

# PUBLIC HEARINGS AND HEARING ACTIONS

## *Hearing Schedules*

*Hearing Schedules are established at the beginning of each year. The Cottonwood Planning and Zoning Commission meets monthly (generally the third Monday of each Month) at Cottonwood City Council Chambers, located at 826 North Main Street, at 6:00 P.M. The City Council / Board of Adjustment meets the first and third Tuesday of each month at the same location. All hearing dates are affected by holidays (see posted schedules). Locations may also be subject to change, as will be advertised. Hearings may be cancelled if fewer than three applications are received, in which case your request would be heard the following month. Please let us know at the time of the application if that would pose any undue hardship.*

## *Submittal and Processing of all Hearing Applications*

*All hearing related materials should be submitted directly to a member of the planning staff. Once all of the application components and filing fees are received, a hearing date will be set. The applicant will be notified, in writing, of the hearing action and any further hearing review which may be required. Additional submittals are required for each hearing. The decision of the Commission shall be final, provided that any person aggrieved by a decision of the Planning and Zoning Commission may, at any time within the required waiting period after the filing of the decision, appeal the decision in writing. The Council's decision is final.*

## *Required Public Notifications*

*Legal notice of hearings by the Planning and Zoning Commission for the purpose of considering zone changes or general plan amendments; and for the review of Variances by the Board of Adjustment must be published at least fifteen (15) days before the hearing, and posted on-site. As a matter of policy, the City adheres to the same notification requirements for Conditional Use Permits and Subdivision plats. Applicants for General Plan amendments and zone changes are required to do their own posting. Zone Changes require a neighborhood meeting in advance of the hearing (see Section 301 of the Cottonwood Zoning Ordinance). The process is administered by the applicant. Notifications regarding the neighborhood meeting must be sent to all property owners within 300 feet of the subject property, 15 days in advance of the neighborhood meeting. Staff will require review of mailing list and notification prior to distribution.*

## *Hearing Actions: When they take effect, and time limits for development*

*As the outcome of hearing review, your request may be adopted as recommended, adopted with additional stipulations, tabled or denied. The City Council also has the option of sending the request back to the Planning and Zoning Commission for further consideration. Special conditions may be attached to your request in connection with hearing approval in order to ensure compliance with the intent and provisions of the City's General Plan and codes. Use permits, if granted, become effective fifteen (15) days after Commission approval and must commence within six (6) months after Commission approval or they become null and void. Variances, zone changes and subdivisions must also be approved by the City Council. Zone changes are approved by ordinance, which is subject to a 30- day appeal period, following adoption. A time limit may be imposed during which development must commence. If, at the expiration of this period, the property has not been improved for the use for which it was conditionally approved; it shall revert to its former zoning classification without further notice to the applicant. Subdivision plats are adopted by resolution but do not become valid until improvements have been assured and the plat is recorded. There are time limits for developments associated with zoning actions; for filing final plat applications and for recording of subdivisions beyond final plat approval by the City Council.*

# RIGHTS OF PROPERTY OWNER/POLICY ON APPEALS

## OF REQUIRED DEDICATIONS OR EXACTIONS

*In addition to other rights granted to you by the U.S. and Arizona Constitutions, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your property. Appeals must be in writing and filed with or mailed to the City Manager at the address below, within 30 days after the administrative agency or official has made his determination requiring the dedication or exaction. The City Manager shall appoint an impartial hearing officer, experienced in land use law and private property rights.*

- *No fee will be charged for filing. Your hearing will be scheduled within 30 days of receipt of your request. The city must prove that the dedications or exactions to be imposed on your property bear an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development proposed by you.*
- *Ten days' notice will be given to you of the date, time and place of the hearing unless you indicate to the hearing officer in your request that less notice is acceptable to you.*
- *The hearing officer must render his decision within five working days after the appeal is heard. The hearing officer can affirm the dedication or exaction, modify it or delete the requirement.*
- *If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial de novo with the Superior Court within 30 days of the hearing officer decision.*

For information, please contact:

Marianne Jimenez, City Clerk  
827 N. Main Street  
Cottonwood AZ, 86326  
(928) 340-2727  
[mjimenez@cottonwoodaz.gov](mailto:mjimenez@cottonwoodaz.gov)

Address all appeals to:

Ron Corbin, City Manager  
827 N. Main Street  
Cottonwood, AZ 86326  
(928) 340-2731  
[rcorbin@cottonwoodaz.gov](mailto:rcorbin@cottonwoodaz.gov)