



CITY OF KINGMAN CONDITIONAL USE PERMIT APPLICATION CHECKLIST

APPLICATION FEE: \$1,500.00, except as noted below
\$100.00 for a day care in any residential zoning district

FILING REQUIREMENTS:

- ✓ One (1) original signed application form (attached).
- ✓ One (1) original signed Proposition 207 waiver form (attached). This is optional.
- ✓ Two (2) paper copies and one (1) electronic copy of a conceptual site plan (see below for more information).
- ✓ One (1) list of the assessor parcel numbers, mailing addresses, and names of all owners or record of properties within 150-feet of the location on which the rezoning is proposed. Information can be obtained from the Mohave County Assessor's Office, 700 W. Beale Street, Kingman, AZ 86401 - (928) 753-0703.

THE FOLLOWING ITEMS SHOULD BE SHOWN OR IDENTIFIED ON THE CONCEPTUAL SITE PLAN:

- ✓ Legal description of the property involved
- ✓ Date, north point, and scale
- ✓ Name, address and phone number of applicant and owner's written authorization for the proposed action is necessary
- ✓ Area on site (in square footage and acres)
- ✓ Existing zoning classification
- ✓ Location, dimensions, height, and architectural elevations of all proposed and existing structures on subject property
- ✓ Existing and proposed number of driveways and their locations
- ✓ Location of all proposed drives, parking areas, number of parking spaces, landscape areas and walls
- ✓ Location and right-of-way widths of all abutting streets and alleys
- ✓ Location and dimensions of all existing and proposed loading and unloading areas
- ✓ Type and location of any outdoor storage
- ✓ Location and width of existing and proposed curb and sidewalks
- ✓ Location of existing and proposed signs and their size
- ✓ Location and size of water and sewer lines and connection locations
- ✓ Location and dimensions of public or private easements
- ✓ Storm drainage provisions and any "A" Flood Zones

CITY OF KINGMAN

CONDITIONAL USE PERMIT APPLICATION PROCEDURES

In accordance with the adopted rules and regulations of the Kingman Planning and Zoning Commission, the following procedures shall be followed, and the following information shall be included in the Conditional Use Permit application:

1. **APPLICATION PROCEDURE:** Prior to making formal application for a rezoning, the applicant, or their designated representative, is encouraged to review their proposal with a member of the City of Kingman Planning and Economic Development staff. This meeting is designed to determine if the applicant's proposal will conflict with any provisions on the City's General Plan, or other City studies. The staff member will discuss the appropriate zoning classification needed for the proposed use and discuss possible issues which could arise regarding the rezoning request. Please call the Kingman Planning and Economic Development Department at (928) 753-8130 to schedule a meeting.
2. **FILING:** The filing requirements are indicated on page 1 of the application.
3. **REVIEW PROCESS:** Upon receipt of all required materials listed in the Rezoning Checklist, in accordance with ARS §9-835, an administrative review is conducted to determine the completeness of the application. The maximum time frame to complete this administrative review is ten (10) working days. The applicant and/or designated representative shall be notified by telephone/mail/or e-mail of any deficiencies in the application.

Once the administrative review is complete, Planning staff shall forward a copy of the conditional use permit request to the following agencies for evaluation and recommendations: Engineering Department, City Surveyor, Fire Department, Public Works Department, utility companies, and other agencies who may be concerned. Planning staff shall review the conditional use permit application and supportive information for completeness and conformance with the Zoning Ordinance Regulations. The applicant will also be notified by mail of the date of the public hearing.

All departments and agencies shall have ten (10) working days from the date of receipt of the information to complete their review. Agencies shall submit their evaluation report to the appropriate staff member. No reply by an agency within the time limit specified shall be deemed as having no objection to the conditional use permit request.

