

Maricopa County Planning & Development Department Substantive Policy Statements

Maricopa County Planning & Development Department
501 N. 44th Street, Suite 200
Phoenix, AZ 85008

September 24, 2015



Maricopa County



**Planning & Development
Department
DEPARTMENTAL DIRECTIVE**



DD NUMBER:	DD 99-044	INITIATOR:	CHARLES COLLEDGE
SUPERSEDES:	NOT APPLICABLE	MANAGER:	CAROLYN LONG <i>CL</i> LARRY SAHR <i>LS</i>
DATE INITIATED:	8/23/1999	DIRECTOR:	JOY RICH
EFFECTIVE DATE:	8/4/1999	RESPONSIBLE AUTHORITY:	CUSTOMER SERVICE / ADDRESSING
SUBJECT: NEW STREET NAME AND/OR STREET NAME CHANGE PROCEDURES			

PURPOSE:

To adopt procedures to implement the approval of new street names or the change of street names, under the newly adopted (8/4/1999) addressing regulations.

REFERENCE:

Section 103.4 c and d of the Addressing Regulations provide the authority for the adoption of written directives to adopt procedures and forms.

POLICY/PROCEDURE:

The attached procedures and forms shall be used for approving a new street name (not part of a subdivision) or for changing an existing approved street name.

1. **PRESUBMISSION MEETING.** Potential applicant should schedule a meeting with Planning and Development Department addressing staff. At this meeting the needs for and requirements for requesting a street name change will be discussed. Staff will determine if a name for the alignment exists and the size of any alias segment involved. This information, along with a sample application package, will be provided to the potential applicant should they desire to continue the process.
2. **APPLICATION SUBMISSION.** A complete street name change application must be submitted to the Planning and Development Department. A complete application shall consist of the following:
 - Filing Fee of \$500
 - Application form [.NAME.DOC](#)
 - List of all affected properties with parcel number and ownership petition indicating 51% approval of all affected property owners within the appropriate alignment segment [NAME3.DOC](#). Map identifying location of street to be named or have name changed (drawn to scale)
 - Provide mailing labels of all property owners who will be affected.
3. **REVIEW OF APPLICATION.** Upon acceptance of a complete application, the Planning and Development Department will first determine that the petition requirements have been met. If not met, the applicant will be notified of the number of additional signatures required. If these additional signatures are not provided within 6 months of notification of the applicant, the application shall be expired and the filing fee shall not be returned. If the petition requirement has been met, the Department shall route the application to impacted parties for comment. These parties shall include at least the following:
 - Sheriff's Office (911)
 - Local Fire District
 - MCDOT

The Department shall post the area of the street name change at least 10 days in advance of the hearing, notify the applicant and impacted property owners of the hearing, publish notification of the hearing in accordance with state open meeting law requirements.

4. **PUBLIC HEARING.** After hearing any comments on the requested change, the Board of Supervisors shall act on the street name or name change request. If approved, existing addresses will be assigned new addresses as quickly as possible following normal change of address procedures.



Planning & Development
Department
DEPARTMENTAL DIRECTIVE



DD NUMBER:	DD2000-67	INITIATOR:	BILL KRONE
SUPERSEDES:	NOT APPLICABLE	MANAGER:	LARRY SAHR LS
DATE INITIATED:	03/06/00	DIRECTOR:	JOY RICH JR
EFFECTIVE DATE:	03/06/00	RESPONSIBLE AUTHORITY:	CODE ENFORCEMENT DIVISION
SUBJECT:	ACCESS TO PROPERTY		

PURPOSE:

To clarify Maricopa County Planning and Development Department's Policy as it relates to the entry on to private property for the purposes of enforcement of the Zoning Ordinance.

REFERENCE:

Maricopa County Zoning Ordinance Article XXIII – General Provision
David Benton - Deputy County Attorney

POLICY/PROCEDURE:

Per determination made by the Maricopa County Attorney, whenever access is denied, blocked, hindered or Code Enforcement Officers (CEO) are otherwise physically prevented from conducting an inspection, regardless of the reason, the access will not be contested and the CEO will simply leave.

COMMENT:

Other remedies such as an Administrative Warrant are available to gain access if absolutely necessary. If you should have any questions concerning the above referenced policy please contact your supervisor for clarification.



Planning and Development Department



DEPARTMENTAL DIRECTIVE

DD NUMBER:	DD 2000-69	AUTHOR:	KATIE PYLE / DEBBIE WHITE
REVISED:	04/11/01	INITIATED BY:	CAROLYN LONG CL
SUPERSEDES:	DD-050	APPROVED BY:	JOY RICH JR
EFFECTIVE DATE:	3/13/00	RESPONSIBLE AUTHORITY:	Planning & Development Department
SUBJECT: GRADING, DRAINAGE AND INFRASTRUCTURE PERMITS FOR SUBDIVISIONS			

PURPOSE:

To clarify the Planning and Development Department's policy for issuance of grading and drainage permits for subdivision developments

REFERENCE:

Building Safety Division- Directive-1/96 ADM

POLICY:

The following departmental policy is established for the issuance of **Grading and Drainage Permits:**

- The Planning and Development Department will no longer issue "At-Risk" Development Permits
- An applicant may, by right, request a **Grading and Drainage Permit** for a parcel of land in any of the **Rural/Residential Zoning Districts** within Maricopa County. The requested *Grading and Drainage Permit* may include the construction of retaining walls **with a separate activity number assigned**.
- A *Grading and Drainage Permit* submittal must meet all requirements of the 1997 UBC (Uniform Building Code), as adopted by Maricopa County.
- If the applicant requesting the *Grading and Drainage Permit* has a concurrent application for a Subdivision in the approval process, for the subject parcel, it shall be required that the applicant provide a signed and notarized *Disclaimer* (see attached) along with the *Grading and Drainage Permit* application submittal. The subject *Disclaimer* shall be placed in the case file with the other related supporting documentation.
- The subject *Disclaimer* states that the applicant acknowledges that only a *Grading and Drainage Permit* is being considered for issuance. If a *Grading and Drainage Permit* is subsequently issued, the owner is solely responsible for any additional expenses, which might arise due to changes required during the Subdivision Approval Process.



Planning and Development
Department
DEPARTMENTAL DIRECTIVE



- The approval and issuance of a *Grading and Drainage Permit* does not constitute approval to construct or install any utilities or other related infrastructure improvements. The related infrastructure improvements shall not be permitted until such time as the Final Plat is approved by the Board of Supervisors and recorded with the County Recorder's Office.
- By signing the disclaimer the applicant further acknowledges that approval of a *Grading and Drainage Permit* is in no way approving or suggesting that the Final Plat for the related Subdivision will be approved by the Board of Supervisors.

PROCEDURES:

The following procedures are to be followed:

- 1) The applicant shall submit the following items for a *Grading and Drainage Permit*:
 - a. A recorded copy of the deed for ownership and property description (metes and bound legal description).
 - b. The Assessor Tax Parcel Number
 - c. A copy of the Earth Moving and Dust Control permit, issued by Environmental Services
 - d. 7 sets of Grading and Drainage Plans (The number of sets of plans are subject to change as necessary)
 - e. **If prior to final recordation, a disclaimer is required.**
- 2) One (1) permit is required for each parcel of record. If there are 3 parcels involved in the request, then 3 permits shall be required. Each permit will require its own application, sets of plans, recorded deed for ownership and property lines, APN # and Earth-Moving Permit from Environmental Services, etc.
- 3) Once the application is submitted and determined to be complete the Development Services Division shall route the *Grading and Drainage Permit* submittal to the following departments/divisions:
 - a. Development Plan Review Division
 - b. Flood Control Department
 - c. MCDOT
- 4) The requested *Grading and Drainage Permit* shall not be issued until the submittal has been Reviewed and approved by all of the responsible departments/divisions.
- 5) The *Grading and Drainage Permit* is a stand-alone permit and can not be converted into an *Infrastructure Permit*.
- 6). A *Grading and Drainage Permit* must be approved and issued prior to the issuance of any related *Infrastructure Permits*.
- 7) Once the Final Plat has been approved, by the Board of Supervisors, and recorded with the Maricopa County Recorders Office, the applicant may apply for an *Infrastructure Permit* to construct all utilities, storm drains, curbs, gutters, sidewalks, paving and etc.



Planning and Development
Department
DEPARTMENTAL DIRECTIVE



- 8). All subdivisions that had previously been issued *Grading and Drainage Permits* prior to Final Plat approval and recordation shall be required to obtain an *Infrastructure Permit* within 90 days from the subdivisions Final Plat approval and recordation.
- 9). The applicant shall submit the following items for *an infrastructure permit*:
- Assessor tax parcel number (mother parcel prior to split).
 - Seven total site plans (recorded plat)
 - Three sets improvement plans (paving, utilities, storm drains, curbs, gutters, sidewalks, etc.)
 - Three sets of grading and drainage if no previously applied for. Grading will have separate activity number assigned.
- One permit is required unless application includes, grading and perimeter fencing then, additional activity numbers will be assigned for each project.
- 10) An applicant may apply for *Building Permits, related to the Subdivision* only after an *Infrastructure Permit* has been issued.
- 11) The Planning & Development Department currently does not process *Infrastructure Permits* for MCDOT and Environmental Services. It is the responsibility to the applicant to provide evidence that all necessary *Development Permits* from these agencies have been applied for and have been issued.
- 12) Building Permits for model homes, model home complexes, job trailers and construction yards within an approved subdivision may be finalized prior to the related *Infrastructure Permit* being finalized.
- 13) Building Permits for single-family residences, within an approved subdivision, may be issued prior to the *Infrastructure Permit* being finalized.
- 14) Building Permits for single-family residences, within an approved subdivision, may not be finalized until the related *Infrastructure Permit* has been finalized.

If you should have any questions concerning this matter please contact your supervisor for clarification.



Planning & Development
Department

DISCLAIMER FOR GRADING AND DRAINAGE PERMIT
AT OWNER'S RISK



Subdivision Name: _____

Subdivision/Zoning Case Number: _____ Preliminary Plat Approval Date: _____

Assessor's Parcel Number: _____ Building Permit Number: _____

Initial I hereby acknowledge that this application for a permit is made prior to Final Plat approval and is done solely at my own risk. I will, at my expense, comply with any necessary changes that may be required prior to Final Plat approval.

Initial I hereby agree to hold Maricopa County harmless from any and all actions of any kind, which may result from the issuance of this permit

Initial I further hereby agree to obtain a Final Grading and Drainage/Infrastructure Permit once the Final Plat has been approved and recorded

Property Owners Name (please print) _____ phone #

Property Owners signature _____ Date

Applicants Name (if different from owner - please print) _____ phone #

Applicants Signature _____ Date



Planning & Development
Department



DEPARTMENTAL DIRECTIVE

DD NUMBER:	DD2000-78	INITIATOR:	BILL KRONE <i>BK</i>
SUPERSEDES:	NOT APPLICABLE	MANAGER:	
DATE INITIATED:		DIRECTOR:	SCOTT MCCULLOUGH <i>SM</i>
EFFECTIVE DATE:	IMMEDIATELY	RESPONSIBLE AUTHORITY:	PLANNING & DEVELOPMENT DEPARTMENT
SUBJECT: DEALING WITH COMPLAINANTS AND VIOLATORS AFTER COURT SUBMISSION			

PURPOSE: TO CLARIFY THE POLICY OF THE DEPARTMENT IN DEALING WITH COMPLAINANTS AND VIOLATORS ONCE THEIR COMPLAINT HAS BEEN SUBMITTED EITHER TO THE COUNTY ATTORNEY OR TO A HEARING OFFICER.

REFERENCE: TITLE 12, ARIZONA REVISED STATUTES, COURTS AND CIVIL PROCEEDINGS, AND CODE ENFORCEMENT PROCEDURES MANUAL.

POLICY/PROCEDURE:

As a matter of policy once a Code Enforcement Officer has submitted a violation case either to the County Attorney for prosecution or to a Hearing Officer for civil process, there should be no further contact, either verbally or in writing, with either the proposed violator or the complainants, prior to the scheduled trial or hearing date by anyone in the Department. Conversations or correspondence with violators and complainants in regard to the case which is being considered could possibly jeopardize the prosecution or hearing by being interpreted as extralegal communication or an effort to mediate the complaint. Employees who engage in conversations or communications with violators and complainants may be subpoenaed to testify at the subsequent trial or hearing by either side in the case.



Planning & Development
Department



DEPARTMENTAL DIRECTIVE

DD NUMBER:	DD-2000-81	INITIATOR:	Tim Overstake TJO
SUPERSEDES:	None	MANAGER:	N/A
DATE INITIATED:	11-14-2000	DIRECTOR:	Joy Rich JR
EFFECTIVE DATE:	Immediately	RESPONSIBLE AUTHORITY:	PLANNING & DEVELOPMENT DEPARTMENT
SUBJECT:	Reliance on Civilian Witnesses at Civil Code Violation Hearings		

PURPOSE: To establish a procedure to accommodate civilian witnesses who wish to provide evidence or testify during a civil code violation hearing.

POLICY: When a code enforcement case cannot be established by evidence gathered during field inspections, the aid of civilian witnesses may be sought. In many cases a complainant may insist on presenting evidence at a civil hearing despite the fact that a code enforcement officer has documented no evidence of a code violation. When a civilian witness is being relied upon to provide the sole evidence necessary to prove a civil violation case, the Code Enforcement Supervisor will be notified. The County Attorney liaison will also be consulted, and the merits of the case evaluated, before the civil hearing process proceeds. Only with the agreement of the County Attorney will the case be prepared for civil hearing.

COMMENT: In many cases, such as residential businesses, non-accessory vehicle parking and underaged occupancy in a senior citizen overlay district the code enforcement officer may not be able to gather sufficient evidence to prepare a case for hearing. If the aid of a civilian witness is sought, or a complainant insists he/she can provide the necessary proof, the case may still proceed to hearing despite the code enforcement officer’s lack of personally compiled evidence. It is important to enlist the aid of the County Attorney in these matters. It is ultimately the County Attorney’s decision, after reviewing the testimony and/or evidence possessed by the civilian witness, to allow the case to proceed to hearing. The County bears the responsibility to insure each case presented to a Hearing Officer is sound and has merit.



Planning & Development
Department



DEPARTMENTAL DIRECTIVE

DD NUMBER:	DD2000-82	INITIATOR:	Tim Overstake <i>TJO</i>
SUPERSEDES:	NOT APPLICABLE	MANAGER:	
DATE INITIATED:	11-21-2000	DIRECTOR:	Joy Rich <i>JR</i>
EFFECTIVE DATE:	IMMEDIATELY	RESPONSIBLE AUTHORITY:	PLANNING & DEVELOPMENT DEPARTMENT
SUBJECT:	Charging Codes in Summons'		

PURPOSE: To strengthen and make uniform the charging sections of the Summons issued to Code Violators/Respondents.

