any proposed changes in the service areas, antennae, towers, and policy direction is provided.

## **SECTION 804 - PROHIBITIONS**

1. **Lighting**

Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the application shall contain a list of optional light devices and a statement of the reason for selection of the light device specified over each of the options.

**2. Signs**

No signs shall be allowed at a facility with the exception of a single one (1) square foot sign providing emergency contact numbers for the facility.

- 3. Wireless communication facilities shall not be installed in environmentally sensitive areas, including but not limited to any riparian or watercourse areas.**

## **SECTION 805 - PROVIDERS COMMUNICATION PLAN**

1. Each wireless communication provider shall provide a plan of its facilities within the Town's area of interest to the Town of Camp Verde prior to any application for the installation of a wireless communication facility. The plan shall cover the entire Town extending five (5) miles beyond the Town border. The plan shall include the following.
  - a. All of the provider's existing wireless communication facilities, by size, type and their coverage areas.
  - b. All presently anticipated future service areas, anticipated deployment date, and types of wireless communication facilities and heights desired for each of the service areas.
  - c. The various types of wireless communication facilities used by the provider to furnish service and when they are used. This includes drawings providing the sizes and shapes of the antennae and equipment as well as written materials describing their application.
  - d. The provider's policy direction for the mitigation and/or reduction of existing and proposed towers to avoid the proliferation of such facilities.
  - e. The provider's policy direction on the mitigation and/or reduction of the negative visual impact created by existing towers, including any proposals to conceal or disguise such facilities designed to be architecturally and/or environmentally compatible with their surroundings.
  - f. The provider's policy direction on collocation of antennae on their own facilities, on facilities from other provider's, or on other structures that provide the verticality required to this Section.
  - g. Designation of an agent of the provider who is authorized to receive communications and notices pursuant to this Section.

## **SECTION 806 - APPLICATION SUBMITTAL AND REVIEW**

**1. General**

The following provisions shall govern the issuance of permits for towers or antennas:

- a. If the wireless communication facility is not a permitted use, then an administrative approval or a use permit shall be required for the construction.

- b. Applications for administrative approvals and use permits for a wireless communication facility shall be subject to the procedures and requirements for use permits generally, except as modified in this section.
- c. Fees for applications under this section are listed in Section K under Fee Schedule.
- d. All use permit or administrative review approvals for new wireless communication facilities shall be granted for a maximum period of ten (10) years with Council review after five (5) years. The applicant/structure owner shall be responsible for initiating an administrative renewal and possible extension of the approved wireless facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the facility as approved. Applications for collocation on existing structures shall be set for a period of time so that the expiration date for the collocation expires simultaneously with the structure. If an extension is denied by the Planning and Zoning Department, the applicant may appeal the decision to the Planning and Zoning Commission and the Town Council by applying for a use permit.
- e. In granting approval of an application, The Town of Camp Verde may impose conditions to the extent that such conditions carry out the purposes of this section.
- f. Any information of an engineering nature that the applicant submits shall be certified by an Arizona licensed professional engineer.
- g. The Community Development Director is authorized to employ on behalf of the Town Council, an independent technical expert to review any technical materials submitted including, but not limited to, those required under this section and in those cases where a technical demonstration of unavoidable need or unavailability of alternatives is required. The applicant shall pay all the costs of said review.
- h. Prior to applying for a new facility, including collocation, the applicant shall meet with community groups and interested individuals who reside or own property within one thousand (1000) feet of the proposed site to explain the proposed project. The purpose of these meetings are to inform and educate the community on wireless communications and the restrictions placed on The Town of Camp Verde by the Federal Telecommunications Act of 1996, as well as to solicit suggestions from these groups about the applicant's proposal and impact mitigation measures. Applicant shall make a concerted effort to incorporate the community suggestions for impact mitigation generated by the meetings and describe the efforts in the application. Applicant shall be prepared to discuss information including but not limited to, technical aspects, visual aspects, including alternative sites and designs. Applicant shall provide detailed meeting minutes, copy of all materials delivered or received, and documentation of who attended the meetings from the community organization.

**2. Performance Criteria:**

The order of preferences for wireless communication facilities is, from most preferred to least preferred:

- a. Concealed sites.
- b. Collocation on an existing Town property.
- c. Collocation on an existing facility, tower, or electrical utility pole.
- d. New sites located on public lands at least 5000' from private land.

- e. New concealed or attached antenna sites located on/at public or quasi-public facilities.
- f. New towers/facilities under 99'.
- g. New towers/facilities 100' to 199'.
- h. New towers/facilities 200' and over.

New facilities shall use the most preferred facility type where technically feasible, even if it results in an increase in the number of facilities, or a higher cost. A lesser preferred facility type may be permitted only if the applicant presents substantial evidence to show that it will have less of a visual impact than the use of more preferred facilities.

### 3. Characteristics

The following characteristics are deemed consistent with the purposes of this section and will be afforded favorable weight in considering the application:

- a. Sites located on an existing Town property.
- b. Existing structures will be preferred over new structures.
- c. New structures that are camouflaged to blend into the location.
- d. Wireless communication facilities that cannot be readily observed from adjacent streets.
- e. Structure heights that do not exceed the height limitations for that zoning district. When heights may exceed an adjacent district's height restrictions, the owner of that adjacent jurisdiction will be notified of the application by the Town.
- f. Collocation of all licensed carriers for The Town of Camp Verde on a single wireless communication facility in remote locations will have significant favorable weight in evaluating the application.
- g. The service provider's development plans which achieves the least obtrusive wireless communication facilities of all providers reasonably necessary for commercial coverage.
- h. Location in the least restrictive zoning district starting with Industrial.
- i. Suitability of the location for collocation of governmental public service wireless communication facilities.

## SECTION 807 - ADMINISTRATIVE REVIEW APPLICATIONS

Applications for collocation of antennae on, and equipment at, an existing, permitted wireless communications facility, shall be subject to review by the Community Development Department staff and approval by the Planning Director. Applications to place antennae on top of, or attached to, an existing or replaced utility/power pole which does not extend the height of the existing pole by more than ten (10) feet shall also be evaluated by the Administrative Review process. A decision shall be rendered to approve or deny within 14 days of submittal of a complete application. If an Administrative Review application is denied by the Community Development Department, the applicant may then apply for a Use Permit.

### 1. Application Requirements:

- a. Completed hearing application submittal form, letter of authorization, and permission to enter property letter as contained in the application procedures information packet.
- b. An updated Provider's Communication Plan, including any proposed changes within the Town's area of interest, antennae, towers, and policy direction.
- c. Study on impact of emissions.
- d. Data on herbicides used on site.
- e. Photographs of the site prior to construction of the facility.
- f. Biological impact study.
- g. The zoning classification of the site.
- h. Plans showing elevation drawings of the exterior of each element of the proposed wireless communication facility including method of fencing, color, and regulations.
- i. Certification that the wireless communication facility, as represented in the application, will comply with all FAA, FCC and other applicable regulations.
- j. Copies of all wireless telecommunication licenses for all providers who will use the facility at the time of filing the application;
- k. Copy of signed, lease agreement with landowner.
- l. Semi-annual notification to the Town giving use status of the facility.
- m. Reclamation Plan as specified in this ordinance.

## **SECTION 808 - ADMINISTRATIVE REVIEW WITH COMMENT PERIOD APPLICATIONS**

Applications for new wireless communication facilities that do not exceed ten (10) located at least 5,000 feet from the nearest privately owned land, would be subject to administrative review with a 21-day public comment period.

Surrounding property owners and community organizations shall receive notice of the application. If an Administrative Review with Comment Period application is denied, the applicant may then apply for a Use Permit.

### **1. Application Requirements:**

- a. All material associated with the submittal of an Administrative Review application as stated above.
- b. A mailing list of all property owners within 1,000 feet of the facility site, and pre-addressed envelopes affixed with first class postage to each property owner.
- c. A map showing the adjacent roadways and proposed means of legal access.
- d. RF propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites.
- e. The setback distance between the proposed wireless communication facility, the nearest residential unit and/or the nearest residential zoned owned properties.
- f. Certification of whether the applicant is applying for collocation treatment, and how many carriers could be accommodated on the facility with adequate signal coverage.

- g. Certification that no Town Property or municipally owned site, or existing wireless facility reasonably meets the needs of the applicant, listing all such sites within five (5) miles of the proposed site and the reason each is not physically adequate for reasonable commercial coverage, or not economically feasible for location.
- h. A visual analysis, which may include photo simulations, field mock-ups, or other techniques, which identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the three closest residences within one half-mile of the proposed site and from the closest collector or arterial discretion, request additional photos from specific vantage points.
- i. Attendees list, minutes, and information obtained from required community meeting.

## **SECTION 809 - USE PERMIT APPLICATIONS – PUBLIC HEARING REQUIRED**

Any new wireless communication facility that exceeds ten (10) feet above the maximum height allowed in the density district, or does not meet all of the criteria to be allowed in the Administrative review processes, shall require a Use Permit.

### **1. Application Requirements:**

- a. All material associated with the submittal of an Administrative Review with Comment Period.
- b. A complete Use Permit application packet.
- c. A mailing list of all property owners within the distance required from the facility site, and pre-addressed envelopes affixed with first class postage to each property owner.

Notification required by tower height:

- 99 feet and under = 1,000 feet radius
  - 100 to 199 feet = 2,500 feet radius
  - 200 feet and above = 5,000 feet radius
- d. RF frequency propagation maps showing the coverage areas of the proposed site and how it interacts with the coverage areas of connecting sites. If the applicant is seeking collocation of multiple carriers, the RF propagation coverage maps should also include on a separate map, the coverage areas obtained from the lowest collocation point on the tower.
  - e. Certification that policing, fire departments, public safety, water and local governments having jurisdiction within five (5) miles of the site have been notified of the application.
  - f. The applicant shall submit a visual analysis of the potential impact to the proposed site, which will include photo simulations, field mockups, or other techniques that identify the potential visual impacts of the proposed facility. Photo simulations shall be provided from the five closest residences within two miles of the proposed site and from the closest collector or arterial street. The Community Development Director may at his/her discretion, request additional photos from specific vantage points.
  - g. A written narrative/explanation of why it is necessary that the proposed wireless communications facility be located in the proposed location, and why it will exceed the

maximum height allowance for the zoning district in which it is proposed. If the explanation is based on coverage maps, structural calculations, lease amounts, or any other information pertinent to the need for the structure or additional height, this information shall be included as appendices to the narrative.

## **2. Standards:**

In addition to any standards for consideration of use permit applications, the following shall be considered in determining whether to issue a use permit or administrative approval

- Height proposed
- Proximity to other uses
- Historic sites
- Landmarks
- Vehicle traffic routes
- Medical facilities
- Air routes
- Topographical features
- Utilities
- Access
- Suitability of alternative sites
- Visual impact

## **SECTION 810 - RECLAMATION PLAN**

All applications must include a detailed reclamation plan. Implementation of the Reclamation Plan must begin within seven calendar days after the removal of the facility.

The reclamation plan must include:

- Conceptual drawing of what the site will look like after the reclamation plan is completed.
- Vegetation plan.
- Implementation plan.
- Completion schedule.
- Cost estimate.

Financial assurances equal to the cost estimate shall be posted by the applicant prior to the issuance of building permits. The applicant will add an amount equal to 8% of the cost estimate yearly to the financial assurance until the reclamation plan is completed.

## **SECTION 811 - REMOVAL**

Prior to building permits/zoning clearances being issued, and within 30 days of Town Council approval, financial assurances shall be posted by the applicant to assure the removal of the tower and return of the site to its previous state in the event the use is discontinued or abandoned.

Towers and antennae shall be removed, at the owners' expense, if not used for a permanent use for 180 consecutive days unless this period is extended pursuant to this section. If the tower or antennae is not removed, after 180 consecutive days of disuse, the Town of Camp Verde may give notice that it will contract for removal within 30 days following written notice to the owner. Thereafter, the Town of Camp Verde may cause removal at the cost of the owner.

An owner wishing to extend the time for removal or reactivation shall submit an application stating the reason for such extension. The Planning Director may extend the time for removal or reactivation up to 60 additional days upon a showing of good cause.

Upon removal of the wireless telecommunications facility, the applicant will have seven calendar days to begin the reclamation plan approved with the original application.

## **SECTION 812 - FEE SCHEDULE**

Application fees for Wireless Communication Sites shall be as per the currently adopted fee schedule.

Applications to review/renew an existing approved facility –50% of original fee.



**MINUTES DRAFT**  
**Special Session**  
**THE PLANNING AND ZONING COMMISSION**  
**TOWN OF CAMP VERDE**  
**CAMP VERDE, AZ.**  
**COUNCIL CHAMBERS SUITE #106**  
**THURSDAY FEBRUARY 07, 2013**  
**6:30 PM**

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

1. **Call to Order**  
The meeting was called to order at 6:30 p.m.
2. **Roll Call**  
Chairperson Norton, Vice Chairperson Blue, Commissioners Gordon, Freeman and Hough were present; Commissioners Hisrich and Parrish were absent.
3. **Pledge of Allegiance**  
The Pledge was led by Hough.
4. **Consent Agenda** - All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests.
  - a. **Approval of Minutes:**  
**01-03-2013 Regular Session**
  - b. **Set Next Meeting, Date and Time:**  
As Needed

On a motion by Gordon, seconded by Freeman, the Consent Agenda was unanimously approved as presented.
5. **Call to the Public for Items not on the Agenda**  
There was no public input.
6. **Public Hearing, Discussion and possible recommendation to Council on a Use Permit application submitted by Mr. Adam Brixius of Clear Blue Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. This Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**  
A motion by Freeman to recommend to Council approval of a Use Permit application submitted by Mr. Adam Brixius of Clear Creek Services, agent for GL & SF Green Revocable Trust, owners of Rancho Verde RV Park; this is a Use Permit application, if approved by the Town Council, will replace the current Use Permit to allow for the addition of a Wireless Tower at the Rancho Verde RV Park, following the recommendation of the Town of Camp Verde for a 10-year Permit, reviewable at the end of 5 years, **failed** for lack of a second.

On a motion by Hough, seconded by Blue, the Commission voted unanimously to recommend to Council approval of Item 6 on the Agenda, with a time limit of perpetual.

**Staff Presentation**

Asst. Planner Owens reviewed the background of the current Use Permit for the subject Park that was approved on September 24, 1997, with no time limit established. Pursuant to Town Code no changes or modifications may be made without approval of a new Use Permit. The change and modification to the current Use Permit is the requested addition of a Wireless Cell Tower on the property as shown on the newly submitted Site Plan, a

copy of which was included in the agenda packet. Staff has reviewed the Site Plan for compliance with the Planning & Zoning Ordinance RV Park standards and found that all requirements have been met per Section 306.C. The required neighborhood meeting was held on December 19, 2012; there were no concerns or objections from the various Town and County agencies.

#### **Applicant's Statement**

Adam Brixius, agent for the owners of Rancho Verde RV Park, said that there are no changes being requested, and he would be making his presentation in connection with the following Item 7.

#### **Commission Discussion**

A discussion followed the original motion made by Freeman, with Community Development Director Freeman noting that the request was for approval of the Use Permit in perpetuity and suggesting that the motion be revised. The Commissioners discussed the motion and the added revision. Owens pointed out that the Use Permit for the RV Park was separate from actually placing the tower on the site. The request is simply to allow the Park their privilege to have the wireless tower within the Park boundaries. Jenkins added that the new Use Permit is necessary because of the requested change to include the wireless tower. Freeman said he preferred to stand by his motion requiring a time limit of 10 years. Hough commented that the owners currently have perpetual use of the property as an RV Park, have done everything correctly, and he questioned imposing a time limit at this point. After further discussion, it was noted that although Blue had seconded the original motion, Freeman had added the revision, with no second. Chairperson Norton announced that the motion failed for lack of a second.

Hough then made his motion for approval of the Use Permit request. Freeman said he would go along with the motion for perpetuity, although in the past things have been done differently.

**7. Public Hearing, Discussion and possible recommendation to Council on an application submitted by Mr. Adam Brixlus and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Use Permit to place a 90' Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park. The property is located on parcel 403-19-013V at 1488 W. Horseshoe Bend.**

On a motion by Gordon, seconded by Hough, the Commission unanimously voted to recommend to Council approval on an application submitted by Mr. Adam Brixius and/or Mr. Andy Livingston, of Clear Blue Services, agents for AT&T Mobility, for a Use Permit to place a 90-foot Wireless Tower on property owned by GL & SF Green Revocable Trust, owners of Rancho Verde RV Park; per Part 8, Section 806.1.d.this Use Permit is good for ten (10) years with Town Council review in five (5) years; the property is located on Parcel 403-19-013V at 1488 W. Horseshoe Bend. The following conditions of approval are as follows:

1. That the Tower will be a mono-pine or other stealth treatment;
2. Per Part 8, Section 802 (General Provisions), Item 2.d of the Planning & Zoning Ordinance, it states: "Proposed antenna facilities, including concealed antennas shall be designed to accommodate not only equipment for the applicant's use, but also for the collocation for at least one additional wireless communications provider for every 30' of height proposed. The Town Council may reduce the required shared capacity, if a facility necessary to provide for such collocation, adversely alters the area's visual character."
3. Per Part 8, Section 802, Item 12 of the Planning & Zoning Ordinance it states: "Camp Verde Fire Department and Camp Verde Marshal's Office shall have access to the exterior and interior via keys or other method in case of emergency."
4. Per Part 8, Section 810 (Reclamation Plan) the applicant will be required to make all Reclamation Plan Submittals to the Community Development Department with the building permit plans after the Use Permit has been approved. The Community

Development Department will review the Reclamation Plan Submittal and once approved the Department will set up a one-time Financial Assurance amount to be prorated over 20 years. Staff is requesting that the Town Council allow for a one-time Financial Assurance to be determined by the staff and established prior to the Building Permit being issued for the Tower structure.

#### **Staff Presentation**

Community Development Director Jenkins reviewed in detail the purpose and intent of the Town Ordinance under Part Eight that sets forth the Wireless Communication Facility requirements. Those requirements address protecting the public health, safety, welfare and citizens' properties, the authority of the Telecommunications Act of 1996, height restrictions, location of the facility, and concealed sites. Staff has reviewed the applicant's submittal package, the intent of which is to provide residential service to the subject area, as well as providing coverage along a portion of I-17, a one-half mile to the East. Displaying maps and drawings, Jenkins noted that the site promulgation maps provided by the applicant illustrated the effects of coverage with and without the proposed wireless tower.

Jenkins outlined staff's thorough evaluation of other possible locations, including the Town Street Yard. The resulting analysis of staff is that it would appear that, based on engineering provided by AT&T and practical purposes, the proposed tower placement is in the best location for the most effective coverage. That would therefore require fewer towers, which is the intent of the Ordinance. Jenkins also displayed an example of a mono-pole, or stealth-type tower.

#### **Applicant's Statement**

Adam Brixius, agent for AT&T Mobility, gave a Power Point presentation on the proposed placement of the wireless tower, explaining that they have been working on the site for five months, why it was chosen, and keeping the Community Development Department up to date on the research, including visits by AT&T. He displayed examples of the types of stealth towers, noting that effort is made to try to match the trees that are in the area. Mr. Brixius said that their facility can also be used by other providers, and commented on the need for wireless capability, including 911 calls. He displayed maps and charts showing that the proposed site and height of the tower would provide the most effective coverage. As for the request for the Use Permit in perpetuity, Mr. Brixius said it was understood that if at any time the facility would be out of compliance, the Use Permit could be immediately voided.

#### **Commission Discussion**

In response to a question, Jenkins explained that permission for other carriers to also use the facility would be granted through administrative review pursuant to Town Code. There was some concern expressed regarding assurance that some kind of camouflage for the tower will be required as a condition of approval. Hough pointed out a possible discrepancy on the land use application; the word "owner" should be replaced by "agent." Gordon addressed the letter from Sharon Lara regarding the issue of cancer, and cited an American Cancer Society article that basically states that most scientists agree that cell phone towers are unlikely to cause cancer.

Norton said he wanted to note that at the neighborhood meeting two people showed up; one was a reporter and the other was the son of the landowner who was in support of the project.

Prior to the Commission taking action, Jenkins said that staff has requested that any motion include a provision to allow staff to calculate a one-time financial assurance amount for the reclamation of the site, prorated over a 20-year period. There was no further discussion.

8. **Call to the Public for Items not on the Agenda**  
There was no public input.
9. **Commission Informational Reports:**  
There were no Commission informational reports.
10. **Staff**  
There was no staff report.

11. **Adjournment**

On a motion by Hough, seconded by Gordon, the meeting was adjourned 7:24 p.m.

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Chip Norton, Chairman

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Planning & Zoning

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Special Session of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 7<sup>th</sup> day of February 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Margaret Harper, Recording Secretary

# YA73

Camp Verde, AZ

Use Permit / Parcel # 403-19-013v

Wireless Communication Facility

Clear Blue Services / Bechtel / AT&T

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## Draft Lease

## Letter of Intent – YA73

**REQUEST:** Wireless Facility Use Permit

**PROPOSAL:** Wireless Communications Facility – 90' Monopine

**LOCATION:** 1488 W. Horseshoe Bend Camp Verde, AZ 86322

**SIZE:** 24' x 30' Lease Area and 90' Monopine.

**APPLICANT:** Clear Blue Services, 11011 South 48<sup>th</sup> Street, Phoenix, AZ 85044 Suite 210

**CONTACT PERSON :** Adam Brixius, Phone: 602-426-9500, Email: [adambrixius@clearblueservices.com](mailto:adambrixius@clearblueservices.com)

### PURPOSE OF REQUEST

This Wireless Facility Use Permit application is intended to provide wireless services, as required by AT&T mobility's FCC license. This site has been designed to improve gaps for AT&T service in the area. AT&T strives to serve its subscribers while working with each jurisdiction to meet the local site design needs and requirements as well as provide collocation opportunities when practical to reduce unnecessary visual impacts.

### DESCRIPTION OF PROPOSAL

AT&T Mobility is proposing the installation of a wireless communication facility (WCF) at 1488 W. Horseshoe Bend Camp Verde, AZ 86322. The facility will consist of a 90' tower disguised as a pine tree (monopine), inside a 24' x 30' area surrounded by an 8' high block wall textured and painted to match existing structures. The WCF site is located on the northern end of the property. The location and design of the WCF are intended to be the least obtrusive to the neighborhood while still providing the needed coverage. The tower is setback 32'-7" from the north property line, 219'-6" to the east property line, 573'-6" to the south, and 220'-10" to the west.

The tower will be designed to accommodate other wireless carriers for collocation on the monopine; however, no other wireless carriers are a part of this application.

### RELATIONSHIP TO SURROUNDING PROPERTIES

The subject parcel has an RCU-2A zoning designation with an approved Use Permit. The Use Permit for Rancho Verde RV Park was approved September 24, 1997, resolution No. PZ 97-07. The property's current use is a RV Park. The surrounding properties to the north, south, and east have zoning designations of RCU-2A and PUD to the west.

Concurrent with this application is an application to replace the existing Use Permit for the RV Park with a Use Permit that can allow for the WCF use in addition to the RV park. It is understood that the new RV Park Use Permit is a prerequisite for the WCF Use Permit

## **LOCATION AND ACCESSIBILITY/CIRCULATION SYSTEM**

Ingress and egress will be from West Horseshoe Bend Drive road on the south western portion of the parcel. There is a concrete driveway with direct access to the proposed wireless communications facility. Except for sporadic maintenance and service visits the proposed site will be unmanned with no regular hours of operation or impact to existing traffic patterns. The lease area has sufficient technician parking space shown on the site plan.

## **PROVIDERS COMMUNICATION PLAN**

AT&T is proposing a stealth monopine with collocation abilities in order to meet the needs in the area. Appendix Pg.1, shows AT&T's current and proposed towers extending more than five miles beyond the town border. YA73 supports the needs of AT&T and accommodates other carriers if they need to collocate on the monopine. This proposed tower is a 2013 build project. Appendix Pg. 2 and 3, shows the current coverage today and the coverage with the proposed 90' monopine.

