



CITY OF KINGMAN DEVELOPMENT SERVICES

310 North Fourth Street

Phone: 928.753.8130

ZONE CHANGE PROCESS & CHECKLIST

APPLICATION FILING REQUIREMENTS

Before filing a Zone Change Application, a **Due Diligence Meeting** in accordance with Section 2-30.040 of the Kingman Zoning Code is required. (See Due Diligence Review form)

Only the following persons or entities may apply:

- The owner of the property;
- An authorized agent of the owner;
- A person acting in compliance with a purchase contract or exclusive option to purchase the property; or
- The Director on behalf of the Council.

Applications and supporting materials are public records pursuant to A.R.S. §39-121 through §39-128. Public records may be reviewed and copied upon request during normal business hours, unless protected from disclosure. The applicant shall clearly label each page of copyrighted or trademarked materials (e.g., ©, ®, TM) and such materials will be available for public inspection, but copyrighted materials will not be copied.

APPLICATION SUBMITTAL CHECKLIST

- ☐ One (1) **Proof of Due Diligence Meeting.**
- ☐ One (1) **Proof of Development Review Committee meeting.** (See Development Review Committee Application)
- ☐ One **Application Form** signed by the applicant and property owner. A written letter of consent from the property owner is required if the owner does not sign the application.
- ☐ One **Waiver of Claims for Diminution of Value** in compliance with the A.R.S. §12-1131 through §12-1138 signed by the owner as may be required by the Director.
- ☐ **Due Diligence meeting** completion date (attach documentation).
- ☐ One **Written Narrative/Project Description** for the proposed project which includes the following information:
 - ☐ Proposed use of the property;
 - ☐ Legal description of the property;
 - ☐ Area of site in square footage and acres;
 - ☐ Existing zoning classification;
 - ☐ Additional information as needed to provide support for findings by the Planning and Zoning Commission as required by Section 2-50.020.C.5. of the Kingman Zoning Code.
- ☐ One **Site Plan** which includes the following information:
 - ☐ North point and scale;
 - ☐ Current zoning of the property;
 - ☐ Area of site in square footage and acres;
 - ☐ Property line locations and dimensions;
 - ☐ Distances in feet of any existing or proposed buildings to property lines;
 - ☐ Location, dimensions, and square footage of all proposed and existing structures on property;
 - ☐ Number of units in the case of apartments or hotel/motel;
 - ☐ Preliminary sketches or drawings of building elevations;
 - ☐ Locations of existing and proposed driveways including those on opposite side of street;

- ☐ Location of existing and proposed parking areas, including number of parking spaces;
- ☐ Type and location of any outdoor storage including site obscuring fences or walls;
- ☐ Location of landscape areas;
- ☐ Location and height of any walls;
- ☐ Location of abutting streets and alleys and existing or proposed improvements including curbs and sidewalks;
- ☐ Location and dimensions of public or private easements;
- ☐ Type and general location of public utilities;
- ☐ Location of existing and proposed fire hydrants;
- ☐ Storm drainage provisions and any "A" flood zones impacting the property;
- ☐ Additional supporting materials as may be required by the Director. The Director may also waive the submission of specific materials or information if it is determined to be not needed for reaching a decision on the application.

DETERMINATION OF ADMINISTRATIVE COMPLETENESS

Upon receipt of the application and required fee, the application shall be reviewed in compliance with the time frames for administrative and substantive review in accordance with Section 2-30.020.C of the Kingman Zoning Code. The administrative review time frame for a Zone Change application is five (5) working days. The substantive review time for a Zone Change application is 25 working days.

Upon completion of the administrative review, the applicant will be notified in writing if the application is complete and accepted for processing or incomplete. If the application is incomplete, the Director shall identify the items that are needed to complete the application and return it to the applicant. An application will only be reviewed and the public hearing scheduled when an application is determined to be complete. The applicant will be notified in writing of the date and time of the public hearing. An applicant may appeal a determination of completeness to the Development Services Director (See Section 2-80.030 Appeals of Other Approvals).

Applications not deemed complete within six (6) months after the first filing with the Department, the application shall expire and be deemed withdrawn. Within 30 days prior to that date, the Director shall notify the applicant in writing that the application will become inactive. The Director may grant one (1) six-month extension upon written request of the applicant. After expiration of the application, and extension, if granted, a new application, including applicable fees, plans, exhibits and other materials will be required to commence processing of a new project application on the same project.