POLICY: The Code Enforcement Division will cite only 'Citeable Codes' such as the Land Use Ordinance in all Summons issued to code violators in civil cases. The definition codes will no longer be listed in the Summons. For example, a violation of 'Junk, Trash and Debris' on a R-43 zoned parcel would simply be charged as a violation of 'Article VI, Section 602, R-43 Land Use Regulations'. No reference to '202.40, Junk, Trash and Debris' will be made in the Summons.

COMMENT: On the advice of the County Attorney the definition codes, as they are not chargeable violations, are redundant when cited in the charging section of the Summons. Additionally, the inclusion of these codes in the charging document could restrict the Code Enforcement Officer in the presentation of evidence during the hearing as being outside the scope of the violation charged. Any and all evidence of Land Use Regulation violations, for the zoning district cited, may still be presented at the hearing.



Planning & Development Department Department Directive



DD Number:	DD-2000-83	Initiator:	Tom Ewers <i>TE</i>
Supersedes:	Not Applicable	Manager:	Tom Ewers <i>TE</i>
Date Initiated:	11/15/2000	Director:	Joy Rich <i>JR</i>
Effective Date:	Immediately	Responsible Authority:	P&D - Department-wide

PURPOSE:

To clarify the fees due for plan revisions *after* a permit is issued.

REFERENCE:

Maricopa County Local Additions and Addenda - Section 208:

- ? Other Inspections and Fees, Number 7: Change to Approved Plan (including standards), \$250
- ? Additional Fees: Amendment to Approved Plan (data only), \$20

Maricopa County Zoning Ordinance - Section 2810.4:

- ? "A fee of \$25 shall be charged for any request for zoning clearance with no provision for refund."

POLICY/PROCEDURE:

	Function	Fee
1	Any site plan or data revision that requires amending or updating zoning clearance Permits Plus screens.	\$25
2	Any minor building plan revision that requires amending or updating Permits Plus screens.	\$30
3	Any major building plan revision that requires additional plan review work and updating Permits Plus screens.	\$250
4	Revisions may involve one or all of categories 1, 2, and 3 above - Example: Add 1,000 sf to building: affects site plan, is major change to building plan and requires updating Permits Plus screens. $\$25 + \$250 = \$275$	
5	Fee entries will be on Permits Plus screen 6 as shown on an example (copy in Department Directive binder) where: A = enter \$25 B = enter zon clr revision C = major plan change, enter 1 D = minor plan change, enter 1.0	
6	There may be additional Flood Control or Environmental Services revision fees so only the Distribution Center will notify applicant of fees after all approval are entered.	
7	For any additional revisions or questions on fees, contact a manager before doing any entry into Permits Plus.	



Planning & Development Department Department Directive



DD Number:	DD-2001- 04	Initiator:	Scott McCullough
Supersedes:	DD-2000-66	Manager:	Scott McCullough <i>SM</i>
Date Initiated:	02/02/01	Director:	Joy Rich <i>JR</i>
Effective Date:	Immediately	Responsible Authority:	Current Planning/Plan Review

PURPOSE: To clarify what takes precedence when there is a disagreement between the notes established upon a recorded subdivision's final plat and the underlying zoning district regulations. Also, to clarify when the Planning Department recognizes Affidavits of Correction to approved final plats.

REFERENCE: Maricopa County Attorney's Office
David Benton, Deputy County Attorney

POLICY/PROCEDURE: Plat notes are often included/added to plats based on some site specific issue that warrants them. The Department recognizes that plat notes are legitimate in most instances as a way to regulate certain standards in a more restrictive way due to site specific conditions. Plat notes may be more restrictive than the underlying zoning standard but should never be less restrictive. Creating less restrictive standards is a function of rezoning and not of platting.

Therefore, per the Maricopa County Attorney's Office, when there is a disagreement between the notes included on an approved final plat and the regulations of the underlying zoning district, the disagreement will be analyzed on an individual basis taking into account the specific site conditions leading to the plat note and also determining which standard is more restrictive. The Director, in consultation with the Current Planning Manager and the County Attorney, shall decide which takes precedence and shall note such in the subdivision file.

There are often times when an approved plat includes minor mistakes or errors that are discovered after recording takes place. An Affidavit of Correction is a tool used by engineers and land surveyors to correct such errors without having to process a replat.

The Planning Department recognizes the need for such an Affidavit and therefore establishes the following policy. The Planning Department shall recognize only such Affidavits if the Department has reviewed such Affidavit and has signed the Affidavit as an interested party. The Current Planning Division shall be responsible for the review of such Affidavits and the Planning Manager shall sign the Affidavit as approved. The Current Planning Division shall make certain that copies of the Affidavits are placed in the subdivision file.

SUPERCEDES 2000-66



Planning & Development Department Department Directive



DD Number:	DD-2001-07	Initiator:	Tim Overstake <i>TO</i>
Supersedes:		Manager:	
Date Initiated:	3-15-2001	Director:	Joy Rich <i>JR</i>
Effective Date:	Immediately	Responsible Authority:	Code Enforcement Division

PURPOSE: To direct Code Enforcement staff in filling public record requests.

REFERENCE:

POLICY/PROCEDURE:

The public often requests copies of information contained in division investigation files and asks for 'copies of the public record' or cite the 'Freedom of Information Act' when making their requests.

Requests of this type should be submitted in writing and forwarded to the Code Enforcement supervisor for consideration. The division will no longer honor 'while you wait' or verbal requests.

This directive does not apply to orders of the court or requests made by other departments or agencies.



Planning & Development Department Department Directive



DD Number:	DD-2001-14	Initiator:	Tom Ewers
Supersedes:	NA	Manager:	Tom Ewers <i>TE</i>
Date Initiated:	05/29/2001	Director:	Joy Rich <i>JR</i>
Effective Date:	06/29/2001	Responsible Authority:	Current Planning/Plan Review

PURPOSE: To clarify requirements and procedures for **combining separate lots** under single ownership into a single parcel in order to obtain a zoning clearance or building permit for a building or structure.

REFERENCE:

- Maricopa County Zoning Ordinance contains definitions and requirements for lots, yards and required setbacks from property lines which differ according to applicable zoning district.
- 1997 Uniform Building Code, section 503.1: General. Buildings shall adjoin or have access to a public way or yard on not less than one side. Required yards shall be permanently maintained.
- 1994 Uniform Plumbing Code, section 609.5: Location. Except as provided in Section 609.6, no building (water) supply shall be located in any lot other than the lot which is the site of the building or structure served by such building supply.
- 1994 Uniform Plumbing Code, section 721.1: Location. Except as provided in Section 721.2, no building sewer shall be located in any lot other than the lot which is the site of the building or structure served by such sewer.

POLICY/PROCEDURE:

Sometimes building permit applications are submitted with site plans that show the building crossing a property line on properties under single ownership but comprised of separate lots with separate parcel numbers. The Maricopa County Zoning Ordinance requires buildings to meet certain setbacks from property lines, which obviously cannot be achieved when a building crosses a property line. Maricopa County Addressing Regulations require us to assign a single address and single parcel number to a single building. The above-referenced codes do not allow buildings or water or sewer services to cross property lines.

When an application for a building or structure permit is submitted that includes more than one parcel for the site, we will require that the separate parcels be combined by recorded deed into a single parcel and that a new single tax parcel number be assigned.

In order to combine one or more parcels into a single parcel, the property owner will need to record a new deed that legally describes all the property to be included in the single lot and states on the face of the deed that the purpose of the deed is to combine all of the legally described properties into a single parcel. This deed will need to be recorded at the Maricopa County Recorder's Office and the owner should ask for a certified copy of the deed at time of recording. Then the owner must take the new deed to the Maricopa County Assessor's Office in order to have a new single tax parcel number assigned. Once the new deed and parcel number information is provided to our office along with seven copies of the new revised site plan, we can continue the plan review process.

The Maricopa County Zoning Ordinance also prohibits encroaching on easements. When combining lots into a single parcel any intervening easements will need to be abandoned.



Planning & Development Department Department Directive



DD Number:	DD-2001-18	Initiator:	Tom Ewers
Supersedes:	NA	Manager:	Tom Ewers <i>TE</i>
Date Initiated:	05/17/2001	Director:	Joy Rich <i>JR</i>
Effective Date:	06/29/2001	Responsible Authority:	Current Planning/Plan Review

PURPOSE: To clarify requirements and procedures for School permits.

REFERENCE: ARS Section 34-461 states: "Public buildings shall be constructed in compliance with applicable building, plumbing, electrical, fire prevention and mechanical codes adopted by the county in which the building is located. The owner of the public building is subject to the same fees required of other persons. Public buildings are subject to inspection during construction pursuant to these codes to determine compliance."

A "public building" means a building or appurtenance to a building that is built in whole or in part with public monies. This includes all public schools.

Maricopa County Zoning Ordinance allows schools as a principal use in all rural, residential and commercial zoning districts.

County attorneys have specified that case law supports the idea that political subdivisions, such as Public School Districts, are not subjected to county zoning requirements.

POLICY/PROCEDURE: Public School District schools will be permitted without regard to compliance with zoning regulations but must comply with all building, plumbing, electrical, fire prevention and mechanical codes adopted by Maricopa County and full permit and plan review fees will be required. Private schools must comply with **all** zoning, building, plumbing, electrical, fire prevention and mechanical codes adopted by Maricopa County. Full permit and plan review fees will be required.



Planning & Development Department Department Directive



DD Number:	DD-2001-21	Initiator:	
Supersedes:		Manager:	Tom Ewers <i>TE</i>
Date Initiated:		Director:	Joy Rich <i>JR</i>
Effective Date:	07/10/01	Responsible Authority:	Department-wide

PURPOSE: To clarify fence and pool barrier requirements.

REFERENCE: Maricopa County Zoning Ordinance - Sections:
402.18,402.19,402.20,702.12,702.13,1202.3,1302.5,1609-
A.2,1708.4,1808.4,1908.1,2008.4,2108.3,2208.3,2206-
A.2,2308.4,2310.7, 2317.12, 2602.2, 2704-A.2,2704-A.3

1997 Uniform Building Code Appendix Chapter 4 as amended
by TA 98-04 and Sections 106.2, 1007.3.11, 3303.7.3

POLICY/PROCEDURE:

1. Drainage clearance permits for fences and walls must be obtained from the Flood Control District.
2. Effective January 19, 2001, per Text Amendment 2000007, all fences and walls must be installed and maintained in accordance with county regulations, and a building permit/zoning clearance will no longer be required unless any part of the fence or wall
 - a) exceeds six feet in height;
 - b) establishes a principal use (i.e. corral)
 - c) is in a hillside area;
 - d) includes a retaining wall more than 18 inches in height; and / or,
 - e) is a new pool barrier.
3. Fence regulations will apply whether or not a permit is required and include, but are not limited to, the following:
 - a) A fence is a permitted principal or accessory use in all rural and residential zoning districts.
 - b) A fence may not exceed six feet in height outside of the building setback lines.
 - c) Fences in residential zoning districts may not exceed a height of three feet, six inches in any required front yard, and should not exceed a height of six feet in required side or rear yards on the lot. An exception is when a corner lot abuts a key lot, the fence or freestanding wall over three feet, six inches shall meet the required building side setback. Corrals in residential zoning districts must be located in rear yards, setback at least 40 feet from all property lines and contain at least 1,200 square feet of area for each horse kept therein.
 - d) A fence is a permitted accessory use in all commercial and industrial zoning districts and may not exceed six feet in height. Fences are required to screen adjacent properties and to screen parking lots from the street. In the IND-1 zoning district, landscaping may be used for screening if approved by the Planning Commission and the Board of Supervisors.
 - e) A six foot high screen fence, through Conditional Use procedures, may be required for model homes and is required for construction yards.

- f) Fences greater than two feet in height may not be located in the visibility triangles at street inter-sections and commercial driveways as required by zoning code section 2308.4.
- g) Fence permit applications must include seven site plans, drawn to scale, with a North arrow showing all existing and proposed structures and two elevation drawings to show fence construction and baluster spacing. Plans for any fence / wall over six feet in height (or any fence used as a retaining wall) must be sealed by a Registered Engineer.
- h) Fence / walls may not be located in roadways, private access easements or certain public utility easements. Always check deed and private covenants and restrictions.

4. Pool Barrier Requirements

- a) The top of barrier should be at least 60 inches above finished grade (exterior side of barrier).
- b) The maximum gap between the bottom of the barrier and finished grade shall be two inches. For a solid base grade, such as concrete, the gap may be four inches.
- c) If a barrier is constructed with horizontal member less than 54 inches apart, such members must be placed on the interior side of the barrier.
- d) The owner will ensure that the entire barrier is maintained. No section may be altered or removed except to reconstruct, repair or replace the barrier.
- e) Barrier openings are restricted to one and three quarter inches. **Exception:** For fencing composed of vertical and horizontal members, if the distance between horizontal members is 54 inches or more, the spacing between vertical members may be increased up to four inches.
- f) If chain link fencing is used as a barrier, it must be eleven gauge or greater.
- g) Access gates will comply with all pool barrier requirements and will be equipped with self-closing, self-latching devices. All access gates must open away from the pool.
- h) When the latching mechanism is less than 54 inches above the ground, it must be on the poolside of the gate and at least three inches below the top of the gate.
- i) If a building wall comprises a part of the pool barrier and the subject wall contains a door providing direct access to the pool area, a separate barrier shall be installed between the door and the pool. **Exception:** The building official may approve the substitution of a self-closing, self-latching device with a release mechanism at least 54 inches above ground. Or, an alarm that sounds continuously for a minimum of 30 seconds at a level not less than 85 decibels, within seven seconds of the door or the screen being opened is also acceptable.
- j) A window facing a pool enclosure shall be equipped with a mesh screen and lock and key that restricts opening the window to no more than four inches or a latching device 54 inches above the floor (including "doggie doors" or other openings).
- k) Emergency escape or rescue windows must be equipped with a latching device at least 54 inches from the floor.



Planning & Development Department Department Directive



DD Number:	DD-2001- 24	Initiator:	
Supersedes:		Manager:	Tom Ewers <i>TE</i>
Date Initiated:		Director:	Joy Rich <i>JR</i>
Effective Date:	06/29/01	Responsible Authority:	Addressing

PURPOSE: To establish a special exception for entering multiple addresses on a specific parcel and assignment of addresses for commercial properties, land use activities and apartment complexes until the Addressing Regulations are amended by the Maricopa County Board of Supervisors. This in no way changes the existing addressing regulations regarding multiple addresses.

REFERENCE: Maricopa County Addressing Regulations

POLICY/PROCEDURE:

When assigning an address to a commercial property, land use activity or apartment complex, staff will proceed as follows:

1. Each building will be assigned its own address;
2. If each building has separate suites, each will be assigned a suite number; and,
3. In the case where there is a large commercial building with attached buildings that contain suites, one address will be assigned for the main business and a separate one assigned for each attached building with individual suite numbers for multiple tenants.

When a parcel of property has more than one building / structure/ use, which requires an address assignment, staff will enter the information into the Permits Plus database as follows:

Parcel Table Maintenance Screen

- the address field will be left blank;
- the legal description will indicate the specific building / structure / use with the address assignment following it.



