

**MINUTES**  
**COUNCIL HEARS PLANNING & ZONING MATTERS**  
**MAYOR AND COUNCIL**  
**COUNCIL CHAMBERS**  
**WEDNESDAY, APRIL 27, 2011**  
**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**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Burnside, Vice Mayor Kovacovich, Councilors Whatley, Garrison, Baker, Roulette and German were present.

**Also Present:** Town Manager Russ Martin, Community Development Director Mike Jenkins, Asst. Planner Jenna Owens, Councilors-Elect Alan Buchanan and Bruce George, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Kovacovich.

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) There are no minutes for approval

b) **Set Next Meeting, Date and Time:**

1) May 4, 2011 at 6:30 p.m. – Regular Session

2) May 6, 2011 at 9:00 a.m. – Budget Work Session

3) May 11, 2011 at 6:30 p.m. – Public Hearing/P&Z Code Rewrite

4) May 18, 2011 at 6:30 p.m. – Regular Session

5) May 25, 2011 at 6:30 p.m. – Public Hearing/P&Z Code Rewrite

On a motion by Baker, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the change for the May 4<sup>th</sup> meeting for a 5:30 Work Session and 6:30 Regular Session..

Town Manager Martin said that since the May 4<sup>th</sup> meeting will be dealing with the contract for the purchase of the Industrial property, he would suggest that a Work Session be scheduled for 5:30 to deal with possible finance options, for an informational session in advance of the regular meeting.

5. **Special Announcements & Presentations**

There were no special announcements and presentations.

6. **Council Informational Reports.**

Mayor Burnside said he had received an invitation to meet Betty Matthews, Forest Supervisor, Prescott National Forest, on May 3<sup>rd</sup> in Prescott, May 5<sup>th</sup> Chino Valley, and May 10<sup>th</sup> in Cottonwood Recreation Center. Also, today is Howard Parrish's birthday; Burnside said he is not sure whether Howard is 28 years old, or the numbers were transposed.

There were no other reports.

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

There was no public input.

8. **Public hearing, review, and discussion of the rewrite of the Planning & Zoning Ordinance.** Staff Resource: Mike Jenkins

#### **STAFF PRESENTATION**

Town Manager Martin reviewed his participation in the rewrite of the subject Ordinance, including contact with the consultants, and then complete involvement with the staff approximately two months ago. Martin said he feels comfortable at this point that the Town has an Ordinance to be proud of. He strongly suggested that it is a flawed document; most documents are flawed. Staff has done its best to root out the flaws, and will always continue to work to make it better, more readable, more usable, and more representative of what everyone would like to see this community eventually become. Martin said he feels that staff has accomplished the goal of ownership among not only the Planning Commission and Council, but the staff as well. Martin plans to get through the first half of the document tonight, the second half on May 11<sup>th</sup>, and at that time bring any changes together to get a "final" version available for the 25<sup>th</sup> of May, which is the next meeting of Council to hear P&Z issues. Martin reminded the members that there will be a transition to the new Council starting with the first meeting in June; one of the new Council members is Alan Buchanan, who has been on the P&Z Commission and has already recommended this document for adoption, so there is some cohesiveness that will occur, even going into June, during which time there will also be the Budget sessions to work on. If at any time that Council wants to hold off and move on with other things, staff will work with that delay; it is too important a document to feel like it has been rushed through.

Community Development Director Jenkins commented on the most helpful participation of the new Town Manager at the time it was needed, and the staff feels very good with the document that is before the Council tonight. In response to questions regarding the legal review, the Town Attorney reviewed the document initially, and then the P&Z Commission recommended their changes. The attorney has that revised document and is reviewing it over the weekend, and his recommendations should be available by Monday. Jenkins reviewed the summary that was prepared, pursuant to the Mayor's recommendation, outlining the composition of the document and explanations for revisions or changes made, the public hearings process, and the attorney's comments from his first review.

Burnside prefaced his comments with a request that staff provide the Council and the website with a clean, readable document. Martin explained that staff hopes to be able to do that as early as before the next Council meeting. Staff is working on the viewer being able to click onto a section and go right to it; it takes building from the ground up. At this point, staff will take the document that shows the tracked changes, basically accept those changes to at least see what is going to be required, and that should be up possibly as early as tomorrow. Martin requested that staff be advised of any complaints or concerns, so they can keep working on it.

