AGRICULTURAL USE EXEMPTION
APPLICATION CHECKLIST

NAME: _________________________________  PARCEL#____________________

1. INCLUDED FORMS TO BE COMPLETED AND SIGNED BY THE APPLICANT:
   ______ STATEMENT OF AGRICULTURAL USE
   ______ AFFIDAVIT
   ______ DIRECTIONS TO THE PROPERTY
   ______ PERMISSION TO ENTER PROPERTY
   ______ AGENT AUTHORIZATION (IF APPLICABLE)
   ______ PLOT PLAN DRAWN TO SCALE

2. DOCUMENTS TO BE SUBMITTED BY THE APPLICANT:
   ______ LEGAL DESCRIPTION
   ______ ASSESSOR’S AGRICULTURAL CLASSIFICATION
   ______ LETTER OF INTENT FOR ALL USES OF THE PROPERTY

3. FORMS INCLUDED FOR APPLICANTS REVIEW:
   DEFINITION OF AGRICULTURAL EXEMPTION
   CHECKLIST FOR PLOT PLAN

4. PRIOR TO AN AGRICULTURAL EXEMPTION STATUS BEING APPROVED BY THE DEVELOPMENT SERVICES DEPARTMENT, THIS APPLICATION WILL BE REVIEWED.
SECTION 505 AGRICULTURAL EXEMPTIONS

A. In order to qualify for an exemption from zoning regulations as property used for “grazing or general agricultural purposes” the property must meet each of the following standards:
1. The property is at least five (5) contiguous commercial acres in size. (A commercial acre is thirty-six thousand (36,000) square feet.)
2. The primary use of and investment in the property is directed toward production of agricultural products through agronomy, horticulture or animal husbandry (‘exempt purposes’).
3. The property is intended for, and is reasonably capable of, producing a normal profit through exempt purposes.
4. The primary function of the property is to produce an agricultural crop or commodity and is found by the County Assessor to be a qualifying agricultural property in accordance with the Arizona Department of Revenue Agricultural Manual.

B. Property used primarily for residential, commercial or recreational purposes, on which livestock or agricultural production is incidental, including hobby farms or ranches, horse acres, cabin sites or forestry tracts does not qualify for exemption. Property cultivated on a supplement or part-time basis, such as mini-farms or gardens not capable of economic self-sufficiency on the basis of agricultural use, generally do not qualify for an exemption.

C. An exemption granted the property owner, is open to review and may be cancelled at any time upon a determination by the Land Use Specialist that the property no longer meets the standards of Paragraph A.

D. Application for initial exemption or for renewal of an existing exemption shall be made on forms provided by the Development Services Department. The Land Use Specialist will evaluate each application for compliance with the standards set forth in this Section.

E. With respect to property not previously used for an exempt purpose, a provisional exemption may be granted on the basis of representations by the owner as to the intended use of the property, subject to presentations by the owner of evidence of compliance with Paragraph A, within one (1) year after grant of the exemption.

F. A person aggrieved by a decision of the Land Use Specialist to grant, deny or cancel an exemption may appeal to the Board of Adjustments and Appeals in the manner provided by Ordinance for appeal of an enforcement decision.
STATEMENT OF GENERAL AGRICULTURAL USE

APP# ____________________________

ARIZONA REVISED STATUTES, 11 – 830.A2
“Nothing contained in any ordinance by this chapter shall: prevent, restrict or otherwise regulate the use or occupation of land or improvements for railroad, mining, metallurgical, grazing or general agricultural purposes, if the tract concerned is five (5) or more contiguous commercial acres.”

DEFINITION OF AGRICULTURAL PROPERTY
AGRICULTURAL PROPERTY IS THAT PROPERTY USED FOR THE PURPOSE OF AGRONOMY, HORTICULTURE OR ANIMAL HUSBANDRY:

1. In which the primary function is to produce an agricultural crop or commodity.
2. In which the primary investment is for the purpose of farming or stock ranching.
3. In which the property is capable of being utilized solely for its agricultural abilities to sustain economic self-sufficiency and return a nominal profit.