Planning & Development Department Department Directive



DD Number:	DD-2001-26	Initiator:	
Supersedes:		Manager:	Tim Overstake <i>TO</i>
Date Initiated:		Director:	Joy Rich <i>JR</i>
Effective Date:	10/19/01	Responsible Authority:	Code Enforcement

PURPOSE: To clarify the use of a "corral" as utilized in the R1-35 zoning district and the language "keeping of horses" as it pertains to horses and corrals.

REFERENCE: Maricopa County Zoning Ordinance, Article VII, Section 702 (13a)

POLICY/PROCEDURE:

It will be the interpretation of the Code Enforcement Division, for the purposes of code enforcement, that the following language:

"Corrals for the keeping of horses, provided such corrals are located in the rear yard, set back from all lot lines a distance of not less than 40 feet and contain at least 1,200 square feet of area for each horse kept therein. The keeping of horses on properties located in residential zoning districts in other than permitted corral is prohibited".

Contained in Article VII, Section 702 (13a) will be interpreted as applying to "unattended" horses. It will be the interpretation of the Code Enforcement Division that the code's intent is not to restrict the use of horses outside the area of the corral, but to require an area to keep or store the horse(s) while unattended. The code should not be construed as restricting the riding, grooming, exercising, display, etc. of attended horses outside the confines of the corral.



Planning & Development Department Department Directive



DD Number:	DD-2002-07	Initiator:	Tim Overstake
Supersedes:		Manager:	Tim Overstake <i>TO</i>
Date Initiated:		Director:	Joy Rich <i>JR</i>
Effective Date:	09/20/02	Responsible Authority:	Department Wide

PURPOSE: To expand investigative procedures involving complaints on Federal, Indian Community and Arizona State lands.

REFERENCE:

POLICY/PROCEDURE: The following protocols will be observed when violation complaints are received on unincorporated Federal, Indian Community or Arizona State lands, not ordinarily within the jurisdiction of Maricopa County Zoning Ordinance Enforcement:

1. All complaints involving unincorporated Federal, Indian Community or Arizona State land within Maricopa County will be investigated.
2. A complete property ownership search will be made to determine proper jurisdiction.
3. A case file will be opened, a Permits Plus case number and Code Enforcement Officer will be assigned and site inspections (as necessary) will be performed. Photographs will be taken of any violation conditions existing on the subject parcel.
4. A detailed letter will be directed to the appropriate government agency (including the source of the complaint), the conditions observed and the code enforcement division's recommendation for further action.
5. Hard copies of the site photos, a backup of these photos (on a floppy disk in a universal format, such as JPEG), and a copy of our original letter of complaint will be included in the correspondence.
6. A copy of the correspondence will be forwarded to the original complainant in instances where sufficient complainant information is known.
7. Complete details of the steps taken in the investigation of the complaint will be catalogued in Permits Plus including the addition of the photos in the images archive.
8. The case will be closed and no further action will be taken.

Note: In order to provide a higher level of service to the constituents of Maricopa County, verbal referrals will no longer suffice in the investigation of violations on Federal, Indian Community or Arizona State lands within the unincorporated areas of the county.



Planning & Development Department Department Directive



DD Number:	DD-2003-02	Initiator:	
Supersedes:		Manager:	Steve Fowers <i>SF</i>
Date Initiated:		Director:	Joy Rich <i>JR</i>
Effective Date:	1/13/03	Responsible Authority:	Department-wide

PURPOSE: To supplement County procedures relating to public record requests and access.

REFERENCE: Maricopa County Policies and Procedures, Public Records Request A1606

POLICY/PROCEDURE:

All department staff are required to read and acknowledge County Policy A1606 and supplemental flow charts. A copy of the policy will be available to customers. A copy of all policies, information and forms are available on P:/Information Requests.

Department records and documentation, with the exception of those that fall under "Intellectual Property – (Rights and Products of the mind or intellect – i.e., plans, drawings and active Code Enforcement cases, are considered public record. All requests for public information must be accompanied by a completed and signed Public Records Request Form appropriate to the nature of the request (commercial or non-commercial). All requests for custom reports, GIS data or information currently not available are to be directed to Information Technology.

Customers must be advised as to the time required to complete requests. The department will attempt to provide information or access to information within 24 hours if possible. If retrieval from an off-site storage facility is required, the customer will be advised of the expected delay. Commercial request costs associated with reproduction, searching, record maintenance, and percent of fair market value may be charged. The Office of the CIO should be contacted if clarification of these charges is needed.

Customers will need to read and agree to a "Statement of Acknowledgement" being developed by the Office of the CIO for use of a public computer terminal and Internet access. This statement will be displayed when the user attempts to access online information. The department will be notified when this statement process is in place. Until that time, staff will ensure that a completed and signed Public Records Request form is provided by the customer before access to a public terminal is provided.

Customers can utilize the printer behind the front counter when using the public terminal or make copies at the copying machine if being provided a printed copy of information. Other printers are available in the department if neither of those resources are available. Please contact Information Technology if assistance is needed.

Printing charges are as follows:

- 8.5" x 11" - \$0.25 per sheet
- 8.5" x 14" - \$0.40 per sheet
- 11" x 17" - \$0.50 per sheet
- Larger - \$4.00 per sheet



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2003-10

Supersedes: DD-2002-05

Effective: August 7, 2003

Initiator: Joy Rich

Director: Joy Rich *JR*

Purpose: To clarify who is empowered to order expedited permit applications through the permitting process.

Reference: Not applicable.

POLICY/PROCEDURE:

The department Director (Joy Rich), Development Services Branch Deputy Director (Lynn Favour) Plan Review Manager (Tom Ewers), Plan Review Supervisor (Peter Davidse), Development Services Supervisor (Jim Stewart) and Customer Services Supervisor (Carolyn Long), are the only authorized agents to initiate or request that a permit application be expedited through the permitting process.

Each time an application is expedited, the initials of the manager or supervisor and the reason for the expediting will be listed as a notice in Permits Plus. If someone other than the authorized agents listed above gives an employee an application to expedite through the process, the employee should bring that application immediately to the Director's or authorized agents' attention.

Anyone attempting to improperly expedite a permit application will be subject to disciplinary action. This applies to both the party directing the improper expediting and the party completing the actual review or approval work.

Note: This directive does not apply to the established Expedited Production Permit Procedure or other special projects as approved by the Director, i.e. Anthem, Dreaming Summit, Wigwam Creek and Corte Bella Country Club.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2003-11

Supersedes:
DD-2003-03

Effective: 5-01-03

Initiator: Lynn Favour

Dep. Dir.: Darren Gerard **DG**

Director: Joy Rich **JR**

Purpose:

To develop new processes and clarify internal procedures involving the review and approval of final subdivision plat and related infrastructure and grading and drainage documents. Specifically, these new procedures are anticipated to achieve the following:

- Save customers approximately one or two months in review time
- Ensure that final plat, infrastructure and grading documents match
- Streamline internal reviews and referrals among One Stop Shop partners

Reference:

A.R.S., Section 11-806.1: Provides counties the authority to regulate the subdivision of lands
Subdivision Regulations, Section 102: Authority adopted to regulate the subdivision of lands
A.R.S., Section 11-861: Provides counties the authority to adopt and enforce building codes
2000 IBC, Section 105.1: Authority adopted to require building permits.

Definitions:

Addenda means any additional plan or report not included in initial submittal.

Administrative Completeness means that all items required for submittal have been included. It does not mean that an application is complete for reviewing purposes.

Approved means approved by all relevant reviewers; item ready for applicant pick-up pending payment of applicable fees.

Final means all necessary inspections of finished work have been completed.

Final Subdivision Plats refers to the final site map of all or part of a subdivision, including the boundaries of all lots, tracts, easements, etc. The final plat must be in substantial conformance with the Planning & Zoning Commission approved preliminary subdivision plat. Final plats go directly to the Board of Supervisors for approval.

Grading Permit refers to the permit for grading and drainage work and may include retaining walls. Grading means any movement of dirt on a site and specifically excludes paving and utility work.

Infrastructure Permit refers to the permit for site engineering work including construction of all utilities, storm drains, curbs, gutters, sidewalks, and paving. Additional site engineering work for the construction of perimeter walls, entry signs, water features, and landscaping may also be included.

Issued means applicable fees have been paid to cashier and permit issued to the applicant.

Revision means any change to plans previously submitted. Revision must be a full set of plans.



Maricopa County

Planning & Development Department

Department Directive

Policy/Procedure:

Department Directive:
DD-2003-11

Supersedes:
DD-2003-03

Effective: 5-01-03

Initiator: Lynn Favour

Dep. Dir.: Darren Gerard **DG**

Director: Joy Rich **JR**

The following procedures are established for the acceptance, review and issuance of Infrastructure Permits, Grading Permits, and Final Subdivision Plat approvals.

Plan Submittals

- Final subdivision plat plans and related, administratively-complete infrastructure plans must be submitted concurrently. Neither final subdivision plat documents nor infrastructure permit documents will be accepted individually. All infrastructure plan components must be submitted simultaneously.
- Final grading plans, including a final drainage report, must be submitted concurrently with the final subdivision plat plans and related infrastructure permit plans. Grading plans may still be submitted at any time as an allowed use in any Zoning District. Application number(s) for issued grading permits or grading plan submittals are to be listed on the application.
- If no infrastructure improvement or final grading is intended as part of the subdivision, then a letter of explanation (with concurrence from Flood Control, MCDOT, and Environmental Services) will be required indicating why an infrastructure permit has not been submitted in conjunction with the final plat.
- Plan submittals must include:
 - (1) 15 copies of the final subdivision plat documents;
 - (2) 15 copies of the infrastructure permit documents;
 - (3) 15 copies of the grading and drainage documents; and
 - (4) 15 copies of a letter of explanation in lieu of items 2 and 3 above.

Note: The number of copies listed above is subject to change upon initiation of scanning/imaging and electronic distribution of review material.

- Applications will be submitted to and routed by Planning & Development (PD) for the following county departments:
 - Flood Control District (FC)
 - Department of Transportation (MCDOT)
 - Environmental Services (ES)
- Submittals will be stamped with the following:
 - "S" subdivision case number,
 - "B" building (infrastructure) permit number(s), if applicable, and
 - "B" building (grading) permit number, if applicable.

Routing

- The Distribution Center will route plan copies, as follows:
 - Final Subdivision Plat Plans:



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2003-11

Supersedes:
DD-2003-03

Effective: 5-01-03

Initiator: Lynn Favour

Act. Dep: Darren Gerard **DG**

Director: Joy Rich **JR**

- Addressing (1), FC (2 drainage reports) (3), MCDOT (1 drainage report) (3), ES (1), Graphics (1), Zoning Plan Review (1), Planning (all remaining copies)
- *Planning to route:* additional entities (e.g. cities, Luke AFB, etc.)
- Infrastructure Plans, if applicable:
 - FC (3), MCDOT (3), ES (1), Planning (1), Addressing (1), Building and Zoning Plan Review (all remaining copies)
- Grading Plans, if applicable:
 - FC (3), MCDOT (3), ES (1), Planning (1), Addressing (1), Building and Zoning Plan Review (all remaining copies)

Fees

- Final Subdivision Plat Fees:
 - Paid at time of submittal:
 - The P&D final subdivision plat fee
 - Addressing fees (\$5 per lot), *unless* applicant demonstrates that applicable addressing fees have already been paid.
 - Following plat recordation:
 - Planning staff will enter fees for plat recordation in Permits Plus. The plat recordation and copying fee will be paid to P&D prior to the release of the recorded final subdivision plat documents to the applicant.
- Infrastructure Permit Fees:
 - Paid at permit issuance:
 - P&D flat fee of \$300.00
 - Permit addressing fee
 - MCDOT and FC plan review fees. MCDOT and FC will enter these fee amounts in Permits Plus to allow P&D to collect.
- Grading and Drainage Permit Fees:
 - Paid at permit issuance:
 - P&D (including Addressing), MCDOT, and FC fees
- Environmental Services Permit Fees:
 - Environmental Services are responsible for collecting their fees.

Revisions

- Revisions to be submitted to P&D's Service Center and routed through the Distribution Center, as noted above. Redlines may be picked up directly from MCDOT, FC, and ES but must be returned to the OSS upon submittal of revisions.
- Revisions to be submitted in full sets (e.g. a full set of infrastructure plans) showing all original information with revisions clouded, numbered and dated.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2003-11

Supersedes:
DD-2003-03

Effective: 5-01-03

Initiator: Lynn Favour

Act. Dep: Darren Gerard **DG**

Director: Joy Rich **JR**

(plat revisions are not required to be clouded, numbered and dated) Single sheet addendums are acceptable, but single sheet revisions will not be accepted.

- Revisions to show the assigned subdivision final plat case number ("S" number) and the building permit ("B") case numbers (infrastructure and grading).
- Revisions will be accompanied by an applicant-completed yellow cover describing the purpose and extent of the submitted revision(s) (e.g. response to FC review, change in subdivision boundaries, etc.). At the discretion of reviewing agencies, final plats may be scheduled for BOS hearing with minor revisions still required to the infrastructure plans or grading plans.

Prior to Final Subdivision Plats being Scheduled for a Board of Supervisor's (BOS) Hearing:

- Final subdivision plats to be reviewed and approved for BOS hearing in Permits Plus by MCDOT, FC, ES, Addressing, Zoning Plan Review and Planning.
- Infrastructure plans to be reviewed and approved in Permits Plus by MCDOT, FC, ES, Building Plan Review, Zoning Plan Review, Addressing, and Distribution. Plan Review will place a note in Permits Plus stating, "Ready upon plat recordation."
- Grading and drainage plans to be reviewed and approved in Permits Plus by MCDOT, FC, ES, Building Plan Review, Zoning Plan Review, Addressing, and Distribution.
- The County Engineer (i.e. MCDOT), the County Assessor, and the County Treasurer will sign at least two sets of final subdivision plat mylars.

Final Subdivision Plat Recordation:

- Upon Board of Supervisor approval of a final subdivision plat, Planning staff will pick up signed plat mylars at the Office of the Clerk of the Board of Supervisors and record and file one mylar with the county Recorder's office.
- Planning staff will bring one recorded mylar back to PD and make two copies of the documents - one for addressing and one for planning.
- Planning staff will retain the receipt obtained at the time of recordation, write the case ("S") number on the receipt, make a copy of the receipt, and place the original receipt in the case file.
- Planning staff will input the recording fees into Permits Plus under "recording fee."
- Planning staff will place a routing sheet stating that the plat has been approved and recorded and then transfer the mylar and a copy of the recording fees receipt to the assigned Building Plan Review staff person.
- Plan Review staff will check the recorded plat against the infrastructure permit plans. If they match, Building Plan Review staff will update their approval on the



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2003-11

Supersedes:
DD-2003-03

Effective: 5-01-03

Initiator: Lynn Favour

Act. Dep: Darren Gerard **DG**

Director: Joy Rich **JR**

approval screen for the infrastructure permit and send both the permit and the plat to the Distribution Center.

