

WHAT TO EXPECT: SECONDARY MEDICAL DWELLING VARIANCE

A Secondary Medical Dwelling is defined in Section 301 (Definitions) in the Yavapai County Planning & Zoning Ordinance. Visit our [Codes & Ordinance Page](#) for the Planning & Zoning Ordinance.

A Secondary Medical Dwelling Variance is subject to performance criteria found in Section 525 (Dwelling – Secondary Medical) and must conform to applicable zoning district performance criteria.

- **Please read this document in its entirety before using the online portal to apply for a permit.**
- **Permit applications need to be submitted through the Citizenseve Online Permit Portal.**
- **Be Prepared** – Information to have ready and submittal requirements are noted below. All submittal items must be in electronic format PRIOR to initiating an online application. **Only PDF format will be accepted.**
- **Register** – You will be required to register in the online Citizenseve Online Permit Portal <https://www.citizenseve.com/yavapaicounty> if you have not already done so.
- **Start your Online Application** – Once you have established an account you may begin the permit process. Follow the instructions below using the information provided to you during your Preliminary Planning Meeting (PPM).

From the **Citizenseve Home** page, under **Planning and Zoning Projects**, select **Planning and Zoning Application**.

Select -> LOGIN/REGISTER NOW (Create account if needed)

Project Type: Will automatically default to Planning Applications.

Select -> Sub Type: Secondary Medical Variance

Enter -> Project Description: Provide the reason for your request and any detailed information that is pertinent to the request and discussed in your required Preliminary Planning Meeting (PPM).

Enter -> Address or Parcel #: Enter the Address of APN of the subject property.

Select -> FIND ADDRESS

Enter -> All required information and follow the prompts.

Select -> SIGN HERE. Hold mouse button while signing your name in the box.

Submit - Clicking submit will then create your application. You will be able to see your application in your account under View My Requests. If you need to make changes later you may contact the assigned Case Planner for assistance.

Initial Review: The assigned Case Planner for the application will conduct the initial review within the timeframe indicated on the Planning Application Review Times. See the *Planning Application Review Times* on the [Planning Applications page](#) for more information. It is important that you submit all required information discussed in your PPM and all additional required documents requested by Development Services prior to any submittal of a formal application. An initial review is required to insure that all standards as listed in Sections 412 and 525 of the Yavapai County Planning & Zoning Ordinance are met. **If the** application is deemed incomplete, the applicant will be notified through the online portal to submit the required documents and/or information within seven (7) days of notification. The substantive timeframe clock stops from receipt of comments until the applicant makes a formal resubmittal of all requested documents. If the required information and/or documents are not submitted within the requested timeframe, the application will be deemed incomplete and the applicant will be notified through the portal that their application has been closed.

Pay: All application fees are **non-refundable** regardless of approval or denial or withdrawn and must be paid once the application has been deemed as a complete submittal by Development Services, per *Section 525 of the Yavapai County Planning & Zoning Ordinance*. All fees are calculated using the *fee schedule* as approved by the Board of Supervisors.

Communication: To check the status of your application choose “View My Requests” in your “My Account” section when logged into Citizenserve. If you have additional questions or items to add to the application, you may call 928-771-3214 or email planning@yavapaiaz.gov. Please make sure to reference your application number.

ONLINE SUBMITTAL REQUIREMENTS

During your PPM, the Case Planner will go over all necessary and required documents that are based upon the standards outlined in *Section 525 of the Yavapai County Planning and Zoning Ordinance*. See the required criteria outline on the **Secondary Medical Dwelling Overview on the next page** or discuss the required information needed with the Case Planner during the PPM.

ADDITIONAL REQUIREMENTS MAY APPLY

In addition to the Secondary Medical Dwelling Variance, additional permits may be required for the construction or alteration/improvement to any structure after approval of the Secondary Medical Dwelling Variance. If such construction is planned, the applicant(s) should obtain and familiarize themselves with zoning requirements, as well as the requirements of the Building Safety Unit. **Development Services may attach additional conditions to the permit to mitigate adverse effects to surrounding properties.**

SECONDARY MEDICAL DWELLING VARIANCE GENERAL OVERVIEW

Preliminary Planning Meeting (PPM): A Preliminary Planning Meeting is required and must be submitted via the online Citizenserve portal prior to submitting your formal application and will include a meeting with the project’s representative (e.g., owner, applicant, sponsor, agent, and architect), and the assigned Case Planner. After the PPM, if the applicant decides to move forward, a formal application will need to be submitted for review and administrative approval by the Case Planner and final approval by the Development Services Director. Visit our [Planning Applications website](#) for more information on Preliminary Planning Meetings (PPM).