AT&T's intention is to avoid proliferation of such facilities; this specific site is chosen to mitigate the number of sites needed to fill gaps in the AT&T network. It's likely that without this location, two to four sites would be required to meet the same need. AT&T is using the best and most recent technology available to keep their designs low profile and environmentally compatible with their surroundings. (Pg.7 of site plan for equipment detail)

## **HOURS OF OPERATION**

The proposed site will operate 24 hours a day, seven days a week and is unmanned with no personnel onsite except during periodic servicing and maintenance. The site will be connected to and monitored by a central switching center.

## **DEVELOPMENT PHASING**

A typical site of this nature has a four to six week construction schedule.

## **COMMUNITY FACILITIES/PUBLIC UTILITIES AND SERVICES**

The site will be served by a single meter 200 amp service; APS will be the service provider. Centurylink will provide service for the coax. All necessary telco and electrical services will be run underground in existing and proposed utility easements. The site does not require any potable water and does not generate any wastewater or solid waste.

## **NOISE, LIGHT, NUISANCES, AND OTHER ENVIRONMENTAL CONSIDERATIONS**

The proposed wireless communication facility will not use any water or generate any wastewater or solid waste. Tech lighting with full cut off fixtures on a four hour timer will be on site for maintenance and will be used during periodic servicing. The proposed facility will not generate any noxious odors. Sounds and vibrations are limited to small cooling fans within the equipment cabinets, within the equipment enclosure.

## **NEIGHBORHOOD IMPACT**

The proposed facility's impact on the surrounding neighborhood will be minimal. The facility is adjacent to RCU-2A residential. The stealth design of the monopine helps minimize the impact of facility.



## Exemptions being requested:

### Camp Verde Planning & Zoning Ordinances and Subdivision Regulations

- Item 1:** Height: Section 809, the maximum height of 40' (30' in an RCU-2a District, plus 10' for a wireless tower) is being exceeded. A 90' disguised tower is being requested in order to provide the most coverage possible with a single new verticality in the Camp Verde. This height is necessary to transmit its signal over existing trees, structures, and geographical obstacles to the widest array of dead zones (no or low coverage areas).
- Item 2:** Setbacks: All setbacks are met except at the north property line. Section 802, Item 7b calls for 100% tower height to equal the minimum setback. The north property line has a 32'-7" setback; the setback requirement is being mitigated by a fall zone letter, signed and sealed by a State of Arizona registered structural engineer. The fall zone has been calculated at more than 160% of the proposed setback from the north property line. (Appendix Pg. 8.)
- Item 3:** Section 802, Item 7c says wireless towers must be 5,000' feet from residential. To provide adequate coverage and signal strength in rural areas of cities, towns, and counties wireless communication facilities must be strategically located to provide continuous and reliable service. AT&T has an obligation not only to its subscribers but also every person who owns a wireless device. AT&T is required by the Federal Corporation Commission enhanced 9-1-1 (E9-1-1) rules seek to improve the effectiveness and reliability of wireless 9-1-1 services by providing 9-1-1 dispatchers with additional information on wireless 9-1-1 calls. The FCC's wireless E9-1-1 rules apply to all wireless licensees, Appendix Pg. 9 and 10, broadband Personal Communications Service (PCS) licensees, and certain Specialized Mobile Radio (SMR) licensees. Appendix Pg. 11, within a four-mile radius of the Rancho Verde RV Park, only one other tower exists. The tower is owned by the Camp Verde Fire Department. Collocate on that tower is not possible, nor would it meet the needs of the areas lacking coverage. (Appendix Pg. 12.)
- Item 4:** Section 802, Item 10a, states all other locations must be exhausted before locating in a residential zone. Cell tower locations are the result of a cell phone carrier working with their internal engineering staff to satisfy specific needs that company has in certain locations throughout the country. The Radio Frequency Engineering or RF Engineering, for short must act in concert with its company's site development and construction staff to optimize any cell tower site development and related construction projects it may have scheduled. Cell towers are built to eliminate the locations in which cell phone companies' services are lacking also known as the hated "Dead Spot." RF Engineers determine where there are high rates of service interruption because of either interference or cell phone signal issues and a new cell tower will be selected and developed to eliminate

these dead areas. ("Cell Tower Development-How Are Cell Tower Locations Selected?". 2012). Appendix Pg. 13 shows the RF Engineering calculated area that could satisfy multiple dead spots. The entire area was evaluated and two other locations were identified as being potential uses by the field team. These candidates, along with the current proposed location, were evaluated by ATT's RF Engineering but the two listed below were determined to be not adequate:

- 1472 W. Horseshoe Bend Drive Camp Verde, AZ 86322
- Camp Verde Water System - Stan Bullard - Camp Verde, AZ 86322

These search ring areas are very small and very specific to the region. Determination factors include topography, population centers, existing AT&T sites, and environmental factors. This majority of this region in Camp Verde is residential use, with the exception of commercial districts approximately ½ mile outside the ring of interest. The commercial districts are also surrounded and adjacent to residential land use. There are no municipally owned sites or existing wireless facilities that meet the needs of AT&T.

The Commercial and Industrial district has also been evaluated and coverage possibility plotted by ATT engineering. Based on the propagation plots the commercial zone, which was plotted both at its center and farthest northeastern zone, and lies closest to the current proposal, fails to provide enough coverage in the north part of Camp Verde. This is a significant target area around the primary candidate YA73-A. These commercial locations also provide substantial overlapping coverage to existing site in the south (YA41A), which could cause interference issues resulting in poor coverage to existing served areas. Unfortunately, the commercial zoned properties cannot be used to provide the needed coverage. (See attached maps)

## **Reference Page**

Federal Communications Commission. (2012). Retrieved from  
<http://transition.fcc.gov/pshs/services/911-services/enhanced911/psapregistry.html>

Cell Tower Development-How Are Cell Tower Locations Selected?. (2012). Retrieved from  
<http://www.vertical-consultants.com/landowners/cell-tower-development-how-are-cell-tower-locations-selected/>

**ALTERNATIVE  
SITE  
ANALYSIS**

# AT&T Site YA73

## Alternatives Site Analysis

### **Performance Criteria**

According to Camp Verde Zoning Ordinance Section 806(2) preferences for Wireless Communications Facilities (WCF) is from most preferred (a) to least (h). This WCF meets a (a) rating by being a concealed site.

### **Site Justification**

The area identified by AT&T network engineers as being suitable to fill significant gaps in coverage for Site YA73 was limited to a ring less than one half mile in diameter (see attached search ring map). Limitations of the search ring are due to the goal of filling existing network gaps as shown in Appendix pg. 2 and 3. The selected location is on the outside edge of the search ring area. The proposed location was selected with the intent that it would be the least obtrusive location within the search ring while still meeting the coverage requirements of AT&T.

### **Alternative Site Locations**

An existing wireless tower exists on a property owned by the Camp Verde Fire Department approximately 3.7 miles from the proposed site. Whenever possible AT&T explores opportunities to collocate on existing towers; however collocation on this existing tower would not fill in the gaps in coverage that exist in AT&T's current network. In addition to the Fire Department site and the proposed site, four other alternative sites were reviewed by AT&T RF engineers. These sites are shown on the attached Alternative Site Analysis map and described below:

Alt B – WHR Properties: Site is an acceptable alternative to the selected site, however there are no characteristics about this site that would make it preferred therefore the selection was based on an evaluation of site development constraints.

Alt C – Water Tank: Analysis revealed site could not be considered due to its distance and inability to cover the target area

Alt D – Commercial district: Location fails to provide enough coverage in the north part of Camp Verde which is also a target area. The location also provides substantial overlapping coverage to the AT&T site in the South (YA41A)

Alt E – Industrial district: Location fails to provide enough coverage in the north part of Camp Verde which is also a target area. The location also provides substantial overlapping coverage to the AT&T site in the South (YA41A)

Therefore, after consideration of all alternatives the proposal of a new disguised tower in the proposed location is the best option.

YA73 Alternative Site Analysis Map



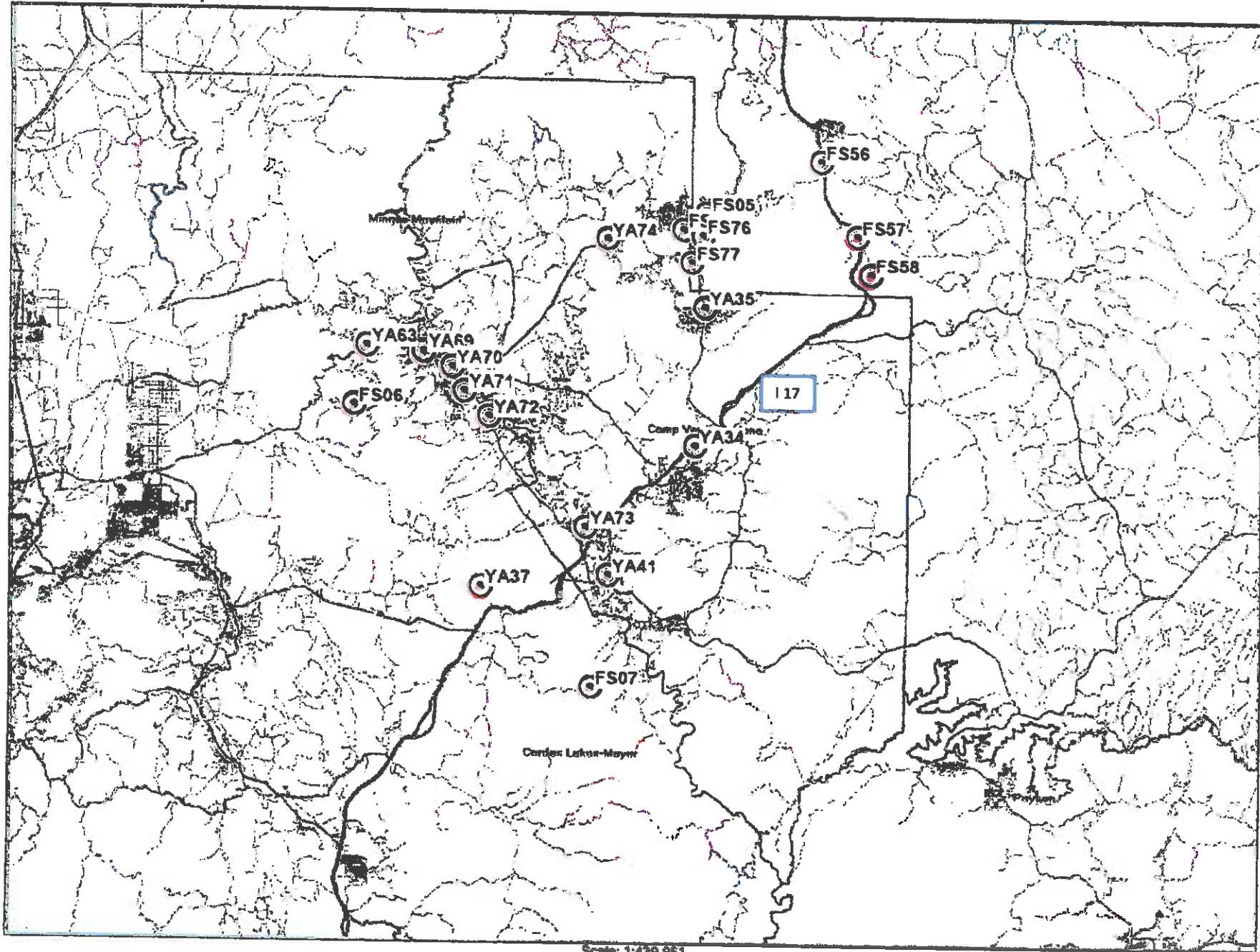


# Appendix

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RF frequency propagation maps	2,3
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Fall Zone Letter	8
Federal Communication Commission license	9,10
Federal Communication Commission (E 9-1-1)	11
Surrounding Tower Locations	12
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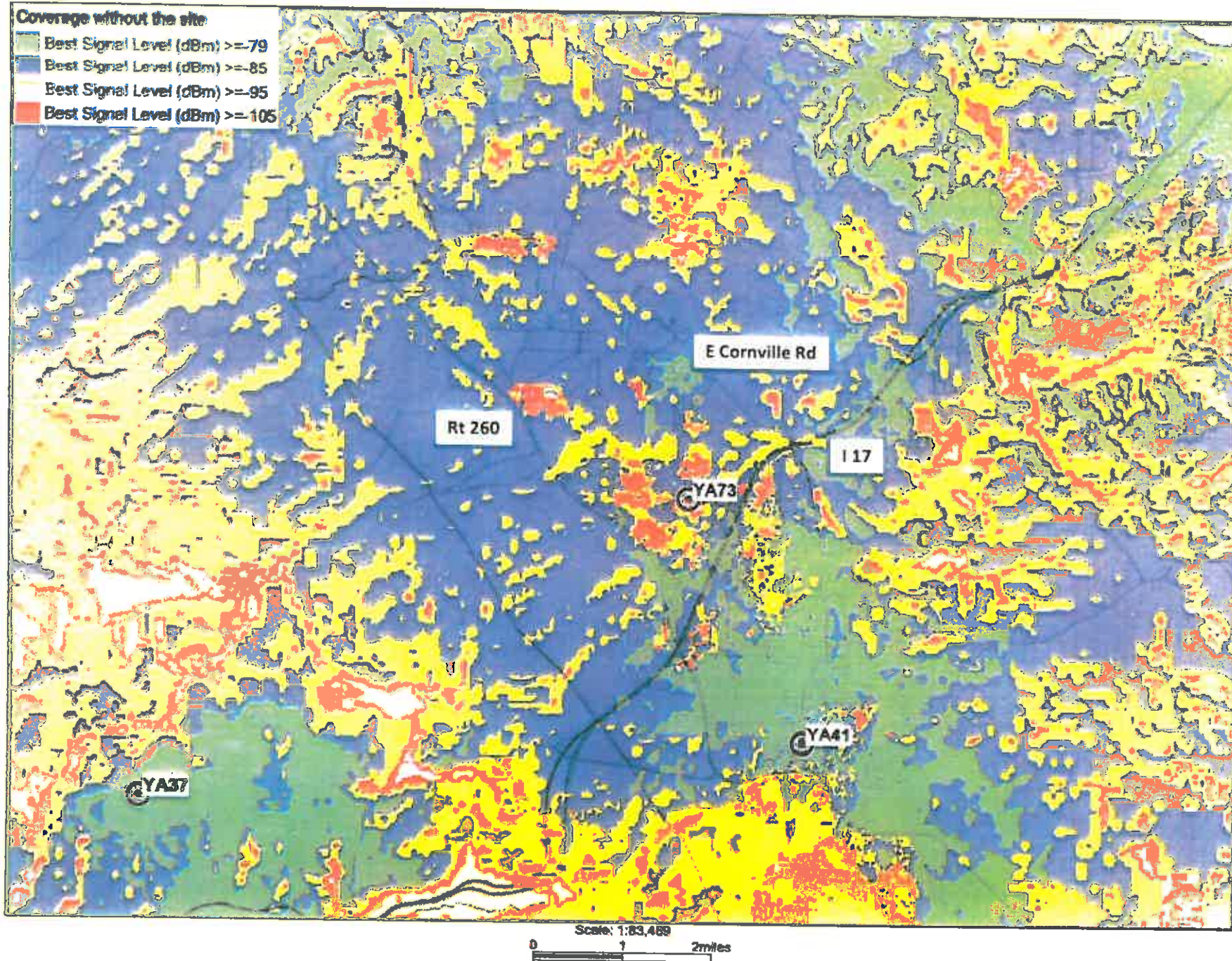
AT&T locations Camp Verde