- Distribution Center staff will verify all approvals are in place, change the Permits Plus status to "approved," and contact the applicant that permits are ready for pick-up.
- Applicant will pay applicable plat recordation fees and the building permit fees to the cashier; the Distribution Center staff will change the Permits Plus status from "approved" to "issued," print the permit, and the applicant will receive a recorded final subdivision plat mylar, their infrastructure permit, and their grading permit at the Information Center counter.

Additional Related Procedures and Requirements:

- Grading plans may be submitted for review as part of a preliminary plat approval process. All submittals will be identified with the "S" subdivision case number and will be routed to all appropriate departments. Grading plans and infrastructure plans must be resubmitted with the final subdivision plat plans.
- Preliminary subdivision plat approvals will include stipulations that the final plat submittal shall be concurrent with the grading and infrastructure permit submittals and shall include copies of all grading, drainage or site work engineering plans.
- An applicant may apply for building permits, related to the subdivision, only after an infrastructure permit has been issued.
- Building permits for model homes, model home complexes, job trailers and construction yards within a Board of Supervisor approved final subdivision plat may be deemed "final" prior to the related infrastructure permit being deemed "final."
- Building permits for single-family residences, within a Board of Supervisor approved subdivision, may be issued prior to the infrastructure permit being deemed "final."
- Building permits for single-family residences, within a Board approved final subdivision plat, may not be deemed "final" until the related infrastructure permit has been determined to be "final."



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2004-02

Supersedes:

Effective: Immediately

Initiator: Tim Overstake *TO*

Director: Joy Rich *JR*

Purpose: To clarify the applicability of the Adult Business Ordinance to massage establishments.

Reference: Not applicable.

Policy/Procedure:

It is the opinion of the County Attorney's Office that since no adult services as described in the ordinance are ordinarily offered or allowed at these venues, massage establishments are exempt from the Adult Business Ordinance (ABO).

Massage establishments will be considered exempt from compliance with any provision of the ABO.

These businesses will no longer be required to obtain Adult Business Licenses and their employees will no longer be required to obtain provider or manager permits. Any complaints received of inappropriate activity at these establishments will be forwarded to the Maricopa County Sheriff's Office for consideration.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2004-06

Supersedes:

Effective: 3/8/04

Initiator: Tom Ewers *TE*

Director: Joy Rich *JR*

Purpose: To clarify requirements for Professional Registrant's Seals on Building Plans.

Reference: Arizona Revised Statute 32-144
Arizona Revised Statute 11-321.E
Arizona Administrative Code R4-30-301
2000 International Building Code

Statements:

1. A registered professional is an architect or engineer registered by the Arizona State Board of Technical Registration.
2. ARS 32-144 allows plans to be completed by a nonregistrant who designs, alters or adds to a detached single family dwelling or who designs a one or two story building or structure in which the square footage of the floor area measured to the outside surface of the exterior walls does not exceed three thousand square feet, that is not intended for occupancy by more than twenty persons on a continuous basis and in which the maximum span of any structural member does not exceed twenty feet unless a greater span is achieved by the use of wood or steel roof or floor trusses or lintels approved by an engineer registered by the Board.
3. AAC R4-30-301 states that the registrant shall perform only those professional services for which the registrant is qualified by registration to perform and shall seal and sign only the work prepared by the registrant or by the registrant's bona fide employee.
4. 2000 IBC Section 106.1 Submittal documents, states that construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional. Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.
5. Special conditions are those that the building official determines are not specifically covered in the building code.

POLICY/PROCEDURE:

1. Plans for conventionally constructed single family residences may be prepared by a nonregistrant. Truss drawings or calculations, when required, shall bear the seal of a registrant.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2004-06

Supersedes:

Effective: 3/8/04

Initiator: Tom Ewers *TE*

Director: Joy Rich *JR*

2. Where there are special conditions plans and calculations shall bear the seal of a registrant.
3. Where a seal is required for special conditions or for other work requiring a seal by state statute each page of the plans shall be sealed by the registrant responsible for design of that page.
4. Plans for accessory structures that are nonhabitable and nonoccupiable and that do not exceed three thousand square feet in area may be designed by a nonregistrant.
5. Where a seal is required it shall be signed and dated by the registrant and may be a reproduced version rather than a "wet" seal.
6. No one, other than the registrant, shall alter a plan signed and sealed by the registrant.
7. This policy applies to all original submittals and submittals of revisions.
8. As-built permits may be issued for buildings proven to be constructed by prior owners as specified in ARS 11-321.E without plans being required provided the current owner complies with code as verified by inspections in the field.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2006-02

Supercedes:
DD-N/A

Effective: Immediately

Initiator: Gary Zuercher

Director: Joy Rich *JR*

PURPOSE: To define and clarify zoning entitlement for a 'Residential facility'.

REFERENCE: Arizona Revised Statutes; 36-581 & 36-582. Maricopa County Zoning Ordinance; Chapter 2-Definitions, 'Group Homes for the Handicapped and Adult Care'

POLICY/PROCEDURE:

A residence which qualifies as a Residential Facility serving six or fewer persons with autism, cerebral palsy, epilepsy or mental retardation is not required to receive a Special Use Permit or establish a Group Home as a use by right, but rather will be treated as a single-family residence.

DEFINITIONS:

- ARS 36-581 - "Residential facility" means a home in which persons with developmental disabilities live and which is licensed, operated, supported or supervised by the department [Note: "department" in this citation does not refer to the Maricopa County Planning and Development Department but rather refers to the Arizona Department of Economic Security or the appropriate State agency].
- ARS 36-581 - "Developmentally disability" means autism, cerebral palsy, epilepsy or mental retardation.
- MCZO – "Group Homes for the Handicapped and Adult Care" is a dwelling unit shared as their primary residence by handicapped or elderly persons, living together as a single housekeeping unit, in a long term, family-like environment in which staff persons provide on-site care, training, or support for the residents. Such homes or services provided therein shall be licensed by, certified by, approved by, registered with, funded by or through, or under contract with the State. Group homes shall not include homes for the developmentally disabled, defined as persons afflicted with autism, cerebral palsy, epilepsy or mental retardation, as regulated by Arizona Revised Statutes, §36-582.*23 [Note: The definition for Group Homes does not include homes for persons with autism, cerebral palsy, epilepsy or mental retardation because group homes for that statutorily protected class of citizens is treated as a single-family residence.]

ARIZONA STATE LAW PROVIDING QUALIFYING CRITERIA:

ARS 36-582A – Unrelated persons living together notwithstanding, a residential facility which serves six or fewer persons shall be considered a residential use of property for the purposes of all local zoning ordinances if such facility provides care on a twenty-four hour per day basis. The residents and operators of such a facility shall be considered a family for the purposes of any law or zoning ordinance which relates to the residential use of the property. The limitation of six or fewer persons does not include the operator of a residential facility, members of the operator's family or persons employed as staff, except that the total number of all persons living at the residential facility shall not exceed eight.

ARS 36-382B – For the purpose of all local ordinances, a residential facility which serves six or fewer persons shall not be included with the definition of any term which implies that the residential facility differs in any way from a single family residence.

ARS 36-382E – A local ordinance which distinguishes, tends to distinguish, or has the effect of distinguishing residential facilities which serve six or fewer persons from a single family dwelling shall be void and of no effect as applied to such facilities.

ARS 36-382F – No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility which serves six or fewer persons which is not required of a single family residence in the same zone.

ARS-36-582K – The provisions of this article shall apply only to residential facilities licensed, operated, supported or supervised by the department and the establishment of a particular facility shall not create any zoning rights with respect to any subsequent use of the property involved.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2006-05

Supersedes:

Effective: Immediately

Initiator: Tim Alvine

Manager:

Director: Joy Rich

PURPOSE: To address special circumstances to allow for the issuance and inspection of building permits with open violation cases.

REFERENCE: Maricopa County Zoning Ordinance

Chapter 15, Section 1504, Article 1504.1

POLICY/PROCEDURE:

In certain circumstances, building permits may be issued and inspections conducted on parcels/lots with open violation cases when the issuance and inspection are a requirement for compliance with the violation.

In order to facilitate mandated orders submitted by an administrative hearing officer or as a requirement for compliance, it may be necessary to circumvent the current policy of withholding the issuance of building permits on parcels/lots with open violation cases. Normally, in administratively ordered compliance cases, the applicant has an ordered compliance deadline in which to submit all required documentation to the department in order to obtain an entitlement, such as a building/zoning permit. Failure on the part of the applicant to comply within the ordered time limit may result in escalating daily non-compliance fees. Accordingly, it is imperative that the department not impede or withhold the processing, review, payment, issuance or inspection on hearing officer ordered entitlement cases.

In cases where the issuance of the permit is paramount to resolving a violation, such as ordered by an administrative hearing officer, the following text shall be added as a "NOTICE" in the permit special alert screen.

"THIS PERMIT IS THE RESULT OF A VIOLATION CASE. ITS ISSUANCE MAY BE AS A RESULT OF A HEARING OFFICER'S ORDER. ACCORDINGLY, THE PROCESSING, REVIEW, PAYMENT, ISSUANCE AND INSPECTION SHOULD NOT BE IMPEDED OR WITHHELD BECAUSE OF THE VIOLATION STATUS. ANY QUESTIONS PLEASE CONTACT THE CODE ENFORCEMENT SUPERVISOR."

This procedure shall not apply to parcels/lots that have open violation cases and pending building permits, zoning and/or drainage clearances, or other entitlements that are unrelated to or are not a requirement for compliance to the violation. In these instances, this policy will not apply and the issuance of the permit should be delayed until the violation has been resolved.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2007-05

Supersedes: DD 2000-80

Effective: Immediately

Initiator: Tom Ewers TE

Manager:

Director: Joy Rich JR

PURPOSE: To clarify requirements and procedures for changing the contractor or owner of record for a building permit.

REFERENCE: ARS Section 32-1151

POLICY/PROCEDURE: Sometimes it is necessary to change the name of an owner or contractor for a pending or issued building permit. The procedure for making this change is to submit a revised permit application and supplemental information form that includes the new information along with the following:

A. Changing Owner

1. Original or certified copy of new recorded deed with the new owner's name.
2. New disclaimer forms signed by new owners.
3. Written authorization from the prior owner giving new owner total rights and ownership of plans and any previously paid permit or plan review fees.
4. Copy of court order demanding transfer of ownership, if applicable, in case of prior owner's death or financial institution's repossession of property.
5. Written authorization from the registered professional, where plans have been sealed, giving the new owner total rights and ownership of the plans.

B. Changing Contractor

1. Written authorization from the prior contractor giving the current owner or new contractor total rights and ownership of the permit and plans and any previously paid permit or plan review fees.
2. Other written documentation may be accepted by a manager.

Any revised applications or supplemental information forms that do not include this additional information will not be accepted.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2008-01

Supersedes: N/A

Effective: Immediately

Initiator: Tom Ewers **TE**

Manager:

Director: Joy Rich **JR**

PURPOSE: To define and clarify permit intake and inspection procedures for compliance permits.

REFERENCE: Maricopa County Local Additions and Addenda:
Section 206, Inspections; Section 208, Fees

POLICY/PROCEDURES:

Customers may obtain a compliance permit by submitting a Building Activity Application accompanied by payment amounting to a flat rate fee of \$100. Some compliance permits may be issued “over the counter”, the same day subject to staff availability. The application must be specific as to the type of compliance permit being requested.

Permit intake staff will enter the work description with as much detail as possible and include the type of inspection requested.

Example: “Compliance inspection for final drainage inspection for expired permit B200212345. See B200212345 for drainage conditions.”

Specific actions for specific types of compliance permits are listed below.

COMPOSITION TYPE	PERMIT TYPE	DESCRIPTION
COMP_INP	Compliance Inspection	Allows customers to schedule a one-time inspection, which is to be conducted by a county building inspector or drainage inspector and is required so that a tracking number can be assigned in the permit tracking system so that an inspection can be made and a report filed. There is no work authorized by a compliance permit.
SUBTYPES		
CODE_CMP	Code Compliance	A one time inspection where the inspector views a building or structure to determine if it complies with all County building codes. The inspector shall file a report, linked to Permits Plus, with his findings and recommendations. Recommendations could be to approve the building or structure as it exists or to have the customer apply for the regular building permit necessary to make required corrections to meet code. Anyone requesting a Zoning Certification will need to follow a separate process to obtain a Zoning Verification Letter.
FIRE_DMG	Fire Damage	A one time inspection where the inspector views the property and structures to determine the amount of fire damage. The inspector shall file a report, linked to Permits Plus, with his findings and recommendation. The recommendation shall be to direct the customer to submit the required application forms and plans to obtain the regular building permit necessary to complete the repair work.

FNL_INS	Final Inspection	A one time inspection where the inspector views a structure or site built under a permit that once was issued but has now expired. If both a Building Inspection and a Drainage Inspection are necessary, then two permits must be obtained, one for each inspection. The inspector shall file a report, linked to Permits Plus, with his findings and recommendations. Recommendations could be to approve the site or structures as they exist or to have the customer apply for the regular building permit necessary to make required corrections to meet code.
GP_HM	Group Home	A one time inspection where the inspector views an existing residential structure to ensure that it will comply with the requirements for occupancy as a group home for more than 5 occupants: including handicapped accessibility, exiting and the installation of emergency lights, smoke alarms and fire sprinklers. This type of permit may not be issued over the counter. The applicant must submit a proper site plan and floor plan for review in conjunction with their required Land Use Certificate application. The inspector shall file a report, linked to permits plus, with his findings and recommendations. Recommendations could be to approve the site or structures as they exist or to have the customer apply for the regular building permit necessary to make required corrections to meet code.
MOVE_ON	Move On	A one time inspection where the inspector views an existing structure that is intended to be moved to a location under County jurisdiction. The inspector shall file a report, linked to Permits Plus, with his findings and recommendation. The recommendation shall be to direct the customer to submit the required application forms and plans to obtain the regular building permit necessary to move the structure and to bring it into compliance with codes.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2008-03

Supersedes:

Effective: Immediately

Initiator: Rocco Richardson **RR**

Director: *JR*

Purpose: To establish a policy regarding fence construction height limitations and requirements for engineering by a design professional.

Reference: 2006 International Building Code
Maricopa County Zoning Ordinance

POLICY/PROCEDURE:

The following are fence material and construction height limitations. Plans for fencing material that exceeds the maximum height limitations listed below, shall be prepared and sealed by an Arizona Registered Professional Engineer.

Six feet maximum height for these types of fencing materials:

- Rail / Steel pipe fencing
- Chain-link / Field wire fencing
- All wood product fencing
- Four inch CMU / block fencing
- Material of non build-able component (decorative block, mesh fiber, etc)

Nine feet maximum height for these types of fencing materials:

- Six inch CMU fencing or larger

Retaining walls:

Plans for retaining walls of any material four feet and higher shall be prepared and sealed by an Arizona Registered Professional Engineer. The building plan examiner shall have the authority to require engineering for retaining walls under four feet when deemed necessary for complex designs such as a retaining wall that also serves as a drainage structure or something similar.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2008-06
Supercedes:
DD-2007-04

Effective: Immediately

Initiator: Rocco Richardson
RR

Acting Director: Lynn Favour
LF

PURPOSE: To define and coordinate procedures concerning standard plans.

