

## **ARTICLE 2**

### **ADMINISTRATION**

The purpose of this section is to set forth the powers, duties and organization of the offices responsible for the administration of this Code.

#### **SECTION 2-10**

##### **BOARD OF SUPERVISORS**

The Board of Supervisors shall have the following duties in the administration of the provisions of this Code:

- A. Hear, review, and adopt amendments to the text of this Unified Development Code after a recommendation from the Planning and Zoning Commission.
- B. Hear, review, and adopt amendments to the zoning districts and the zoning map after a recommendation from the Planning and Zoning Commission.
- C. Hear, review, and consider appeals from decisions of the Planning and Zoning Commission or Community Development Division Director.
- D. Hear, review, and approve preliminary, final, and small subdivision plats after recommendation from the Planning and Zoning Commission.
- E. The Board of Supervisors may take other actions deemed necessary or desirable to implement the provisions of these regulations, the Land Use and Resource Policy Plan and the Comprehensive Master Plan.

#### **SECTION 2-11**

##### **PLANNING AND ZONING COMMISSION**

The Planning and Zoning Commission shall primarily serve as an advisory body to the Board of Supervisors to direct the growth and physical development of the private unincorporated areas of Gila County in a sound and orderly manner for the prosperity, health, safety, and welfare of the citizens. The membership and meetings shall be as provided in 11-803 of the Arizona Revised Statutes.

##### A. Duties

It shall be the duty of the Commission to hold public hearings when necessary and make recommendations to the Board of Supervisors on all matters concerning or related to the creation of zoning districts and boundaries, the appropriate regulations to be enforced therein, the amendment of this Code, and any other matter within the scope of the zoning power.

1. To hear, review, and make recommendations to the Board of Supervisors regarding applications for amendments to the Comprehensive Master Plan and other planning documents.
2. To serve as an advisory body to the Board of Supervisors, and to furnish to the Board of Supervisors, through its assistants, the facts concerning the adoption of any report or recommendation.
3. To initiate, hear, and review amendments to the Zoning Map in accordance with the provisions of Section 4-11 of this Code.
4. To initiate, hear, and review amendments to the Text of this Code.
5. To make investigations, maps, reports and recommendations in regard to the physical development of the unincorporated areas of Gila County.
6. To review and adopt a Comprehensive Master Plan for the unincorporated areas of Gila County and recommend to the Board of Supervisors any amendments or adoption of said document.
7. To hear, review and make recommendations to the Board of Supervisors regarding preliminary, small and final subdivision plats in accordance with rules and procedures of the subdivision regulations.
8. To hear, review, determine compatibility requirements and make the decision regarding all Conditional Use Permits applications.

## **SECTION 2-12**

### **BOARD OF ADJUSTMENTS**

The Board of Adjustment shall be organized, have meetings and make decisions as provided in 11-807 of the Arizona Revised Statutes.

#### **A. Duties**

1. The Board of Adjustments shall Interpret this Unified Development Code when the meaning of any word, phrase, or section is in doubt, when there is a dispute between the appellant and enforcing officer, or when the location of a district boundary is in doubt.
2. Hear and decide appeals in which it is alleged that there is an error in a requirement or decision made by the Director of the Community Development Division in the enforcement of this Code.
3. Hear and decide appeals for variances from the terms of this Code, because of special circumstances applicable to the property, including its size, shape, topography, location, or

surroundings where the strict application of the provisions of this Code will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district. Any Variance granted is subject to such conditions as will assure that the adjustment authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which property is located.

4. A Board of Adjustment may refund all or portions of the application filing fee if a decision of the Director is deemed in error or a requirement is substantially modified.
5. In approving an application, in all or in part, the Board of Adjustment may designate conditions that secure substantially the objectives of this Code and may require guarantees in such a form as it deems proper to insure that such conditions be complied with. Where any such conditions are violated or not complied with, the approval shall cease to exist, and the Director of the Community Development Division shall act accordingly.
6. The granting by the Board of Adjustment permission to proceed on a specific development scheme or of a permit for a construction variance shall be contingent upon permits being obtained and work commencing within six months and being diligently pursued. Failure of such shall void the ruling unless a longer time has been granted by the Board.