4. **PUBLIC NOTICE:** At least fifteen (15) days prior to the hearing before the Planning and Zoning Commission, the planning staff shall post a notice on the property at strategic location(s), and a public notice shall be published in the local newspaper(s). A courtesy notice is sent by first class mail to property owners within 150 feet of the proposed conditional use permit location. Failure to receive a notice is not grounds to deny any request. Neighboring owners have the right to comment on the action, but do not have veto power over the request.

5. **PLANNING AND ZONING COMMISSION HEARING and ACTION:** Planning staff will present a written report concerning the conditional use permit request to the Planning and Zoning Commission. A copy of the report will be forwarded to the applicant. The Planning and Zoning Commission meets on the second Tuesday of the month at 5:30 p.m. in the Kingman City Council Chambers located at 310 N. Fourth Street in Kingman. The applicant, or designated representative, should be present to explain the conditional use permit request. Persons for or against the proposed request will be given the opportunity to be heard. The Planning and Zoning Commission will discuss the case and recommend approval or denial of the request. The Commission could also continue a request to gather more information or for another legitimate reason.

6. **CITY COUNCIL ACTION:** Any Planning and Zoning Commission recommendation, regardless of vote, is forwarded to the City Council for a second public hearing. The time and place of the City Council meeting will be announced at the Planning and Zoning Commission meeting, and is included in the initial public notice. City Council meetings are held the first and third Tuesdays of the month at 6:00 p.m., unless there is a State and/or Federal holiday. The City Council meeting held on the first Tuesday of each month is the normal meeting for action on conditional use permit cases. City Council meetings take place in the City Council Chambers located at 310 N. Fourth Street in Kingman.

The applicant, or their designated representative, should be present. Persons for or against the proposed conditional use permit are heard. Again, any Planning and Zoning Commission recommendation is reviewed by the Council. The City Council may adopt, deny, or modify the decision of the commission without holding a second public hearing.

8. **SUBSEQUENT ACTION:** A resolution is prepared and considered by the Council if the Planning and Zoning Commission recommends approval of the request. If a denial is recommended the Council may uphold the denial. The Council may also direct that a resolution be prepared for City Council action at their next regularly scheduled meeting. After Council approval action, a resolution allowing the use is effective immediately.

9. **COUNCIL DECISION:** The decision of the City Council on the conditional use permit resolution is final and is not subject to a referendum process as per court decisions.



CITY OF KINGMAN
CONDITIONAL USE PERMIT APPLICATION FORM
CASE # CUP-__ - ____

APPLICATION FEE \$1,500.00 (\$100.00 FOR DAY CARE IN RESIDENTIAL DISTRICTS)

STAFF USE ONLY: FEE PAID? YES _____ NO _____ PAYMENT DATE _____

Application Date:

I (we) the undersigned property owner(s) request that the area described below receive a conditional use permit (PROVIDE COMPLETE LEGAL DESCRIPTION):

Property Address:

Proposed Conditional Use Permit Request to allow:

Property Zoning:

Mohave County Tax Parcel Number(s):

Size of Parcel:

OWNER'S NAME:

Mailing Address:

City/State/Zip:

Phone Number:

Email:

Signature:

APPLICANT NAME: (OR AGENT/REPRESENTATIVE); IF THE OWNER DOES NOT SIGN THIS APPLICATION A WRITTEN LETTER OF CONSENT MUST ACCOMPANY THIS APPLICATION.)

Mailing Address:

City/State/Zip:

Phone Number:

Email:

Signature:

ITEMS FROM THE "CONDITIONAL USE PERMIT CHECKLIST" SHALL BE SUBMITTED WITH THIS APPLICATION.

**AGREEMENT FOR THE WAIVER OF CLAIMS FOR DIMINUTION IN VALUE OF PROPERTY
UNDER A.R.S. §12-1134**

This agreement is entered into this _____ day of _____, 20____, by and between _____ (Owner) and the CITY OF KINGMAN, an Arizona Municipal Corporation, (City).