REFERENCE: Maricopa County Local Additions and Addenda, Chapter 2 - Administration

POLICY/PROCEDURE:

The standard plan process provides for unlimited permits based upon a particular construction plan for a one-time plan review fee. The plan, with limited options, may be used repeatedly during a three-year period.

A standard plan approval may be adopted for any type of building although the most common applications are for single-family residences, pools, spas, and accessory buildings.

There shall be one Owner/Contractor of record per standard plan, and shall be licensed and registered with the Arizona Registrar of Contractors (AROC)

The Owner/Contractor of Record is the only one authorized to use the standard plan tracking number for a production permit.

Exception:

- Pool / Spa Standard Plan tracking numbers that are obtained by a registered professional such as a civil or structural engineer may have a standard plan for multiple uses.

Note: Pool Contractors that depend on a registered professional to design or prepare plans shall not be considered a registered professional in civil or structural engineering, and shall not be allowed to have multiple users.

- When an applicant submits under the authorization of a registered engineer they must provide an approval letter from the registered engineer stating his/her authorization. The letter must provide the tracking number of the standard plan, and the property owner's name and address. In addition, the letter shall be wet stamped by the registered engineer of record. No duplications will be accepted.

APPLICATION SUBMITTAL REQUIREMENTS:

1. Building permit application
2. Contact supplemental form
3. "Addendum: Applicant's Acknowledgement of Financial Responsibility" form
4. Two copies of all appropriate building plans and specifications
5. Truss calculations and specification package for all elevations:
 - a. Over 3000 square feet – Required
 - b. Under 3000 square feet – Waived at Plans Examiner discretion
 - Signed Waiver Form must be submitted
 - Plans examiner may require specs for complex roof designs
6. Two copies of an 8 ½ x 11 dimensional footprint of the maximum square footage of the standard plan. Plan must show all options. (See options example attached)
7. Cover sheet chart showing base plan square footage for livable, garage, patio and entry covers. The square footage breakdown for each option must be listed separately from the base plan square footage.

DESIGN CRITERIA:

1. Single structure with limited options.
2. Design options shall not exceed the following:
 - a. Livable: Six Options
 - Includes: Bay windows, niches, fireplaces, etc.
 - Additional second floor livable square footage within the base first floor footprint may be added as an option.
 - Floor plan changes to livable space that do not affect the base footprint, such as den in lieu of bedroom, pantry in lieu of half bath, etc., are allowed and do not count as an option.
 - Occupancy use changes are permissible only as follows:
 - "Garage" in lieu of "livable" – up to a single car garage area not to exceed the replaced livable square footage
 - The base plan shall show the livable use square footage with the garage shown as an option.
 - b. Garage: Six Options
 - Front 2, 4, or 6 foot extension to garage space from base plan
 - One single car addition, also allowing for 2-4-6 foot extensions
 - Garage door entry may have the option for front or side entry. The change of entry shall not affect the base plan garage square footage or base plan footprint.
 - c. Patio / Entry Covers: Six Options
 - Includes extensions and patio / entry covers
 - d. Exterior Cosmetic: 10 Elevation Options
3. The following shall not be allowed as options:
 - a. Additional floors, basement, or detached accessory structure(s).
 - b. Detached casitas, cabanas, guest suites, etc.
 - c. Changes of construction type, such as CMU to wood.
4. Attached casitas, cabanas, and guest suites must remain an integral part of the primary structure under the same roof.
5. Optional foundation methods are permissible, such as monolithic or stem. Specification details must be incorporated into the original plans and specifications and comply with the minimum criteria in the current adopted building codes.
6. Alternate foundation methods, such as post tension, require the submittal of engineered calculations and specifications. All post tension slabs shall require a special inspection report that shall be given to the building inspector at the time of foundation inspection.
7. Basements: A standard plan with a basement shall have the following notation clearly visible on the cover sheet: "This standard plan shall not be constructed in a floodplain or any other restricted area."
8. Noise Attenuation: Any standard plan that may be constructed in an area requiring noise attenuation (such as properties within the vicinity of a military airport), must be designed for the appropriate decibel rating and must state such compliance on the cover sheet.

DURATION OF PLANS:

1. Standard plans shall be valid for three years from issuance date, regardless of building code changes. In the event a new and more restrictive building code is adopted during the three-year term of the standard plan, permits will continue to be issued and buildings will be considered legal.
2. An applicant may choose to update a standard plan to meet the new building code, in which case a \$250 Modification fee shall be charged.
3. No extensions or renewals shall be given to standard plans that have expired. Standard plan production applications submitted prior to expiration shall be accepted and processed. However, no production application may be submitted after the standard plan has expired, until a new standard plan has been approved and placed in issued status.
4. Standard plans that are left unpaid, for a period of 90 days from the approval date, may be terminated, and the owner of record shall be responsible to pay fees due for services rendered. Should an applicant choose to use the Standard Plan Program after the standard plans have been terminated, the applicant shall be required to re-submit according to the submittal requirements.
5. Upon receiving approved plans and specifications, the Owner/Agent shall sign and date the Standard Plan Term Agreement.
6. Standard plans are allowed two structural modification submittals during the three-year term. Two complete sets of modified plans and specifications must be submitted for review and approval. Modifications may not surpass the maximum square footage / footprint. Modifications may be approved and a one-time fee of \$250.00 will be charged.
7. Minor amendments to approved plans such as data or record changes may be approved and a one-time fee of \$30.00 will be charged as required in Chapter 2 of the Maricopa County Local Additions and Addenda.

FEES/DEPOSIT:

Single Structure Standard Plan:

A \$1,000 non-refundable deposit is to be paid at time of application submittal for single structure standard plans. This deposit will be applied toward any additional review fees.

Pool / Spa:

A \$346 non-refundable, one time fee, is to be paid at time of application submittal for pool and spa standard plans for easier application.

For uses other than pools or spas, the fee for a standard plan approval shall be two times the normal plan review fee based on square footage, use and type construction, as specified in the building code.

Permits based on approved standard plans may be obtained by submitting a development permit application that lists the standard plan number with appropriate elevations and

options, a deed, parcel number and required site plans. Only the appropriate building permit, drainage and zoning fees will be charged. A building plan review fee will not be charged.

Change Of Ownership:

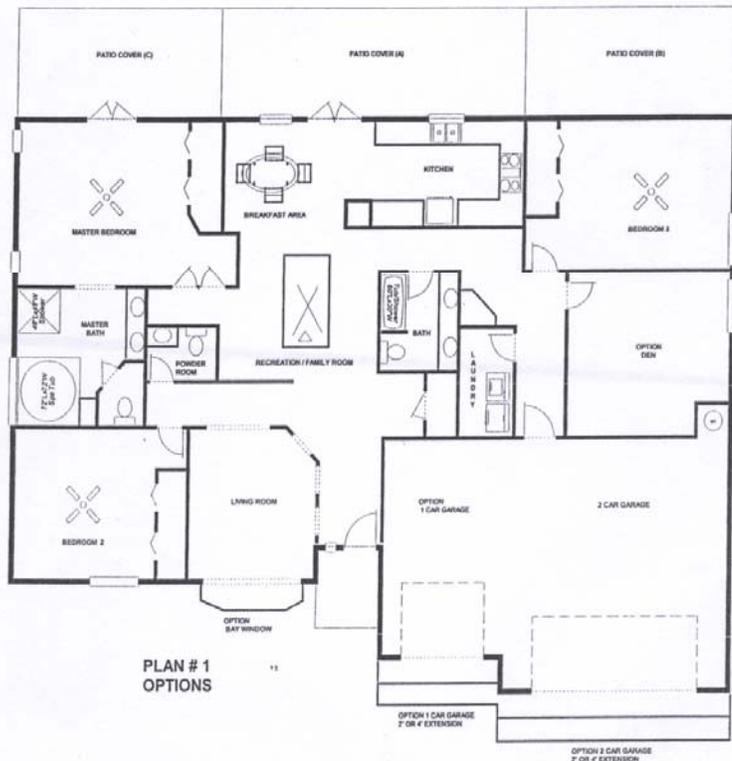
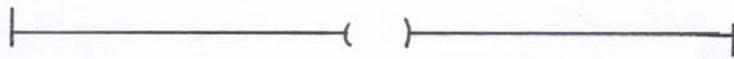
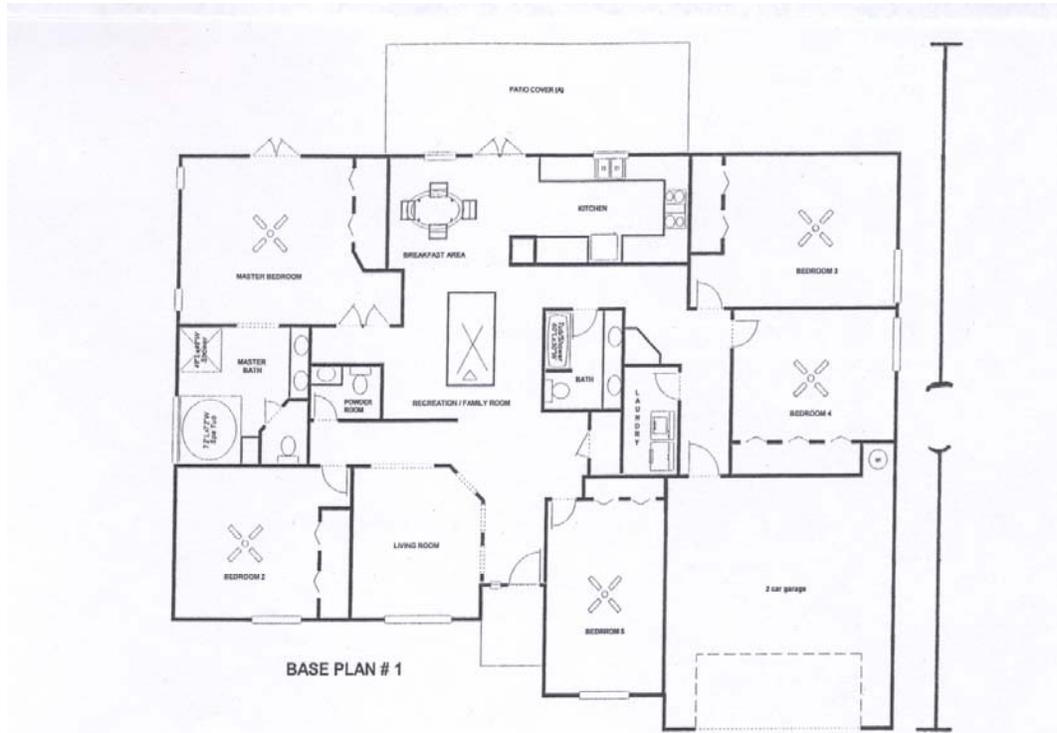
A Owner/Contractor shall not transfer ownership of their standard plan file and plans to another party. A new party who wishes to build based on a standard plan is required to submit for a new separate standard plan under their own Owner/Contractor information in accordance with application submittal requirements.

Exception: Change of Owner/Contractor may be permitted under the following provisions and conditions due to bankruptcy, or other legal entitlement.

- Documentation affirming bankruptcy and or legal entitlement to standard plans shall be provided.
- New Owner/Contractor is required to submit updated information in accordance with application submittal requirements per this standard plan directive; such as: permit application form, Contact supplemental form, Acknowledgement of Financial Responsibility form.
- Any and all fees owed for services rendered by the original Owner/Contractor must be determined as satisfied by our Finance Department.
- When applicable; the new Owner/Contractor shall be responsible for updating trust account information with our Finance Department.
- New Owner/Contractor shall sign and date the Standard Plan Term Agreement.
- Production permits based on standard plans that are not entitled under the transfer of new Owner/Contractor, will require a letter of authorization for duplication of plans in accordance with Department Directive DD-2007-05; This letter gives Planning and Development the authorization to provide a duplicate copy of plans for the purpose of completing outstanding or abandoned permit projects by the original Owner/Contractor.
- A fee of \$30 will be due upon completion of services rendered for processing transfer of ownership.
- Change of Owner/Contractor shall not constitute any extension or change the conditions of the original standard plan Term Agreement.

Note: This exception shall not be applicable or authorize requests to transfer to another party solely because of revocation of a license registered with the Arizona Registrar of Contractors (AROC).

OPTIONS EXAMPLE





Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2009-01

Supersedes: N/A

Effective: Immediately

Initiator: Darren Gerard *DG*

Director: Joy Rich *JR*

PURPOSE: To clarify the department's role with regard to notes on recorded final plats.

REFERENCE: DD-2001-04
Maricopa County Subdivision Regulations, Sections 204 & 205
Maricopa County Zoning Ordinance, Articles 1502.1 & 1502.2
Arizona Revised Statutes, §11-808

POLICY/PROCEDURE:

Notes are often included on final plats based on some site specific issue. The department recognizes that final plat notes are legitimate in most instances as a way to regulate certain standards in a more restrictive way due to site specific conditions.

The Maricopa County Subdivision Regulations regulate how land is divided, but does not provide for enforcement of standards other than in the land division and platting process. The Subdivision Regulations do not provide an enforcement mechanism for notes on a final plat, post recordation, other than determination that a plat is invalidated.

Chapter 15 of the Maricopa County Zoning Ordinance provides authority for enforcement of development standards; however, there is no reference to final plat notes in the Zoning Ordinance. Neither State Statutes, nor the Zoning Ordinance, has authorized the Board of Adjustment to grant variance to a final plat note.

The department will not knowingly issue construction permits inconsistent with a note on a recorded final plat. It will also not enforce notes on a final plat, other than during the plan review and inspections for construction permits, except in instances where other County regulations have been violated.

A note on a recorded final plat can only be changed by amending the final plat with authorization of all affected property owners and approval by the Board of Supervisors, or administratively by corrective plat or affidavit of correction in the event of an error on the recorded final plat.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2010-01

Supersedes:

Effective: Immediately

Initiator: Robert Markey

Director: *Jay Rich*

PURPOSE: To establish credit and collections policies and procedures for the department that are consistent with County Policy A2501 (Uncollectible Accounts Receivable) and that will assist department staff in performing collections activities.

REFERENCE:

POLICY/PROCEDURE:

Credit Policy and Procedure

It is the policy of the Planning and Development Department to not extend credit to its customers. Thus, building permits are not issued to the customer until the related fees are paid in full. Only the Director can authorize an overdraft condition for a trust account in Accela Automation that will allow a credit balance in the account. An overdraft condition would be implemented only to mitigate a departmental error that has impacted customer service.

