

## What is a Use Permit (UP)?

### General:

Use Permits (UP) are provided for instances where a use or uses normally prohibited by the Use District should be allowed due to the unique characteristics of the property and of the surrounding area, but a rezoning to less restrictive Use District is not appropriate. Use Permits shall be subject to conditions of approval, compliance with all applicable development standards, including conformance to applicable local, county, state and federal codes and regulations. The Planning & Zoning Commission and Board of Supervisors may consider impacts on transportation, surrounding properties and public health, safety & welfare.

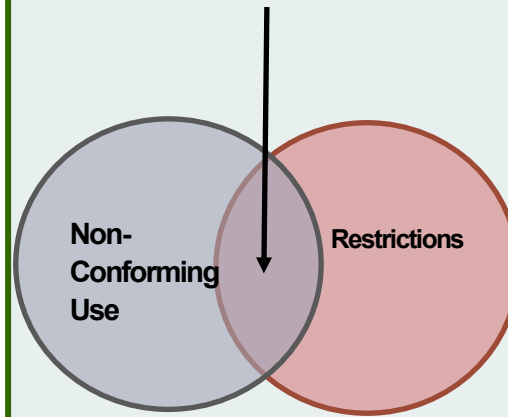
### Where can I find the Regulations?

Chapter 4 of the Yavapai County Planning & Zoning Ordinance lists all Use Districts in the county along with all permitted and conditional land uses for each. A Preliminary Planning meeting (PPM) is required prior to submitting your formal hearing application. This meeting will better determine if a Use Permit is needed for your project.

**Powers and Duties - Per A.R.S. § 11-802.** The Planning and Zoning Commission consists of ten (10) individuals appointed by the five (5) elected Board of Supervisors as advisors on land use matters. Use permits are granted at the discretion of the Board of Supervisors upon consideration of the Commission recommendation.



## USE PERMIT



Please note that this document and all other documents from Yavapai County Development Services do not constitute legal advice. You should seek the advice of a licensed attorney if you have legal questions.

## Yavapai County Development Services

1120 Commerce Dr. Prescott, Az. 86305

P.928-771-3220

F.928-771-3242

10 S. 6th St. Cottonwood, Az. 86326

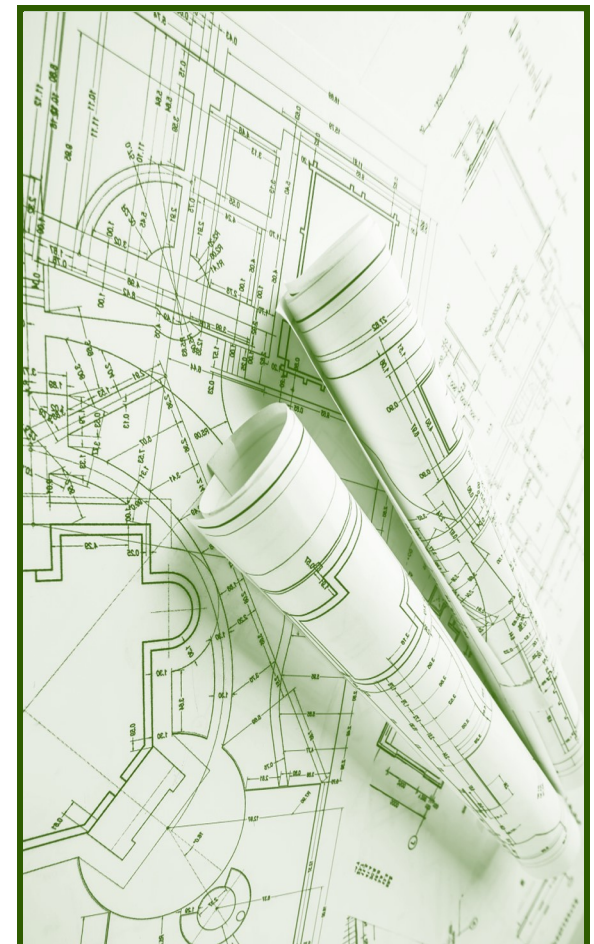
P.928-639-8151

E-mail: [Planning@yavapaiaz.gov](mailto:Planning@yavapaiaz.gov)

[www.yavapaiaz.gov](http://www.yavapaiaz.gov)



## Applying for a USE PERMIT



# The USE PERMIT APPLICATION Process

## The Use Permit Process

1. Preliminary Planning Meeting (PPM)
2. Citizen Participation
3. Application Review
4. Notice for Hearings
5. Staff Report
6. Hearing Process Overview
7. Recommendation of Approval/Denial

**1. PPM** - Prior to the submission of an application for a Use Permit, the applicant must schedule a free Pre-Planning Meeting (PPM) to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys or other data. Yavapai County Development Services Planning Unit Staff will discuss with the applicant if a formal hearing application will need to be submitted.

**2. CITIZEN PARTICIPATION** - Every applicant who is proposing a project that requires a public hearing will complete the Citizen Participation Process. This process should be completed prior to submitting an application and should not begin until after the required pre-planning meeting with the Planning Unit staff.

**3. APPLICATION REVIEW** - Once it has been determined by the Planning Unit staff that the application is complete, a copy of the letter of intent (LOI), site plan, and other pertinent information such as grading and drainage, traffic study, etc., will be forwarded to various reviewing agencies for their review and comment. If after one or two (or more) reviews, Planning Unit Staff and reviewing agencies find the information submitted is complete and meets the minimum requirements of the Zoning Ordinance and all other applicable rules and regulations, the application will be tentatively

scheduled for the next available Planning & Zoning Commission public hearing. All public hearing application fees are non refundable regardless of approval or denial and must be made once the application has been deemed complete by Planning Unit Staff. Please visit our [Planning Application Review Times](#) for more information.

**4. NOTICE FOR HEARINGS** - Per the *Yavapai County Planning & Zoning Ordinance*, prior to the hearing, a notification that the hearing application request will be considered by the Planning & Zoning Commission and Board of Supervisors will appear in the local newspaper. Planning Unit Staff will also post a hearing notice on the subject property announcing the date and time of the Commission's and Board of Supervisor's hearing where the request will be considered. Courtesy notification letters will also be sent to surrounding property owners within a certain radius.

**5. STAFF REPORT** - Prior to the public hearing, Planning Unit Staff will prepare a report evaluating the application. The report will include description of the application, background of the property, citizen participation, conformance with the comprehensive plan, staff recommendations and conditions of approval.

## **6. HEARING PROCESS OVERVIEW**

- **Planning Unit Staff Presentation**
- **Commission Questions Staff**
- **Commission Calls Applicant**
- **Commission Calls for Public Input**
- **Deliberation**
- **Vote for Recommendation.**

**FINDINGS OF FACT** - The Commission may consider land issues that impact surrounding properties, impacts to traffic, conformance with development standards, maintaining character of the neighborhood, preservation of safety and welfare and consistency with the Comprehensive Plan. Visit our [Planning & Zoning cases](#) site for more information.

**7. RECOMMENDATION OF APPROVAL/DENIAL** - The Planning & Zoning Commission acts in an advisory capacity to the Board of Supervisors regarding matters of planning, zoning and subdivision platting. The Commission will forward a recommendation to the Board of Supervisors to approve or deny an application per Arizona Revised Statutes **ARS 11-802**; however, in order to make an informed decision, they may postpone consideration of the request until such time as any required additional information is submitted. Use Permits are granted at the discretion of the Board of Supervisors, and refusal of the additional uses or denial of the application is not a denial of right.