IDENTIFICATION OF AGRICULTURAL PROPERTY
AGRICULTURAL PROPERTY IS DIVIDED INTO TWO CATEGORIES FOR THE PURPOSE OF IDENTIFICATION:
I. FARM PROPERTY    II. LIVESTOCK RANCH PROPERTY

I. Farm Property (land, improvements, structures) is that property which will comply with the definition above and is used for the growing, harvesting, and on-farm storage of agricultural crops, commodities or livestock subject to the following qualifications:

A. The land shall be intensively cultivated or utilized.
   1. Farm property shall include, but not be limited to, the following types of farm production:
      a. Field Crops
      b. Breeding of livestock
      c. Fruit and nut crops
      d. Produce or truck crops
      e. Meat and dairy animals
      f. Poultry
      g. Ornamental crops
      h. Beekeeping

B. Farming shall be considered to be those typical operations as normally undertaken or performed by the majority or farmers and shall not extend in function beyond those controlled by the farmer.
   1. The farming function will generally be limited to actual activities carried out on the farmstead. There may be an exception when it is usual and normal practice to relocate the crop or commodity in the growing or harvesting process. The limitation of the farming function is determined in all instances by the answer to two key phrases.
      (1) Is it typical?
      (2) Is the crop within the care, custody and control of the farmer?

a. Packaging, storing, baling or assembling shall be considered as part of the harvesting process if it is performed by the farmer and is normally required in order to move the crop or commodity off the farm.
b. Bulk delivery of the crop or commodity by the farmer to a gin processing plant, or refinery is usually recognized as part of the harvesting process.
C. Non-qualifying Farms shall not be considered as agricultural property within the meaning of the preceding definitions.
   1. A non-qualifying farm property used primarily for residential, pleasure, commercial, or recreational purposes and in which agricultural use is incidental. For example
      a. Hobby farms, horse acres, cabin sites.

   2. Many small acreages are cultivated and cropped on a supplemental or part-time basis. These mini-farms or gardens are usually classified as non-qualifying because they are not the basis of their agricultural function.

II. Livestock Ranch Property (land, improvements, structures) is that property which will comply with the definition on Page -1- and is used in the production of livestock or livestock products subject to the following qualifications:

A. The primary use of the land shall be for the purpose of livestock grazing or large uncultivated acreages in order to utilize the natural forage crops thereon.
   1. The use of associated land within a grazing area to cultivate only forage or pasture crops for the purpose of complementing and supplementing the primary livestock grazing function is part of the stock ranching operation.

   2. Livestock Ranch Property shall include, but not be limited to, the following types of livestock production:
      a. Meat, wool, or mohair production livestock using natural forage range.
      b. Breeding livestock operations will be classified as farming enterprises unless the operations will clearly comply with Section A. above.

B. Stock ranching shall be considered to be those typical operations as normally undertaken or performed by the majority of ranchers and shall not extend in function beyond those controlled by the rancher.

C. Non-qualifying ranches shall not be considered as agricultural property within the meaning of the preceding definitions.
   1. A non-qualifying ranch is property used primarily for residential, pleasure, commercial, or recreational purposes and in which the agricultural use is incidental. For example:
      a. Hobby ranches, horse acres, cabin sites.

   2. Many small ranches are grazed on a supplemental or part-time basis. These mini-ranches are usually classified non-qualifying because they are not capable of economic self-subsistence as a unit, solely on the basis of their agricultural function.

D. Grazing lease – any lease of privately owned undeveloped land to a livestock rancher shall be analyzed to determine the qualification of the land for identification as grazing land.
   1. The following limitations and considerations shall be viewed as guidelines:
      a. Does the leased parcel add significant value to the grazing capability of the ranch or is it a mere token?
      b. Is there a lease history of the parcel for grazing purposes?
      c. Is the lease typical of other private grazing leases in the state, i.e.:

         (1.) Is it a valid “arm’s length transaction?”
         (2.) Are the terms and conditions reasonably standard for the industry?
(3.) Is the rental return in line with typical leases in the commercial ranching field?

d. If the leased parcel has recently been purchased, does the rental rate indicate a reasonable return of invested capital to the owner? The answer to this could be an indication of whether or not the property was bought for its agricultural capability as set forth in the definition on Page -1- of this form.

FARM LAND USE COMPONENTS
The land-use components that make up a farm are many and varied. Generally, a farm is composed of some combination of the following land-use characteristics:

1. Irrigated land
2. Fallow land
3. Home-site and/or headquarters land
4. Waste land
5. Undeveloped land (non-irrigable)

ITEM #1 IRRIGATED LAND - This is the number of actual acres within a farm that are irrigated and cropped. These are the income acres.