Collections Policy and Procedure

As stated above, building permits are issued to customers only after the related fees have been paid in full. However, circumstances may arise in which review work is completed on a building permit application, but the applicant changes their mind about building and never picks up (or pays for) the permit. Sometimes the applicant notifies the department that they wish to withdraw the application; most often they do not, and the application simply becomes inactive. In either case, the applicant (whoever signed the personal guarantee of financial responsibility form and/or the application) is financially liable for certain fees related to the review of their application, including, but not limited to, addressing fees, zoning clearance fees, drainage review fees, and/or plan review fees.

The department's policy is to attempt to collect fees related to either cancelled or inactive building permit applications that equal or exceed \$100 per application. Collection procedures are described in detail below. Any cancelled or inactive application that involves another One Stop Shop department's fees only will be turned over to that department for collection (collection will be pursued by Planning and Development when the cancelled or inactive application includes both Planning and Development and another department's fees).

Cancelled applications. Requests to cancel building permit applications must be submitted in writing to the Plan Review Supervisor. He will review the request and calculate the cancellation fee; he will also write a letter to the applicant advising them of any balance due, linking the letter to Sire. The letter should identify the tracking number(s) of the related application(s), and should state that the fees are due and payable. The letter ("cancellation denial") should also state that the application(s) cannot be cancelled until the cancellation fees are paid. The Plan Review Supervisor will then update Accela Automation with an appropriate "Notice" entry in Locks/Holds/Notices (L/H/N). Thirty days after the date of the "cancellation denial" letter, the Financial Supervisor should send a reminder letter by first-class mail to the applicant, linking the letter to Sire. Sixty days after the date of the "cancellation denial" letter, the Financial Supervisor will begin contacting the applicant by telephone in an effort to collect the balance due. Telephone calls will continue to be made to the applicant each week for a period of thirty days or until payment is received, whichever comes first. Upon payment of the cancellation fee for an application, the Plan Review

Supervisor will zero out the balance due in Accela Automation by removing the permit fee line item. He will also write a "cancellation approval" letter to the applicant and link the letter to Sire. Finally, he will update L/H/N and change the status of the application to "terminated".

Inactive applications. Per County Code, all plan review approvals expire six months after the date of application. The collections process for inactive applications with a balance due is similar to that for cancelled applications with a balance due. Every month the Accounting Specialist, or other staff person, will run a report to identify inactive applications, for which permits have been approved for issuance, and then mail an "inactive letter" advising the applicant that their permit is ready to be paid for and picked up. If the applicant fails to do so within thirty days from the date of the inactive letter, then the application is placed into "collections" status and an initial collections letter ("demand letter") is mailed to the applicant's last known address. The Accounting Specialist will update the "Collections Tracking" spreadsheet maintained on the "P" (or Public) drive to include pertinent information about the applications placed into "collections" status. Any building permit application for an "as-built" structure is excluded from the collections process, since "as-built" structures must be permitted.

In instances where it is suspected that the building project may have been undertaken without first obtaining a building permit, prior to the application being placed into "collections" status, either the Financial Supervisor or the Plan Review Supervisor may forward a request for a site inspection to the Code Enforcement Division Supervisor, who will cause a violation case to be opened. After a complete investigation, Code Enforcement Division staff may instruct the property owner to bring their property into compliance, which may include applying for building permits and paying outstanding fees as necessary, if the site inspection discloses that the building project was undertaken without first obtaining a building permit. Fees not paid and/or permits not reinstated may result in the property owner being summoned before the Civil Hearing Officer as with any other code violation case. In those investigations revealing that the building project was not pursued, the Financial Supervisor will attempt to collect the cancellation fee.

Transfer of ownership. Real property related to a cancelled or inactive building permit application may sometimes be sold, resulting in the transfer of title to a new owner. The new owner may submit a new building permit application, unaware that there is a balance due to the county for an application, submitted by the previous owner, which became inactive. In the event that the old owner, or other third party, refuses to pay the balance due for the old application, the new owner cannot be required to pay the balance due; however, Customer Service staff should advise the new owner about the old application at the time the new application is being submitted.

Using Debt Collections Contractors

Privately-owned debt collection companies provide debt collection services to County departments under contract. The County's Materials Management Department administers those contracts. The Planning and Development Department's responsibilities under those debt collection contracts include the following:

1. Prepare accounts for submittal to contractor
2. Provide copies of documentation as required by contractor to respond to debtor's request

3. E-mail a "cancel and return" request to contractor on an as-needed basis (for example, when a debtor files for bankruptcy and is granted a discharge of debt)
4. Review and respond to compromise settlements on accounts on an as-needed basis, either approving or disapproving them
5. For disputed accounts, work with contractor to validate the debt
6. Authorize contractor to take legal action (garnishment, lawsuit, etc.) when collection efforts have been exhausted

On a monthly basis, the Accounting Specialist will prepare those accounts for submittal to the debt collections contractor for which the collections activities described in the "Collections Policy and Procedure" section of this directive have been completed, but without success. Once an account has been submitted to a contractor, department staff should not communicate directly with the debtor, and if contacted by the debtor should simply refer the debtor to the contractor. Also, department staff should not request that a contractor return an account unless, as noted above, the department becomes aware that the debtor has filed for bankruptcy.

Uncollectible Accounts

Only the Director is authorized to declare as uncollectible any fees due to the department for inactive building permit applications or applications for which the cancellation fees were never paid. On a quarterly basis, the Financial Supervisor will prepare a listing of those applications, showing the outstanding fees, which are either less than \$100 in amount or for which collection efforts have proved unsuccessful (for inactive applications, at least ninety days will have elapsed since the Accounting Specialist mailed the "inactive letter" to the applicant). This listing will be forwarded to the Director with a request to declare the unpaid fee amounts as uncollectible. Upon receipt of the Director's approval, the Financial Supervisor will update the related Accela Automation files to reflect the write-off of the balances due.

Legal Action via Lien Process

There are numerous legal considerations related to establishing, perfecting, and foreclosing on a lien on real property with the intent of recovering the department's unpaid fees. Given the detailed requirements of the lien process, the time and costs involved to complete that process, and the uncertainty associated with the dollar amount that might ultimately be received from a foreclosure sale, the collection procedures described above must be completed before consideration is given to pursuing collection of unpaid fees through the lien process.

Only the Director has the authority to direct staff to pursue collection of unpaid fees through the lien process. The decision to do so will be based on a thorough examination of the merits of each individual case, in consultation with legal counsel. In particular, the Director will weigh the likelihood that proceeds from the sale of the related property will be sufficient to cover both the county's costs to foreclose and satisfy all superior liens against the property, with enough money remaining to satisfy the department's assessment for the unpaid permit fees.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011-02
Supersedes:

Effective: Immediately

Initiator: William Haas *WH*

Director: Joy Rich *JR*

PURPOSE: To clarify the intent of compliance inspection permits issued to address expired permits for the construction of new in-ground pools that expired without final inspections.

1. **REFERENCE:** The current editions of the building codes adopted by Maricopa County:
 - International Building Code 2009
 - International Fire Code 2003 (applicable only to County owned facilities)
 - International Residential Code 2009
 - International Plumbing Code 2009
 - International Mechanical Code 2009
 - International Fuel Gas Code 2009
 - National Electrical Code 2008
 - Local Additions and Addenda 2010

POLICY/PROCEDURE:

1. Maricopa County shall perform compliance inspections in conformance with the adopted process / procedure to address permits that have expired without final inspections as required by the conditions of the issued permit.
2. For permits issued for the construction of pools, the final inspection is typically set at the pre-plaster stage of construction to verify that construction of the gunite, pool barrier and final placement of pool equipment, electrical and grounding is in conformance with the adopted building codes and approved plans.
3. Compliance inspections are not issued for pool permits that have not had pre-gunite inspections performed.
4. Compliance inspections permit that are issued to address expired pool permits shall be restricted to the inspections of those items that are visible to the inspector such as, but not limited to: the pool equipment, electrical, pool barriers, and grounding of adjacent metal structures.
5. Compliance inspections permit that are issued to address expired pool permits shall not include inspections of those items that are not visible to the inspector such as, but not limited to: quality of workmanship on the placement of gunite and ensuring that grounding wires are properly attached to the re-bar of the pool structure.
6. Owners, applicants, or agents requesting compliance inspections shall be advised at time of the compliance inspection, if present at the time of the inspection, of the limitations and applicability of the inspections.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011-03
Supercedes:
DD-1999-024
DD-1999-049

Effective: Immediately

Initiator: T. Ewers

Director: *Jay Rich*

PURPOSE: To clarify plan review, permit and inspection responsibilities for Manufactured Homes, Mobile Homes, Construction Trailers and Factory Built Buildings

REFERENCE:

1. ARS 41-2155.D
2. Maricopa County Zoning Ordinance (MCZO)
3. Current editions of the building codes adopted by Maricopa County
4. Maricopa County Local Additions and Addenda
5. Maricopa County Drainage Regulations
6. Regulations of Environmental Services, Flood Control and MCDOT

POLICY/PROCEDURE:

1. The State of Arizona Office of Manufactured Housing (the State) has cancelled, effective July 1, 2011, their Intergovernmental Agreement (IGA) with Maricopa County regarding permitting for Manufactured Homes, Mobile Homes and Factory Built Buildings. Construction Trailers are not regulated by the State.
2. ARS 41-2151.D allows the application of local codes and ordinances governing zoning requirements, fire zones, building setback, maximum area and fire separation requirements, site development and property line requirements and requirements for on-site utility terminals for factory-built buildings, manufactured homes and mobile homes.
3. As of July 1, 2011, all permit applicants will need to get a Planning and Zoning Permit (same form as a Building Permit) from Maricopa County first, and then go to the State for an Installation Permit. The State Office is located at Department of Fire, Building and Life Safety, Office of Manufactured Housing, 1110 W. Washington, Suite 100, Phoenix, AZ 85007. Applicants should also check the State website for additional information at www.dfbls.az.gov.
4. The procedures for obtaining a Planning and Zoning Permit from Maricopa County will remain the same. Information concerning plan submittal and permit requirements can be found on our website at www.maricopa.gov/planning.
5. Manufactured Homes, Mobile Homes, Construction Trailers and Factory Built Buildings must comply with all Maricopa County Regulations. A Manufactured Home is defined as a structure, manufactured after June 15, 1976, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling and designed to be installed on a permanent foundation system when located on an individual lot of record in a rural or residential district. A Mobile Home is defined as a dwelling unit built prior to June 15, 1976, on a permanent chassis, capable of being transported in one or more sections and designed to be used with or without a permanent foundation as a dwelling in approved locations (generally in an approved

Mobile Home Park or Subdivision) when connected to on-site utilities. These terms do not include Recreational Vehicles, Construction Trailers or Factory Built Buildings which must comply with other regulations.

6. We will continue to require seven site plans and three floor plans (floor plans are needed so Environmental Services can verify bedrooms and bathrooms for septic system sizing and design). We will continue to review and enforce regulations for Zoning, Drainage, Environmental Services, Flood Control and MCDOT. Construction Trailers may be administratively approved by Drainage without the requirement for full civil engineered grading and drainage plans.
7. Permit fees will remain the same for Construction Storage Trailers. For Manufactured Homes, Mobile Homes and Factory Built Buildings covered by the State we will no longer charge a building permit fee. For Manufactured Homes, Mobile Homes and Factory Built Buildings not covered by the State we will charge a building permit and building plan review fee based on valuation. For all permits we will continue to charge Zoning, Drainage, Environmental Services, Flood Control and MCDOT fees per their regulations.
8. With an application for a Manufactured Home permit other work included in the Sales or Installation Contract will be included on the same permit without additional fees or requirements for building plans (i.e. additions, patio covers, carports, sheds). For any application for separate additions, patio covers, carports, sheds or garages not covered by the Sales or Installation Contract and not covered by the State, regular permit fees will be charged and building plans will be required.
9. Maricopa County will continue to perform all required inspections for Zoning, Drainage, Environmental Services, Flood Control and MCDOT. The County will not inspect the actual units or other work covered by the State. The County will not grant utility clearance until the project has passed all required Maricopa County final inspections.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011-04
Supersedes:

Effective: Immediately

Initiator: *Lynn Favour*

Director: *Jay Rich*

PURPOSE: To clarify plan review, permit and inspection responsibilities for the performance of Zoning Clearance reviews.

REFERENCE:

1. ARS 11-802 and ARS 11-861
2. Maricopa County Zoning Ordinance, Section 1504.5
3. Maricopa County Drainage Regulations

POLICY/PROCEDURE:

1. The Maricopa County Zoning Ordinance requires the approval of a Zoning Clearance prior to the approval of a building permit for new construction, alteration or addition.
2. Starting immediately, the Department will complete a Zoning Clearance review for ONLY the construction that is the subject of the permit application submittal.
3. Permit applicants are to provide a written certification as to the accuracy of submitted permit materials, including the building permit application, any and all site plan(s) or building plans, and any accompanying materials. This certification will include a statement verifying that the applicant has submitted materials that comply with the Department's Site Plan Checklist.
4. For purposes of Zoning Clearance review, the Department Zoning Plan Review staff will rely on the accuracy and completeness of submitted materials. Staff is not directed to independently verify the veracity of submitted application materials through separate source materials not included in the application, such as historical aerial photographs.
5. Permit documents will include a condition, added by the Zoning Plan Reviewer, which states: "Zoning Clearance is for the sole purpose of the subject construction and does not convey the approval of any construction or structures that are not the subject of this permit. The issuance of this permit does not relieve the owner or owner's agent of any responsibility to comply with all other governmental regulations." Plan reviewers will also place a similar statement (stamp or sticker) on the approved plans.
6. If an applicant chooses not to provide written certification as to the accuracy of submitted permit materials, this selection will be noted in the L/H/N section in AA. The Zoning Plan Reviewer will then verify the veracity of submitted application materials through the use of historical aerial photographs and other source materials, as needed.
7. This policy does not pertain to properties that are the subject of active code enforcement or citizen complaints. It also does not pertain to the review of site plans sealed by a civil engineer registered in Arizona for which accuracy may be reviewed in relation to site photos and/or site inspections or other independent source material as might be part of the overall review of the property. The Department may also request additional information or materials related to the requirement to perform a Drainage Clearance on the property, in accordance with the Maricopa County Drainage Regulations.

8. Zoning Clearance approval does not guarantee, verify or validate any permitted or unpermitted structures located on the same parcel as the subject building permit request for Zoning Clearance. As such, the Department makes no commitment, implied or otherwise, as to the legality of other structures on the subject site.
9. Further, it is the responsibility and obligation of the property owner to determine the permit status of other structures on the property including whether they have received proper permits and/or any and all required safety inspections.
10. For residential properties, staff will notify the property owner if available electronic records indicate that the building permit for the primary single-family residence on the property is not in final status.
11. Inactive permits with fees due must be resolved prior to the issuance of additional permits.
12. Staff may require additional materials or technical verification to allow for approval of a Zoning Clearance for commercial properties and/or properties located within subdivisions with project-specific Board of Supervisor-approved zoning stipulations and/or final plat requirements.
13. Approved site plans are for the sole purpose of supporting the subject application only. Any subsequent use of the same site plan for a different application shall subject the applicant to compliance with all applicable requirements relative to the requested construction. In no instance shall the Department be obligated to approve a site plan again that is found to have inaccurate information.
14. Site plan approval does not convey any permit approval to any structures, grading, land use operations, or construction not specifically called out and included in the subject Building Permit request.
15. A Zoning Clearance may be rendered null and void by the Department Director should the materials submitted by the applicant for purposes of Zoning Clearance be found to be falsified and/or inaccurate.