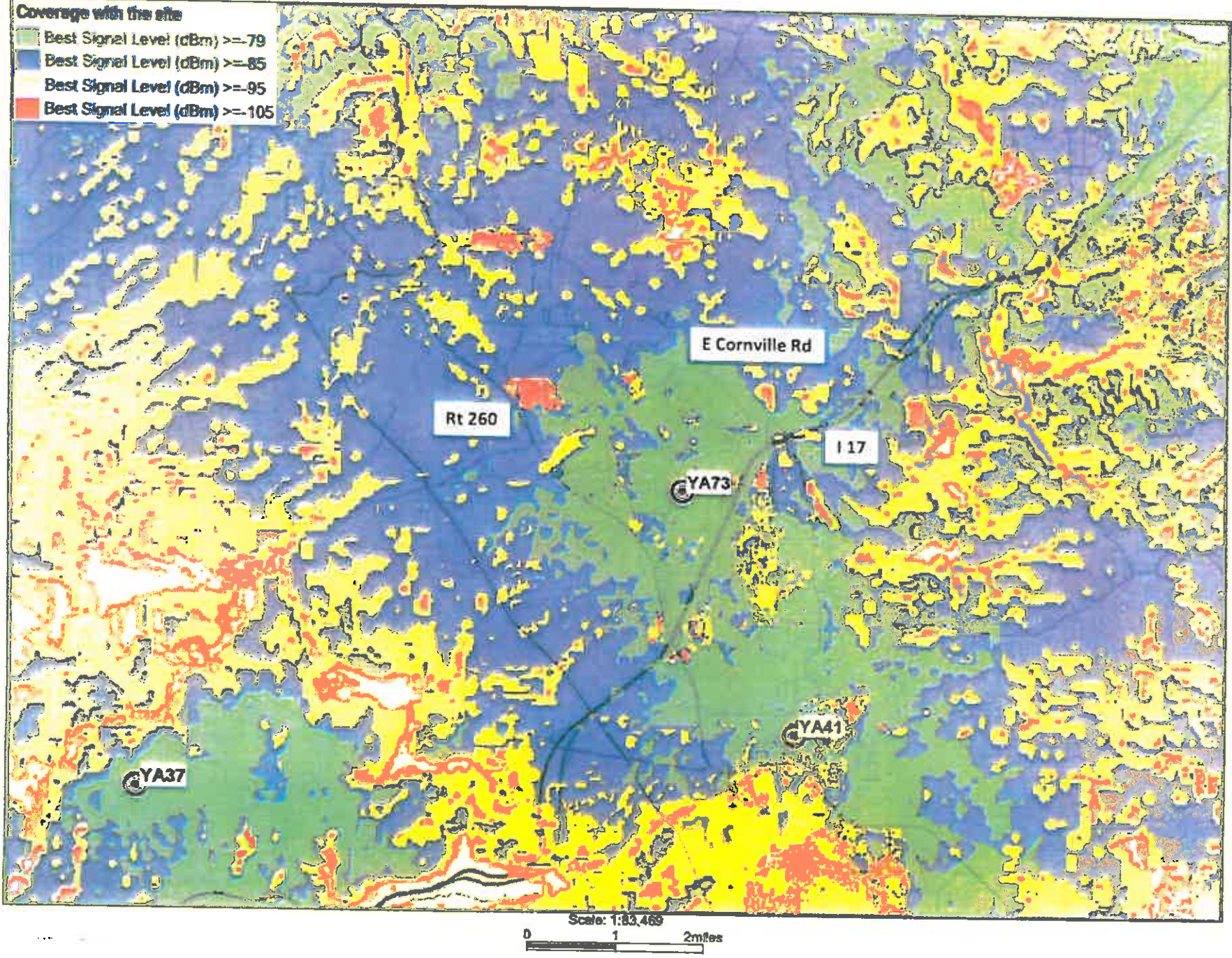
Scale: 1:439,951

0 5 10 miles

# Coverage without Site



# Coverage with Site



3

# YA73 - EAST LOOKING WEST



EXISTING VIEW



Clear Blue

Services

11011 S. 48TH ST, STE 210  
PHOENIX, AZ 85044 602-426-9500

EAST LOOKING WEST

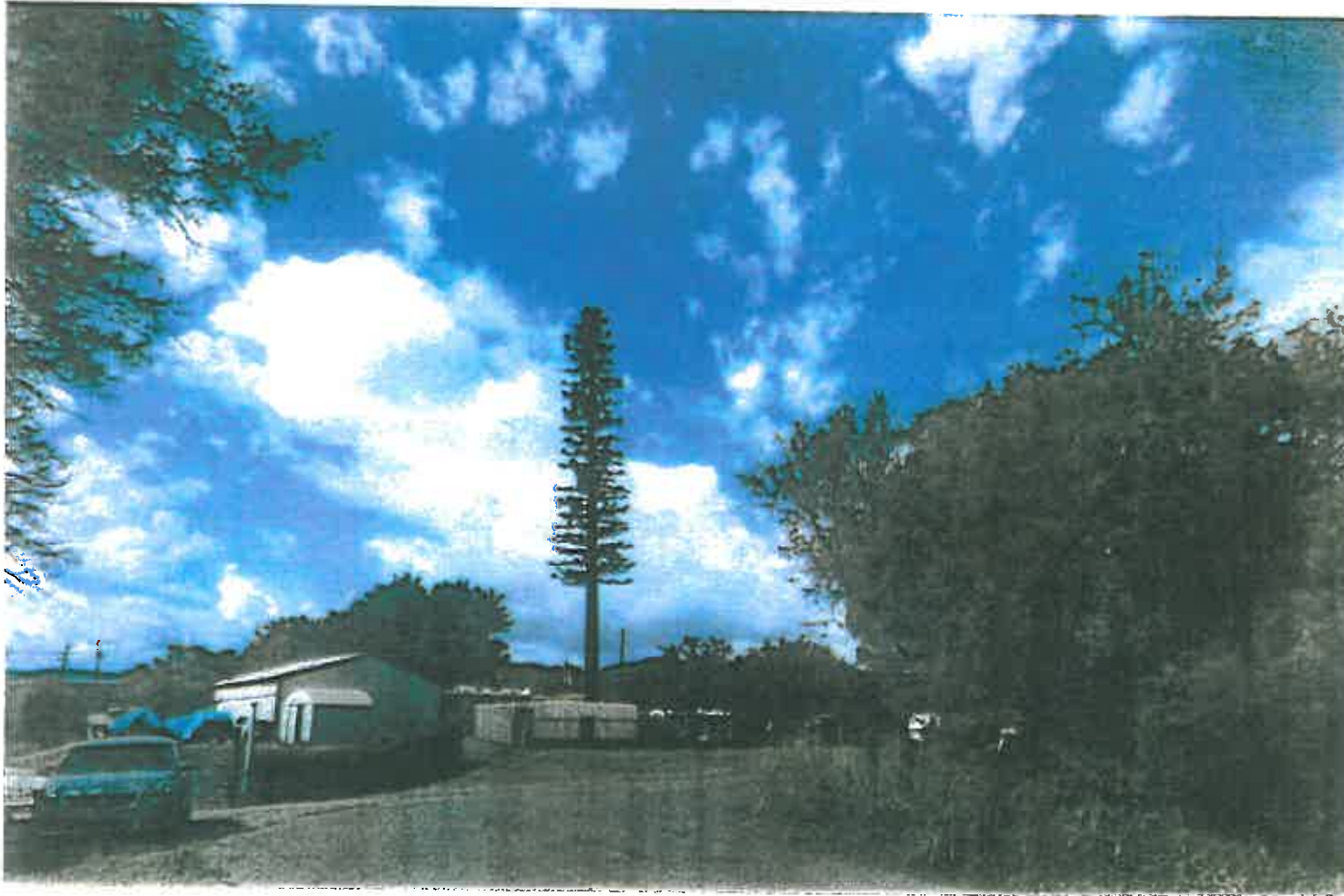
PREPARED BY:  
CLEAR BLUE SERVICES

08/06/12

# YA73 - EAST LOOKING WEST



PROPOSED VIEW



Clear Blue

5777 N. CENTRAL

11011 S. 48TH ST., STE# 210  
PHOENIX, AZ 85044 602-426-9500

EAST LOOKING WEST

PREPARED BY:  
CLEAR BLUE SERVICES

09/08/12

# YA73 - WEST LOOKING EAST



EXISTING VIEW



Clear Blue

Services

11011 S. 48TH ST. STE# 210  
PHOENIX, AZ 85044 602-426-9500

WEST LOOKING EAST

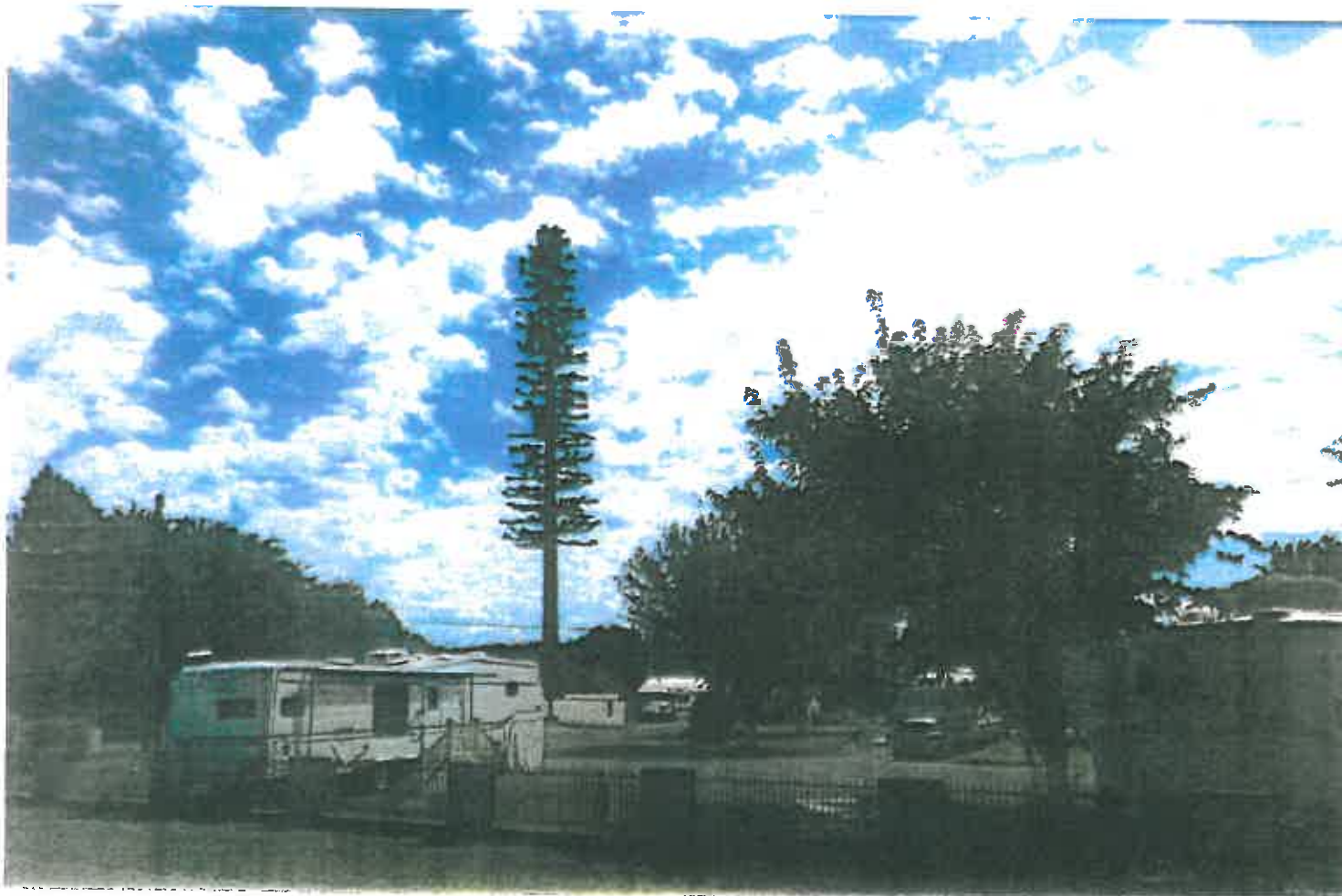
PREPARED BY:  
CLEAR BLUE SERVICES

09/08/12

# YA73 - WEST LOOKING EAST



PROPOSED VIEW



Clear Blue

Service

11011 S. 40TH ST., STE# 210  
PHOENIX, AZ 85044 602-428-9500

WEST LOOKING EAST

PREPARED BY:  
CLEAR BLUE SERVICES

09/08/12

**ISE, Incorporated**  
**Structural Engineers**

**Telecommunications & Industrial Design**

3470 W. Jasper Drive • Chandler, Arizona • 85226 • Office: (602) 403-8614 • Fax: (623) 321-1283 • www.ISE-INC.biz

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August 15, 2012

Mr. Tom Feddersen  
Larson Camouflage  
1501 S. Euclid Avenue  
Tucson, AZ 85713

Subject: Monopole Fall Zone Design  
Site YA73

Mr. Feddersen,

The Mono-Pine structure propose for the subject site will be designed for a "fall zone" radius limited to 20'. This design characteristic assures that, in the highly unlikely event of a pole failure, the failure will occur at an elevation that is 20' below the top of pole.

The pole design is/will be prepared such that the top pole section has a design capacity usage of approximately 98% at the maximum design load condition. The remaining pole sections, base plate, and anchor bolts are designed at 90% or less of available capacity. This design process forces an unlikely "failure" to occur in the top pole section before any other pole sections. Furthermore, failure and separation of the upper pole section will relieve load on the remaining tower sections ensuring survival.

Be advised that pole failure is an unlikely event and the pole design provided for this site will satisfy the requested fall radius specification.

If there are any questions regarding this issue, please feel free to give me a call.

Sincerely,



Glen L. Hunt III, MS, PE  
Principal Engineer





REFERENCE COPY

This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.



**Federal Communications Commission**

**Wireless Telecommunications Bureau**

**RADIO STATION AUTHORIZATION**

LICENSEE: NEW CINGULAR WIRELESS PCS, LLC

ATTN: FCC GROUP  
 NEW CINGULAR WIRELESS PCS, LLC  
 5601 LEGACY DRIVE, MS: A-3  
 PLANO, TX 75024

Call Sign KNLF253	File Number
Radio Service CW - PCS Broadband	

FCC Registration Number (FRN): 0003291192

Grant Date 07-07-2005	Effective Date 09-27-2005	Expiration Date 06-23-2015	Print Date
Market Number MTA027	Channel Block A	Sub-Market Designator 5	
Market Name Phoenix			
1st Build-out Date 06-23-2000	2nd Build-out Date 06-23-2005	3rd Build-out Date	4th Build-out Date

**Waivers/Conditions:**

This license is conditioned upon compliance with the provisions of Applications of AT&T Wireless Services, Inc. and Cingular Wireless Corporation For Consent to Transfer Control of Licenses and Authorizations, Memorandum Opinion and Order, FCC 04-255 (rel. Oct. 26, 2004).

Commission approval of this application and the licenses contained therein are subject to the conditions set forth in the Memorandum Opinion and Order, adopted on December 29, 2006 and released on March 26, 2007, and revised in the Order on Reconsideration, adopted and released on March 26, 2007. See AT&T Inc. and BellSouth Corporation Application for Transfer of Control, WC Docket No. 06-74, Memorandum Opinion and Order, FCC 06-189 (rel. Mar. 26, 2007); AT&T Inc. and BellSouth Corporation, WC Docket No. 06-74, Order on Reconsideration, FCC 07-44 (rel. Mar. 26, 2007).

**Conditions:**

Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

To view the geographic areas associated with the license, go to the Universal Licensing System (ULS) homepage at <http://wireless.fcc.gov/uls> and select "License Search". Follow the instructions on how to search for license information.

ULS License

**PCS Broadband License - KNLF253 - New Cingular Wireless PCS, LLC**

**PA** This license has pending applications: 0004016361

Call Sign	KNLF253	Radio Service	CW - PCS Broadband
Status	Active	Auth Type	Regular
<b>Market</b>			
Market	MTA027 - Phoenix	Channel Block	A
Submarket	5	Associated Frequencies (MHz)	001850.00000000-001865.00000000 001930.00000000-001945.00000000

**Dates**

Grant	07/07/2005	Expiration	06/23/2015
Effective	09/27/2005	Cancellation	

**Bulldout Deadlines**

1st	06/23/2000	2nd	06/23/2005
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**Notification Dates**

1st	06/19/2000	2nd	02/09/2005
-----	------------	-----	------------

**Licensee**

FRN	0003291192	Type	Corporation
<b>Licensee</b>		<b>Licensee</b>	
New Cingular Wireless PCS, LLC 5601 LEGACY DRIVE, MS: A-3 PLANO, TX 75024 ATTN FCC GROUP		P:(469)229-7422 F:(469)229-7297 E:KELLYE.E.ABERNATHY@CINGULAR.COM	

**Contact**

Cingular Wireless LLC Kelye E Abernathy Esq 5601 LEGACY DRIVE, MS: A-3 PLANO, TX 75024	P:(469)229-7422 F:(469)229-7297 E:KELLYE.E.ABERNATHY@CINGULAR.COM
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**Ownership and Qualifications**

Radio Service Type	Mobile		
Regulatory Status	Common Carrier	Interconnected	Yes

**Alien Ownership**

The Applicant answered "No" to each of the Alien Ownership questions.

**Basic Qualifications**

The Applicant answered "No" to each of the Basic Qualification questions.

**Tribal Land Bidding Credits**

This license did not have tribal land bidding credits.

**Demographics**

Race		
Ethnicity		Gender



## Public Safety and Answering Points in Camp Verde, AZ

### Public Safety and Homeland Security Bureau

FCC > PSHSB > Services > 9-1-1 Services > Enhanced 9-1-1 > Enhanced 9-1-1 - Wireless Services

#### Enhanced 9-1-1 - Wireless Services

The FCC's wireless Enhanced 9-1-1 (E9-1-1) rules seek to improve the effectiveness and reliability of wireless 9-1-1 services by providing 9-1-1 dispatchers with additional information on wireless 9-1-1 calls. The FCC's wireless E9-1-1 rules apply to all wireless licensees, broadband Personal Communications Service (PCS) licensees, and certain Specialized Mobile Radio (SMR) licensees.

The FCC has divided its wireless E9-1-1 program into two parts - Phase I and Phase II. Under Phase I, the FCC requires carriers, within six months of a valid request by a local Public Safety Answering Point (PSAP), to provide the PSAP with the telephone number of the originator of a wireless 9-1-1 call and the location of the cell site or base station transmitting the call.

Under Phase II, the FCC requires wireless carriers, within six months of a valid request by a PSAP, to begin providing information that is more precise to PSAPs, specifically, the latitude and longitude of the caller. This information must meet FCC accuracy standards, generally to within 50 to 300 meters, depending on the type of technology used. The deployment of E9-1-1 requires the development of new technologies and upgrades to local 9-1-1 PSAPs, as well as coordination among public safety agencies, wireless carriers, technology vendors, equipment manufacturers, and local wireline carriers.

#### PSAP Registry

The FCC maintains a [Master PSAP Registry](#) with information on PSAP names and locations.

#### Waivers and Reports

In its orders, the FCC has addressed requests for waivers of the Phase II rules, granting some subject to certain conditions and reporting requirements. For information on the Phase II deployment by large and mid-size carriers, see the most recent [quarterly report](#).

### Public Safety and Homeland Security Bureau

FCC > PSHSB > Services > 9-1-1 Services > Enhanced 9-1-1 > PSAP Registry

#### PSAP Registry

In December 2003, the FCC began collecting data to build a registry of public safety answering points (PSAPs). A primary PSAP is defined as a PSAP to which 9-1-1 calls are routed directly from the 9-1-1 Control Office, such as, a selective router or 9-1-1 tandem. A secondary PSAP is defined as a PSAP to which 9-1-1 calls are transferred from a primary PSAP. The PSAP database serves as a tool to aid the Commission in evaluating the state of PSAP readiness and E9-1-1 deployment.

The Registry lists PSAPs by an FCC assigned identification number, PSAP Name, State, County, City, and provides information on any type of record change and the reason for updating the record. The Commission updates the Registry periodically as it receives additional information. For further information concerning the FCC's Master PSAP Registry and carrier reporting requirements, or to notify the

Commission of changes to the PSAP Registry, contact Jeannie Benfaida at [Jeannie.Benfaida@fcc.gov](mailto:Jeannie.Benfaida@fcc.gov) and at 202-418-2313.

[FCC Master PSAP Registry File \(xls\)](#)

Last updated: August 28, 2012

Public Safety Answering points in Camp Verde, AZ:

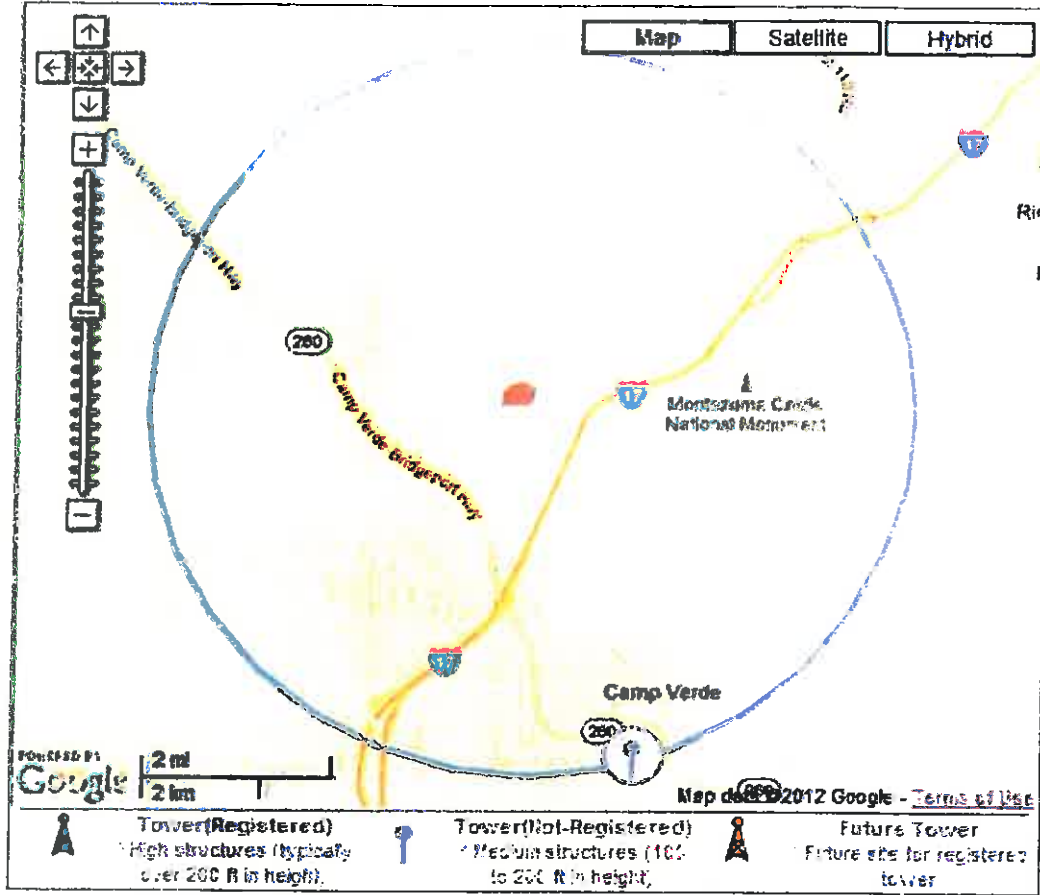
405	Bia-law Enforcement Services-Yavapai	AZ	Yavapai	Camp Verde	NC
408	Camp Verde Marshals Office	AZ	Yavapai	Camp Verde	NC

Reference:

Federal Communications Commission . (2012). Retrieved from <http://transition.fcc.gov/pshs/services/911-services/enhanced911/psapregistry.html>

# Surrounding Tower Locations

- Tower Structures - (1488 W Horseshoe Bend Dr, Camp Verde, AZ 86322)



## Tower Search Results

- Alert!** One Tower (Not Registered), found within 4.00 miles of 1488 W Horseshoe Bend Dr, Camp Verde, AZ 86322.
- Info!** The NEAREST Tower is 3.61 miles away and is owned by Camp Verde Fire Department.
- Ok!** No Applications for Future Towers detected as of 09/15/12.

Tower Type	Count	Owner	Height	Distance
Registered	(No Towers Detected)			
Not Registered	(1)	Camp Verde Fire Department	45 feet	3.61 miles
Future	(No Towers Detected)			





AT&T  
20830 N. Tatum Blvd.  
Suite 400  
Phoenix, AZ 85050

August 1, 2012

RE: "ATT Wireless Communications Facility – YA73 1488 W. Horseshoe Bend Dr. Camp Verde, AZ 86322

Dear Camp Verde:

With regard to the AT&T Wireless communication facility YA73; this site will operate within all regulations specified by the Federal Communications Commission.

Additionally, all FCC required RF safety signage will be posted at the facility.

If I may be of further assistance, please contact me.

Sincerely,

Robert Hammersmark  
AT&T Market RF Safety Engineer  
Arizona/New Mexico  
(602) 625-2372

**DRAFT**

**LEASE**

Market: AZ/NM  
Cell Site Number: PHNXAZYA73  
Cell Site Name: Rancho Verde  
FA Number: 10567340

## LAND LEASE AGREEMENT

THIS LAND LEASE AGREEMENT ("**Agreement**"), dated as of the latter of the signature dates below (the "**Effective Date**"), is entered into by George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust, under Agreement dated September 21, 1987, having a mailing address of 1488 W. Horseshoe bend Dr, Camp Verde, AZ 86322 ("**Landlord**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004 ("**Tenant**").

### BACKGROUND

Landlord owns or controls that certain plot, parcel or tract of land, as described on **Exhibit 1**, together with all rights and privileges arising in connection therewith, located at 1488 W. Horseshoe bend Dr, Camp Verde, AZ 86322, in the County of Yavapai, State of Arizona (collectively, the "**Property**"). Tenant desires to use a portion of the Property in connection with its federally licensed communications business. Landlord desires to grant to Tenant the right to use a portion of the Property in accordance with this Agreement.

The parties agree as follows:

1. **LEASE OF PREMISES.** Landlord hereby leases to Tenant a certain portion of the Property containing approximately six hundred (600) square feet including the air space above such ground space, as described on attached **Exhibit 1** (the "**Premises**") for the placement of Tenant's Communication Facility.
2. **PERMITTED USE.** Tenant may use the Premises for the transmission and reception of communications signals and the installation, construction, maintenance, operation, repair, replacement and upgrade of its communications fixtures and related equipment, cables, accessories and improvements, which may include a suitable support structure, associated antennas, equipment shelters or cabinets and fencing and any other items necessary to the successful and secure use of the Premises (collectively, the "**Communication Facility**"), as well as the right to test, survey and review title on the Property; Tenant further has the right but not the obligation to add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including, but not limited to, emergency 911 communication services, at no additional cost to Tenant or Landlord (collectively, the "**Permitted Use**"). Landlord and Tenant agree that any portion of the Communication Facility that may be conceptually described on **Exhibit 1** will not be deemed to limit Tenant's Permitted Use. If **Exhibit 1** includes drawings of the initial installation of the Communication Facility, Landlord's execution of this Agreement will signify Landlord's approval of **Exhibit 1**. For a period of ninety (90) days following the start of construction, Landlord grants Tenant, its subtenants, licensees and sublicensees, the right to use such portions of Landlord's contiguous, adjoining or surrounding property (the "**Surrounding Property**") as may reasonably be required during construction and installation of the Communications Facility. Tenant has the right to install and operate transmission cables from the equipment shelter or cabinet to the antennas, electric lines from the main feed to the equipment shelter or cabinet and communication lines from the Property's main entry point to the equipment shelter or cabinet, and to make other improvements, alterations, upgrades or additions appropriate for Tenant's Permitted Use including the right to construct a fence around the Premises and undertake any other appropriate means to secure the Premises at Tenant's expense. Tenant has the right to modify, supplement, replace, upgrade, expand the equipment, increase the number of antennas or relocate the Communication Facility within the Premises at any time during the term of this Agreement. Tenant will be allowed to make such alterations to the Property in order to ensure that Tenant's Communication Facility complies with all



applicable federal, state or local laws, rules or regulations. In the event Tenant desires to modify or upgrade the Communication Facility, in a manner that requires an additional portion of the Property (the "Additional Premises") for such modification or upgrade, Landlord agrees to lease to Tenant the Additional Premises, upon the same terms and conditions set forth herein, except that the Rent shall increase, in conjunction with the lease of the Additional Premises by the amount equivalent to the then-current per square foot rental rate charged by Landlord to Tenant times the square footage of the Additional Premises. Landlord agrees to take such actions and enter into and deliver to Tenant such documents as Tenant reasonably requests in order to effect and memorialize the lease of the Additional Premises to Tenant.

3. **TERM.**

(a) The initial lease term will be five (5) years ("**Initial Term**"), commencing on the Effective Date. The Initial Term will terminate on the fifth (5<sup>th</sup>) anniversary of the Effective Date.

(b) This Agreement will automatically renew for four (4) additional five (5) year term(s) (each five (5) year term shall be defined as an "**Extension Term**"), upon the same terms and conditions unless Tenant notifies Landlord in writing of Tenant's intention not to renew this Agreement at least sixty (60) days prior to the expiration of the Initial Term or then-existing Extension Term.

(c) Unless (i) Landlord or Tenant notifies the other in writing of its intention to terminate this Agreement at least six (6) months prior to the expiration of the final Extension Term, or (ii) the Agreement is terminated prior to the end of the final Extension Term, then upon the final Extension Term, this Agreement shall continue in force upon the same covenants, terms and conditions for a further term of one (1) year, and for annual terms thereafter ("**Annual Term**") until terminated by either party by giving to the other written notice of its intention to so terminate at least six (6) months prior to the end of any such Annual Term. Monthly rental during such Annual Terms shall be equal to the Rent paid for the last month of the final Extension Term. If Tenant remains in possession of the Premises after the termination of this Agreement then Tenant will be deemed to be occupying the Premises on a month-to-month basis (the "**Holdover Term**"), subject to the terms and conditions of this Agreement.

(d) The Initial Term, any Extension Terms, any Annual Terms and any Holdover Term are collectively referred to as the Term ("**Term**").

4. **RENT.**



5. **APPROVALS.**

(a) Landlord agrees that Tenant's ability to use the Premises is contingent upon the suitability of the Premises and Property for Tenant's Permitted Use and Tenant's ability to obtain and maintain all governmental licenses, permits, approvals or other relief required of or deemed necessary or appropriate by Tenant for its use of the Premises, including without limitation applications for zoning variances, zoning ordinances, amendments, special use permits, and construction permits (collectively, the "**Government Approvals**"). Landlord authorizes Tenant to prepare, execute and file all required applications to obtain Government Approvals for Tenant's

Permitted Use under this Agreement and agrees to reasonably assist Tenant with such applications and with obtaining and maintaining the Government Approvals. In addition, Tenant shall have the right to initiate the ordering and/or scheduling of necessary utilities.

(b) Tenant has the right to obtain a title report or commitment for a leasehold title policy from a title insurance company of its choice and to have the Property surveyed by a surveyor of its choice.

(c) Tenant may also perform and obtain, at Tenant's sole cost and expense, soil borings, percolation tests, engineering procedures, environmental investigation or other tests or reports on, over, and under the Property, necessary to determine if Tenant's use of the Premises will be compatible with Tenant's engineering specifications, system, design, operations or Government Approvals.

6. **TERMINATION.** This Agreement may be terminated, without penalty or further liability, as follows:

(a) by either party on thirty (30) days prior written notice, if the other party remains in default under Section 15 of this Agreement after the applicable cure periods;

(b) by Tenant upon written notice to Landlord, if Tenant is unable to obtain, or maintain, any required approval(s) or the issuance of a license or permit by any agency, board, court or other governmental authority necessary for the construction or operation of the Communication Facility as now or hereafter intended by Tenant; or if Tenant determines, in its sole discretion that the cost of obtaining or retaining the same is commercially unreasonable;

(c) by Tenant, upon written notice to Landlord, if Tenant determines, in its sole discretion, due to the title report results or survey results, that the condition of the Premises is unsatisfactory for its intended uses;

(d) by Tenant upon written notice to Landlord for any reason or no reason, at any time prior to commencement of construction by Tenant; or

(e) by Tenant upon sixty (60) days' prior written notice to Landlord for any reason or no reason, so long as Tenant pays Landlord a termination fee equal to three (3) months' Rent, at the then-current rate, provided, however, that no such termination fee will be payable on account of the termination of this Agreement by Tenant under any termination provision contained in any other Section of this Agreement, including the following: 5 Approvals, 6(a) Termination, 6(b) Termination, 6(c) Termination, 6(d) Termination, 11(d) Environmental, 18 Condemnation or 19 Casualty.