#### **PUBLIC HEARING OPEN**

**Marilynn Ewing**, a resident of the older section of the Cliffs development, said she is at the meeting tonight to perhaps get some clarification on a problem that she has also discussed with Planning & Zoning Commission regarding what is occurring in her subdivision. She explained that there have been many changes of occupancy in her area, with new owners or renters, with people working on cars in the front yard, abandoning junk cars on the properties, destroying landscaped areas, and degrading property values. People have banded together, and there is a problem of over-occupancy in the homes. Ms. Ewing is hoping that with the new Ordinance the Council would take these problems into consideration and perhaps help to correct the situation. No Homeowners Association was ever set up by the developer of her subdivision, and it may be a problem to establish one now. *(Burnside assured Ms. Ewing that there will be provisions in the new Ordinance for enforcement of violations.)*

There was no further public input.

#### **PUBLIC HEARING CLOSED**

### **Council Discussion**

Burnside opened the Council discussion by requesting comments regarding any changes, recommendations, or clarifications, beginning with Part One. Martin pointed out on Page 14, Dwelling Unit, the allowed "congregate residence for 10 or less persons" which was somewhat based on the speaker's prior complaint. Burnside referred to **Page 3, Administration and Procedures**, and stressed the importance of that statement, for all Council members and the public. Following are the suggested changes or corrections made during a page-by-page in-depth discussion of Part One:

#### **PART ONE**

**Page 1:** A reference to **Section 103** is missing; the new rewrite will include **Section 103** .

**Page 14:** (Staff suggested change in language): "**CARETAKER:** A dwelling unit built to currently adopted building standards, or bears a label certifying compliance with Federal Manufactured Housing Construction and Safety Standards Act, and meeting all building and zoning regulations for the use of a Caretaker or security person employed by the primary use of the property, and is allowed once the primary use has been established." (After discussion, Martin said it appeared to be generally agreed that the issue is to not allow a Caretaker unit in an R District because there is nothing to take care of until you get to a Commercial or Industrial district. Therefore the definition would hold its own, as stated. Burnside said the two questions were regarding residential or commercial standards, and when does it apply. Martin said it will probably be better addressed in Part 2.)

Burnside requested and received confirmation from the Council members that PART ONE had been reviewed and the minor changes accepted. The Council then addressed **PART TWO**, with changes or corrections noted as follows:

#### **PART TWO**

The problem described by Sandi Ashton regarding the 50-foot setback requirement for a horse barn on her property that abuts Forest Service property, as related to the Council at the last meeting, was addressed. With input from staff, the members discussed at length the issue of requiring setbacks, and the question of possibly allowing a specific setback for one case, and the subsequent consequences. Martin described other options that different communities had allowed. During discussion it was pointed out that the setback for a non-habitable structure, or accessory building, could be as close as 5 feet, pursuant to the current Ordinance. Martin suggested that the section that was just discussed, accessory structures, could be addressed in PART THREE in consistency with the current Code, as a blanket exception for those types of purposes, so that it consistently remains the same. Jenkins confirmed that the P&Z Commission did not go into this specific issue of accessory structures, and referred to the language in PART THREE, Page 5, Paragraph C.1., but that did not consider the point that is being discussed now dealing with setbacks.

Councilor-Elect Buchanan was invited to provide public input regarding the understanding of the P&Z Commission on the issue being discussed. Buchanan confirmed that the P&Z Commission had never been advised of the 5-foot setback requirement for an accessory building and it had never been discussed.

Burnside suggested that staff be directed to bring back some options for further discussion and careful consideration between now and discussion of the final version.

**Page 19: (k):** (Suggested language change): **Mortuaries** (loading, unloading and funeral automobile procession confined to mortuary premises). (Add definition in Definition section to clarify Mortuaries more. Need a clear understanding what is being asked for. It was noted that the requirement for confining the automobile procession to mortuary premises in intended to apply to future businesses; existing businesses will become non-conforming under the new Ordinance, but will be allowed.)

Burnside confirmed that the consensus of the members was that PART TWO has been reviewed and there is agreement with the suggested changes, as well as the recommendation for staff to bring back. PART THREE was then reviewed, with the following recommendations:

### **PART THREE**

**Page 10:** No. 4: Should refer to (See **Section 404, Signs.**)

**Page 12:** (f) (Correct language to specify which Section deals with appeals of a decision of the Community Development Director or designee.)

It was agreed that PARTS ONE, TWO and THREE have been reviewed as requested by the Town Manager. Acknowledging that the members may not be prepared for and did not expect to address PART FOUR, FIVE or SIX, Burnside said he would like to briefly address those parts in order to help clarify and make changes, as follows:

### **PART FOUR**

**Page 3: C.1. Internal Review.** Burnside suggested that the "black" sentence be removed that states: .."the Community Development Director and/or other designated official's decision may be appealed.." and move it to **Page 4** under C.2. **Internal Review Appeals.**

**Pages 4 and 5: D. Submittals.** Burnside explained that he can foresee a problem with D.1. **Site Plan**, "Site plan drawn to scale," on Page 4, and on Page 5 the requirements under **Appearance Compatibility Drawings** in that a site plan is normally an engineering measurement, elevation of a building is an architectural scale, irrigation plan is engineering. To help the public that is an item to think about.