## SECTION 2-13

### COMMUNITY DEVELOPMENT DIRECTOR

- A. For the purpose of implementing and enforcing this Code within the zoned areas of unincorporated Gila County, the position of County Zoning Inspector is established.
  1. The Director of the Gila County Community Development Division is designated as the County Zoning Inspector.
  2. The Director may designate Deputy Zoning Inspectors as deemed necessary for the proper administration and enforcement of this Code.
- B. Duties

The duties of the Community Development Director shall be:

1. To serve as the planning agency and administer all planning, zoning, lighting, subdivision and land use regulations as provided in this Code.
2. To enforce all regulations as provided for in this Unified Development Code.
3. To interpret and administer the Comprehensive Master Plan and the related policies established by the Board of Supervisors.

4. To establish forms and processes for the administration and review of map amendments, conditional use permits, variances, subdivision plats, text amendments and appeals.
5. To conduct pre-application conferences prior to the submission of applications for map amendments, conditional use permits, variances, subdivision plats, text amendments, and appeals.
6. To accept, review, and make recommendations regarding map amendments, conditional use permits, variances, subdivision plats, text amendments, and appeals.
7. To provide assistance with the Land Use and Resource Policy Plan.
8. To provide assistance to facilitate all public hearing requirements necessary under the provisions of these regulations.
9. To provide assistance to the Board of Supervisors, the Planning and Zoning Commission, and the Board of Adjustments in the execution of their responsibilities under this Code.

**SECTION 2-14**  
**PUBLIC WORKS DIRECTOR**

The Public Works Department provides the technical expertise necessary to evaluate developments, land divisions and infrastructure interfacing.

A. Duties

The Public Works Department shall have the following powers and duties:

1. To review all development plans for infrastructure improvements to determine compliance with the Board of Supervisor's policies and Gila County standards.
2. To determine appropriate rights-of-way widths, roadway widths, drainage facilities and level of improvements needed.
3. To review the preliminary, small subdivision and final plats and prepare a report of responses to the Community Development Division, the Planning and Zoning Commission or Board of Supervisors on the proposed design and infrastructure improvements.
4. To participate, at the discretion of the Public Works Director, in pre-application meetings with developers for new subdivisions.
5. To review, for compliance with State and Gila County standards, Records of Survey for: Minor Land Divisions, Lot Consolidations, Lot Line Adjustments, abandonment and establishment of easements and similar land uses as determined by the Public Works Director.

6. To inspect all infrastructure improvements for new subdivisions to determine compliance with Gila County standards and prepare a report of acceptance to the Board of Supervisors.
7. To review and determine appropriateness of cost estimates for infrastructure improvements.

## **SECTION 2-15**

### **DESIGN REVIEW COMMITTEE**

- A. The Design Review Committee will serve as an advisory committee to the Planning and Zoning Administrators (or equivalent) of the governmental agencies involved.
- B. Each governmental agency will appoint three members to serve on the Design Review Board.
- C. At least one of the three members should be from property owners within the overlay district.
- D. All members should be appointed to four-year terms.
- E. At the time of initial appointment the governmental jurisdiction should appoint one member for two years and one member for three years and one member for four years. Thereafter all appointments should be for four-year terms.
- F. The Design Review Committee shall elect a Chairman and a Vice Chairman to serve one-year terms to coordinate meetings and the Committee's proceedings in compliance with the requirements of the Arizona Open Meeting Laws. Their responsibilities shall include preparation and publication of the notices of the meeting, an agenda, and minutes of the meetings.
- G. All meetings of the Design Review Board must comply with requirements of the Arizona Open Meeting laws.
- H. Non-voting/advisory membership may be extended to a representative of other governmental agencies for the purpose of consultation at the discretion of the committee. (i.e. ADOT.)
- I. Upon receiving design packets from the property owners in accordance with Section V above, the staff of the governmental agency having jurisdiction will transmit those packets to the Design Review Committee.

- J. The Design Review Committee shall meet within 15 days of receipt of a Design Packet and prepare a written recommendation to the staff of the governmental agency having jurisdiction. If a written recommendation is not received within 30 days from the date of transmittal described above the governmental agency having jurisdiction will assume the packet is approved with no recommendation from the Design Review Committee.