7. **INSURANCE.**

(a) During the Term, Tenant will carry, at its own cost and expense, the following insurance: (i) workers' compensation insurance as required by law; and (ii) commercial general liability (CGL) insurance with respect to its activities on the Property, such insurance to afford protection of up to Three Million Dollars (\$3,000,000) per occurrence and Six Million Dollars (\$6,000,000) general aggregate, based on Insurance Services Office (ISO) Form CG 00 01 or a substitute form providing substantially equivalent coverage. Tenant's CGL insurance shall contain a provision including Landlord as an additional insured. Such additional insured coverage:

(i) shall be limited to bodily injury, property damage or personal and advertising injury caused, in whole or in part, by Tenant, its employees, agents or independent contractors;

(ii) shall not extend to claims for punitive or exemplary damages arising out of the acts or omissions of Landlord, its employees, agents or independent contractors or where such coverage is prohibited by law or to claims arising out of the gross negligence of Landlord, its employees, agents or independent contractors; and

(iii) shall not exceed Tenant's indemnification obligation under this Agreement, if any.

(b) Notwithstanding the foregoing, Tenant shall have the right to self-insure the coverages required in subsection (a). In the event Tenant elects to self-insure its obligation to include Landlord as an additional insured, the following provisions shall apply (in addition to those set forth in subsection (a)):

(i) Landlord shall promptly and no later than thirty (30) days after notice thereof provide Tenant with written notice of any claim, demand, lawsuit, or the like for which it seeks coverage pursuant to this Section and provide Tenant with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like;

(ii) Landlord shall not settle any such claim, demand, lawsuit, or the like without the prior written consent of Tenant; and

(iii) Landlord shall fully cooperate with Tenant in the defense of the claim, demand, lawsuit, or the like.

**8. INTERFERENCE.**

(a) Prior to or concurrent with the execution of this Agreement, Landlord has provided or will provide Tenant with a list of radio frequency user(s) and frequencies use on the Property as of the Effective Date. Tenant warrants that its use of the Premises will not interfere with those existing radio frequency uses on the Property, as long as the existing radio frequency user(s) operate and continue to operate within their respective frequencies and in accordance with all applicable laws and regulations.

(b) Landlord will not grant, after the date of this Agreement, a lease, license or any other right to any third party, if exercise of such grant may in any way adversely affect or interfere with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will notify Tenant in writing prior to granting any third party the right to install and operate communications equipment on the Property.

(c) Landlord will not, nor will Landlord permit its employees, tenants, licensees, invitees, agents or independent contractors to, in interfere in any way with the Communication Facility, the operations of Tenant or the rights of Tenant under this Agreement. Landlord will cause such interference to cease within twenty-four (24) hours after receipt of notice of interference from Tenant. In the event any such interference does not cease within the aforementioned cure period, Landlord shall cease all operations which are suspected of causing interference (except for intermittent testing to determine the cause of such interference) until the interference has been corrected.

(d) For the purposes of this Agreement, "interference" may include, but is not limited to, any use on the Property or Surrounding Property that causes electronic or physical obstruction with, or degradation of, the communications signals from the Communication Facility.

**9. INDEMNIFICATION.**

(a) Tenant agrees to indemnify, defend and hold Landlord harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the installation, use, maintenance, repair or removal of the Communication Facility or Tenant's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of Landlord, its employees, agents or independent contractors.

(b) Landlord agrees to indemnify, defend and hold Tenant harmless from and against any and all injury, loss, damage or liability (or any claims in respect of the foregoing), costs or expenses (including reasonable attorneys' fees and court costs) arising directly from the actions or failure to act of Landlord, its employees or agents, or Landlord's breach of any provision of this Agreement, except to the extent attributable to the negligent or intentional act or omission of Tenant, its employees, agents or independent contractors.

(c) The indemnified party: (i) shall promptly provide the indemnifying party with written notice of any claim, demand, lawsuit, or the like for which it seeks indemnification pursuant to this Section and provide the indemnifying party with copies of any demands, notices, summonses, or legal papers received in connection with such claim, demand, lawsuit, or the like; (ii) shall not settle any such claim, demand, lawsuit, or the like without the prior written consent of the indemnifying party; and (iii) shall fully cooperate with the indemnifying party in the defense of the claim, demand, lawsuit, or the like. A delay in notice shall not relieve the indemnifying party of its indemnity obligation, except (1) to the extent the indemnifying party can show it was prejudiced by the delay; and (2) the indemnifying party shall not be liable for any settlement or litigation expenses incurred before the time when notice is given.

**10. WARRANTIES.**

(a) Tenant and Landlord each acknowledge and represent that it is duly organized, validly existing and in good standing and has the right, power and authority to enter into this Agreement and bind itself hereto through the party set forth as signatory for the party below.

(b) Landlord represents, warrants and agrees that: (i) Landlord solely owns the Property as a legal lot in fee simple, or controls the Property by lease or license; (ii) the Property is not and will not be encumbered by any liens, restrictions, mortgages, covenants, conditions, easements, leases, or any other agreements of record or not of record, which would adversely affect Tenant's Permitted Use and enjoyment of the Premises under this Agreement; (iii) as long as Tenant is not in default then Landlord grants to Tenant sole, actual, quiet and peaceful use, enjoyment and possession of the Premises without hindrance or ejection by any persons lawfully claiming under Landlord ; (iv) Landlord's execution and performance of this Agreement will not violate any laws, ordinances, covenants or the provisions of any mortgage, lease or other agreement binding on Landlord; and (v) if the Property is or becomes encumbered by a deed to secure a debt, mortgage or other security interest, Landlord will provide promptly to Tenant a mutually agreeable subordination, non-disturbance and attornment agreement executed by Landlord and the holder of such security interest.

## 11. ENVIRONMENTAL.

(a) Landlord represents and warrants, except as may be identified in **Exhibit 11** attached to this Agreement, (i) the Property, as of the date of this Agreement, is free of hazardous substances, including asbestos-containing materials and lead paint, and (ii) the Property has never been subject to any contamination or hazardous conditions resulting in any environmental investigation, inquiry or remediation. Landlord and Tenant agree that each will be responsible for compliance with any and all applicable governmental laws, rules, statutes, regulations, codes, ordinances, or principles of common law regulating or imposing standards of liability or standards of conduct with regard to protection of the environment or worker health and safety, as may now or at any time hereafter be in effect, to the extent such apply to that party's activity conducted in or on the Property

(b) Landlord and Tenant agree to hold harmless and indemnify the other from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of the indemnifying party for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any action, notice, claim, order, summons, citation, directive, litigation, investigation or proceeding ("**Claims**"), to the extent arising from that party's breach of its obligations or representations under Section 11(a). Landlord agrees to hold harmless and indemnify Tenant from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of Landlord for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any Claims, to the extent arising from subsurface or other contamination of the Property with hazardous substances prior to the effective date of this Agreement or from such contamination caused by the acts or omissions of Landlord during the Term. Tenant agrees to hold harmless and indemnify Landlord from, and to assume all duties, responsibilities and liabilities at the sole cost and expense of Tenant for, payment of penalties, sanctions, forfeitures, losses, costs or damages, and for responding to any Claims, to the extent arising from hazardous substances brought onto the Property by Tenant.

(c) The indemnifications of this Section 11 specifically include reasonable costs, expenses and fees incurred in connection with any investigation of Property conditions or any clean-up, remediation, removal or restoration work required by any governmental authority. The provisions of this Section 11 will survive the expiration or termination of this Agreement.

(d) In the event Tenant becomes aware of any hazardous materials on the Property, or any environmental, health or safety condition or matter relating to the Property, that, in Tenant's sole determination, renders the condition of the Premises or Property unsuitable for Tenant's use, or if Tenant believes that the leasing or continued leasing of the Premises would expose Tenant to undue risks of liability to a government agency or third party, Tenant will have the right, in addition to any other rights it may have at law or in equity, to terminate this Agreement upon written notice to Landlord.

12. ACCESS. At all times throughout the Term of this Agreement, and at no additional charge to Tenant, Tenant and its employees, agents, and subcontractors, will have twenty-four (24) hour per day, seven (7) day per week pedestrian and vehicular access ("**Access**") to and over the Property, from an open and improved public road

to the Premises, for the installation, maintenance and operation of the Communication Facility and any utilities serving the Premises. As may be described more fully in **Exhibit 1**, Landlord grants to Tenant an easement for such Access and Landlord agrees to provide to Tenant such codes, keys and other instruments necessary for such Access at no additional cost to Tenant. Upon Tenant's request, Landlord will execute a separate recordable easement evidencing this right. Landlord shall execute a letter granting Tenant Access to the Property substantially in the form attached as **Exhibit 12**; upon Tenant's request, Landlord shall execute additional letters during the Term. Landlord acknowledges that in the event Tenant cannot obtain Access to the Premises, Tenant shall incur significant damage. If Landlord fails to provide the Access granted by this Section 12, such failure shall be a default under this Agreement. In connection with such default, in addition to any other rights or remedies available to Tenant under this Agreement or at law or equity, Landlord shall pay Tenant, as liquidated damages and not as a penalty, \$500.00 per day in consideration of Tenant's damages until Landlord cures such default. Landlord and Tenant agree that Tenant's damages in the event of a denial of access are difficult, if not impossible, to ascertain, and the liquidated damages set forth above are a reasonable approximation of such damages.

**13. REMOVAL/RESTORATION.** All portions of the Communication Facility brought onto the Property by Tenant will be and remain Tenant's personal property and, at Tenant's option, may be removed by Tenant at any time during or after the Term. Landlord covenants and agrees that no part of the Communication Facility constructed, erected or placed on the Premises by Tenant will become, or be considered as being affixed to or a part of, the Property, it being the specific intention of Landlord that all improvements of every kind and nature constructed, erected or placed by Tenant on the Premises will be and remain the property of Tenant and may be removed by Tenant at any time during or after the Term. Tenant will repair any damage to the Property resulting from Tenant's removal activities. Any portions of the Communication Facility that Tenant does not remove within one hundred twenty (120) days after the later of the end of the Term and cessation of Tenant's operations at the Premises shall be deemed abandoned and owned by Landlord. Notwithstanding the foregoing, Tenant will not be responsible for the replacement of any trees, shrubs or other vegetation.

**14. MAINTENANCE/UTILITIES.**

(a) Tenant will keep and maintain the Premises in good condition, reasonable wear and tear and damage from the elements excepted. Landlord will maintain and repair the Property and access thereto and all areas of the Premises where Tenant does not have exclusive control, in good and tenantable condition, subject to reasonable wear and tear and damage from the elements. Landlord will be responsible for maintenance of landscaping on the Property, including any landscaping installed by Tenant as a condition of this Agreement or any required permit.

(b) Tenant will be responsible for paying on a monthly or quarterly basis all utilities charges for electricity, telephone service or any other utility used or consumed by Tenant on the Premises. In the event Tenant cannot secure its own metered electrical supply, Tenant will have the right, at its own cost and expense, to submeter from Landlord. When submetering is required under this Agreement, Landlord will read the meter and provide Tenant with an invoice and usage data on a monthly basis. Landlord agrees that it will not include a markup on the utility charges. Landlord further agrees to provide the usage data and invoice on forms provided by Tenant and to send such forms to such address and/or agent designated by Tenant. Tenant will remit payment within forty-five (45) days of receipt of the usage data and required forms. As noted in Section 4(c) above, any utility fee recovery by Landlord is limited to a twelve (12) month period. If Tenant submeters electricity from Landlord, Landlord agrees to give Tenant at least twenty-four (24) hours advance notice of any planned interruptions of said electricity. Landlord acknowledges that Tenant provides a communication service which requires electrical power to operate and must operate twenty-four (24) hours per day, seven (7) days per week. If the interruption is for an extended period of time, in Tenant's reasonable determination, Landlord agrees to allow Tenant the right to bring in a temporary source of power for the duration of the interruption. Landlord will not be responsible for interference with, interruption of or failure, beyond the reasonable control of Landlord, of such services to be furnished or supplied by Landlord.

(c) Landlord hereby grants to any company providing utility or similar services, including electric power and telecommunications, to Tenant an easement over the Property, from an open and improved public road to the Premises, and upon the Premises, for the purpose of constructing, operating and maintaining such lines, wires, circuits, and conduits, associated equipment cabinets and such appurtenances thereto, as such utility companies may from time to time require in order to provide such services to the Premises. Upon Tenant's or service company's request, Landlord will execute a separate recordable easement evidencing this grant, at no cost to Tenant or the service company.

**15. DEFAULT AND RIGHT TO CURE.**

(a) The following will be deemed a default by Tenant and a breach of this Agreement: (i) non-payment of Rent if such Rent remains unpaid for more than thirty (30) days after written notice from Landlord of such failure to pay; or (ii) Tenant's failure to perform any other term or condition under this Agreement within forty-five (45) days after written notice from Landlord specifying the failure. No such failure, however, will be deemed to exist if Tenant has commenced to cure such default within such period and provided that such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Tenant. If Tenant remains in default beyond any applicable cure period, Landlord will have the right to exercise any and all rights and remedies available to it under law and equity.

(b) The following will be deemed a default by Landlord and a breach of this Agreement: (i) Landlord's failure to provide Access to the Premises as required by Section 12 of this Agreement within twenty-four (24) hours after written notice of such failure; (ii) Landlord's failure to cure an interference problem as required by Section 8 of this Agreement within twenty-four (24) hours after written notice of such failure; or (iii) Landlord's failure to perform any term, condition or breach of any warranty or covenant under this Agreement within forty-five (45) days after written notice from Tenant specifying the failure. No such failure, however, will be deemed to exist if Landlord has commenced to cure the default within such period and provided such efforts are prosecuted to completion with reasonable diligence. Delay in curing a default will be excused if due to causes beyond the reasonable control of Landlord. If Landlord remains in default beyond any applicable cure period, Tenant will have: (i) the right to cure Landlord's default and to deduct the costs of such cure from any monies due to Landlord from Tenant, and (ii) any and all other rights available to it under law and equity.

**16. ASSIGNMENT/SUBLEASE.** Tenant will have the right to assign this Agreement or sublease the Premises and its rights herein, in whole or in part, without Landlord's consent. Upon notification to Landlord of such assignment, Tenant will be relieved of all future performance, liabilities and obligations under this Agreement to the extent of such assignment.

**17. NOTICES.** All notices, requests and demands hereunder will be given by first class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid, to be effective when properly sent and received, refused or returned undelivered. Notices will be addressed to the parties as follows:

If to Tenant:                   New Cingular Wireless PCS, LLC  
  Attn: Network Real Estate Administration  
  Re: Cell Site #: PHNXAZYA73; Cell Site Name: Rancho Verde (AZ)  
  Fixed Asset No.: 10567340  
  12555 Cingular Way, Suite 1300  
  Alpharetta, GA 30004

With a copy to:                   New Cingular Wireless PCS, LLC  
  Attn: Legal Department  
  Re: Cell Site #PHNXAZYA73; Cell Site Name: Rancho Verde (AZ)

Fixed Asset No.: 10567340\_  
P.O. Box 97061  
Redmond, WA 98073-9761

Or, if sent via nationally recognized overnight carrier:

New Cingular Wireless PCS, LLC  
Attn: Legal Department  
Re: Cell Site #PHNXAZYA73; Cell Site Name: Rancho Verde (AZ)  
Fixed Asset No.: 10567340  
16331 NE 72<sup>nd</sup> Way  
Redmond, WA 98052-7827

With a copy to Local Contact:

New Cingular Wireless PCS, LLC  
Attn: AZ/NM Network Property Management  
20830 N. Tatum Blvd. #400  
Phoenix, AZ 85050

The copy sent to the Legal Department is an administrative step which alone does not constitute legal notice.

If to Landlord: George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust, under Agreement dated September 21, 1987  
1488 W. Horseshoe bend Dr,  
Camp Verde, AZ 86322

Either party hereto may change the place for the giving of notice to it by thirty (30) days' prior written notice to the other as provided herein.

**18. CONDEMNATION.** In the event Landlord receives notification of any condemnation proceedings affecting the Property, Landlord will provide notice of the proceeding to Tenant within forty-eight (48) hours. If a condemning authority takes all of the Property, or a portion sufficient, in Tenant's sole determination, to render the Premises unsuitable for Tenant, this Agreement will terminate as of the date the title vests in the condemning authority. The parties will each be entitled to pursue their own separate awards in the condemnation proceeds, which for Tenant will include, where applicable, the value of its Communication Facility, moving expenses, prepaid Rent, and business dislocation expenses. Tenant will be entitled to reimbursement for any prepaid Rent on a prorata basis.

**19. CASUALTY.** Landlord will provide notice to Tenant of any casualty or other harm affecting the Property within forty-eight (48) hours of the casualty or other harm. If any part of the Communication Facility or Property is damaged by casualty or other harm as to render the Premises unsuitable, in Tenant's sole determination, then Tenant may terminate this Agreement by providing written notice to Landlord, which termination will be effective as of the date of such casualty or other harm. Upon such termination, Tenant will be entitled to collect all insurance proceeds payable to Tenant on account thereof and to be reimbursed for any prepaid Rent on a prorata basis. Landlord agrees to permit Tenant to place temporary transmission and reception facilities on the Property, but only until such time as Tenant is able to activate a replacement transmission facility at another location; notwithstanding the termination of this Agreement, such temporary facilities will be governed by all of the terms and conditions of this Agreement, including Rent. If Landlord or Tenant undertakes to rebuild or restore the Premises and/or the

(e) Tenant shall have the right but not the obligation to pay any taxes due by Landlord hereunder if Landlord fails to timely do so, in addition to any other rights or remedies of Tenant. In the event that Tenant exercises its rights under this Section 21(e) due to such Landlord default, Tenant shall have the right to deduct such tax amounts paid from any monies due to Landlord from Tenant as provided in Section 15(b), provided that Tenant may exercise such right without having provided to Landlord notice and the opportunity to cure per Section 15(b).

(f) Any tax-related notices shall be sent to Tenant in the manner set forth in Section 17 and, in addition, of a copy of any such notices shall be sent to the following address. Promptly after the Effective Date of this Agreement, Landlord shall provide the following address to the taxing authority for the authority's use in the event the authority needs to communicate with Tenant. In the event that Tenant's tax addresses changes by notice to Landlord, Landlord shall be required to provide Tenant's new tax address to the taxing authority or authorities.

New Cingular Wireless PCS, LLC  
Attn: Network Real Estate Administration -- Taxes  
Re: Cell Site #PHNXAZYA73; Cell Site Name: Rancho Verde (AZ)  
Fixed Asset No: 10567340  
5405 Windward Parkway  
Alpharetta, GA 30004

(g) Notwithstanding anything to the contrary contained in this Section 21, Tenant shall have no obligation to reimburse any tax or assessment for which the Landlord is reimbursed or rebated by a third party.

## 22. SALE OF PROPERTY.

(a) Landlord shall not be prohibited from the selling, leasing or use of any of the Property or the Surrounding Property except as provided below.

(b) If Landlord, at any time during the Term of this Agreement, decides to rezone or sell, subdivide or otherwise transfer all or any part of the Premises, or all or any part of the Property or Surrounding Property, to a purchaser other than Tenant, Landlord shall promptly notify Tenant in writing, and such rezoning, sale, subdivision or transfer shall be subject to this Agreement and Tenant's rights hereunder. In the event of a change in ownership, transfer or sale of the Property, within ten (10) days of such transfer, Landlord or its successor shall send the documents listed below in this subsection (b) to Tenant. Until Tenant receives all such documents, Tenant shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement.

- i. Old deed to Property
- ii. New deed to Property
- iii. Bill of Sale or Transfer
- iv. Copy of current Tax Bill
- v. New IRS Form W-9
- vi. Completed and Signed AT&T Payment Direction Form
- vii. Full contact information for new Landlord including phone number(s)

(c) Landlord agrees not to sell, lease or use any areas of the Property or Surrounding Property for the installation, operation or maintenance of other wireless communications facilities if such installation, operation or maintenance would interfere with Tenant's Permitted Use or communications equipment as determined by radio propagation tests performed by Tenant in its sole discretion. Landlord or Landlord's prospective purchaser shall reimburse Tenant for any costs and expenses of such testing. If the radio frequency propagation tests demonstrate levels of interference unacceptable to Tenant, Landlord shall be prohibited from selling, leasing or using any areas of the Property or the Surrounding Property for purposes of any installation, operation or maintenance of any other wireless communications facility or equipment.



(d) The provisions of this Section shall in no way limit or impair the obligations of Landlord under this Agreement, including interference and access obligations.

**23. RENTAL STREAM OFFER.** If at any time after the date of this Agreement, Landlord receives a bona fide written offer from a third party seeking an assignment or transfer of the Rent payments associated with this Agreement ("**Rental Stream Offer**"), Landlord shall immediately furnish Tenant with a copy of the Rental Stream Offer. Tenant shall have the right within twenty (20) days after it receives such copy to match the Rental Stream Offer and agree in writing to match the terms of the Rental Stream Offer. Such writing shall be in the form of a contract substantially similar to the Rental Stream Offer. If Tenant chooses not to exercise this right or fails to provide written notice to Landlord within the twenty (20) day period, Landlord may assign the right to receive Rent payments pursuant to the Rental Stream Offer, subject to the terms of this Agreement. If Landlord attempts to assign or transfer Rent payments without complying with this Section, the assignment or transfer shall be void. Tenant shall not be responsible for any failure to make payments under this Agreement and reserves the right to hold payments due under this Agreement until Landlord complies with this Section.

**24. MISCELLANEOUS.**

(a) **Amendment/Waiver.** This Agreement cannot be amended, modified or revised unless done in writing and signed by Landlord and Tenant. No provision may be waived except in a writing signed by both parties. The failure by a party to enforce any provision of this Agreement or to require performance by the other party will not be construed to be a waiver, or in any way affect the right of either party to enforce such provision thereafter.

(b) **Memorandum/Short Form Lease.** Contemporaneously with the execution of this Agreement, the parties will execute a recordable Memorandum or Short Form of Lease substantially in the form attached as **Exhibit 24b**. Either party may record this Memorandum or Short Form of Lease at any time during the Term, in its absolute discretion. Thereafter during the Term of this Agreement, either party will, at any time upon fifteen (15) business days' prior written notice from the other, execute, acknowledge and deliver to the other a recordable Memorandum or Short Form of Lease.

(c) **Limitation of Liability.** Except for the indemnity obligations set forth in this Agreement, and otherwise notwithstanding anything to the contrary in this Agreement, Tenant and Landlord each waives any claims that each may have against the other with respect to consequential, incidental or special damages, however caused, based on any theory of liability.

(d) **Compliance with Law.** Tenant agrees to comply with all federal, state and local laws, orders, rules and regulations ("**Laws**") applicable to Tenant's use of the Communication Facility on the Property. Landlord agrees to comply with all Laws relating to Landlord's ownership and use of the Property and any improvements on the Property.

(e) **Bind and Benefit.** The terms and conditions contained in this Agreement will run with the Property and bind and inure to the benefit of the parties, their respective heirs, executors, administrators, successors and assigns.

(f) **Entire Agreement.** This Agreement and the exhibits attached hereto, all being a part hereof, constitute the entire agreement of the parties hereto and will supersede all prior offers, negotiations and agreements with respect to the subject matter of this Agreement. Exhibits are numbered to correspond to the Section wherein they are first referenced. Except as otherwise stated in this Agreement, each party shall bear its own fees and expenses (including the fees and expenses of its agents, brokers, representatives, attorneys, and accountants) incurred in connection with the negotiation, drafting, execution and performance of this Agreement and the transactions it contemplates.

(g) **Governing Law.** This Agreement will be governed by the laws of the state in which the Premises are located, without regard to conflicts of law.