After the application has been accepted as complete, the Director and/or any decision-making body may require the applicant to submit additional information in order to evaluate fully whether an application complies with the requirements of this Code, State, or Federal law.

SUBSTANTIVE REVIEW PROCESS

Following a determination of administrative completeness, the application will be referred at the Director's discretion, or as may be required by other law, to any public agency that may be affected by or have an interest in the proposed land use activity. This could include city, county, and state agencies and departments, as well as utility companies.

All departments and agencies will have 80 working days from the date of receipt of the information to complete their review and submit their evaluation report to the Director.

The Planning and Zoning staff will prepare a report to the Planning and Zoning Commission. The report will include an analysis of the request, a summary of all comments received from public agencies, surrounding property owners, and the general public, and recommendations for Commission action on the application. The staff report will be provided to the applicant no later than five (5) calendar days prior to the public hearing. Staff reports will be made available to the public only after they have been submitted to the Planning and Zoning Commission and City Council.

NOTICE OF PUBLIC HEARINGS

Requirements for the Notice of Public Hearings is described in Section 2-30.070 of the Kingman Zoning Code. Public hearings are noticed in the Kingman Miner newspaper in accordance with A.R.S. §9-462.04 at least fifteen (15) calendar days prior to the public hearing of the Planning and Zoning Commission. Surrounding property owners within 300 feet of the outer boundary of the subject property are sent notices by first class mail by the City at least fifteen (15) calendar days

prior to the public hearing of the Planning and Zoning Commission. The applicant is required to provide the mailing labels (see Applicant Checklist for further details). The site is also posted with a public notice by the City at least fifteen (15) calendar days before the public hearing of the Planning and Zoning Commission. The applicant is responsible for maintaining the sign in good condition throughout the posting period. The sign is removed by the City no later than ten (10) days after the public hearing of the City Council and final action.

PLANNING AND ZONING COMMISSION REVIEW AND RECOMMENDATION

The Zone Change Application is first considered at a public hearing before the Planning and Zoning Commission. The Planning and Zoning Commission meets on the second Wednesday of the month at 5:30 p.m. in the Kingman City Council Chambers located at 310 N. Fourth Street in Kingman. The applicant will be notified in writing of the date and time that the public hearing will take place when the application is deemed to be complete.

The applicant, or designated representative, should be present at the public hearing to be available for any questions from the Planning and Zoning Commission. Members of the public will also be given the opportunity to be heard. At the conclusion of the public hearing, the Planning and Zoning Commission by majority vote shall render its decision in the form of a written recommendation to the City Council through the Director. The recommendation shall be in accordance with the required findings in Subsection 2-50.020.C.5 of the Kingman Zoning Code.

The Planning and Zoning Commission may recommend approval, approval with modifications and/or conditions, or denial of the proposal. If the Planning and Zoning Commission fails to make a recommendation to the Council within 30 days after closing the public hearing, the Planning and Zoning Commission shall be deemed to have recommended denial and the application shall be scheduled by the Director for public hearing and action by the Council.

COUNCIL REVIEW AND DECISION

Upon receipt of a recommendation by the Planning and Zoning Commission and in accordance with Subsection 2-50.020.C.7.b of the Kingman Zoning Code, the City Council shall conduct a second public hearing on the Zone Change Application. Normally this hearing takes place at 5:00 p.m. in the Kingman City Council Chambers on the 1st Wednesday of the month following the Planning and Zoning Commission meeting.

The Council may impose reasonable and appropriate conditions on the request. The Council may refer the application back to the Planning and Zoning Commission for further study and a revised recommendation. The Council may request additional information that is relevant to assist in the review of a Code text amendment subject to the criteria established in Subsection 2-50.020.C.5. Council shall review the zone change application and approve, approve with conditions, or deny the zone change based on the findings in Subsection 2-50.020.C.5. Approval of the amendment shall be established by ordinance by a majority vote of the Council. Planning and Zoning staff will provide to the applicant written confirmation of the Council's action on the Zone Change Application and the conditions of approval in the ordinance, if any.