ITEM #2 FALLOW CROP LAND - For various reasons a farm is rarely planted and cropped to 100% of its full capacity. Part of the land, which is capable of being irrigated, will be allowed to lie fallow because of a limited water supply or a soil problem. These irrigable, but non-irrigated, crop acres must be an active component of a bona fide farm unit and must be fallow as part of a normal, planned rotation program. Cropland will not qualify for this category in the following instances:

1. If the land has lost its source of water even though it may be part of a multiple unit farm.
2. If the land is allowed to become weedy and rough, indicating an extended period of non-use.
3. In most cases where an allotment is detached from the land by sale or lease.

ITEM #3 HOME-SITE AND/OR HEADQUARTERS LAND - This area has a special use by both NECESSARY non-farm and basic farm buildings. Necessary Non-farm structures may include:

1. Barracks and seasonal buildings used primarily for rooming and/or boarding of a farm labor force.
2. Storage, livestock and poultry.
3. Milk barns.
4. Shade structures.
5. Horticulture structures (green house and crop protection).

ITEM #4 WASTE LAND - This is strictly defined to be that land within a farm boundary which cannot be utilized for any farming purpose, nor can it be feasibly converted in the near future to an economically beneficial use. Primarily, this category will be only for such sites as river bottoms, sand hills, rock outcrops and sand washes.

ITEM #5 UNDEVELOPED LAND - This is that raw or desert acreage within a farm boundary which does have economic potential as cropland, home-site’s etc.

DEFINITION OF AN AGRICULTURAL BUILDING
AN AGRICULTURAL BUILDING IS A STRUCTURE DESIGNED AND CONSTRUCTED TO HOUSE FARM IMPLEMENTS, HAY, GRAIN, POULTRY, LIVESTOCK OR OTHER HORTICULTURAL PRODUCTS:

1. Which it is not intended for human habitation.
2. Which is not a place of employment where agricultural products are processed, treated or packaged.
3. Which is not a place used by the public.

DEFINITION OF FARM IMPROVEMENTS

FARM IMPROVEMENTS ARE DEFINED TO BE OF SUCH A BASIC AND ESSENTIAL NATURE THAT THE FARMING PROCESS IS INHERENTLY DEPENDENT UPON THEIR UTILIZATION (i.e.: WITHOUT THE IMPROVEMENT THE LAND COULD NOT BE FARMED), WHICH MAY INCLUDE:

1. Irrigation wells, pumps, motors and other related equipment.
2. Irrigation systems, ditches, dams, pipelines and stock tanks.
3. Roads and trails.
4. Boundary fences.
5. Farm buildings.
**Type of Application:**
- □ UP  □ ZMC  □ FSP  □ PAD  □ Wireless
- □ Sketch  □ PP  □ FP  □ FP Recording
- □ Variance  □ Admin Review w/Comment
- □ Admin Review  □ Minor Admin Variance

**Project Name:**

_____________________________________

**Located in:**
Sec _________ Twp _________ Rng _______

**Assessor’s Tax Parcel Number:**

_____________________________________

_____________________________________

_____________________________________

**FOR OFFICE USE ONLY**

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**Application #:**

**Date Applied:**

**Current Zone:**

**Fees:**

**Receipt:**

**Supervisor District:**

**Taken By:**

**Hearing By:**

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* A=Approved, D=Denied, W=Withdrawn

**Property Owner:**

**Applicant/Agent:**

**Mailing Address:**

**Mailing Address:**

**City:**

**City:**

**State:**

**State:**

**Zip Code:**

**Zip Code:**

**Phone:**

**Phone:**

**Fax:**

**Fax:**

**E-mail:**

**E-mail:**

**Request:**

___________________________________________________________________________

___________________________________________________________________________

**Legal Description:**
- □ See attached Legal Description OR:
- □ Lot: ____________  Block: ____________
- subdivision:____________  Unit: ____________

I hereby certify that the information submitted on this application is complete and accurate to the best of my knowledge and that I am the applicant or agent of the same as stated in the attached documentation.

**Signature:**

___________________________________________________________________________

**Please Print Name:**

___________________________________________________________________________

**Date:**

___________________________________________________________________________
AFFIDAVIT

I hereby acknowledge that I have received full information regarding the application of State and County laws and ordinances governing the use of acreage for agricultural purposes. I also understand that an exemption from the Yavapai County Planning and Zoning Ordinance is not necessary when agricultural uses are accessory to the principal allowed use in any zoning district.