(h) **Interpretation.** Unless otherwise specified, the following rules of construction and interpretation apply: (i) captions are for convenience and reference only and in no way define or limit the construction of the terms and conditions hereof; (ii) use of the term "including" will be interpreted to mean "including but not limited to"; (iii) whenever a party's consent is required under this Agreement, except as otherwise stated in the Agreement



**"TENANT"**

New Cingular Wireless PCS, LLC,  
a Delaware limited liability company

By: AT&T Mobility Corporation  
Its: Manager

By: \_\_\_\_\_  
Print Name: Todd Daoust  
Its: Area Manager  
Date: \_\_\_\_\_

**TENANT ACKNOWLEDGMENT**

STATE OF ARIZONA )  
 ) ss:  
COUNTY OF MARICOPA )

On the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared Todd Daoust, and acknowledged under oath that he/she is the Area Manager of AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

\_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

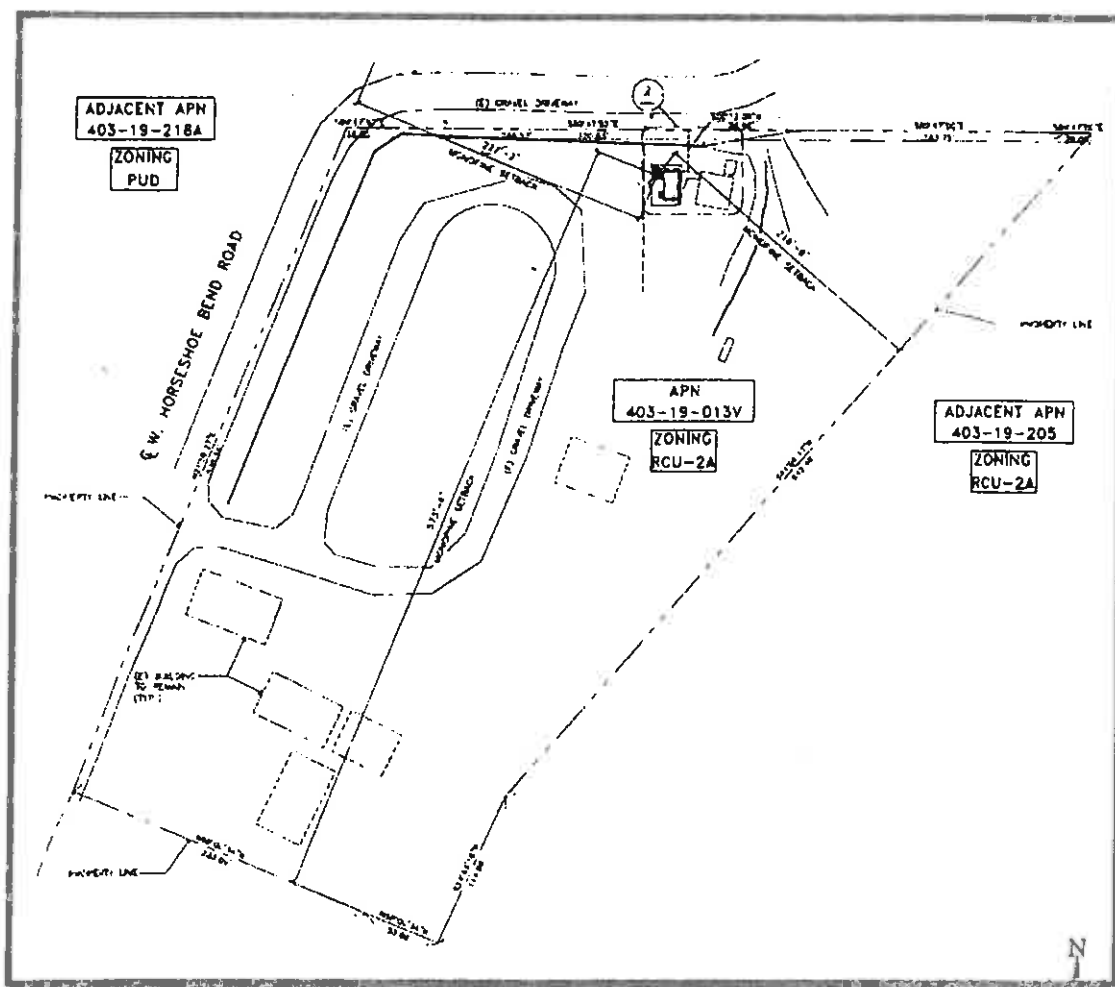
EXHIBIT 1

DESCRIPTION OF PREMISES

Page 1 of 2

to the Land Lease Agreement dated \_\_\_\_\_, 2012, by and between George L. Green and Sigrid Green, Trustees of the G.L. and S.F. Green Revocable Trust, under Agreement dated September 21, 1987, as Landlord, and New Cingular Wireless PCS, LLC, a Delaware limited liability company, as Tenant.

The Property is legally described as follows:

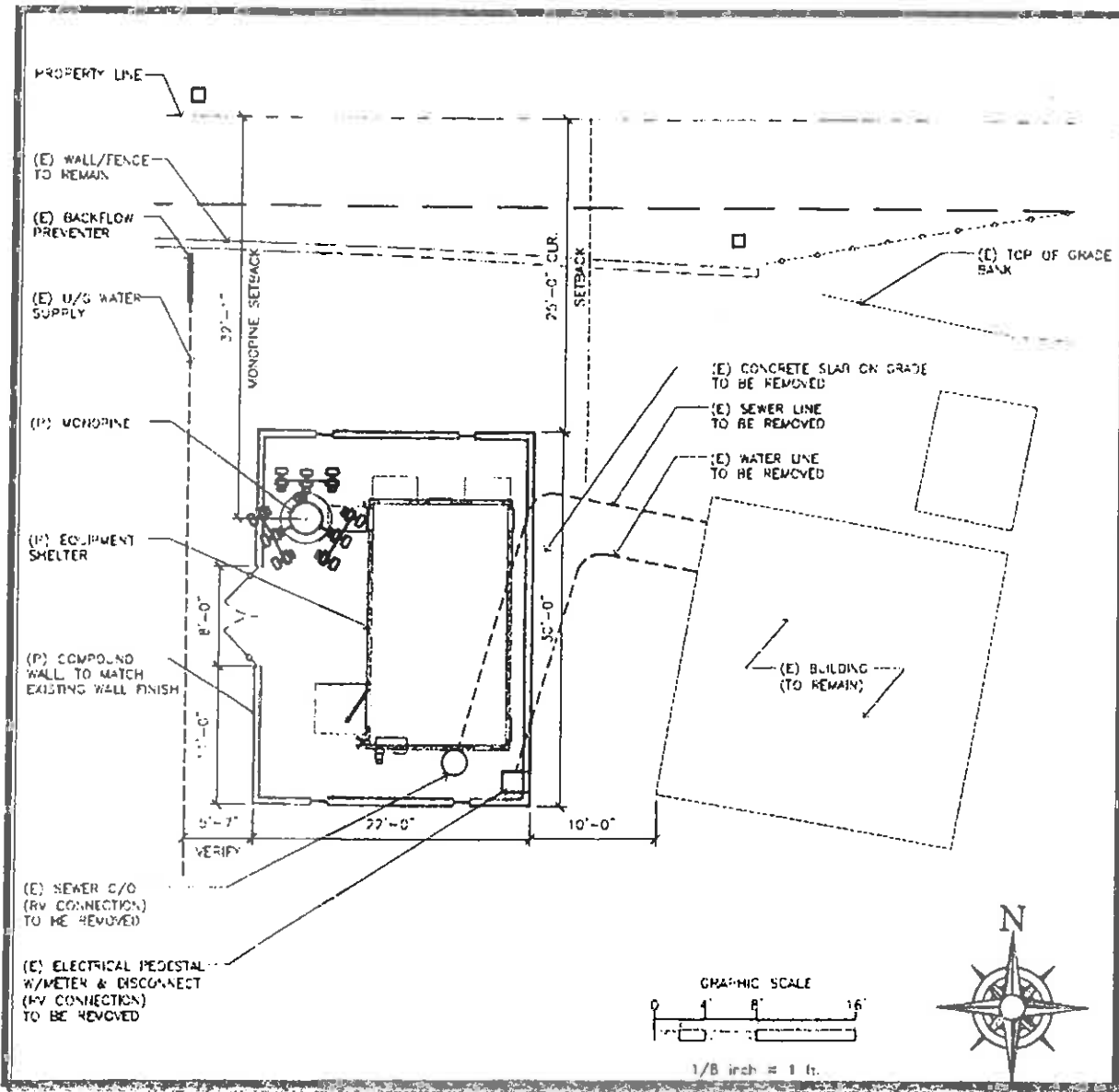


## EXHIBIT 1

### DESCRIPTION OF PREMISES

Page 2 of 2

The Premises are described and/or depicted as follows:



#### Notes:

1. THIS EXHIBIT MAY BE REPLACED BY A LAND SURVEY AND/OR CONSTRUCTION DRAWINGS OF THE PREMISES ONCE RECEIVED BY TENANT.
2. ANY SETBACK OF THE PREMISES FROM THE PROPERTY'S BOUNDARIES SHALL BE THE DISTANCE REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES.
3. WIDTH OF ACCESS ROAD SHALL BE THE WIDTH REQUIRED BY THE APPLICABLE GOVERNMENTAL AUTHORITIES, INCLUDING POLICE AND FIRE DEPARTMENTS.
4. THE TYPE, NUMBER AND MOUNTING POSITIONS AND LOCATIONS OF ANTENNAS AND TRANSMISSION LINES ARE ILLUSTRATIVE ONLY. ACTUAL TYPES, NUMBERS AND MOUNTING POSITIONS MAY VARY FROM WHAT IS SHOWN ABOVE.

**EXHIBIT 11**

**ENVIRONMENTAL DISCLOSURE**

Landlord represents and warrants that the Property, as of the date of this Agreement, is free of hazardous substances except as follows:

A. NONE.

**EXHIBIT 12**

**STANDARD ACCESS LETTER**

**NA**

**PROJECT INFORMATION**

SITE ADDRESS: RANCHO VERDE  
1488 W. HORSESHOE BEND RD.  
CAMP VERDE, AZ 86322  
APN: 403-19-013V  
34-802001 N  
LATITUDE: -111.882655 W  
LONGITUDE: 34.802001 N  
JURISDICTION: TOWN OF CAMP VERDE (YAVAPAI COUNTY)  
ISSUING OFFICE: YAVAPAI COUNTY ENGINEERING  
PROJECT USE: TRAILER PARK / UNMANNED TELECOMMUNICATIONS FACILITY  
OCCUPANCY: RCU-2A

**DRAWING INDEX**

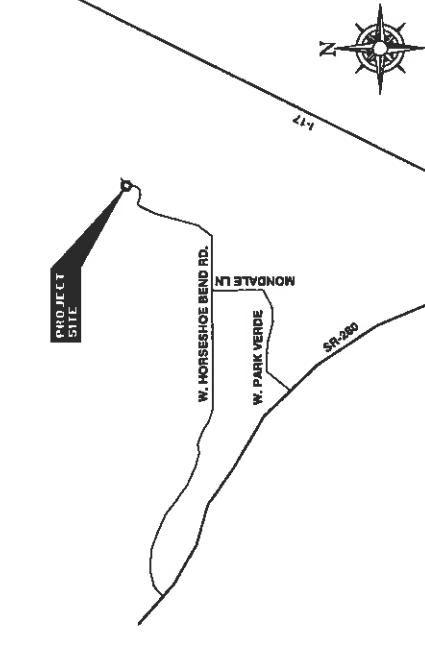
REV	DESCRIPTION
A	TITLE SHEET
A	OVERALL SITE PLAN
A	DETAILED SITE PLAN
A	TOWER ELEVATION & DETAILS
A	ANTENNA LAYOUT & DETAILS

**SITE NUMBER: YA73-AA  
CANDIDATE NAME: RANCHO VERDE**



**VICINITY MAP**

**DIRECTIONS:**  
FROM THE AT&T OFFICE DEPART 20830 NORTH TATUM BOULEVARD GOING SOUTH, TAKE THE AZ-101-LOOP EAST TO I-17 NORTH TO EXIT 287 (FINNE FLAT RD) TURN LEFT ON TO AZ-280 PROCEED NORTH TO W. PARK VERDE ROAD, PROCEED TO MONDALE LANE TURN LEFT PROCEED TO W. HORSESHOE BEND ROAD TURN RIGHT PROCEED TO SITE ADDRESS



**APPLICABLE BUILDING CODES AND STANDARDS**

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (A&J) FOR THE PROJECT. THE BUILDING CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

- BUILDING CODE: INTERNATIONAL BUILDING CODE 2006
- ELECTRICAL CODE: NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70 - 2005, NATIONAL ELECTRICAL CODE LIGHTNING PROTECTION CODE: [NFPA 780 - 2000, LIGHTNING PROTECTION CODE]
- SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS: AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL, THIRTEENTH EDITION TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES; TIA 807, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 61, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1899), RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE") TELCORDIA GR-1275, GENERAL INSTALLATION REQUIREMENTS TELCORDIA GR-1503, COAXIAL CABLE CONNECTIONS ANSI T1.311, FOR TELECOM - DC POWER SYSTEMS - TELECOM, ENVIRONMENTAL PROTECTION

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- BUILDING CODE: INTERNATIONAL BUILDING CODE 2006
- ELECTRICAL CODE: NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70 - 2005, NATIONAL ELECTRICAL CODE LIGHTNING PROTECTION CODE: [NFPA 780 - 2000, LIGHTNING PROTECTION CODE]
- SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS: AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL, THIRTEENTH EDITION TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES; TIA 807, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 61, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1899), RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE") TELCORDIA GR-1275, GENERAL INSTALLATION REQUIREMENTS TELCORDIA GR-1503, COAXIAL CABLE CONNECTIONS ANSI T1.311, FOR TELECOM - DC POWER SYSTEMS - TELECOM, ENVIRONMENTAL PROTECTION

**APPLICABLE BUILDING CODES AND STANDARDS**

SUBCONTRACTOR'S WORK SHALL COMPLY WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES AS ADOPTED BY THE LOCAL AUTHORITY HAVING JURISDICTION (A&J) FOR THE PROJECT. THE BUILDING CODES AND STANDARDS IN EFFECT ON THE DATE OF CONTRACT AWARD SHALL GOVERN THE DESIGN.

- BUILDING CODE: INTERNATIONAL BUILDING CODE 2006
- ELECTRICAL CODE: NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70 - 2005, NATIONAL ELECTRICAL CODE LIGHTNING PROTECTION CODE: [NFPA 780 - 2000, LIGHTNING PROTECTION CODE]
- SUBCONTRACTOR'S WORK SHALL COMPLY WITH THE LATEST EDITION OF THE FOLLOWING STANDARDS: AMERICAN CONCRETE INSTITUTE (ACI) 318, BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE AMERICAN INSTITUTE OF STEEL CONSTRUCTION (AISC), MANUAL OF STEEL, THIRTEENTH EDITION TELECOMMUNICATIONS INDUSTRY ASSOCIATION (TIA) 222-G, STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWER AND ANTENNA SUPPORTING STRUCTURES; TIA 807, COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS INSTITUTE FOR ELECTRICAL AND ELECTRONICS ENGINEERS (IEEE) 61, GUIDE FOR MEASURING EARTH RESISTIVITY, GROUND IMPEDANCE, AND EARTH SURFACE POTENTIALS OF A GROUND SYSTEM IEEE 1100 (1899), RECOMMENDED PRACTICE FOR POWERING AND GROUNDING OF ELECTRONIC EQUIPMENT IEEE C62.41, RECOMMENDED PRACTICES ON SURGE VOLTAGES IN LOW VOLTAGE AC POWER CIRCUITS (FOR LOCATION CATEGORY "C3" AND "HIGH SYSTEM EXPOSURE") TELCORDIA GR-1275, GENERAL INSTALLATION REQUIREMENTS TELCORDIA GR-1503, COAXIAL CABLE CONNECTIONS ANSI T1.311, FOR TELECOM - DC POWER SYSTEMS - TELECOM, ENVIRONMENTAL PROTECTION

**SITE QUALIFICATION PARTICIPANTS**

NAME	COMPANY	NUMBER
ANDY LIVINGSTON	CLEAR BLUE SERVICES	602-426-8500
JAN MITCHELL	BECHTEL	602-568-7725
KARMEN RAINBAR	AT&T	602-625-2976
GEORGE GREEN	GREEN GL & SF REVOCABLE TRUST	



AT&T MOBILITY  
20830 N. TATUM BLVD., SUITE 400  
CAMP VERDE, AZ 86322  
PHONE: (505) 414-1829

**NOTES**

1. THE FOLLOWING NOTES, SYMBOLS AND DETAILS FROM BECHTEL DOCUMENT NUMBER 24782-000-A3-EF-00001 APPLIES TO THE IMPLEMENTATION OF THIS SITE DESIGN PACKAGE. REFERENCE STANDARD NOTES SHEET.

- GENERAL NOTES: DETAIL 823 - REV 1
- CONSTRUCTION NOTES: DETAIL 101 - REV 2
- FOUNDATIONS: DETAIL 102 - REV 2
- ELECTRICAL INSTALLATION NOTES: DETAIL 823 - REV 2
- CONCRETE AND REINFORCING STEEL NOTES: DETAIL 116 - REV 6
- DETAIL 102 - REV 4
- DETAIL 619 - REV 2

**A/E DOCUMENT REVIEW STATUS**

STATUS CODE	DATE
1 ACCEPTED - WITH MINOR OR NO COMMENTS. CONSTRUCTION MAY PROCEED	
2 NOT ACCEPTED - PLEASE RESOLVE COMMENTS AND RESUBMIT	

ACCEPTANCE DOES NOT CONSTITUTE APPROVAL OF DESIGN DETAILS. CALCULATIONS, ANALYSIS, TEST METHODS OR MATERIALS DEVELOPED OR SELECTED BY SUBCONTRACTOR AND DOES NOT RELIEVE SUBCONTRACTOR FROM FULL COMPLIANCE WITH CONTRACTUAL OBLIGATION.

REVIEWED BY:	ENG.	CONST.	DATE:

**REDLINE DRAWING REVIEW**

NAME (PRINT)	SIGNATURE	DATE
GENERAL CONTRACTOR	CONFIRM ACCURACY OF THESE REDLINE DRAWINGS	DATE
NAME (PRINT)	SIGNATURE	DATE
FIELD COORDINATOR	VERIFY INSTALLATION PER REDLINE DRAWINGS	DATE
NAME (PRINT)	SIGNATURE	DATE

ENGINEERING - Market Engineer Shall Review Redline Drawings To Ensure Changes Do Not Affect The Original Design Intent And/Or Are Code Compliant



YA73-AA  
RANCHO VERDE  
1488 W. HORSESHOE BEND  
CAMP VERDE, AZ 86322

**APPROVALS**

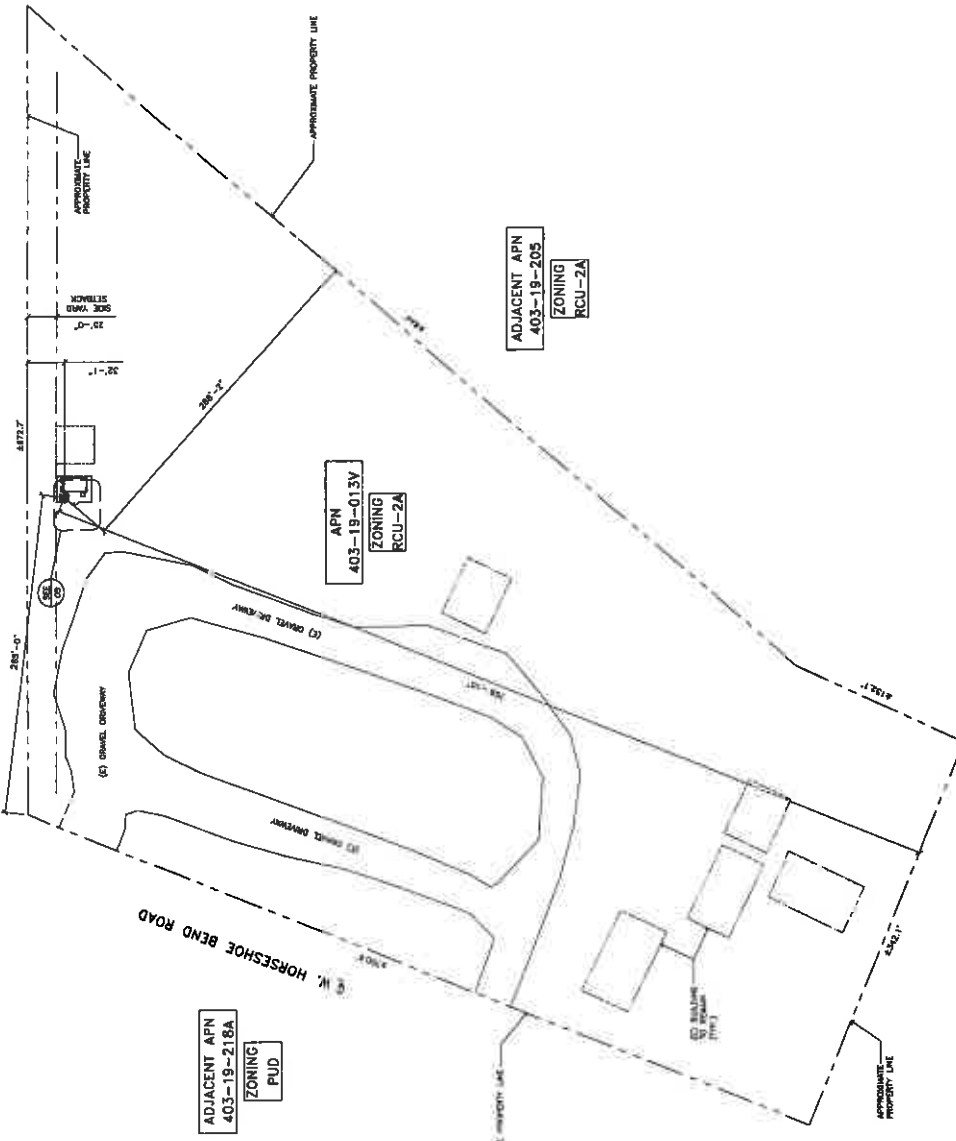
AT&T (RF): \_\_\_\_\_ DATE: \_\_\_\_\_  
AT&T (CONST.): \_\_\_\_\_ DATE: \_\_\_\_\_  
AT&T (S.A.): \_\_\_\_\_ DATE: \_\_\_\_\_  
LANDLORD: \_\_\_\_\_ DATE: \_\_\_\_\_  
LANDLORD: \_\_\_\_\_ DATE: \_\_\_\_\_  
SITE ACCO: \_\_\_\_\_ DATE: \_\_\_\_\_

DETAIL 103-1-W

AT&T MOBILITY  
TITLE SHEET  
REV. NO. 10587340  
REV. DATE PHHW42-1A73-01



NOTE: CONTRACTOR TO COORDINATE & PROVIDE PRIVATE LIGHTING SERVICE PRIOR TO CONSTRUCTION.  
 2. INSTALLATION MANUFACTURERS' TORQUE DRUMMING SW  
 3. ALL OVERHEAD CABLES TO BE RUN INSIDE POLE



**GENERAL NOTES:**

**SIGNS**

1. ALL SIGNAGE, INCLUDING PLACED, MUST BE INSTALLED AT THE PROPERTY LINE. (OR MOST VISIBLE PLACE ON OUTSIDE COMPANY WALL). PLACEMENT TO BE DETERMINED BY THE CONTRACTOR. ALL SIGNAGE MUST BE IN ACCORDANCE WITH THE CITY OF PHOENIX SIGNAGE ORDINANCE. ALL SIGNAGE TO BE IN ACCORDANCE WITH THE CITY OF PHOENIX SIGNAGE ORDINANCE. ALL SIGNAGE TO BE IN ACCORDANCE WITH THE CITY OF PHOENIX SIGNAGE ORDINANCE.
2. ALL SIGNAGE TO BE INSTALLED IN ACCORDANCE WITH THE CITY OF PHOENIX SIGNAGE ORDINANCE. ALL SIGNAGE TO BE IN ACCORDANCE WITH THE CITY OF PHOENIX SIGNAGE ORDINANCE. ALL SIGNAGE TO BE IN ACCORDANCE WITH THE CITY OF PHOENIX SIGNAGE ORDINANCE.

**LIGHTING**

1. MINIMAL LIGHTING WILL BE INSTALLED AT EQUIPMENT AREA FOR THE PURPOSE OF EQUIPMENT MAINTENANCE.
2. ALL LIGHTING TO BE INSTALLED AS SHOWN ON THIS PLAN. ALL LIGHTING TO BE INSTALLED AS SHOWN ON THIS PLAN.
3. ALL LIGHTING IS TO BE INSTALLED AS SHOWN ON THIS PLAN. ALL LIGHTING TO BE INSTALLED AS SHOWN ON THIS PLAN.
4. ALL LIGHTING WILL BE THAT OF "TALL CUT OFF LUMINAIRE".