PERSONAL ASSURANCE OF SUBMITTAL ACCURACY

I, _____, hereby unconditionally and without reservation guarantee and warranty to Maricopa County that the documents submitted to Maricopa County Planning and Development Department for the following permit tracking number(s): B_____, including but not limited to the application materials and/or any and all site plan(s) and building plans, provide a true and accurate depiction of the requested construction and accurately reflect the existing conditions of the subject parcel. I also certify, to the best of my knowledge, that each of the buildings, structures, and conditions reflected on the submitted plan is in compliance with the [Maricopa County Zoning Ordinance](#), (which can be found at: http://www.maricopa.gov/planning/Resources/Ordinances/pdf/reform_ordinance/mczo1.pdf).

I am aware that Maricopa County Planning and Development will rely upon the accuracy of the materials provided to perform a Zoning Clearance review, as required in the Maricopa County Zoning Ordinance, Section 1504.5. I have also seen and verified that the submitted site plan materials include and accurately provide all listed items on the Department's Site Plan Checklist.

I am aware and understand that the issuance of a Building Permit does not represent that Maricopa County has verified or authenticated the veracity of any materials submitted in support of the application for permit. I understand that Maricopa County will issue a Building Permit based upon the subject materials and that any falsification of documentation submitted as part of this permit application may void the Building Permit upon which it is based.

In addition, issuance of a Zoning Clearance in conjunction with this application by the Development does not approve or imply the approval of other structures, permitted or unpermitted, which may be on the same property, but which are not the subject of this permit request.

By signing this document, I state that I am either the owner of the parcel and/or authorized by the owner(s) to represent them regarding this matter and the subject parcel.

Print Name

Sign Name

Date



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011-05
Supersedes:

Effective: Immediately

Initiator: Darren Gerard

Director: *Joy Rich*

PURPOSE: To ensure consistent treatment of Patent Easements in unincorporated Maricopa County.

REFERENCE: Small Tract Act of 1938 Patent

POLICY/PROCEDURE:

Federal Patent Easements - Information and Overview:

There are many land parcels within Maricopa County that were originally conveyed by the United States to private landowners pursuant to the Small Tract Act, passed June 1, 1938. Generally speaking, these conveyances transferred fee title to the land to the new owner, subject to easements (referred to as "patent easements") for the benefit of the public for access and utilities. Many legal questions arise concerning the rights of the owner, of neighboring landowners, and of the public to use the land that is subject to a patent easement. Below is a brief summary of some basic information concerning these patent easements as they pertain to unincorporated Maricopa County.

Patent easements were created to provide a corridor for access and utilities to the small tracts that were conveyed to private ownership. A patent easement provides a local government or public utility the right to build a road or to install utilities within the patent easement area without the need to purchase or condemn the land. The owner takes the small tract subject to the access and utility rights reserved in the easement.

Patent easements also provide rights of ingress and egress to property owners in the surrounding area. These rights are subordinate to the public's right to use and develop the easement area for physical and utility access.

Any structures placed within a patent easement by the fee owner are subject to removal or destruction. In such a situation, the fee owner is not entitled to compensation for the loss of the improvements.

The county has no responsibility for improving or maintaining patent easements. Neighboring owners or public utilities may have rights to use a patent easement roadway system. The county does not involve itself in disputes between private landowners concerning contested uses or other contested issues concerning a patent easement area.

Maricopa County requires structures to maintain setbacks from public easements reserved for ingress and egress, including patent easements. Yard area zoning requirements are measured from the easement line.

Maricopa County does not have statutory authority to abandon a patent easement or a portion of a patent easement.



Maricopa County

Planning & Development Department

Department Directive

Department Directive
DD-2011-06

Effective: Immediately

Initiator: *Michael Norris*

Director: *Joy Rich*

Purpose:

1. To establish consistent practices in the application of the drainage fee schedule.
2. To ensure the fees are applied to match the level of services provided.

References:

Maricopa County Drainage Regulations for Maricopa County
Chapter 16 – Fee Schedule, Dated November 2010

Policy/ Procedures:

Section 1602: Planning and Zoning Cases

Planning cases are for conceptual plans and zoning entitlements and do not represent a final approval for any construction activity. Fees for Planning cases are primarily based on the area of development, that is, the fee is a function of the size of the Plan area or Special Use area for which the entitlement applies.

Acreage based fees for Planning and Zoning Cases

1. Acreage based fees for new planning cases will be based on the total area of the development.
2. Acreage based fees for established plans can be based on the area of disturbance/change to the plan.
 - This acreage calculation can be used when the level of service required does not match the fee schedule.
3. Round the acreage calculations up to the next whole acre.

Section 1604: Development Construction Plans

Development construction plan review fees may be determined by parcel area, Plan of Development area, Special Use area, or based on the use and scope of requested work.

Acreage based fees for Development Construction Plans

1. Acreage based fees for Development Construction Plans will be based on the area of parcel, Plan of Development, or Special Use area.
2. Acreage based fees for projects with an established site can be based on the area of disturbance/change to the site.
 - This acreage calculation can be used when the level of service required does not match the fee schedule.
3. Acreage based fees for Modification to Issued Permits can be based on the area of change to the original plan.
 - This acreage calculation can be used when the level of service required does not match the fee schedule.
4. Round the acreage calculations up to the next whole acre.

Manager approval

The Drainage Plan Reviewer will obtain approval from the Director, Deputy Director, Manager, or Drainage Supervisor when the fees are based on acreage of disturbance/change and not based on the total area of parcel, plan of development, or special use area.



Maricopa County

Planning & Development Department
Department Directive

Department Directive
DD-2011-07

Effective: Immediately

Initiator: Michael Norris

Director: *Joy Rich*

Purpose:

To identify the Maricopa County Electronic Seal and Electronic Signature Policy

References:

Rules of the Arizona State Board of Technical Registration, R4-30-303, R-4-30-304; and Arizona Revised Statute, ARS 41-132, 44-7031, 44-7032, 44-7042

Policy/ Procedures:

All engineered drawings shall conform to one of the following requirements:

Original handwritten signature and date

- To meet this requirement the engineer’s signature and date is produced by hand for the specific submittal. Each revision shall receive a new original signature from the professional engineer. A photocopy of the original document is acceptable for submittal.

Electronic signature generated by secure software

- A copy of the electronic files will be required for verification of the electronic signature within the file.
- Electronic signatures are required to meet ARS 41-132 requirements.

Example of Acceptable Practice:

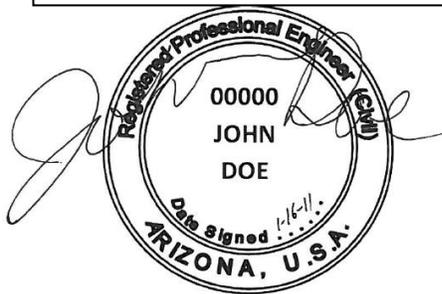
John Doe, P.E. exports CAD drawings to pdf format, then digitally signs his seal in conformance with R4-30-304-E, taking care not to obscure his name or registration number. He uses Adobe’s Digital Signature feature, digitally logging the time of his signature for future verification. The password used to sign the document is kept secure in accordance with R4-30-304-G. A copy of the electronic file is submitted with the plans.

Example of Unacceptable Practice:

John Doe, P.E. traces or scans a copy of his signature in CAD to create the appearance of a hand signature; however the date of the signature is typed in the electronic file. He then places this CAD signature on a digital seal, which is left available on the computer for a drafter to reference whenever the seal is needed in the future and the date is changed to update the signature.

If the engineer’s seal and signature does not meet the requirements for the handwritten signature or the electronic signature the plans will not be approved.

Acceptable Handwritten Signature



EXPIRES 7-25-14

Not Acceptable Handwritten or Drafted Signature



EXPIRES 7-25-14



Maricopa County

Planning & Development Department

Department Directive

Department Directive
DD-2011-08

Effective: Immediately

Initiator: Michael Norris *MN*

Director: Joy Rich *JR*

PURPOSE:

1. To establish consistent practice for determining when engineered grading and drainage plans are required in Maricopa County for residential permits.
2. Provide a tool that can be used by the public to help determine when engineered plans may be required.

REFERENCES:

Maricopa County Zoning Ordinance, Chapter 12 – Development Regulations,
Section 1205: Drainage Provisions

POLICY/ PROCEDURES:

Grading Matrix Tool

The Grading Matrix tool is intended to give the property owner an estimate of the level of plan detail required to obtain a Drainage Clearance in connection with a construction permit. This tool is provided as a general guide only and the general public should not rely on the results produced. Ultimately, the requirements for any particular application for any particular property will be determined by Maricopa County Drainage staff after full evaluation of the plans submitted.

Drainage Plan Review

The Maricopa County Drainage Plan Review Division will use the grading matrix tool provided on the Planning and Development Department website: <http://www.maricopa.gov/planning/OnlineServices/GradingAndDrainagePlan.aspx>. The Drainage Plan Reviewer will use the tool for all new residential permits requiring a drainage clearance.

The Drainage Plan Reviewer will make the determinations on the need for engineered plans when the results of the matrix is "*Engineered plan may be required*".

Manager Approval

The Drainage Plan Reviewer will obtain approval from the Director, Deputy Director, Manager, or Drainage Supervisor when a deviation from the matrix tool results is needed under special circumstances.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011- 09

Supersedes:

Effective: Immediately

Initiator: Tom Ewers *TE*

Director: Joy Rich *JR*

PURPOSE: To clarify plan review and permit requirements for model home complexes and associated parking, offices and related temporary improvements.

APPLICABILITY: Any residential model home complex in an approved subdivision.

REFERENCES:

1. Maricopa County Zoning Ordinance Sections:
 - a. 501.2.26 and 601.2.19 – Model Home Sales Complexes
 - b. 501.2.19 and 601.2.12 – Fences
 - c. 1102 – Parking Requirements
 - d. 1205 – Drainage Regulations
2. Maricopa County Building Codes

POLICY/PROCEDURES:

1. Before any permits may be issued for a Model Home Sales Complex, the relevant Subdivision Final Plat must be approved and recorded and the Subdivision Infrastructure Permit must be issued and valid.
2. Each of the residential production homes that will comprise the complex must be permitted and receive final building safety inspection approval. To apply for the production home permits, seven copies of site plans for each home / lot are required.
3. A grading infrastructure permit is required for the complex. Again, seven copies of a detailed site plan is required for the complex. The plan must delineate all lots and structures in the complex including parking, handicapped requirements, lot dimensions, setbacks, driveways, flagpoles, pools, trap fences, signage, and any other pertinent details as required for a building permit.
4. A commercial alteration or remodel permit is required for those structures in which the garage will be converted into a sales or construction office. To apply, seven copies of the site plans and three copies of related building or construction plans are required.
5. The commercial alteration or remodel permit may be applied jointly with the production home(s) or when the infrastructure permit is submitted for the complex. However, occupancy will not be authorized until final building safety inspection approval for all three permits.
6. Timing – Order of Permits
 - a. Subdivision Final Plat approved and recorded.
 - b. Subdivision Infrastructure permit issued and valid.

- c. Residential permit issued, include garage to sales office remodel work if intended*.
 - d. Model Home Sales Complex permit issued*.
 - e. Remodel permit issued, if not previously included with house permit*.
7. Special Notations
- a. At least one paved, handicapped parking space shall be provided near the main entrance. In addition, parked vehicle overhangs shall not reduce the clear width of an accessible route.
 - b. It is important to review the approved Final Plat Notes. Subdivisions located in the vicinity of the Luke Airforce Base are required to comply with ARS 28-8481. This may require a 3 x 5 sign to be placed at the Model Home Complex.
 - c. Site plans must be prepared and sealed by an Arizona Registered Civil Engineer and must comply with the current grading and drainage regulations.
 - d. The building permits for the single family homes in the Model Home Complex shall be submitted as residential building permits.
 - e. A remodeling permit is required to change from a single family residence to the commercial use of model home/office. An application for a Commercial Alteration to change a garage to a sales or construction office shall be submitted. The building shall meet the current commercial building codes and accessibility requirements.
8. Zoning Ordinance Reference – Model Home Sales Complexes
- a. Sections 501.2.26 and 601.2 19 of the Maricopa Zoning Ordinance states that a model home sales complex, as part of an approved, recorded subdivision, must meet the following conditions:
 - 1) The uses are only associated with the developer/owner and subdivision or project in which they are located. Model homes must be located on-site.
 - 2) Upon sale of the development, cessation of the need for the use (95% build-out), or cessation of the use, all structures, modifications to structures and uses related to the model home sales complex shall be removed. Cessation of use shall be deemed to have occurred if there have been no active building permits for a one year period of time.
 - 3) Those uses of structures allowed shall meet all building code requirements.
 - 4) All necessary permits must be issued prior to placement on the site.
 - 5) Temporary flagpoles of up to 60 feet in height are allowed for model home sales complexes. These temporary flagpoles must be removed at the cessation of use as outlined above.
 - 6) If these requirements cannot be met, the request shall be processed through the Board of Adjustment as a temporary use permit.

***May be applied for jointly or separately but will not receive final occupancy until all have received final approval.**



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011- 10

Supersedes:

Effective: Immediately

Initiator: Tom Ewers *TE*

Director: Joy Rich *JR*

PURPOSE: To clarify requirements for as-built structures

REFERENCES: Maricopa County Building Code
Maricopa County Directive DD-1999-030
Maricopa County Directive DD-2004-13
Maricopa County Local Additions and Addenda
Maricopa County Zoning Ordinance

APPLICABILITY: For various reasons, an applicant may make application for a building permit for a structure built without benefit of a valid permit. In such cases the following policies shall apply.

POLICIES/PROCEDURES:

1. The applicant shall submit the proper permit application forms, which are available on the Planning and Development Department website at www.maricopa.gov/planning.
2. The applicant shall submit seven copies of site plans and three copies of building plans.
3. Site plans shall meet the requirements of Directive DD-2004-13. Upon review, the Drainage Reviewer may require site plans to be prepared and sealed by an Arizona Registered Civil Engineer.
4. Building plans shall be complete and shall meet all requirements of the current building code. Building plans for commercial structures must be prepared and sealed by an Arizona Registered Architect or Structural Engineer.
5. Depending of how finished the unpermitted structure may be, the applicant will be advised at time of application that they may need to remove or destroy parts of the structure and interior finishes in order to allow proper inspections. In addition, a third party registered professional engineer report may be needed for any structural, electrical, gas, mechanical or plumbing systems not visible for inspection.
6. The double permit fee allowed by code will only be charged when there is a relevant open code violation case on the property. Additional drainage fees will be charged for work done without a permit.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011- 10

Supersedes:

Effective: Immediately

Initiator: Tom Ewers *TE*

Director: Joy Rich *JR*

7. 2009 International Building Code Reference – Inspections
 - a. Section 110, Inspections 110.1 states that construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense incurred to remove or replace any material required to allow inspection.

