

ORDINANCE NO. ____-10

AN ORDINANCE OF THE NAVAJO COUNTY BOARD OF SUPERVISORS, AMENDING ARTICLE 20, SECTION 2002, OF THE NAVAJO COUNTY ZONING ORDINANCE, CONCERNING SPECIAL USE PERMITS

WHEREAS, Article 20, Section 2002, of the Navajo County Zoning Ordinance, Ordinance No. Z90-1, specifies the procedures for the issuance of Special Use Permits; and,

WHEREAS, the Public Works staff and the Planning and Zoning Commission have recommended that Article 20, Section 2002, be amended to update the procedures for the issuance of Special Use Permits; and,

WHEREAS, following a duly noticed public hearing held this date, the Board of Supervisors finds that the recommended amendment of Article 20, Section 2002, is in the public interest and should be approved,

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors that Article 20, Section 2002, of the Zoning Ordinance is hereby amended by deleting the existing Section 2002 in its entirety and inserting the following new Section 2002:

Section 2002 - General Conditions Applicable To All Special Use Permits

1. An application for a Special Use Permit, together with the applicable fee as established from time to time by the Board of Supervisors, shall be submitted to the Director. The application shall be accompanied by plans together with a supporting statement as to the proposed use. The plans and supporting statement shall be in sufficient detail to enable the Director, the Commission and the Board of Supervisors to evaluate the nature and scope of the proposed use and its effects on the public health, safety and general welfare. The application, plans and supporting statement shall be considered by the Commission at a public hearing. Notice and procedure for said hearing shall conform to the requirements of Article 29 hereof.
2. The Commission shall transmit its recommendation, together with the plans and supporting statement, to the Board of Supervisors for consideration and public hearing. Notice and procedure for said hearing shall conform to the requirements of Article 29 hereof.
3. In making its recommendation, the Commission shall consider the compatibility of the proposed use with the permissible uses in the zoning district in which the property is located, the current and likely future uses of properties in the vicinity of the proposed use, and the effects of the proposed use on the public health, safety and general welfare.
4. The recommendation of the Commission may include reasonable requirements and stipulations as deemed necessary to achieve the purposes of this Ordinance and promote the public health, safety and general welfare, including but not limited to the following:

- a. Yards and open spaces.
 - b. Fences and walls, or other screening.
 - c. Surfacing of parking areas and specifications therefor.
 - d. Street improvements, including provision of service roads or alleys when practical and necessary.
 - e. Regulation of points of vehicular ingress and egress.
 - f. Regulation of signs.
 - g. Landscaping and maintenance thereof.
 - h. Maintenance of grounds.
 - i. Control of noise, vibration, odor and other potentially dangerous or objectionable elements.
 - j. Specific measures to protect adjacent and nearby properties against any adverse, detrimental or objectionable effects associated with the proposed use.
 - k. Technical studies to ensure that the public health, safety and general welfare will not be adversely affected.
 - l. Such other requirements and stipulations as may reasonably be required to ensure that the public health, safety and general welfare will not be adversely affected.
 - m. Time limit within which the proposed use shall be developed, together with provisions for review and possible revocation of the Special Use Permit if development does not proceed diligently.
5. A Special Use Permit may run with the land or be granted for a specific time period. The procedure to extend a permit shall be the same as the procedure for obtaining a permit; provided, however, that any request to extend a permit shall be made no later than 60 days before the expiration of the permit and provided further that an extension of not more than 90 days may be summarily granted by the Board of Supervisors without notice or hearings as otherwise required by Article 29 hereof.
6. An application to amend a Special Use Permit shall be processed in the same manner as an application to obtain a Special Use Permit; provided, however, that changes to site plans or to stipulations that do not alter the nature or scope of the approved use may be summarily approved by the Board of Supervisors without notice or hearings as otherwise required by Article 29 hereof.

SO ORDAINED by the Navajo County Board of Supervisors at Holbrook, Arizona, on March 23, 2010, by a vote of _____ ayes and _____ nays.

NAVAJO COUNTY BOARD OF SUPERVISORS

By _____
 Jesse Thompson
 Chairman of the Board

Attest:

 Melissa Buckley, Clerk of the Board