**COMPLIANCE**

1. ALL COMPLIANCE FACILITY IS NOT SHOWN AND NOT NORMALLY OCCUPIED.
2. SUB-CONTRACTOR IS RESPONSIBLE FOR OBTAINING TEMPORARY BARRICADES AND/OR FENCING TO PROTECT THE SAFETY OF THE PUBLIC DURING CONSTRUCTION.
3. THE CONTRACTOR SHALL NOT INTERFERE WITH ANY EXISTING UTILITIES.
4. ALL UTILITIES SHOWN ON THIS DRAWING ARE EXISTING UNLESS OTHERWISE NOTED.
5. DEVELOPMENT AND USE OF THIS SITE WILL CONFORM TO ALL APPLICABLE ORDINANCES AND REGULATIONS.

**NOTE:**

1. SITE PLAN REMOVED DERIVED FROM ASSESSOR MAP & Aerial Photo, NOT FOR CONSTRUCTION

**SETBACKS TO PROPERTY LINES**

NORTH	431'
SOUTH	476'
WEST	428'
EAST	428'

\* SETBACKS ARE ESTIMATED FROM THE ADJACENT OR PROXIMATE WEST AND SOUTH



**OVERALL SITE PLAN**

AT&T MOBILITY

1485 W. HORSESHOE BEND  
 CAMP VERDE, AZ 86322

AT&T  
 AT&T MOBILITY  
 20830 N. TATUM BLVD., SUITE 400  
 PHOENIX, AZ 85024  
 PHONE: (480) 414-1828

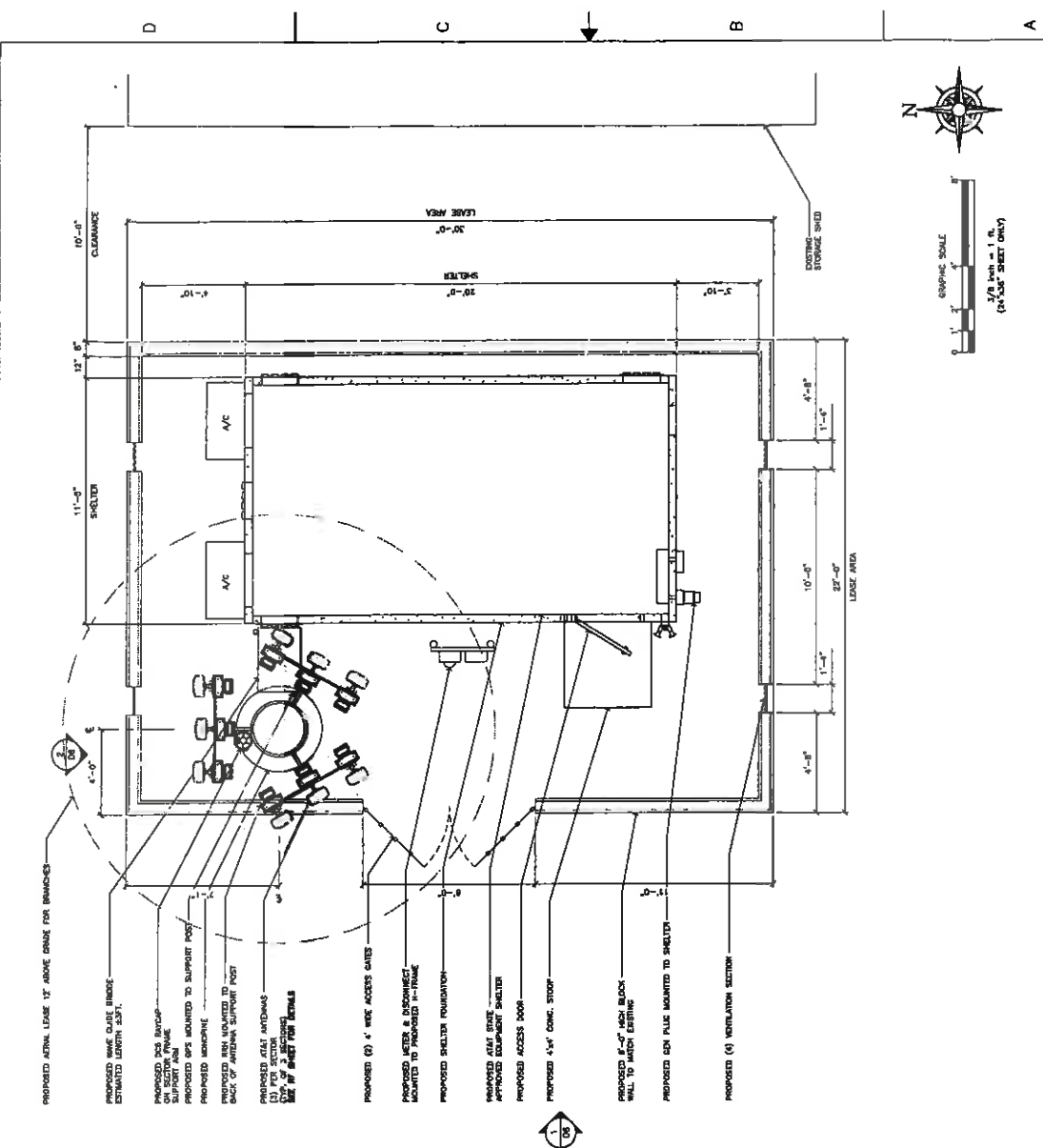
**REVISIONS**

NO.	DATE	BY	REVISIONS
A	10/17/13	CHM/MP	ZONING DETERMINED

DATE: 10/17/13  
 BY: CHM/MP  
 CHECKED BY: D  
 DESIGNED BY: D  
 SCALE: AS SHOWN  
 PROJECT NO.: 10567340  
 PHNVAZ-7A73-04

OVERALL SITE PLAN

90°  
30X22



**NOTES:**  
 1. REFER TO CHASIS & BRIDGE PRINTS FOR CONNECTIONS TO CHASIS & BRIDGE PRIOR TO CONSTRUCTION.  
 2. ALL CABLES TO RUN INSIDE POLE.  
 AN APPROVED THE PROVISION SYSTEM SHALL BE INSTALLED IN EQUIPMENT SHELTER.

**POWER & TELEPHONE GENERAL NOTES**

- SUBCONTRACTOR SHALL COORDINATE WITH UTILITY COMPANY FOR FINAL AND EXACT WORK/MATERIALS REQUIREMENTS AND SPECIFICATIONS ONLY. UTILITY COMPANY ENGINEERING PLANS AND SPECIFICATIONS ONLY.
- SUBCONTRACTOR SHALL FURNISH AND INSTALL ALL CONDUIT, PULL WIRES, CABLE PULLBOXES, CONCRETE ENCASUREMENT OF CONDUIT (IF REQUIRED), TRANSFORMER PAD, BARRIERS, POLE RISERS, TRENCHING, BACKFILL, AND INCLUDE ANY UTILITY COMPANY REQUIREMENTS IN SCOPE OF WORK.
- UTILITY CONTACTS

**TELEPHONE COMPANY: POWER COMPANY:**

COMPANY NAME: \_\_\_\_\_ COMPANY NAME: \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ ADDRESS: \_\_\_\_\_  
 PHONE NUMBER: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_  
 CONTACT: \_\_\_\_\_ CONTACT: \_\_\_\_\_

**NOTICE**

- ELECTRICAL SUBCONTRACTOR SHALL CONTACT UTILITY COMPANIES 14 DAYS MINIMUM PRIOR TO ACTIVATION AND NOTIFY UTILITY COMPANY REPRESENTATIVE OF THE EXACT DATE OF ACTIVATION.
- VERIFY ALL EXISTING UNDERGROUND UTILITIES BEFORE TRENCHING. THESE DRAWINGS HAVE NOT BEEN CONFIRMED WITH THE UTILITY COMPANIES DUE TO THE CONSTRAINTS AND ARE INTENDED AS A GENERAL GUIDE ONLY.
- ELECTRICAL SUBCONTRACTOR SHALL CONTACT TELE. CO. & POWER CO. VERIFY EXACT ROUTING/SIZES & CONDITIONS BEFORE TRENCHING.
- TELEPHONE CO.
- VERIFY EXACT MEASUREMENT OF ALL NEW UTILITY FEEDERS PRIOR TO TRENCHING TO AVOID SCALE FROM THESE PLANS.
- CONTACT UTILITY COMPANIES FOR UNDERGROUND CONDUIT INSPECTIONS PRIOR TO BACKFILLING TRENCH.
- IT IS THE ELECTRICAL SUBCONTRACTOR'S RESPONSIBILITY TO COORDINATE WITH THE POWER AND TELEPHONE COMPANIES TO INSURE THAT SERVICE CONDUITS ARE TERMINATED AT THE CORRECT POWER POLE, PEDESTAL, ETC.

**NOTE:**  
 HAND DIG EXCAVATIONS NEAR EXISTING UTILITIES & WHERE INDICATED ON SITE PLAN

SCALE: 3/8" = 1'-0" | 1

AT&T MOBILITY

DETAILED SITE PLAN

NO. 10567340 | PHNMAZ-1A73-05 | A

FOR ZONING PURPOSES ONLY NOT FOR CONSTRUCTION

DATE: 07/18/11 | ZONING DRAWING: \_\_\_\_\_ | REVISED BY: CHC/KPP/PO | DRAWN BY: SON

SCALE: AS SHOWN | DESIGNED BY: EB

at&t

AT&T MOBILITY  
 20830 N. TATUM BLVD., SUITE 400  
 PHOENIX, AZ 85024  
 PHONE: (480) 414-1829

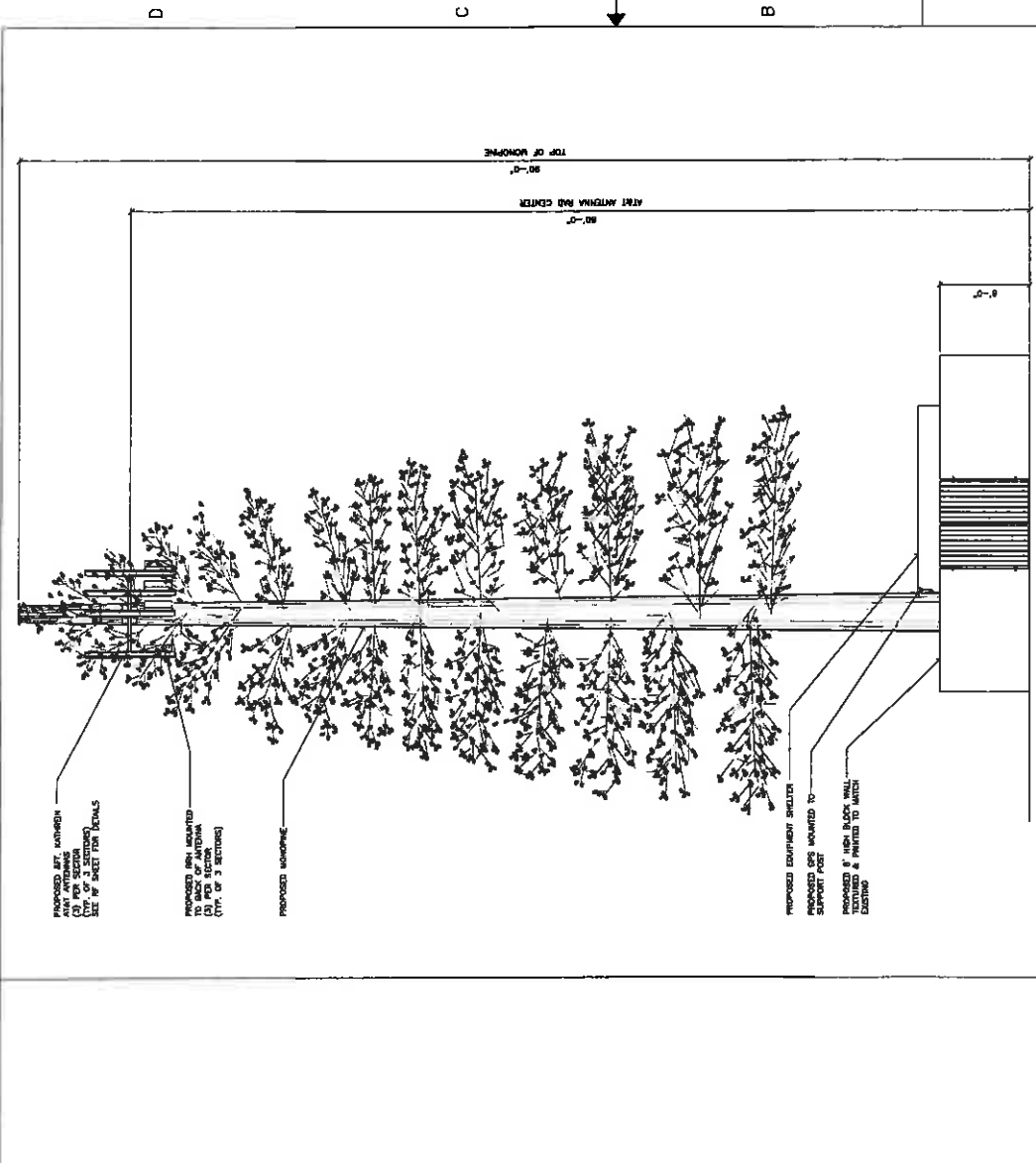
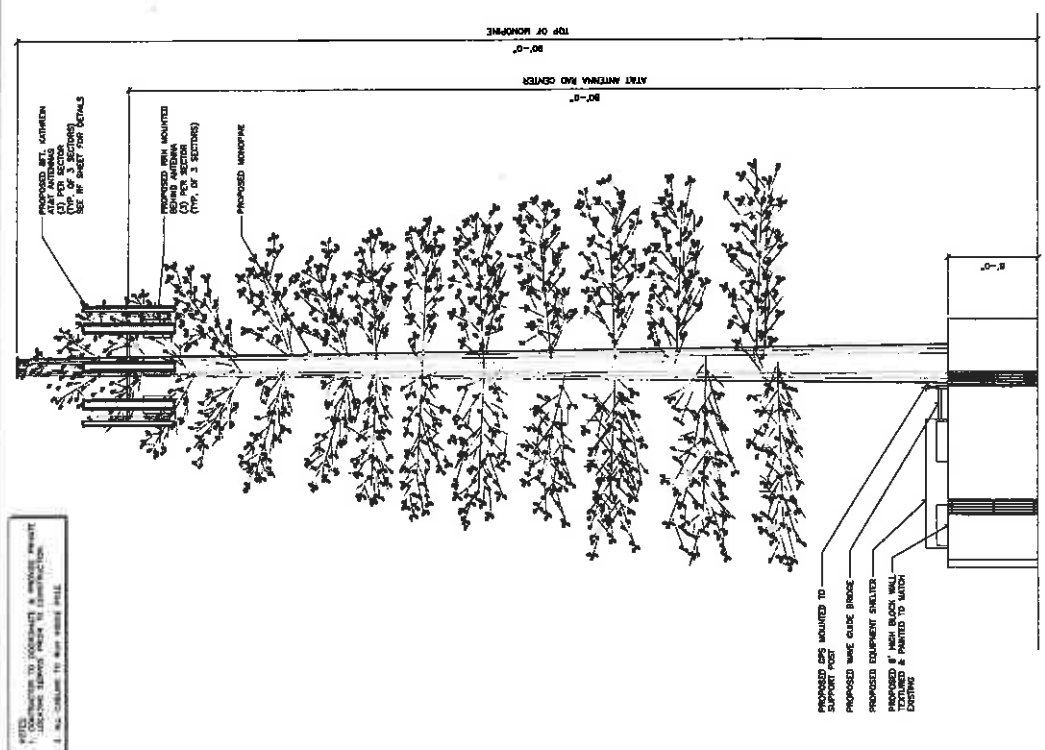
Y173-AA  
 RANCHO VERDE  
 1488 W. HORSESHOE BEND  
 CAMP VERDE, AZ 86322

Clear Blue

AT&T MOBILITY  
 20830 N. TATUM BLVD., SUITE 400  
 PHOENIX, AZ 85024

6 | 5 | 4 | 3 | 2 | 1

NOTES:  
 1. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.  
 2. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.  
 3. ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.



NORTH ELEVATION

SCALE: 3/16" = 1'-0" | 2 WEST ELEVATION

SCALE: 3/8" = 1'-0" | 1

AT&T MOBILITY

TOWER ELEVATIONS

PL. CODE	10587340
PROJECT NUMBER	PHNWAZ-1A73-06

FOR BIDDING PURPOSES ONLY  
NOT FOR CONSTRUCTION

NO.	DATE	REVISIONS	BY	CHK
A	10/18/12	ISSUE FOR BIDDING	JK	JK

SCALE: AS SHOWN

1 2 3 4 5 6

Clear Blue

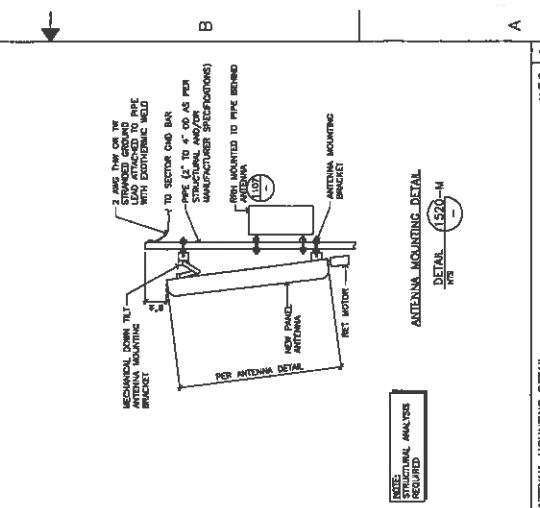
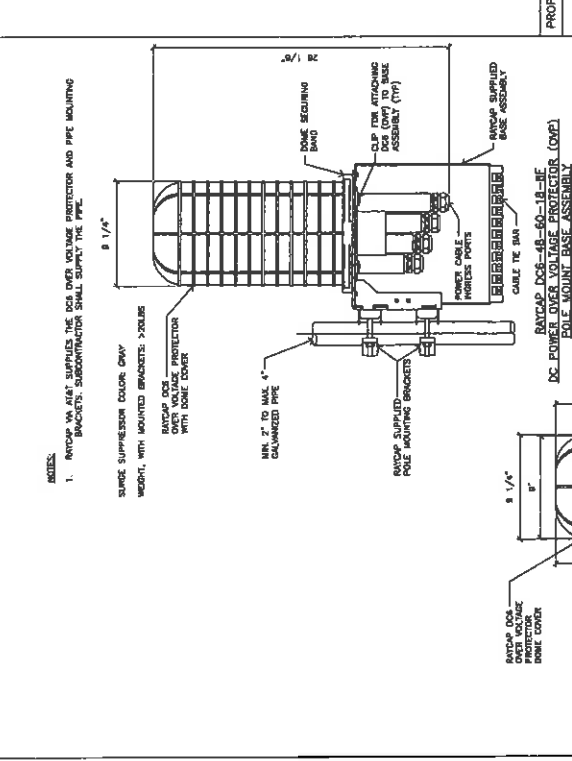
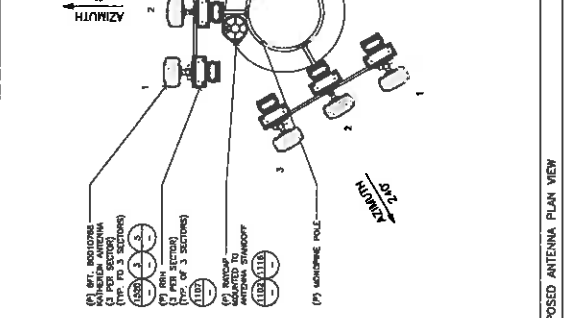
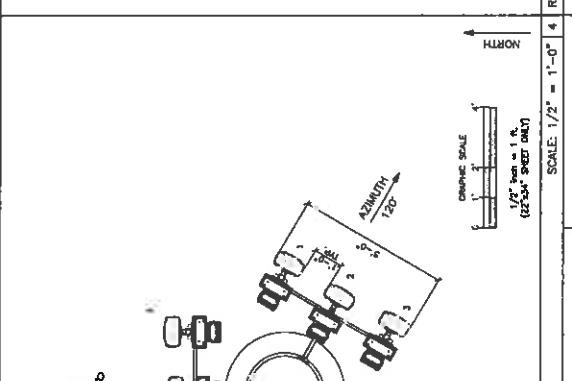
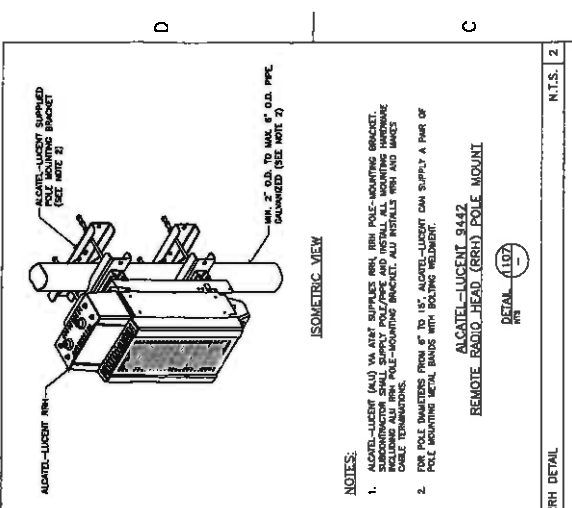
1485 W. HORSESHOE BEND  
CAMP VERDE, AZ 86322

AT&T

AT&T MOBILITY  
20830 N. TATUM BLVD., SUITE 400  
PHOENIX, AZ 85024  
PHONE: (602) 414-1829

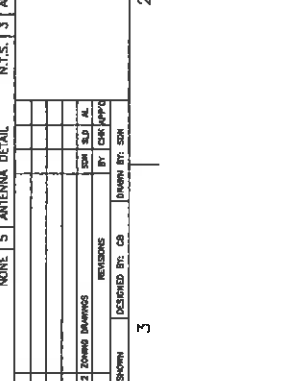
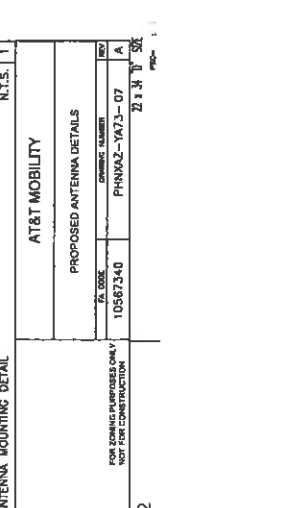
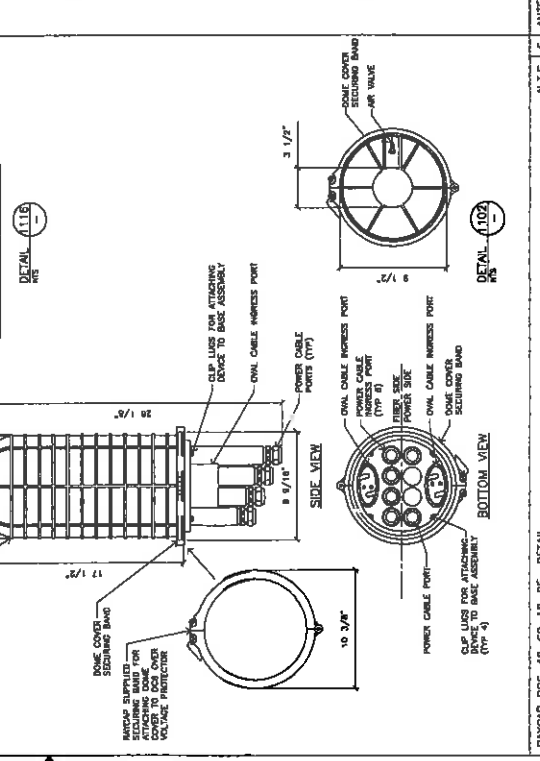
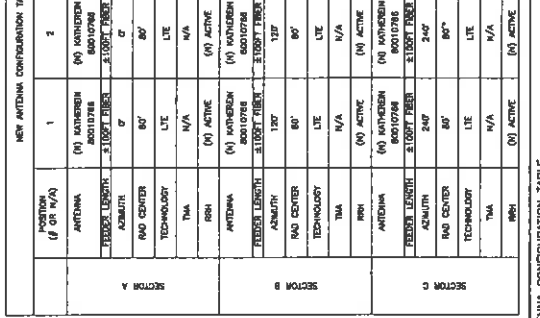
Y1A73-AA  
RANCHO VERDE

1485 W. HORSESHOE BEND  
CAMP VERDE, AZ 86322



NEW ANTENNA CONFIGURATION TABLE

POSITION (1 OR N/A)	1	2	3
ANTENNA	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788
HEIGHT	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)
RAO CENTER	80'	80'	80'
TECHNOLOGY	LTE	LTE	LTE
TMA	N/A	N/A	N/A
RRH	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE
ANTENNA	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788
HEIGHT	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)
RAO CENTER	80'	80'	80'
TECHNOLOGY	LTE	LTE	LTE
TMA	N/A	N/A	N/A
RRH	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE
ANTENNA	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788
HEIGHT	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)
RAO CENTER	80'	80'	80'
TECHNOLOGY	LTE	LTE	LTE
TMA	N/A	N/A	N/A
RRH	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE



AT&T ANTENNA CONFIGURATION TABLE

POSITION (1 OR N/A)	1	2	3	4	5	6
ANTENNA	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788
HEIGHT	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)
RAO CENTER	80'	80'	80'	80'	80'	80'
TECHNOLOGY	LTE	LTE	LTE	LTE	LTE	LTE
TMA	N/A	N/A	N/A	N/A	N/A	N/A
RRH	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE
ANTENNA	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788	(N) MATHERSEN 80010788
HEIGHT	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)	21.00 FT. (6.40 M)
RAO CENTER	80'	80'	80'	80'	80'	80'
TECHNOLOGY	LTE	LTE	LTE	LTE	LTE	LTE
TMA	N/A	N/A	N/A	N/A	N/A	N/A
RRH	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE	(N) ACTIVE

**at&t**  
 AT&T MOBILITY  
 20830 N. TATUM BLVD., SUITE 400  
 PHOENIX, AZ 85050  
 PHONE: (480) 414-1828

**Clear Blue**  
 1488 W. HORSESHOE BEND  
 CAMP VERDE, AZ 86322

**RAYCAP DCS-46-60-1B-1F DETAIL**

**YAY3-AA RANCHO VERDE**  
 1488 W. HORSESHOE BEND  
 CAMP VERDE, AZ 86322

**AT&T MOBILITY**

PROPOSED ANTENNA DETAILS

TA CODE: 10567340  
 DRAWING NUMBER: PHN62-YA73-07  
 DATE: 2/1/10

FOR ZONING PURPOSES ONLY  
 NOT FOR CONSTRUCTION



**Agenda Item Submission Form – Section 7**

**Meeting Date: March 6, 2013**

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

**Requesting Department:** Community Development/Building Division

**Staff Resource/Contact Person:** Michael Jenkins (Community Development Director), Robert Foreman (Building Official).

**Agenda Title (be exact):** Discussion and possible direction to staff on the abatement of dangerous buildings.

**List Attached Documents:** Photos of and Abatement Contractor's Quote for 3210 Robin Lane. Photos of and Abatement Contractor's Quote for 3480 E. Clinton Lane. Photos of and Abatement Contractor's Quote for 4141 Sparkling Lane.

