

Joint Work Session

Planning and Zoning Commission and Board of Adjustment

October 14, 2026



Arizona Revised Statutes §11-816

- Requires a board of adjustment for each county
 - BOS can create a one board per supervisor district (3) or one board for the entire county
- The Board of Adjustment may:
 - “Interpret the zoning ordinance if the meaning of any word, phrase or section is in doubt, if there is dispute between the appellant and enforcing officer or if the location of a district boundary is in doubt.”
 - “Allow a variance from the terms of the ordinance if, owing to peculiar conditions, a strict interpretation would work an unnecessary hardship and if in granting the variance the general intent and purposes of the zoning ordinance will be preserved.”

Arizona Revised Statutes §11-816 (cont.)

- Review hearing officer decisions if authorized by the Board of Supervisors
- Board Decision Appeals
 - “Appeals to a board of adjustment may be taken by any person who feels that there is error or doubt in the interpretation of the ordinance or that due to unusual circumstances attaching to the person’s property an unnecessary hardship is being inflicted on the person. The appeal shall state whether it is a plea for an interpretation or a variance and the grounds for the appeal.”
 - “Any person aggrieved in any manner by an action of a board of adjustment may appeal within thirty-days to the superior court, and the matter shall be heard de novo.”

Variance Factors

1. Strict application of the terms of these Zoning Regulations would work an unnecessary hardship.
2. Unnecessary hardship arises from a physical condition that is unusual or particular to the property and is not generally caused to other properties in the zone.
3. Unnecessary hardship does not arise from a condition created by an action of the owner of the property.
4. Variance is the minimum to afford relief.

Variance Factors (cont.)

5. Variance does not allow a use that is not permitted in the zone by the Zoning Regulations.
6. Variance will not cause injury to or adversely affect the rights of surrounding property owners and residents.
7. Variance is in general harmony with intent and purposes of the Zoning Regulations.
8. Variance does not violate state or federal law.

Arizona Counties

- Refers to ARS 11-816
- Contains a general statement that captures special circumstances, strict interpretation, unnecessary hardship
- *2 to 10 individual factors
 - *Considers
 - Consistent with
 - Finds or makes findings
 - Determines

Arizona Counties (cont.)

- No special privileges
- No adverse neighborhood impacts
- Not injurious to public health, safety, welfare
- Not based solely on economic reasons
- Not based on personal preference or convenience
- Not personal considerations, personal convenience, or financial hardship
- Retains substantial conformity with zoning district
- Alternate development scheme available
- Nonconforming buildings and structures are not grounds for variance approval

DEVELOPMENT SERVICES

Special Use Authorization Findings

1. Compliance with adopted plans
2. Compliance with zoning district purpose
3. Development along major streets
4. Traffic circulation
5. Adequate services and infrastructure
6. Significant site development standards
7. Public input
8. Hazardous materials
9. Off-site impacts
10. Water conservation

Permitted and Special Uses

- Agricultural Processing (RU)
 - Permitted Use: Agricultural processing, with a 300-foot minimum setback.
 - Special Use: Agricultural processing with less than a 300-foot minimum setback.
- Communications Towers (GB)
 - Permitted Use: Communications Towers at a maximum height of 40 feet, subject to site development standards in Article 2.51.
 - Special Use: Communications Towers exceeding 40 feet in height, subject to site development standards in Article 2.51.
- Commercial Feedlots, Stockyards, and/or Livestock Auction Barns (HI)
 - Permitted Use: Commercial Feedlots, Stockyards, and/or Livestock Auction Barns, with a 300-foot minimum setback.
 - Special Use: Commercial Feedlots, Stockyards, and/or Livestock Auction Barns with less than a 300-foot minimum setback.

Permitted and Special Uses

- Custom Butchering, Meat Curing, Processing (RU)
 - Permitted Use: Agricultural processing, with a 100-foot minimum setback.
 - Special Use: Agricultural processing with less than a 100-foot minimum setback.
- Riding Stables (RU)
 - Permitted Use: Riding Stables, Commercial, on a minimum site of 10 acres.
 - Special Use: Riding Stables, Commercial, on a minimum site of 10 acres.
- Slaughterhouses, Meat Packing Plants (LI, HI)
 - Permitted Use: Slaughterhouses/Meat Packing Plants, with a 300-foot minimum setback.
 - Special Use: Slaughterhouses/Meat Packing Plants, with less than a 300-foot minimum setback.

Text Amendments (Variance Findings)

- Work Sessions
 - Planning and Zoning Commission
 - Board of Supervisors
- Public Hearings
 - Planning and Zoning Commission
 - Board of Supervisors

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