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

PROCEDURE FOR SPECIAL USE PERMIT

1. **Definition**
   A public hearing process for a proposal that when granted, establishes a specific use in a zoning district where such a use is not allowed by right. By their nature, Special Use Permits may have time limitations and/or operational conditions attached to their approval. The site plan and all conditions and schedule of development are specific to the use being applied for. (From Section 201.00 of the Yuma County Zoning Ordinance)

2. **Purpose**
   A Special Use Permit is needed to use property or to construct, move, alter or change the use of any building or structure to a use other than that permitted in a given zoning district. An application for a Special Use Permit may be made only for a use listed in the Zoning Ordinance for the zoning district in which the property is located. There should be special circumstances or conditions applicable to the proposal which would make the Special Use Permit appropriate on the property, though not in the zoning district at large.

3. **How to Apply**
   The property owner or his designated agent must come to the Department of Development Services Permitting & Customer Service Building at 2351 W. 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
   - ❑ 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)
   - ❑ Section of Zoning Ordinance from which the Special Use Permit is being requested
   - ❑ Reason for requesting Special Use Permit stating specifically what is being requested and why it is needed
   - ❑ Scaled site plan (see #5 below) and description of proposed use with floor plans and elevations of the proposed building in detail
   - ❑ Applicable **Schedule for Development** of the specific use or uses for which Special Use Permit is requested.

   Additional **optional** information for application:

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

4. **Fees**
   A **non-refundable** fee is required at the time the application and support information is submitted. Fees are based on the type of use being requested. The fees are:
   Residential use: $750.00
   Commercial/Industrial use: $1,500.00

5. **Scaled Site Plan (In English with black pen ONLY)**
   The site plan must be submitted with the application. The application will not be accepted without the site plan. The site plan must be drawn to scale. Scales of 1 inch = 10 feet or 1 inch = 20 feet are preferred. The site plan must be submitted on white paper only, no larger than 11- by 17 -inch; 8 ½ - by 11-inch paper is preferred. The following items must be shown on the site plan:

   - Applicant name
   - Physical location; address or Assessor's Parcel Number
   - Lot dimensions
   - North Arrow
   - Scale
   - Improvements; buildings, structures, pool, utilities (water, septic/sewer with leach fields, power, CATV) fences, walls, drainage/retention basin
   - Physical limitations; drainage basins, canals, irrigation laterals, steep slopes (____%), washes
   - Access; current and proposed
   - Parking
   - Proposed development; structures and improvements (including utilities)
   - Distances from existing and proposed structures to property lines and adjoining structures

6. **Scheduling your Hearing**
   Once the application, support information and fee are complete and submitted, the Special Use Permit request is placed into a pending case file in the order it is received. Each case is scheduled for the next available Planning and Zoning Commission public hearing. These meetings are generally held on the fourth Monday of each month. The applicant will be notified to meet and review the draft staff report and the hearing report to the Commission. 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 report and recommendation is made available to the owner/agent prior to the hearing.

7. **Planning Commission Hearing**
   The Planning Commission consists of ten members, two appointed from each of the five districts of the Board of Supervisors. The Commission meets once a month, normally the fourth Monday of the month. In order to have a public hearing there are several time-sensitive notice requirements that are set by State law. These notices include a newspaper publication, letters to property owners a minimum of 300 feet around the subject property, and posting the subject property. All of these notices are performed by staff. At the hearing, the Commission reviews the reports and recommendations of the staff and listens to public input from all concerned parties. The owner or his 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.

8. **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 the Planning Commission and listen to public input from all concerned parties. The owner or his agent must be present at the meeting to hear the proceedings and to answer any questions the Board members may have on the case. The Board can approve, conditionally approve or deny the request. The request for a Special Use Permit can also be continued to a future date or referred back to the Commission if necessary. Once approved or denied, the action of the Board is final (unless appealed to Superior Court). The Special Use Permit becomes effective after conditions placed on the approval are satisfied or a minimum of 30 days following the adoption hearing. Action by the Board may be executed by emergency measure based upon no party protesting a majority vote of the Board.

9. **Final Hearing and Closure**

Prior to the Board of Supervisors hearing, the applicant will be contacted to meet and discuss the actions of the Commission. A second series of time-sensitive notices that are prescribed by law are done by staff prior to the Board of Supervisors hearing. Staff report and recommendation is made available to the owner/agent prior to the Board of Supervisors hearing. Once the Board of Supervisors meets and makes a decision, the applicant will be contacted to meet and review the final conditions and performance requirements of the approved Special Use Permit. A written closure letter to the applicant will include the list of any conditions, Notice of Official Board Action (NOBA) and a customer service survey (your response is greatly appreciated).

Created 2/15/02; Updated 04/03/2018

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)

Revised 08/2009

MINIMUM SITE PLAN REQUIREMENTS

- Applicant name
- Physical location; address and Assessor's Parcel Number
- Lot dimensions
- North Arrow
- Scale (Standard engineering scale preferred (i.e., 1"=20', 1" =50', etc.)
- Existing and proposed improvements; buildings, structures, pools, water well, septic with leach lines) fences, walls, drainage/retention basins
- Physical limitation; drainage basins, canals, irrigation laterals, steep slopes (___%), washes
- Access; current and proposed
- Parking
- Distances from existing and proposed structures to property lines.
- _____

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