**Estimated Presentation Time:** 15 minutes

**Estimated Discussion Time:** 15 minutes

**Reviews Completed by:**

- Department Head:                       Town Attorney Comments:

Finance Review:  Budgeted     Unbudgeted     N/A

Finance Director Comments/Fund:

**Fiscal Impact:** Currently there is \$5,000 in the budget for the abatement of dangerous buildings under the Community Development Department, Code Enforcement.

**Background Information:**

- Under the Town Administrative Building Code Section 7-2-108 the Building Official may declare a building as a dangerous structure and a public nuisance to be abated by repair, rehabilitation or demolition.
- Under the Town Administrative Building Code Section 7-2-108.4 Right to Demolish. If the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or demolish said building the Town Council may order the owner of the building prosecuted as a violator of the provisions of this code and may order the Building Official to proceed with the work specified in such notice.

There are currently (3) three properties slated to be abated as dangerous buildings by the Building Official as follows:

- 3210 Robin Lane, Parcel number 404-16-128      **Contractor's Quote for Abatement = \$4,700.00**
  - 3480 E. Lazar, Parcel number 404-16-215      **Contractor's Quote for Abatement = \$5,900.00**
  - 4141 Sparkling Lane, Parcel number 404-12-124D      **Contractor's Quote for Abatement = \$1,600.00**
- TOTAL = \$12,200.00**

Photos have been attached of each structure for Council's review.

Per the Town Administrative Building Code Section 7-2-108.2 (Notice to Owner), states that "The Building Official shall examine or cause be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this section, the Building Official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building premises, within 48 hours, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from the date of notice, unless otherwise stipulated by the Building Official. If necessary, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the Building Official."

Per the Town Administrative Building Code Section 7-2-108.2.1 (Proper Service), states that "Proper service of such notice shall be by one of the following methods; personal service upon the owner of record, if found within the Town Limits; if not found within the Town Limits, such service may be made upon said owner by first class mail, postage paid, addressed to the owner, occupant, agent, manager or responsible person at the last known address; delivered in any manner permitted by the Arizona Rules of Civil Procedure for Service of Process or posted in a conspicuous place on or about the entrance of the structure affected by such notice. Service by mail is deemed complete upon deposit in the U.S. Mail. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner. The designated period within which said owner or person in charge is required to comply with the order of the Building Official shall begin as of the date such notice was mailed, received or posted."

Per the Town Administrative Building Code, Section 7-2-108.3 (Posting of Signs), states that "The Building Official shall cause to be posted at each entrance to such building a notice to read: DO NOT ENTER, UNSAFE TO OCCUPY by order of the Community Development Department, of the Town of Camp Verde. Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building."

The Building Official has met all the requirements for Sections 7-2-108.2, 108.2.1 & 108.3. For the (3) properties under consideration by the Council for Abatement as referenced above.

**Each of the owners their agents or managers have not complied with the order as noticed by the Building Official for the (3) referenced properties. The Building Official now must rely on the Right to Demolish portion of the Town Administrative Section of the Town Code, Section 7-2-108.4 as recited under the second bullet point on page one of this Agenda Report.**

On January 8, 2013 the Town awarded a contract to Hollamon Generations to provide abatement of dangerous building services to the Town. There is \$5,000 dollars in the current budget for these services.

As referenced above, the Building Official is presenting three properties to the Town Council for their review and consideration. It can be seen that with a budget of \$5,000.00 the Council can only do one of the abatements. It is the Building Officials Recommendation to abate the dangerous structure located at 3210 Robin Lane due to numerous threats to the health, safety and welfare of the community. The dangerous structure located at 3480 E. Lazar would be a close second in priority per the Building Official. As an additional option, the Council could authorize the demolition of all three structures by utilizing contingency monies for the balance. The additional monies from the contingency fund would total \$12,200.00 (3 abatements) - \$5,000.00 (Budgeted) = \$7,200.00 contingency

Also, under Section 7-2-108.4 of the Town Code, "the Town Council may order the owner of the building prosecuted as a violator of the provisions of this code..." Direction from the Council to staff is also requested on this item.

***Recommended Action (Motion):*** A motion to direct the Town Manager to order the Building Official to proceed with the work specified in the notice of a Dangerous Structure to Abate by Demolition for 3210 Robin Lane aka parcel 404-16-128 or all three properties as referenced and prepare a resolution outlining the Council Direction to be brought before the Town Council under the consent agenda for their approval in the near future.

***Instructions to the Clerk:*** N/A



**Town of Camp Verde**  
 Community Development  
 473 S. Main St., Suite 108  
 Camp Verde, AZ 86322  
 Tel: (928) 567-8514  
 Fax: (928) 567-7401  
 Email: Robert.Foreman@campverde.az.gov

**TO: Hollamon Generations**  
**Attn: Mary & Kelly Hollamon – Owners**  
 285 E. Hollamon St.  
 Camp Verde, Arizona 86322

**From: Robert Foreman**  
**Building Official**

**Date Issued:** 1-17-13

**Quote and Start Work Order (specific parcel)**  
**Abatement of Dangerous Building**

**Subject Property: Parcel No.** 404-16-128

**Street Address:** 3210 ROBIN LANE

**Complaint No.** N/A

**Scope of Work:** To supply all labor, equipment and transportation necessary to remove dangerous building(s) and associated rubbish and debris.

1.) Structure(s)/Building(s). <sup>14x60</sup> REMOVE BUILDING, INCLUDING PORCH

2.) Rubbish/Debris. REMOVE ALL DEBRIS, INCLUDING CHAIRS, TABLES, PICK UP, FURNITURE ETC. 8'X30' trailer in back yard.

3.) Special. WASPS ARE PRESENT.

**Contractor's Specific Quote:** \$4,700.00

Robert Foreman, CBCO  
 Building Official

Kelly Hollamon  
 Hollamon Generations-Mary & Kelly Hollamon

Date:

2-6-13

Date:





**Town of Camp Verde**  
 Community Development  
 473 S. Main St., Suite 108  
 Camp Verde, AZ 86322  
 Tel: (928) 567-8514  
 Fax: (928) 567-7401  
 Email: Robert.Foreman@campverde.az.gov

**TO: Hollamon Generations**  
**Attn: Mary & Kelly Hollamon – Owners**  
**285 E. Hollamon St.**  
**Camp Verde, Arizona 86322**

**From: Robert Foreman**  
**Building Official**

**Date Issued:** 1-17-13

**Quote and Start Work Order (specific parcel)**  
**Abatement of Dangerous Building**

**Subject Property: Parcel No.** 404-16-215

**Street Address:** 3480 E. LAZAR RD.

**Complaint No.** N/A

**Scope of Work:** To supply all labor, equipment and transportation necessary to remove dangerous building(s) and associated rubbish and debris.

1.) Structure(s)/Building(s). <sup>14x70</sup> REMOVE MANUFACTURED BUILDING, INCLUDING NEAR PORCH, APPLIANCES, AND ALL DEBRIS

2.) Rubbish/Debris. ALL

3.) Special NONE, Lots of hand labor involved in this project,

**Contractor's Specific Quote:** \$5,900.00

Robert Foreman, CBCO  
 Building Official

Date: \_\_\_\_\_

  
 Hollamon Generations-Mary & Kelly Hollamon

Date: \_\_\_\_\_



**Town of Camp Verde**  
 Community Development  
 473 S. Main St., Suite 108  
 Camp Verde, AZ 86322  
 Tel: (928) 567-8514  
 Fax: (928) 567-7401  
 Email: Robert.Foreman@campverde.az.gov

**TO: Hollamon Generations**  
**Attn: Mary & Kelly Hollamon – Owners**  
 285 E. Hollamon St.  
 Camp Verde, Arizona 86322

**From: Robert Foreman**  
**Building Official**

**Date Issued:** 1-17-13

**Quote and Start Work Order (specific parcel)**  
**Abatement of Dangerous Building**

**Subject Property: Parcel No.** 404-12-124 D

**Street Address:** 414 SPARKLING LANE

**Complaint No.** N/A

**Scope of Work:** To supply all labor, equipment and transportation necessary to remove dangerous building(s) and associated rubbish and debris.

1.) Structure(s)/Building(s). REMOVE MANUFACTURED BUILDING,  
8X40'

2.) Rubbish/Debris. ALL DEBRIS

3.) Special. N/A

**Contractor's Specific Quote:** \$1,600<sup>00</sup>

Robert Foreman, CBCO  
 Building Official

Kelly Hollamon  
 Hollamon Generations-Mary & Kelly Hollamon

Date:

2-6-13

Date:

4191  
SPARKLING



4141  
SPARKLING



3480  
E. LAZAR RD.



01/17/2013 09:55

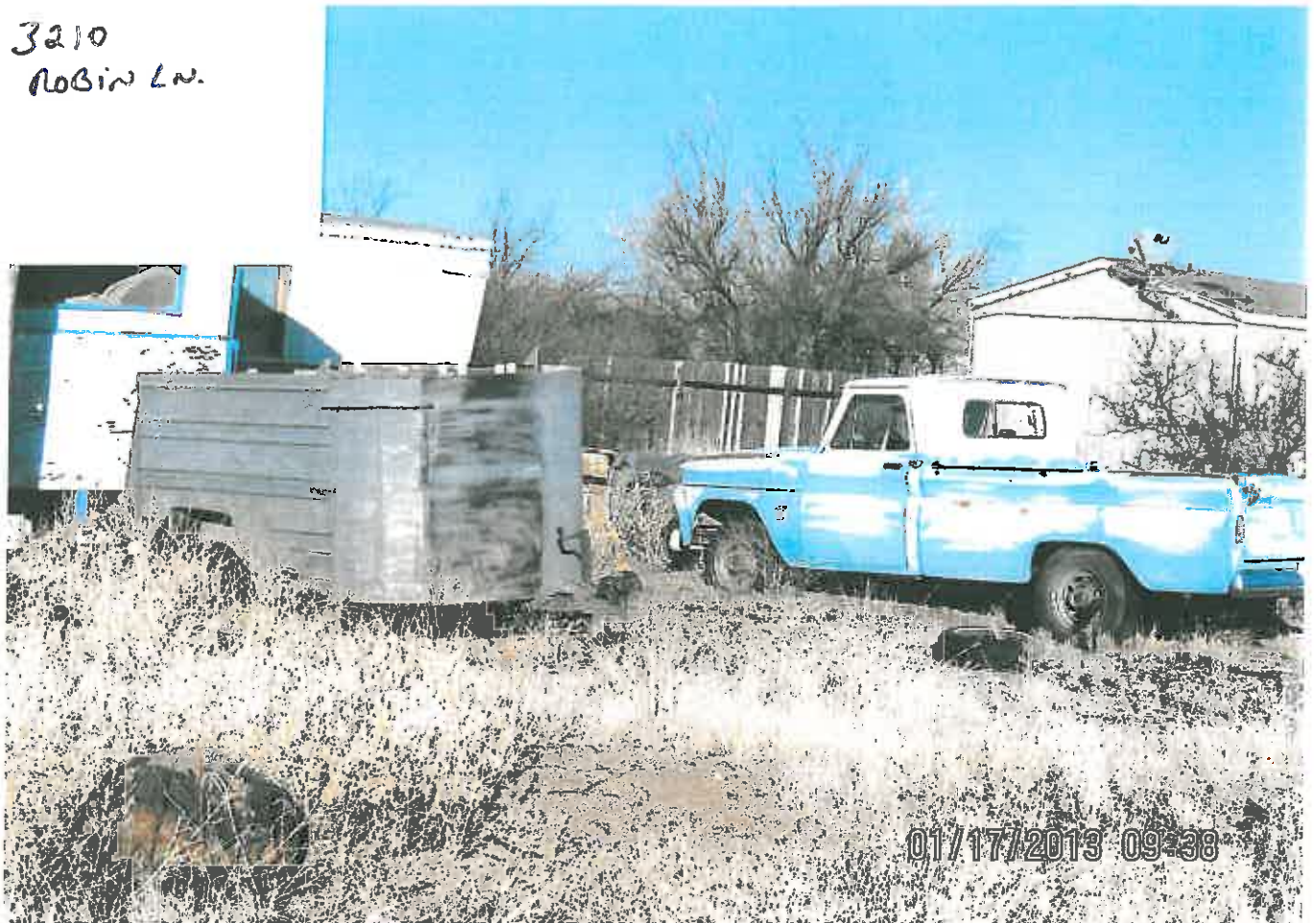


01/17/2013 09:55

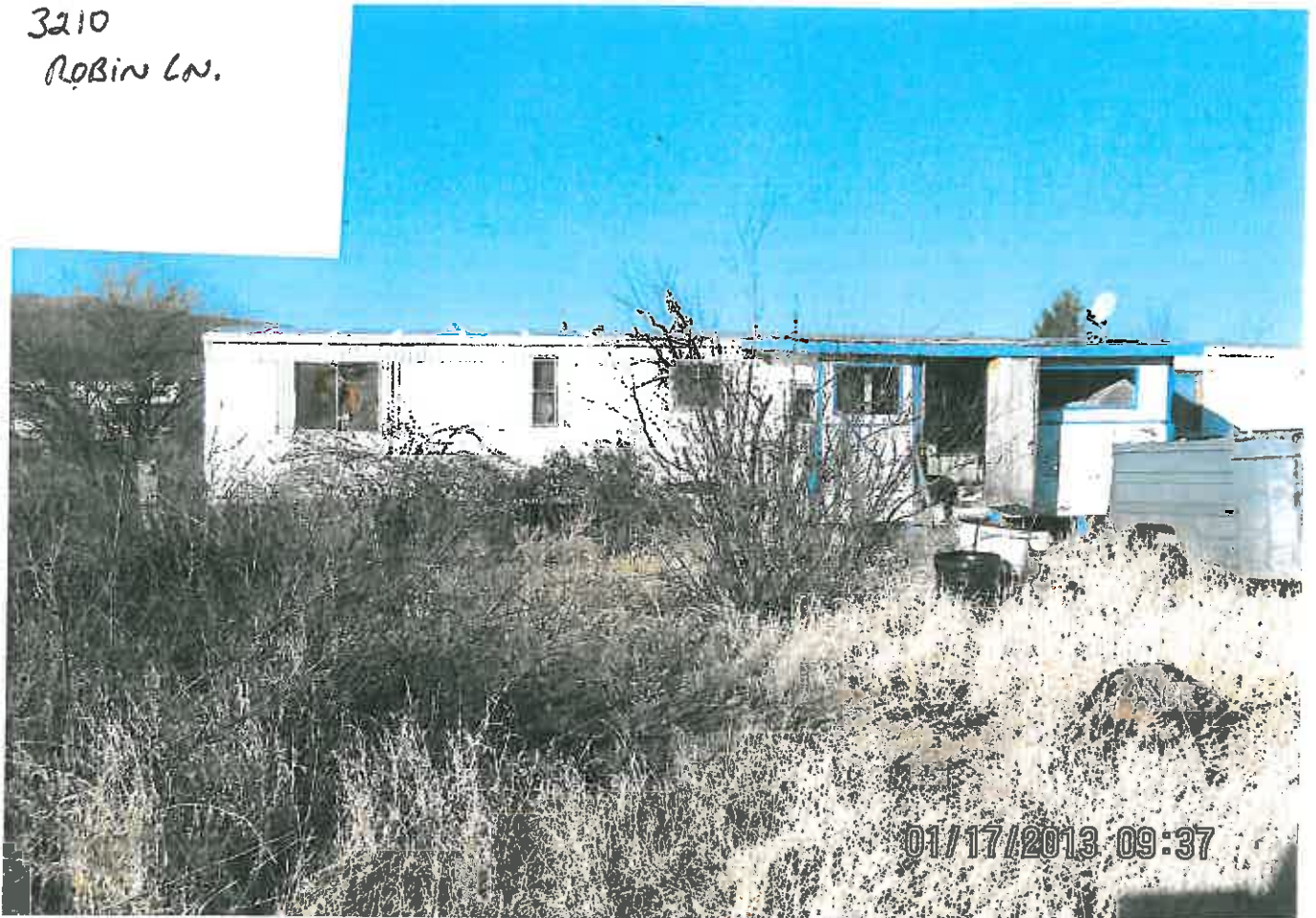
3480  
E. LAZAR RD.



3210  
Robin Ln.



3210  
ROBIN LN.





12



— Legislative Bulletin —

Issue 7 - February 22, 2013

## Legislative Overview

Today marks the deadline established by rule for legislation to be heard in committee in the house of origin. Given this significant deadline, legislative committee agendas were loaded with bills for consideration. Many committees went late into the evening hours and a number of committees held special meetings so that they could hear more bills within the allotted timeframe.

As a result, the League registered its position as well as testified on a number of bills this week. This increased activity is reflected in the length of this week's Legislative Bulletin, which can be expected to diminish in content as the session progresses.

The next notable deadline will not occur for another month. March 22 will mark the last day to hear legislation in standing committees, excluding the Rules and Appropriations Committees.

## Changes to Transaction Privilege Taxes

**HB 2657 (transaction privilege tax changes)** was heard on Monday afternoon in the House Ways and Means Committee. After four hours of testimony from opponents and proponents of the bill, the committee passed out the bill unanimously on an 8-0 vote. It is important to note however, that the three Democrat representatives on the committee, Rep. Gallego, Rep. Cardenas and Rep. Wheeler explained that if the bill remained in its current form, they would vote against it if it reaches the House Floor for a vote. HB 2657 was also assigned to the House Appropriations Committee and has yet to be scheduled for a hearing. We want to thank Mayor Schoaf of Litchfield Park, Mayor Price of Maricopa and Mayor Wolcott of Surprise for ably testifying to the great concerns cities and towns have with the measure.

## Taxes on Commercial Leases

Both **SB 1028 (municipal TPT exemption; leases; ownership)** and **HB 2324 (municipal tax code; leases)** passed out of their house of origin and are awaiting action in the opposite chamber. The goal of both bills is to expand upon legislation passed in recent years to exempt lease transactions between entities that share at least 80 percent common ownership from commercial lease tax. SB 1028 currently contains language that is more complete and we are working with the sponsor of HB 2324 to adopt the same language.

## Transportation Funding

**HB 2594 (local transportation assistance fund; restoration)** re-establishes the County Assistance Fund, the Local Transportation Assistance Fund (LTAF), the Local Transportation Assistance Fund for Mass Transit, and the Arizona

State Parks Board Heritage Fund. Sponsored by Rep. Ethan Orr (R - Tucson), the measure also prescribes the allotment of funds to municipalities on a population based revenue sharing system and that cities and towns may use 10% of their funds for certain non-transit services. On February 18th the bill passed the House Energy, Environment and Natural Resources Committee by a unanimous vote, and now goes on to the House Appropriations Committee.

## Election Changes

On Tuesday, February 19, the House Government Committee passed [HB 2527 \(elections; revisions\)](#) on an 8-0 vote. Among other changes, the bill, sponsored by Rep. Michelle Ugenti (R- Scottsdale) authorizes municipalities to lengthen or shorten their terms in order to transition to candidate elections in the fall of even years. The bill also modifies municipal incorporation statutes accordingly. The committee adopted an amendment to provide municipalities with their "home rule" authorization expiring in the spring of 2014 the opportunity to move those elections to the fall of 2014 without suffering harmful consequences. The League testified in favor of the bill and the amendment, supporting these key changes to ensure the smoothest transition to a consolidated election schedule. The League thanks Rep. Ugenti for sponsoring HB 2527 and the amendment.

## Guns in Public Buildings

[HB 2554 \(firearm regulation; state preemption\)](#) passed out of the House Public Safety, Military and Regulatory Affairs Committee by a vote of 5-2. The measure stipulates statewide gun locker storage and signage requirements, as well as penalties for entering public establishments that ban firearms. The League is opposed to HB 2554, which now goes on to the House Rules Committee.

## Ineligible Employees

[HB 2562 \(public retirement systems; ineligible employees\)](#) places employees ineligible for ASRS and PSPRS into a defined contribution plan under ASRS and expands the definition of member under PSPRS. The League is neutral on the bill because the definitions need further development, but we support the efforts of the sponsor and look forward to reaching a bill the League can support. The bill passed the House Insurance and Retirement Committee on a 6-2 vote on Tuesday, February 19. The League thanks the sponsor, Rep. Bob Robson (R-Chandler) for his leadership on this issue and willingness to bring stakeholders together to craft a solution to employees that may currently be enrolled incorrectly into a state pension system.

## Photo Radar

The House Committee on Transportation heard two bills related to the photo enforcement of traffic laws on Thursday. [HB 2579 \(photo radar prohibition\)](#) sought to ban all photo enforcement programs in the state. The bill, which is opposed by the League, failed to pass the committee on a 2-4 vote. However, [HB 2292 \(photo radar citations; service times\)](#) passed out of committee. This bill proposes to limit the service times for photo radar citations to between 9:00 am and 5:00 pm. The sponsor of the bill, Rep. Steve Smith (R-Maricopa), agreed to work on some amendments as the bill moves forward.