**Page 6:** Burnside would like to discuss and consider later on, the reference to "Visual Library." Who approved the Library, and when? Should it be looked at again? (*Owens said she would make a Power Point presentation of the Visual Library to the Council; Burnside said that, for the record, he would like that done so that it will be recorded as a part of the rewrite.*)

**Page 10: A.6:** (Check on correct Section to be referenced; there is no Sec. 108B.5.)

**Page 17:** (*Burnside requested a later discussion with Martin pertaining to Improvement and Design Standards for Off-Street Parking, Item 2.*)

**Note:** Burnside reiterated that these notes regarding PARTS FOUR, FIVE and SIX are only for clarification and these sections will be discussed at the next meeting.

### **PART FIVE**

**Page 17:** Subparagraph 2.b.: (There is no Section 305 D and E.)

(*For the record, Roulette said he would have been satisfied if Burnside had just given those changes to staff. Burnside the reason he is going through it is so that it will be on the record and staff will know to make the changes.*)

**Page 20: No. 15:** Reference to Section 507 Subdivision and Street Design is incorrect; Town Engineer will come up with correct reference.

**Page 21:** (Same as above, reference to Section 507.)

**Page 48:** Section G.1.: (Fourth line, in part correct as underlined....."Town Council, upon hearing a recommendation from the Commission ....")

### **PART SIX**

**Page 1:** (References to "Development Guidance System" should be "Planning & Zoning Ordinance.")

At the close of the review and discussion, Martin said that based on what has been accomplished, the projected schedule appears to be appropriate, staff should be able to create a fairly clean document by the

12<sup>th</sup> of May, or shortly thereafter. That will give the public a week or two to look at the clean version, and Council should be able to adopt the final version on the 25<sup>th</sup>.

- 9. **Discussion, consideration, and possible approval of Resolution 2011-838 a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring the Planning & Zoning Ordinance of Camp Verde, dated April 27, 2011 to be a public record and establishing Planning & Zoning Ordinance of Camp Verde.** Staff Resource: Mike Jenkins  
On a motion by Burnside, seconded by German, the Council unanimously voted to continue this item until May 11, 2011.

Martin recommended that this item be continued to the May 11<sup>th</sup> meeting.

- 10. **Discussion, consideration, and possible approval of Ordinance 2011-A374, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by reference the establishment of the Planning & Zoning Ordinance of Camp Verde, repealing Ordinance 87-A23 and all amendments thereto and proscribing penalties for violations thereof.** Staff Resource: Mike Jenkins  
On a motion by Burnside, seconded by Baker, the Council unanimously voted to continue this item until May 11, 2011.

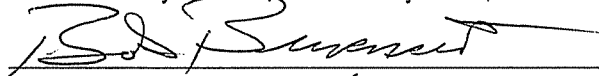
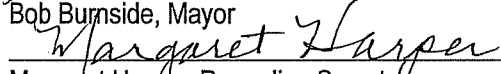
Martin recommended that this item be continued to the May 11<sup>th</sup> meeting. Burnside noted that the item will be brought back with the correction of the Ordinance verbiage made.

- 11. **Call to the Public for Items not on the Agenda.**  
There was no public input.

- 12. **Advanced Approvals of Town Expenditures.**  
There were no advanced approvals.

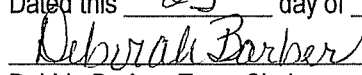
- 13. **Manager/Staff Report**  
Martin announced that a maintenance truck is being purchased for about \$18,000 with the funds that were budgeted in the amount of \$22,000. The 2000 Ford Taurus that was purchased for \$2700, plus the \$300 for a windshield, has been waxed and cleaned by staff; Martin urged the members to please feel free to use that car for their meetings; it belongs to all of them and is for their use as well. Gas is very expensive now and the members do not need that extra expense.

- 14. **Adjournment**  
On a motion by German, seconded by Baker, the meeting was adjourned at 8:01p.m.

  
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 Bob Burnside, Mayor  
  
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 Margaret Harper, 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 Regular Session of the Town Council of Camp Verde, Arizona, held on the 27<sup>th</sup> day of April 2011. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 23 day of May, 2011.  
  
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 Debbie Barber, Town Clerk