Purpose: The purpose of Section 525 of the Yavapai County Planning & Zoning Ordinance is to grant authority to the Development Services Director to act on a request to allow a Secondary Medical Dwelling for the use of an ill, handicapped, or elderly person in need of special care or supervision, or a care provider for such person who is the resident of the main dwelling. All applications shall comply with all regulations, performance criteria and standards set out in Section 525 and as defined under Section 301 (Definitions) of the [Yavapai County Planning & Zoning Ordinance](#).

Secondary Medical Dwelling – As defined under Section 301 (Definitions), subject to the approval by the Development Services Director, a Secondary Medical Dwelling may be a park trailer, recreational vehicle (excluding campers and tent trailers), travel trailer or manufactured home with kitchen facilities, used exclusively by an ill, handicapped or elderly person in need of special care or supervision, or a care provider for such a person, if the ill, handicapped or elderly person is the owner or resident of the main dwelling or a relative of the owner or resident of the main dwelling.

Standards: **A Secondary Medical Dwelling Variance will be subject to the following standards:** The parcel exceeds thirty-five thousand (35,000) square feet in size and the Secondary Medical Dwelling is situated on the parcel to meet the primary setbacks of the applicable density district.

- Property owner shall provide a statement signed by a physician that special care or supervision is required for the ill, handicapped, or elderly.
- Only one (1) Secondary Medical Dwelling per lot shall be allowed.
- The same access that serves the main dwelling shall be used for the Secondary Medical Dwelling.

- A covenant running with the land will be recorded stating that the Secondary Medical Dwelling shall be removed from the property (if not a site built guest home) within ninety (90) days of the date the secondary dwelling is no longer occupied by the person(s) specified in the Secondary Medical Dwelling Variance.
- The Secondary Medical Dwelling will not cause adverse effects to surrounding properties.
- The Secondary Medical Dwelling is placed in order to meet separation requirement of current applicable Building and Fire Codes.
- The Secondary Medical Dwelling shall be serviced by an approved on-site wastewater system or sewer system.
- A MANUFACTURED HOME or PARK MODEL is allowed and can be used as a Secondary Medical Dwelling in the R1 THROUGH C2 ZONING DISTRICTS. The use is conditional upon the actual density standards being met. All approved Secondary Medical Dwellings shall be used exclusively by an ill, elderly, or handicapped relative in need of supervision or special care, or, for a care provider for such a person.

Additional Conditions: Development Services may attach additional conditions to the permit to mitigate adverse effects to surrounding properties.

Notice of Request: Development Services will send notification letters to all adjacent property owners within a 300' radius for information and comment. A notice will be posted on the property and given fifteen (15) days from the date of mailing notice to file written protest to Development Services.

Approval/Denial: In granting a Variance request, the Development Services Director may issue the Variance if no reasonable written protest is received, and the standards set forth are met. The Secondary Medical Dwelling Variance shall be valid for up to three (3) years and may be extended by the Director.

Validity and Extension: A property owner requesting an extension of the Variance will submit to Development Services evidence that the Secondary Medical Dwelling Variance is still needed and that conditions of the Variance have been met. The Director may extend the Variance for a period of three (3) years, and it shall be demonstrated annually by the property owner that the justification for which the Director authorized occupancy of the Secondary Medical Dwelling pursuant to the performance criteria stated in Section 525 remains necessary and is as represented to obtain the original Variance.

Appeals: Written protest and appeals shall be heard by the Board of Adjustment & Appeals in accordance with Section 207 (Adjustment Board). If the Secondary Medical Dwelling Variance cannot be approved due to the criteria not being met or receipt of an objection from an adjacent property owner, an additional fee is required for a Variance Hearing by the Board of Adjustments & Appeals. This request must be made by the applicant(s).

Any fees submitted for the Secondary Medical Dwelling Variance shall be applicable to the standard Variance application only.

OTHER PERMITS MAY BE REQUIRED

In addition to the Secondary Medical Dwelling Variance, applicable Building, Environmental Quality, and Engineering Permits, or additional Zoning permits, may be required.