Yuma County, Arizona
DEPARTMENT OF DEVELOPMENT SERVICES
2351 West 26th Street, Yuma, Arizona 85364
Phone: (928) 817-5000
Fax: (928) 817-5020

PROCEDURE FOR COMMISSION INITIATIVE REZONING

1. Purpose

A Commission Initiative rezoning action involves the changing of the boundaries of a previously set zoning district to allow other uses. The Commission Initiative rezoning request must be requested by all property owners within a designated definable area. There must be a minimum of two contiguous parcels involved in order to proceed as a Commission Initiative. The Planning Commission may decide to hear the case as a Commission Initiative. The advantage (to the applicant) of a Commission Initiative rezoning is that the usual fee is refunded to the applicant if the request is initiated by the Commission. See # 3 below for fee details.

The Zoning districts are geographically defined areas, each of which allows and restricts a variety of uses and building intensities in order to encourage and protect the health, safety and welfare of Yuma County. The various zoning districts and the permitted uses in those districts are shown on the Yuma County Official Zoning Maps and are explained in the Yuma County Zoning Ordinance. The ordinance and maps are available for review or purchase at the Department of Development Services offices.

2. How to Apply

The property owner or his designated agent must come to the Department of Development Services located at 2351 West 26th Street. Planning staff will provide the appropriate forms and will help identify the information that is required. A time to meet with the assigned Planner will be set at the time of the application.

Information that is **required** to begin the application process includes the following:

- ❑ Name, address and phone number of owner and agent
- ❑ Existing and requested zoning districts
- ❑ Signature of the person making application, including the selection of the appropriate box showing representation
- ❑ Assessor's Parcel Number (APN) & legal description (obtained from deed or tax records)
- ❑ Verification by Staff whether the request will trigger any amendment to the Comprehensive Plan or the Joint Land Use Plan.
- ❑ Applicable **Schedule for Development** of the specific use or uses for which rezoning is requested
- ❑ A completed Planning and Zoning Application Form
- ❑ A completed Amendment Determination Form

Additional **optional** information for application:

- ❑ Any development plans, site plans, drawings or evidence to support or explain your request
- ❑ Letters of support from neighboring property owners

3. Planning Commission Hearing

Once the application and support information are complete and submitted, the Commission Initiative rezoning request is placed into a pending case file in the order it is received. At the next available Planning Commission hearing, the request is presented to the Commission as a "Request for Commission Initiative" and the Planning Commission votes to accept the request as a Commission Initiative or not. This step is not approval of the request, only a determination of whether the case will be initiated and heard on the next available agenda.

If the Commission decides to hear the request, it is scheduled for the next available Planning Commission public hearing. These meetings are generally held on the second and fourth Monday of each month. The applicant will be notified in writing of the meeting time and date. There is no guarantee of placement on a particular date or agenda. Staff reports and recommendations will be made available to the owner/agent prior to the hearing.

The Planning Commission consists of ten members who are appointed by the Board of Supervisors. At the hearing, the Commission reviews the reports and recommendations of the staff and listens to public input from all concerned parties. The owner(s) or agent must be present at the meeting to hear the proceedings and to answer any questions the Commission may have on the case. The Commission then makes a recommendation, which is forwarded to the Board of Supervisors. These recommendations are not binding on the Board of Supervisors.

4. Board of Supervisors' Hearing

The Board of Supervisors consists of five elected members who normally meet on the first and third Monday of each month. At these hearings, the Board will consider reports and recommendations from both staff and the Planning Commission and listens to public input from all concerned parties. Staff reports and recommendations will be made available to the owner/agent prior to the hearing. Per Arizona Revised Statutes, if twenty percent (20%) or more of the property owners by area and number within three hundred feet of the subject property file protests, an affirmative vote of three-fourths of all members of the Board of Supervisors will be required in order to approve the request. The owner(s) or agent must be present at the meeting to hear the proceedings and to answer any questions Board members may have on the case. The Board can approve, conditionally approve or deny the request. The request can also be continued to a future date if necessary. Once approved or denied, the action of the Board is final (unless appealed to Superior Court). The Commission Initiative rezoning becomes effective thirty days after approval and after the conditions of approval, if any, are met. Action by the Board may be executed by emergency measure based upon no party protesting a majority vote of the Board.

YUMA COUNTY

PLANNING AND ZONING APPLICATION FORM

ONLY FOR UNINCORPORATED AREA OF YUMA COUNTY, ARIZONA

OFFICE USE ONLY

CASE NO. _____

PROPERTY OWNER(S):

NAME: _____ PHONE # (___) _____-_____

MAILING ADDRESS: _____

FAX# (_____) ____-_____ E-MAIL: _____

AGENT (IF ANY)

NAME (please print): _____ _____
Last Name First Name

PHONE # (_____) _____-_____ MAILING ADDRESS: _____

FAX# (_____) _____-_____ E-MAIL: _____

Assessor's Parcel Number(s): _____

_____

LEGAL DESCRIPTION: SEC_____ TWP_____RNG_____

_____

_____

Acreage: _____ (☐gross ☐net)

CURRENT ZONING _____ PROPOSED ZONING: _____

CURRENT LAND USE DESIGNATION: _____

PROPOSED LAND USE DESIGNATION: _____

PLANNING AREA: _____

INTENDED USE: _____

_____

TYPE OF APPLICATION:

- ☐ Rezoning
- ☐ Special Use Permit
- ☐ Minor Amendment
- ☐ Major Amendment
- ☐ Variance
- ☐ Lot Tie
- ☐ Interpretation
- ☐ Land Division Permit
- ☐ Temporary Use Permit*
- ☐ Temporary Use Permit*-**4-H/FFA**
- ☐ Temporary Special Use Permit*
- ☐ Commission Initiative

ZONING ORDINANCE SECTION # FOR INTERPRETATION: _____

ATTACH EXPLANATION OF REQUESTED INTERPRETATION

OFFICE USE ONLY

Date Received: _____

Accepted by: _____

Fee Paid: $ _____

The applicant agrees to cooperate with planning staff in completing necessary site visits for preparation of reports, information and to post zoning notices all in accordance with Arizona Revised Statutes.

Signed this _____ day of _____20____

_____

_____

Signature(s) of Property Owner(s) or ☐ Legal Agent

**Approval of this application/permit does not void deed restrictions. Please review the deed restrictions before paying the application fee.*

***If this request is approved, the action becomes effective 30 days after the date of the public hearing.*

Revised 9/23/2021

Department of Development Services
Planning and Zoning Division

A.R.S. §12-1134 WAIVER

As provided for by A.R.S. §12-1134(I), the undersigned Owner, or Owner's Agent, of property affected by zoning action _____ does hereby waive any A.R.S. §12-1134 claim for diminution in value related to said zoning action.

If the undersigned is the Owner's Agent, it is further warranted and represented that this Agent has the legal power to bind the Owner to this waiver.

_____	_____	_____
Printed Name	*Signature*	*Date*
_____	_____	_____
Printed Name	*Signature*	*Date*

State of Arizona)
) ss
County of Yuma)

Subscribed and sworn before me this _____ day of _____, 20_____.

_____
Notary Public

(notary seal)

Department of Development Services
Planning and Zoning Division

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Printed Name	*Signature*	*Date*
_____	_____	_____
Printed Name	*Signature*	*Date*

State of Arizona)
) ss
County of Yuma)

Subscribed and sworn before me this _____ day of _____, 20_____.

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Notary Public

(notary seal)

Revised 08/2009