The exemption for general agricultural purposes is an exemption from zoning regulations for the agricultural use of the land and any residential use thereof shall be customarily incidental to the established agricultural use. The primary use, therefore, is an “agricultural use”. When the “agricultural use” is abandoned the zoning district regulations shall again be fully applied.

Any residential use of this property is secondary and must be an accessory use to the principal agricultural use as stated above. Should the property be used for any use not customarily incidental to the agricultural use, the exemption clause shall no longer apply.

Building permits may be required by the current adopted Building Code even though the land use is exempted from zoning. Agricultural use exemption from the Building Code may apply to most miscellaneous farm structures incidental to the farmland use, but this must be documented on the permit.

It should be understood that if the General Agricultural Use is abandoned and/or the parcel is reduced or diminished so as to cause it to be less than the required acreage, the agricultural exemption would automatically be voided.

Further be it stated that the real property referenced on page one (1) of this form and further described by a recorded deed (attached hereto) is presently or will be used for the following purpose:

1. a. ________ Farm property; and/or
   b. ________ Livestock Ranch property
   In accordance with the definitions provided herein.

2. a. Farm property shall be used for production of the following:

   (List all items)

   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________

   b. Livestock ranch property shall be used for the following livestock production of the following:

   (List all items)

   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
   __________________________________________________________________________
3. Leased land (check one)

______ Will
______ Will not
Be used in conjunction with this agricultural operation.

4. Type and quantity of livestock to be maintained. (List)

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

5. Amount of land to be maintained (average) in the following categories:

(check applicable lines)  
ACRES
______ Irrigated land
______ Fallow land
______ Home site and/or headquarters land
______ Wasteland
______ Undeveloped land

6. List existing and/or proposed farm/ranch buildings and explain how they are/will be utilized:

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

7. List existing and/or proposed non-farm/ranch buildings and explain how they are/will be utilized:

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

8. List existing and/or proposed farm/ranch improvements and explain how the improvements are/will be utilized in conjunction with the Agricultural Use:

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
9. The described farm/ranch operation: (check one)

___________ has been in existence since_____________________________

___________will commence ______________________________________

(month/year)

I hereby acknowledge that should any improvements be made to the property, I will be required to update
the Department of said improvements in order for the Exemption to stay in force. Failure to do so shall void
the exemption. I hereby acknowledge that at the time when the agricultural use is abandoned or revoked,
the applicable zoning district regulations shall again be fully applied and it may be necessary to modify
existing structure(s) and use(s) to be compatible with those regulations.

_______________________________
APPLICANT SIGNATURE

State of Arizona                   )
) ss.
County of ______________

Subscribed and sworn (or affirmed) before me on this ______ of _________________, 20___ by
_______________________________.

_______________________
NOTARY PUBLIC

COMMISSION EXPIRES:

DO NOT WRITE BELOW THIS LINE - FOR STAFF USE ONLY

___________Approved by _______________________________ on ______________

___________Denied by _________________________________ on ______________

CONDITIONS OF APPROVAL:

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
PERMISSION TO ENTER PROPERTY

APPLICATION #: ______________________________
PARCEL #: _______________________
LEGAL DESCRIPTION: ________________________________________________________
NAME(S): ___________________________________________________________________
___________________________________________________________________
ADDRESS: __________________________________________________________
________________________________________________________________________
PHONE: _____________________

I, the undersigned, hereby give permission to the Yavapai County Land Use Specialist (or any Deputy Specialist) in the discharge of his duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the enumerated application made under the terms of the Yavapai County Planning and Zoning Ordinance: or for any investigation as to whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Yavapai County Planning and Zoning Ordinance; or for any investigation for conditions, compliance, and stipulations under the terms of the Yavapai County Planning and Zoning Ordinance and public hearings concerning this parcel. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7a.m. and 6p.m. MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or verbally) at any time.