RECITALS

- A. The Owner owns certain real property located with in the City or is with in the City's service area. This real property is depicted and legally described in the attached Exhibit A, incorporated into this agreement by this reference; and
- B. The Owner has requested that the City enact a certain land use change directly applicable to the Owner's property and agrees that this change will increase the value and use of the land; and
- C. The Owner is aware that, as a condition of receiving approvals under the City's land use laws, the City may impose various requirements, conditions, and stipulations upon the property that will govern development of the property; and
- D. The Owner agrees and consents to all the conditions imposed by the City regarding the land use action in:
 - a. _____ Rezoning/Zoning Change
 - b. _____ Conditional Use Permit
 - c. _____ General Plan Amendment
 - d. _____ Variance
 - e. _____ Site Plan
 - f. _____ Subdivision
 - g. _____ Ordinance
 - h. _____ Development Agreement
 - i. _____ Water/Wastewater Service
 - j. _____ other _____ (please specify)
- E. By signing this agreement, the Owner acknowledges that Owner waives any right to claim diminution in value or claim for just compensation for diminution in value under A.R.S. §12-1134 related to the land use action as a result of the City's approval of the action in regards to the above referenced property. This waiver constitutes a complete release of any and all claims and causes of action that may arise or may be asserted under A.R.S. §12-1134 as it exists or may be enacted in the future or that may be amended from time to time with regard to the subject property.
- F. This agreement in no way acquiesces to or obligates the City to perform any legislative or administrative act.
- G. This agreement, any exhibits attached hereto, and any addendum, constitute the entire understanding and agreement of the Owner and the City and shall supersede all prior agreements or understandings between the Owner and the City regarding the above referenced property in accordance with A.R.S. §12-1134. This agreement may not be modified or amended except by written agreement by the Owner and the City.
- H. This agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona.

- I. If any legal action is brought by either party to enforce any provisions of this agreement, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and court costs in such amounts as shall be allowed by the court.
- J. Within ten (10) days after the execution of this agreement, the City Clerk shall file the agreement in the Official Records of the Recorder's Office, Mohave County, Arizona.
- K. This agreement runs with the land and is binding upon all present and future owners of the above referenced property.
- L. This agreement is subject to the cancellation provisions of A.R.S. §38-511
- M. The Owner warrants and represents that Owner holds fee title to the above referenced property, and that no other person has ownership interest in the property; and agrees to hold harmless and indemnify the City in any action regarding ownership. Owner is responsible to notify the City if change in ownership of the above listed property takes place prior to approval of the land use action. Any and all Owners must sign this agreement. Additional Owner signatures must be notarized and attached to this agreement.
- N. Any Agent that signs on behalf of the Owner, personally warrants and guarantees to the City that they have the full legal power to bind Owner to this agreement. Furthermore, Agent agrees to indemnify and hold harmless the City in any action regarding ownership of the above listed property. Agent is responsible to notify the City if any change in ownership of the above listed property takes place prior to the full approval of the requested action.

**CITY OF KINGMAN
A MUNICIPAL CORPORATION**

By: _____

Printed Name: _____

I, the undersigned, hereby agree to the terms and acknowledge this document and sign below.

PROPERTY OWNER/AGENT

By: _____

Print Name _____

State of Arizona)

County of Mohave)

SUBSCRIBED AND SWORN to before me this _____ day of _____, 20____

Notary Public

City of Kingman Planning and Zoning

Permit Application Processing Time Frames Per ARS § 9-835

Request	Administrative Time Frame	Substantive Time Frame
Major General Plan Amendment	10-working days	125-working days
Minor General Plan Amendment	10-working days	95-working days
Preliminary Plat	10-working days	95-working days
Preliminary Plat Extension	10-working days	80-working days
Parcel Map (Minor Lot Split)	10-working days	65-working days
Final Plat	10-working days	95-working days
Zoning Text or Zoning Map Amendment	10-working days	80-working days
Conditional Use Permit	10-working days	80-working days
Variance	10-working days	50-working days