## UN Rio Declaration

On Monday, the Senate Government and Environment Committee passed [SB 1403 \(United Nations Rio declaration; prohibition\)](#) by a vote of 4-3. The bill, sponsored by Sen. Judy Burges (R-Sun City West) prohibits the state and its political subdivisions from adopting or implementing "the creed, doctrine, principles or any tenet" of the 1992 United Nations Rio Declaration on Environment and Development. The bill also specifically identifies a number of organizations with which Arizona political entities are prohibited from affiliating. The League opposes the legislation, based on its ambiguous language, potential for unintended negative consequences and prospective impacts on municipal initiatives.

## Dedicated Property Tax

On Wednesday, February 20, the Senate Finance Committee adopted a strike-everything amendment on [SB 1470](#) ([bond contracts; technical correction](#)). The strike-everything amendment allows towns to seek permission from the voters to levy a property tax to pay the costs of providing police, fire and emergency medical services. The League supports the amendment as provides towns with another method for paying for public safety and emergency services. The amended bill passed on a 7-0 vote.

## Other Bills of Note

(All bills being actively monitored by the League [can be found here.](#))

### **Bill Number - Short Title - Subject(s)**

[HB 2138: municipalities; right-of-way; transfer - annexation](#)

[HB 2347: tax levy; bond costs - finance](#)

[HB 2443: cities; counties; regulatory review - regulations](#)

[HB 2608: EORP; closure; defined contribution - pension](#)

[SB 1103: charter schools; zoning procedures - regulations](#)

[SB 1210: municipalities; municipal policies; shared revenues - general government](#)

[SB 1231: public buildings; construction; indemnity - general government](#)

[SB 1278: homeowners' associations; public roadways- HOA](#)

[SB 1321: residential energy efficiency; building codes - regulations](#)

[SB 1454: campaign finance; in-kind contributions; disclosures - elections](#)

*Legislative Bulletin* is published by the League of Arizona Cities and Towns.

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Legislative Bulletin

Issue 6 - February 15, 2013

## Legislative Overview

Next Friday, February 22, marks the deadline established by rule for legislation to be heard in committee in the house of origin. All indications point to the Legislature holding to this deadline. As a result, the committee agendas for next week are laden with bills for consideration. Although it appears that the deadline will be honored, it should be noted that the Appropriations Committees are authorized to continue holding hearings. Additionally, committees may continue to meet to consider bills from the other chamber, hear presentations, and even consider bills from house of origin, if granted permission by the president or speaker of the House.

## Changes to Transaction Privilege Taxes (TPT)

**HB 2657 (transaction privilege tax changes)** was introduced this week by Rep. Debbie Lesko (R-Glendale). This bill reflects some of the recommendations of the Governor's TPT Simplification Task Force. It includes three issues that cities and towns oppose in their current form:

1. Moving all cities and towns into the DOR collection program.
2. Requiring that all audits be conducted by the DOR.
3. Removing the construction contracting classification from both state statute and from the Model City Tax Code.

The bill has been scheduled to be heard next Monday, February 18, in the House Ways and Means Committee where the League will present testimony on the bill. We encourage you to keep in contact with your delegation about this bill as it moves through the legislative process.

## Revenue Allocation Districts

On Monday, February 11, the House Ways and Means Committee passed **HB 2456 (revenue allocation districts)**. The measure, sponsored by Rep. Phil Lovas (R-Peoria), authorizes municipalities to form Revenue Allocation Districts, which can pledge increases in both property tax and sales tax revenue to secure bonds issued to benefit the district. The bill was amended in order to make changes intended to address concerns raised by Gov. Brewer in her veto letter of the same bill last year. The League supports the measure for its potential as an economic development tool, which was the subject of a League resolution.

## Public Notices

**HB 2533 (local governments; public notices; website)** passed out of the House Technology and Infrastructure Committee on Thursday by a vote of 4-2. The League testified in support of the measure.

Sponsored by Rep. Warren Peterson (R - Gilbert) HB 2533 allows cities, towns and counties to provide public notice on their own websites, instead of in a newspaper. If a city or town does not have a website, the League will host the posting. Once a year, the municipality will have to publish in a newspaper the location of the public notice website.

This issue has been important to cities and towns for many years. We are thankful to Rep. Peterson and the bill's co-sponsors for this effort. The bill now goes on to the House Government Committee where it will be heard next Tuesday.

## Election Changes

On Thursday, February 14 the House Judiciary Committee passed [HB 2527 \(elections; revisions\)](#) on a 4-2 vote. Among other changes, the bill, sponsored by Rep. Michelle Ugenti (R- Scottsdale) authorizes municipalities to lengthen or shorten their terms in order to transition to candidate elections in the fall of even years. The bill also modifies municipal incorporation statutes accordingly. The League testified in favor of the bill, supporting these key changes to ensure the smoothest transition to a consolidated election schedule. The bill next proceeds to the House Government Committee. We are working with the sponsor to introduce an amendment to address the issue of expiring local expenditure limits. The League thanks the sponsor for introducing HB 2527 and her continued efforts on our behalf.

## Alarm Regulations

On Wednesday, February 13, the House Commerce Committee passed [HB 2185 \(alarm businesses; alarm agents\)](#). As amended the bill allows for alarm companies to provide local law enforcement the necessary information to respond to alarm calls. The bill also keeps in place the background checks system for alarm agents. This bill is a clean-up measure to last year's HB 2748.

The League signed in support of the bill and has been able to provide input to the sponsor, Rep. Karen Fann (R - Prescott). We will continue to work with Rep. Fann on this measure as it proceeds through the legislative process. Its next stop is the House Rules Committee.

## Other Bills of Note

(All bills being actively monitored by the League [can be found here.](#))

### Bill Number - Short Title - Subject(s)

[HB 2005: political subdivision entities; public access - transparency](#)

[HB 2347: city parcel tax; prohibition - finance](#)

[HB 2526: street light improvement districts - general government](#)

[HB 2544: city parcel tax; prohibition - finance](#)

[SB 1028: municipal TPT exemption; leases; LLC - finance](#)

[SB 1231: public buildings; construction; indemnity - general government](#)

[SB 1278: homeowners' associations; public roadways - HOA](#)



— Legislative Bulletin —

Issue 7 - February 22, 2013

[PRINT VERSION](#)

## Legislative Overview

Today marks the deadline established by rule for legislation to be heard in committee in the house of origin. Given this significant deadline, legislative committee agendas were loaded with bills for consideration. Many committees went late into the evening hours and a number of committees held special meetings so that they could hear more bills within the allotted timeframe.

As a result, the League registered its position as well as testified on a number of bills this week. This increased activity is reflected in the length of this week's Legislative Bulletin, which can be expected to diminish in content as the session progresses.

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## Changes to Transaction Privilege Taxes

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## Taxes on Commercial Leases

Both [SB 1028 \(municipal TPT exemption; leases; ownership\)](#) and [HB 2324 \(municipal tax code; leases\)](#) passed out of their house of origin and are awaiting action in the opposite chamber. The goal of both bills is to expand upon legislation passed in recent years to exempt lease transactions between entities that share at least 80 percent common ownership from commercial lease tax. SB 1028 currently contains language that is more complete and we are working with the sponsor of HB 2324 to adopt the same language.

Issue 7 - February 22, 2013

## Transportation Funding

**HB 2594 (local transportation assistance fund; restoration)** re-establishes the County Assistance Fund, the Local Transportation Assistance Fund (LTAF), the Local Transportation Assistance Fund for Mass Transit, and the Arizona State Parks Board Heritage Fund. Sponsored by Rep. Ethan Orr (R - Tucson), the measure also prescribes the allotment of funds to municipalities on a population based revenue sharing system and that cities and towns may use 10% of their funds for certain non-transit services. On February 18th the bill passed the House Energy, Environment and Natural Resources Committee by a unanimous vote, and now goes on to the House Appropriations Committee.

## Election Changes

On Tuesday, February 19, the House Government Committee passed **HB 2527 (elections; revisions)** on an 8-0 vote. Among other changes, the bill, sponsored by Rep. Michelle Ugenti (R- Scottsdale) authorizes municipalities to lengthen or shorten their terms in order to transition to candidate elections in the fall of even years. The bill also modifies municipal incorporation statutes accordingly. The committee adopted an amendment to provide municipalities with their "home rule" authorization expiring in the spring of 2014 the opportunity to move those elections to the fall of 2014 without suffering harmful consequences. The League testified in favor of the bill and the amendment, supporting these key changes to ensure the smoothest transition to a consolidated election schedule. The League thanks Rep. Ugenti for sponsoring HB 2527 and the amendment.

## Guns in Public Buildings

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## Ineligible Employees

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## Photo Radar

The House Committee on Transportation heard two bills related to the photo enforcement of traffic laws on Thursday. **HB 2579 (photo radar prohibition)** sought to ban all photo enforcement programs in the state. The bill, which is opposed by the League, failed to pass the committee on a 2-4 vote. However, **HB 2292 (photo radar citations; service times)** passed out of committee. This bill proposes to limit the

service times for photo radar citations to between 9:00 am and 5:00 pm. The sponsor of the bill, Rep. Steve Smith (R-Maricopa), agreed to work on some amendments as the bill moves forward.

## UN Rio Declaration

On Monday, the Senate Government and Environment Committee passed **SB 1403 (United Nations Rio declaration; prohibition)** by a vote of 4-3. The bill, sponsored by Sen. Judy Burges (R-Sun City West) prohibits the state and its political subdivisions from adopting or implementing "the creed, doctrine, principles or any tenet" of the 1992 United Nations Rio Declaration on Environment and Development. The bill also specifically identifies a number of organizations with which Arizona political entities are prohibited from affiliating. The League opposes the legislation, based on its ambiguous language, potential for unintended negative consequences and prospective impacts on municipal initiatives.

## Dedicated Property Tax

On Wednesday, February 20, the Senate Finance Committee adopted a strike-everything amendment on **SB 1470 (bond contracts; technical correction)**. The strike-everything amendment allows towns to seek permission from the voters to levy a property tax to pay the costs of providing police, fire and emergency medical services. The League supports the amendment as provides towns with another method for paying for public safety and emergency services. The amended bill passed on a 7-0 vote.

## Other Bills of Note

(All bills being actively monitored by the League [can be found here.](#))

### **Bill Number - Short Title - Subject(s)**

**HB 2138: municipalities; right-of-way; transfer - annexation**

**HB 2347: tax levy; bond costs - finance**

**HB 2443: cities; counties; regulatory review - regulations**

**HB 2608: EORP; closure; defined contribution - pension**

**SB 1103: charter schools; zoning procedures - regulations**

**SB 1210: municipalities; municipal policies; shared revenues - general government**

**SB 1231: public buildings; construction; indemnity - general government**

**SB 1278: homeowners' associations; public roadways- HOA**

**SB 1321: residential energy efficiency; building codes - regulations**

**SB 1454: campaign finance; in-kind contributions; disclosures - elections**





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— Legislative Bulletin —

Issue 5 - February 8, 2013

## Legislative Overview

This past Monday at 5 p.m. marked the deadline to introduce measures in the Senate. All told 481 bills, two concurrent memorials, 19 concurrent resolutions and three resolutions have been introduced, a significant reduction compared to last session. Last year saw a total of 533 bills, 12 concurrent memorials, 44 concurrent resolutions, one memorial and eight resolutions introduced.

On Wednesday February 6, Governor Brewer signed HB 2503 providing the Independent Redistricting Commission (IRC) with a \$500,000 supplemental appropriation. The IRC originally submitted a request for \$2.7 million. This will make HB 2503 the second chaptered bill of the 51st Legislature.

This coming Monday, February 11, is the deadline for the introduction of new measures in the House of Representative. After 5 p.m. on that day, the general "universe" of legislation will be known.

This deadline is perhaps most pressing for the League because the Governor's legislation on changes to the transaction privilege tax is likely to be introduced prior to the Monday 5 o'clock deadline. The League has been following the issue closely and will provide analysis and information as it becomes available.

## Bonding Limitations

**HB 2231 (bonding; taxation; expenditures; district limitations)** passed the House Committee on Reform and Human Services on Thursday of this week. The bill restricts the activities of special taxing districts and subjects them to the constitutional expenditure and levy limits imposed on the political subdivision in which they are located. Under this bill, a special taxing district cannot be formed if any part of it is located within the jurisdiction of another political subdivision or within multiple political subdivisions if the sum of the expenditures of all the political subdivisions exceeds constitutional debt limits.

Additionally, special taxing districts would be prohibited from levying new or increased ad valorem tax if the sum of the ad valorem taxes levied by all political subdivisions located within that special taxing district exceeds constitutional debt limits. Cities and towns oppose the bill because it will hurt our ability to finance critical infrastructure and will stymie economic development.

## Regulatory Reform

On Tuesday, the House Government Committee heard **HB 2443 (cities; counties; regulatory review)**. The measure, sponsored by Rep. Olson (R- Mesa), contains numerous changes to the statutes governing the issuance of licenses

and permits for cities, towns, counties and flood control districts. The language represents cooperation between both business and government to provide meaningful changes while maintaining proper protections for the regulated community.

The League supports the bill as a great collaborative effort to bring greater clarity to the regulatory scheme created by Laws 2010, Chapter 312 (SB 1598). This issue is also a League Resolution for 2013. The bill passed out of the House Government Committee on a 7-1 vote. The committee additionally adopted an amendment sponsored by Rep. Ugenti, which contains numerous drafting corrections.

## Taxes on Commercial Leases

In each of the last two weeks, the bulletin highlighted two separate bills related to commercial lease sales tax. The goal of each of these bills is to expand upon legislation passed in recent years to exempt lease transactions between entities that share at least 80% common ownership from commercial lease tax. Specifically, the sponsors want to ensure that all entities that have common ownership, instead of just those explicitly listed in statute, are exempt. The League has been working closely with Senator Reagan and Representative Farnsworth on amendments to address their issue and ensure that future conflicts with state tax code and practice are not created. [SB 1028 \(municipal TPT exemption; leases; LLC\)](#) passed out of the Senate Committee on Finance with a comprehensive amendment that the League feels accomplishes the stated goals. The League thanks Senator Reagan for her cooperation on this measure.

## Municipal Policies

On Monday, the Senate Government and Environment Committee considered [SB 1210 \(municipalities; municipal policies; shared revenues\)](#). The bill, sponsored by Rep. Judy Burges (R- Sun City West), requires the Ombudsman-Citizen's Aide or an independent auditor to investigate complaints of a municipality violating its personnel or purchasing policies. Violations result in at least 10% of a municipality's state shared revenue being withheld until the entity is deemed to be in compliance with their policies. The League testified in opposition to bill. The measure ignores existing administrative and legal pathways for issue resolution and instead creates additional bureaucracy for the state and local governments. Additionally, the withholding of state shared revenues bears no logical connection with the issue at hand, and would punish all taxpayers for an unsubstantiated violation by an individual. Unfortunately, the bill passed out of committee on a 4-3 vote.

## Alarm Regulations

On Wednesday, the Senate Commerce, Energy and Military Committee failed [SB 1190 \(alarm contractor regulation\)](#) by a vote of 2-5. The bill removes the regulatory authority of alarm businesses and agents from the Board of Technical Registration and allows an alarm company to submit a sworn affidavit that the applicant conducts criminal background checks for each employee in order to obtain a contractor's license. It also states that the applicant is required to file the affidavit only once and is not required to file subsequent affidavits. The League opposed the bill because it would have lessened public safety and further infringed on local control.

## Other Bills of Note

(All bills being actively monitored by the League [can be found here.](#))

### Bill Number - Short Title - Subject(s)

[HB 2005: political subdivision entities; public access - transparency](#)

[HB 2113: municipal annexation; state; exception - general government](#)

[HB 2138: municipalities; right-of-way; transfer - general government](#)

HB 2380: employee benefits; state preemption - personnel

SB 1231: public buildings; construction; indemnity - general government

SB 1321: residential energy efficiency; building codes - regulations

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Legislative Bulletin

Issue 4 - February 1, 2013

## Legislative Overview

The Arizona Legislature saw a notable increase in activity this week. At the forefront of legislative action was the "fast-tracking" of two spending measures. The first pair of bills (HB 2502 and SB 1249: supplemental appropriation; CPS funding) provide \$4.4 million to Child Protective Services for the hiring of 50 additional caseworkers. This aligns with the governor's request in her State of the State address. The Governor signed HB 2502 yesterday afternoon, making it the first chaptered bill of the session.

The second measures (HB 2503 and SB 1250: supplemental appropriation; IRC) provide the independent Redistricting Commission (IRC) with \$500,000 in additional revenue. The appropriation is intended to cover additional costs incurred by the IRC due to litigation; however, it should be noted that the proposed amounts falls short of the \$2.7 million requested by the IRC.

As a point of clarification, each measure has two bill numbers associated with it, because introducing and moving identical bills through each chamber allows the issue to go to the governor's desk for action quicker than the traditional approach. Additionally, each bill appropriates funds from the current budget.

The topic of sales tax reform continues to pervade legislative discussions. A measure has yet to be dropped, which makes it difficult to analyze the harm or benefit these initiatives might create. It is because of this uncertainty that the League feels it is vital that local elected officials continue to reach out to their delegation and express their concerns about the various sales tax proposals.

Monday February 4, marks a key deadline: after 5 p.m., bills can no longer be introduced in the Senate. February 11 marks a similar deadline for the House of Representatives.

## Taxes on Commercial Leases

Last week, the League outlined a bill sponsored by Senator Michele Reagan (R-Scottsdale), which proposes to add limited liability companies that own and lease space to themselves under another limited liability company to the list of entities exempt from paying commercial lease tax. The League is simultaneously working with Representative Eddie Farnsworth (R-Gilbert) on [HB 2324 \(municipal tax code; leases\)](#) which proposes the same concept. As you may recall from last week's bulletin article, the Legislature has already exempted certain corporate entities from paying commercial lease sales tax; namely, those that own property under one entity and lease space to "themselves" under another entity. It is clear from this bill, bills passed in previous years, and the fact that the state does not tax this activity, that the Legislature does not want commercial lease sales tax paid when lease arrangements are between the same people. Rather than add the numerous types of corporate entities to the exempted list year after

year, the League has agreed to work with legislators on amendments that would exempt all entities that are owned by the same shareholders from paying commercial lease tax, regardless of its corporate structure.

HB 2324 unanimously passed out of the House Committee on Ways and Means on Monday, January 28. There is a commitment from Representative Farnsworth to work on an amendment for Committee of the Whole. This bill will hopefully serve as another example of how the municipalities are working toward simplifying and making the tax code more consistent.

## Other Bills of Note

(All bills being actively monitored by the League [can be found here.](#))

### **Bill Number - Short Title - Subject(s)**

**HB 2026: local governments; union dues; deductions - personnel**

**HB 2299: vocational rehabilitation; prosthetic appliances; orthodontics - finance**

**HB 2347: tax levy; bond costs - finance**

**SB 1103: charter school; zoning procedures - regulatory**

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Legislative Bulletin

Issue 3 - January 25, 2013

## Legislative Overview

Today marks the end of the second week of the legislative session. With only three days for legislative business, the Capitol once again saw sparse activity both on the floor and in committees.

Despite the dearth of action, as of this morning 730 bills, memorials and resolutions have been introduced this year, 515 of which originated in the House of Representatives. The disparity is to be expected at this point, as last Thursday marked the 7-bill limit for representatives. The League is currently tracking 147 bills for their potential impact on municipal operations.

The League expects the Legislature to begin its labors in earnest next week, particularly in the House.

The topic of transaction privilege tax (TPT) reform was center stage in the Senate Finance and House Ways and Means committees this week as Michael Hunter, director of policy for Governor Brewer and chairman of the TPT Simplification Task Force presented the task force's recommendations. The recommendations that contain potential negative impacts to cities and towns have been previously highlighted in the bulletin. The League will continue to monitor the issue and awaits the introduction of a concrete proposal for analysis and review.

## Taxes on Commercial Leases

Over the last several years, the Legislature has exempted certain corporate entities from paying commercial lease sales tax; namely, those that own property under one entity and lease space to "themselves" under another entity. This year, Senator Michele Reagan (R-Scottsdale) has introduced **SB 1028 (municipal TPT exemption; leases; LLC)**, which would add limited liability companies owning and leasing space to themselves to the list of those exempted. It is clear from this bill, bills passed in previous years, and the fact that the state does not tax this activity that the Legislature does not want commercial lease sales tax paid when lease arrangements are between the same people. Rather than add the numerous types of corporate entities to the exempted list year after year, we have agreed to work with Senator Reagan on an amendment that would exempt all entities that are owned by the same shareholders from paying commercial lease tax, regardless of its corporate structure.

The bill was scheduled to be heard in Senate Finance this week, but was held at the request of Senator Reagan in order to allow us to work on an amendment that accomplishes the legislative intent and ensures that cities can continue to collect commercial lease sales tax on property owners who are in the business of leasing property. This bill will hopefully serve as an example of how the municipalities are working towards simplifying and making the tax code more consistent.

## Other Bills of Note

(All bills being actively monitored by the League [can be found here.](#))

### **Bill Number - Subject - Short Title**

[HB 2005 - political subdivision entities; public access - transparency](#)

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Issue 2 - January 18, 2013

## Legislative Overview

Monday marked the start of the First Regular Session of the 51st Legislature. In addition to the swearing-in of returning and newly-elected legislators, President Andy Biggs and Speaker of the House Andy Tobin were officially voted to their leadership positions. The floor of the House of Representatives was packed with families, elected officials and dignitaries as they assembled to hear the Governor Jan Brewer's annual State of the State address. A brief statement on the address can be found below.

Thursday at 5 p.m. marked the deadline for representatives to introduce unlimited legislation. From that point forward, each representative may only introduce seven additional bills. A breakdown of important legislative dates can be found below.

Next week, the Legislature will not convene on Monday in honor of the Martin Luther King, Jr. holiday. Despite its shortened length, next week will likely be busy as committees begin to hear bills in earnest.

## State of the State

Governor Brewer delivered her State of the State address to a joint session of the Legislature on January 14th. In her 37-minute speech, the governor outlined past accomplishments and goals for the coming year. Although she did not go into tremendous detail, she does plan to address the expansion of Medicaid, increased funding for Child Protective Services and school resource officers, immigration reform, and simplifying the sales tax code. The League is, of course, particularly interested in the last point and will be in close communication with the executive and legislative branches on this issue.

## Consolidated Elections

Last year HB 2826 (consolidated election dates) was passed by the Legislature and signed into law by the governor, despite the League's opposition. The League understands and appreciates that this is an issue that mayors and councilmembers across the state are passionate about. We will continue to study and gather data on under-voting and election costs; nevertheless, it is time to move forward on key statutory changes that are needed to ensure the smoothest possible transition to a consolidated election schedule. State authorization on modifying terms of office and a one-time allowance in order to painlessly transition "home rule" authority onto a fall schedule will benefit both Capitol and municipal interests.

## Session Deadlines

Every session has deadlines pertaining to bill submissions and hearings. These are established by rule and are



subject to change. This year, the schedule is as follows:

**January 2013**

Thursday, the 17th - House 7-bill Introduction Limit Begins (5 p.m.)

**February 2013**

Monday, the 4th - Senate Bill Introduction Deadline (5 p.m.)

Monday, the 11th - House Bill Introduction Deadline (5 p.m.)

Friday, the 22nd - Last Day to hear bills in the chamber of origin

**March 2013**

Friday, the 22nd - Last Day to hear bills in the opposing chamber

**April 2013**

Tuesday, the 23rd - 100th Day of Session

## Changes to the Legislative Bulletin

In the coming weeks the League will be implementing a new format for the Legislative Bulletin. Rather than provide a detailed narrative description and update on all municipally-related legislation that saw action during the prior week, the Bulletin will highlight only the top half-dozen or so topics and bills. Other legislation that the League is actively engaged on will still be monitored and updated; however, that information will be stored on a Legislative Bill Monitoring page on the League website. The Bulletin will link to the legislation that has been updated in our Legislative Bill Monitoring Section. We hope these changes will make it more convenient for you to keep up to date on the latest legislative activities, while still providing a resource for more detailed information.

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