APPLICANT'S SIGNATURE:_______________________________________DATE______________

(Check one)

__________OWNER

__________AGENT FOR____________________________________________

STATE OF ARIZONA    )
 ) ss.
COUNTY OF YAVAPAI )

On this ___________day of ________________20 ____before me, the undersigned Notary Public, personally appeared___________________________________________, who executed the foregoing instrument for the purpose therein contained.
In witness whereof, I hereby set my hand and official seal,

________________________________________________________
NOTARY PUBLIC

DATE COMMISSION EXPIRES
AGENT AUTHORIZATION

APPLICATION #:______________________________ PARCEL #_______________________

LEGAL DESCRIPTION: ________________________________________________________

NAME(S): ___________________________________________________________________

ADDRESS: _______________________________________ PHONE_____________________

I, the undersigned, hereby give permission to ________________________________, as stated herein, and for good cause, to act as agent for the above described property in connection with the enumerated application concerning this parcel under the terms of the Yavapai County Planning and Zoning Ordinance. Such authorization shall be good until such time as the request has been granted or denied. I understand that this authorization may be withdrawn or revoked (either in writing or verbally) at any time.

PROPERTY OWNER’S SIGNATURE:
_______________________________________ DATE______________

PROPERTY OWNER’S PRINTED NAME:
______________________________________________________

STATE OF ARIZONA )
COUNTY OF YAVAPAI ) ss

On this __________ day of ____________________, 20____ before me the undersigned

Notary Public personally appeared ____________________________________________, who executed the foregoing instrument for the purpose therein contained.
In witness whereof, I hereby set my hand and official seal,

_____________________________________
NOTARY PUBLIC

DATE COMMISSION EXPIRES
YAVAPAI COUNTY DEVELOPMENT SERVICES
PROPERTY DIRECTIONS

ASSESSOR’S PARCEL# ____________________________________________________

APPLICANT’S NAME ____________________________________________________

DIRECTIONS TO THE PROPERTY:
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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- 13 -
PLOT PLAN CHECKLIST

NOTE: PLOT PLAN MUST BE DRAWN TO SCALE IN BLACK INK ON THE FORM PROVIDED THAT
INCLUDES ALL OF THE FOLLOWING INFORMATION.

( ) Property dimensions
( ) Indicate scale used (Engineer’s Scale – 1”=20’ 30’ 40’ 50’ 60’)
( ) Indicate North with directional arrow
( ) Proposed structures with all dimensions, including Pools
( ) Existing structures with all dimensions, including Pools
( ) Distances between structures
( ) Distance from all structures to the property lines
( ) Description of each structures use
( ) Adjacent streets/roads
( ) Driveway(s) and material used (i.e. gravel, concrete…)
( ) Location, Size, Dimensions of Septic System with Leach Area
  ___ Perc test holes
  ___ 100% Expansion area (minimum distance from septic and leach)
  ___ Length and slope of outlet lines (5 foot min.)
  ___ Distribution Box/Diversion Valve
  ___ Inspection Pipe(s)
  ___ Length and number of leach lines; distance between trenches
  ___ Degree of slope in leaching area
  ___ Length and slope of building sewer line (max 100 feet)
  ___ Cleanout pipe in building sewer lines
  ___ Setbacks from property lines, buildings wells, dry washes, other sewage systems, water lines.
(NOTE: If individual wells provide water, maintain minimum septic setbacks of 50’ from property lines and
100’ from all wells including neighboring wells)
( ) Location of all utilities, poles, meters and lines
( ) All easements, regardless of purpose (i.e. roads, utilities)
( ) Slope information
  ___ Indicate High and Low points
  ___ Indicate by arrows direction of slope
  ___ Indicate difference in elevation between high and low points
( ) Distance from the closest structure to the top of bank of any watercourse(s) (i.e. washes, streams,
creeks, arroyos, rivers, drainage ways and slews)
( ) Location where orange Pre-issue card will be posted
Yavapai County Coordinated Permit Process

Plot Plan Sketch and Affidavit

I certify that I am authorized by the property owner to make this application, that all information provided for this application is correct and that this plot plan, as part of the permit, indicates all structures (including fences, walls, and pads), correct property and building dimensions; setback distances; legal access and easements; road cuts; walls and/or any water course (including washes, drainage ditches etc.) on or within 50', 100' and 200' respectively of the property. We agree to conform to all applicable laws of this jurisdiction.

| Signature | Date |

Area Map for parcels exceeding 2 acres or with dimensions over 300'.

Must be drawn to scale per checklist on back of this form

LAND USE
APPROVAL BY: DATE: TOTAL SHIELDED LUMENS:

Document # Sec
Twn
Rng
APN
Zoning:
Stories:
Height:
Slope: %
FY:
RY:
EY:
IY:
LC:
Lot Area
Lot %
Density Used:
Scale:
North Arrow

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