8. Maricopa County Local Additions and Addenda – Work Commencing Before Permit Issuance
 - a. Section 301, 109.4 states that any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011- 11

Supercedes:

Effective: Immediately

Initiator: Tom Ewers *TE*

Director: Joy Rich *JR*

PURPOSE: To clarify requirements for fire rating or fire separation for accessory structures

REFERENCE Maricopa County Building Code
Maricopa County Zoning Ordinance

POLICIES/PROCEDURES:

1. While the Zoning Ordinance may permit an accessory structure to be located within three feet of a side or rear property line, the Building Code requires any wall less than five feet from a property line to be of one hour fire rated construction.
2. The one hour fire rating does not apply to open structures not supported by walls.
3. Maricopa County Building Code Reference – 2009 International Residential Code
 - a. Table R302.1 requires that exterior walls of structures set back less than five feet from property lines be of one hour fire rated construction in accordance with ASTM E-119 or UL 260 with exposure from both sides.
4. Maricopa County Zoning Ordinance Reference – Location
 - a. Article 1106.2 states that detached accessory buildings and structures may be built in the required rear yard and/or the required side yard, but shall not occupy more than 30% of any required yard and shall not be nearer than three feet to any side or rear lot line. In the case of corner lots, accessory buildings shall not be nearer to the street than a distance equal to not less than one half the depth of the required front yard of the corner lot; and when a garage is entered from an alley, it shall not be located nearer than ten feet to the alley line.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-01
Supersedes: DD 1999-019

Effective: Immediately

Initiator: Darren Gerard

Director: *Jay Rich*

PURPOSE: To ensure consistent treatment of zoning for **Agricultural and Equestrian Uses** in the Rural zoning districts of unincorporated Maricopa County.

REFERENCE:

Maricopa County Zoning Ordinance, Article 201 (Definitions), 501.2.4, 501.2.21.e (Rural Zoning District Use Regulations); 1301.1 (Special Uses) & 1304 (Exempted uses); and Arizona Revised Statutes 3-1201 (Definition); 3-1350 (Equine Rescue Facilities); 11-812.A.2 (Restriction on Regulation, Agriculture); & 42-12151 (Definition, Agricultural Real Property).

POLICY/PROCEDURE:

The Maricopa County Zoning Ordinance (MCZO) permits agricultural and equestrian oriented land uses in the Rural zoning districts in four general categories:

1. Agricultural uses can be exempt from the MCZO in any zoning district.
2. Farms are a permitted principal use in the Rural zoning districts.
3. Limited equestrian uses are permitted accessory to a single-family residence in the Rural zoning districts.
4. Facilities for rodeos and other equestrian uses may be permitted as a Special Use.

MCZO, Article 1304 states "This Ordinance shall not prevent, restrict or otherwise regulate the use or occupation of land or improvements for... grazing or general agricultural purposes, if the tract/s concerned is/are five or more contiguous commercial acres in size". (A commercial acre is not a reference to a zoning category but rather is $\frac{3}{4}$ acre categorized by the Assessor's Office as a commercial agricultural use.) The MCZO language mirrors ARS 11-812.A.2. Agricultural uses will be exempted from the MCZO in any zoning district if a Land Use (Agricultural Exemption) application is administratively approved. A commercial agricultural classification from the Assessor's Office is a pre-requisite to administrative approval of a Land Use (Agricultural Exemption) by this Department.

Land, buildings and structures used for the following types of agricultural uses may be exempted from zoning requirements if the conditions are met:

- Cropland of at least 20 acres in aggregate;
- Grazing land with a minimum of 40 animal units of at least 5 contiguous commercial acres;
- Commercial breeding, raising, boarding or training of equine of at least 5 contiguous commercial acres;
- Equine rescue facilities registered as a non-profit with the Arizona Department of Agriculture of at least 5 contiguous commercial acres;
- Land and improvements devoted to high density use for producing commodities, in processing cotton necessary for marketing, fruit or vegetable commodity packing plants (that do not cut or otherwise physically alter the produce) of at least 5 contiguous commercial acres; and,
- Land and improvements devoted to high density use in producing, transporting, receiving, processing, storing, marketing and selling milk and manufactured milk products without the presence of any animal units on the land of at least 5 contiguous commercial acres.

Any land, buildings and structures not used as part of an agricultural operations, such as a single-family residence, swimming pool, barbecue, etc. though located on property subject to

an approved Land Use (Agricultural Exemption) will not be considered exempt from zoning requirements.

Land, buildings and structures used for the following types of agricultural uses or equestrian uses will not be exempted from zoning requirements:

- Arenas and other structures for rodeos, team roping, barrel racing, penning and other events.
- Mounted cowboy shooting.
- Riding lessons (except for riding lessons in conjunction with the boarding of horses).
- Horse rentals and staging for off-site trail rides.
- Feed stores and roadside stands that offer any products not produced on site.

MCZO, Article 501.2 permits farms as a principle use in the Rural zoning districts. Farm is defined in Chapter 2 of the MCZO. Land, buildings and structures may be part of a farm operation but shall comply with zoning requirements unless a Land Use (Agricultural Exemption) has been administratively approved by this Department.

MCZO, Article 501.2.21 permits accessory buildings and uses that are customarily incidental to the established principal use. The keeping of farm animals such as goats, chickens, etc. is considered to be incidental to a single-family residence or a farm in the Rural zoning districts. Gardens, orchards and vineyards are considered to be incidental to a single-family residence or a farm in the Rural zoning districts. Accessory uses, buildings and structures shall comply with zoning requirements unless a Land Use (Agricultural Exemption) has been administratively approved by this Department.

MCZO, Article 501.2.21.e specifically permits equestrian uses accessory to a single-family residence in the Rural zoning districts. The equestrian uses may be public but are limited in scope. Land, buildings and structures used for the following types of equestrian activities are not considered to be a permitted accessory use in the Rural zoning districts:

- Arenas and other structures for rodeos, team roping, barrel racing, penning and other events for 25 or more persons on site at any given time.
- Mounted cowboy shooting.
- The boarding of six or more horses.
- Riding lessons except in conjunction with boarding of horses.
- Horse rentals and staging for off-site trail rides.

MCZO, Article 1301.1.16 states that "permanent facilities for rodeos... or similar types of land use involving large assemblage of people" may be permitted as a Special Use (SUP) in any zoning district. This SUP category includes rodeos, team roping, barrel racing, penning, mounted cowboy shooting, and similar activities.

MCZO, Article 1301.1.20 states that "public riding and boarding stables" may be permitted as a SUP. This SUP category includes equine boarding and training, riding lessons, horse rentals and staging for off-site trail rides, etc.

SUP approval by the Board of Supervisors is a legislative process with public input at a public hearing.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-02
Supersedes:

Effective: Immediately
Initiator: Darren Gerard
Director: *Joy Rich*

PURPOSE: Interpretation of the Maricopa County Zoning Ordinance regarding **Mounted Cowboy Shooting**.

REFERENCE:

Maricopa County Zoning Ordinance, Articles 501.2.21 & 501.2.21.e (Rural Zoning District Use Regulations), and 1301.1 (Special uses).

POLICY/PROCEDURE:

The Maricopa County Zoning Ordinance (MCZO) is a permissive document. Any use not specifically listed as a permitted principal use or accessory use or a Special Use (SUP) is not permitted in a zoning district.

The MCZO does permit accessory buildings and uses that are customarily incidental to the established principal use. This determination is made by the Zoning Administrator (Director of the Department) or her designee.

It has been determined that Mounted Cowboy Shooting is not an accessory use customarily incidental to any permitted principal use in any zoning district, nor is Mounted Cowboy Shooting an equestrian activity permitted as an accessory use to a single-family residence in the Rural zoning districts per MCZO, Art. 501.2.21.e.

The discharge of a firearm is not harmonious to a residential neighborhood environment.

MCZO, Article 1301.1.16 states that "permanent facilities for rodeos... or similar types of land use involving large assemblage of people" may be permitted as a Special Use (SUP) in any zoning district. This SUP category is considered to include Mounted Cowboy Shooting. SUP approval by the Board of Supervisors is a legislative process with public input at a public hearing.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-03
Supersedes:

Effective: Immediately

Initiator: Darren Gerard

Director: *Joy Rich*

PURPOSE: Interpretation of the Maricopa County Zoning Ordinance regarding the **Discharge of Firearms.**

REFERENCE:

Maricopa County Zoning Ordinance, Articles 501.2 (Rural Zoning District Use Regulations); 601.2 (Residential Zoning District Use Regulations) and 1301.1 (Special Uses); Maricopa County Noise Ordinance; and Arizona Revised Statutes 13-3108.

POLICY/PROCEDURE:

The Maricopa County Noise Ordinance in Section V.A states "It shall be unlawful... to allow to originate from the property, any noise which disturbs the peace or quiet of any neighborhood if such noise can be heard from within closed residential structures located within 500 feet of the boundary of the property from which such noise emanates. This subsection shall not apply to noise produced in the normal conduct of business... and the operation is legally conducted within the scope of all ordinances, laws, and statutes of Maricopa County and the State of Arizona." Violation of this ordinance section is a Public Disturbance.

Section VI.A.8 exempts "Noise emanating from the discharge of weapons for lawful purposes." Lawful purposes are self defense, law enforcement, hunting with a valid State issued license within the appropriate season, control of vermin on ranching and farming operations, and at an established Shooting Range, Target Practice Range, Mounted Cowboy Shooting, etc. with appropriate zoning entitlement.

ARS 13-3108 prohibits the County from adopting an ordinance relating to firearms inconsistent with or more restrictive than State law; except that ARS 13-3108.F.3 authorizes County "regulation of land and structures, including a business relating to firearms... or a shooting range in the same manner as other commercial business."

The Maricopa County Zoning Ordinance (MCZO) is a permissive document. Any use not specifically listed as a permitted principal use or accessory use or a Special Use (SUP) is not permitted in a zoning district.

The MCZO does permit accessory buildings and uses that are customarily incidental to the established principal use. This determination is made by the Zoning Administrator (Director of the Department) or her designee.

It has been determined that a Shooting Range, Target Practice Range, Mounted Cowboy Shooting, etc. is not an accessory use customarily incidental to any permitted principal use in any rural or residential zoning district.

The discharge of a firearm is not harmonious to a residential neighborhood environment. This determination includes any type of firearm – including black powder and blanks that emanate noise not harmonious to a residential neighborhood environment.

MCZO, Article 1301.1.19 states that "privately and commercially operated recreational open-air facilities" may be permitted as a Special Use (SUP) in any zoning district. This SUP category is considered to include a Shooting Range, Target Practice Range, Mounted Cowboy Shooting, etc. SUP approval by the Board of Supervisors is a legislative process with public input at a public hearing.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-05
Supersedes:

Effective: Immediately

Initiator: Darren Gerard

Director: *Joy Rich*

PURPOSE: To ensure consistent treatment in determining **final plat substantial conformance with approved preliminary plats** in unincorporated Maricopa County.

REFERENCE:

Maricopa County Subdivision Regulations (MCSR), Section 203 Final Plat

POLICY/PROCEDURE:

The MCSR states "The final plat shall conform to the approved preliminary plat and any stipulations thereto made by the Commission." The standard stipulation language approved by the Planning & Zoning Commission states "The final plat shall be in substantial conformance to the preliminary plat..." and references the approved preliminary plat.

Final Plat substantial conformance to the approved preliminary plat shall mean the following:

1. External boundaries of the subdivision/phase/unit are the same;
2. Perimeter streets are in the same location and of the same half-width dedication;
3. Access points onto perimeter streets are in the same general locations;
4. Maintenance of internal streets (public or private) remains the same as per preliminary plat;
5. Water system provision (central public water system, satellite public water system, shared domestic well, dry) remains the same as per preliminary plat;
6. Waste water system provision (central public sanitary system, satellite sanitary system, individual septic systems) remains the same as per preliminary plat;
7. Number of lots does not exceed that shown on the preliminary plat;
8. Drainage system network is not appreciably different than that shown on the preliminary plat (but the drainage system on the preliminary plat is always considered conceptual and design will be determined with final plat).;
9. Open space theme is not appreciably different than that represented on the preliminary plat and anticipated community amenities have not been reduced; and
10. Unit boundaries and phasing is not appreciably different than that represented on the preliminary plat.

Staff will indicate changes from the preliminary plat to the final plat in the report to the Board of Supervisors.



Maricopa County
 Planning & Development Department
 Department Directive

PURPOSE:

1. To establish consistent practices in the application of Drainage Modification Fees for residential sites (subdivision lots, custom lots, rural single family).
2. To ensure the fees are applied to match the level of services provided.

REFERENCES:

Maricopa County Zoning Ordinance
 Chapter 16 – Fee Schedule, Dated January 2012

POLICY/ PROCEDURES:

Drainage review has many levels of review for a drainage clearance on residential projects, and only one type of review listed for a modification in the fee schedule. The Modification Review Fee for issued permits in the fee schedule is \$250. This Modification Fee does not address modifications to issued permits when the original drainage review fee was less than \$250. This could create a situation where a modification fee is higher than the original review fee for the same level of service. In an effort to ensure the drainage fees are applied to match the level of services for residential modifications, the fees will be applied as follows:

Drainage Modification Fees			
Project Approval Level	Original Service Fee	Modification Approval Level	Applied Fee
Administrative Review	\$60	Administrative Review	\$60
Drainage Inspector	\$150	Drainage Inspector	\$150
Drainage Inspector	\$150	Engineering Review	\$250
Engineering Review	\$360	Engineering Review	\$250

This policy does not change any requirement for any inspection fees. If additional inspections are required with the modification they will be added to the fees independently to the drainage review fees.

Applying the Fees to the Project

The Drainage Plan Reviewer will add a note in Accela to the Administrative Review Fee or the Inspection Review Fee when it is applied for the Modification Fee. This note will indicate the fee is a Modification Review Fee and not a standard review fee.

The note added to the review fee being used as modification fee in Accela will be as follows: **Modification Fee per DD-2012-06.**

Department Directive
 DD-2012-06

Effective: Immediately

Date: 2-28-12

Initiator: Michael Norris

Director: *Jay Rich*



Maricopa County

Planning & Development Department
Department Directive

Department Directive:
DD-2012-07
Supersedes:

Effective: Immediately

Initiator: Darren Gerard

Director: Joy Rich *JR*

PURPOSE: All Plans of Development may be amended via administrative approval.

REFERENCE:

Maricopa County Zoning Ordinance, Section 306 Plan of Development Process
Maricopa County Board of Supervisors , Resolution of Policy C-44-12-049-M-00

POLICY/PROCEDURE:

Section 306.4 of the Maricopa County Zoning Ordinance establishes an administrative approval process for Plan of Development applications. Previous to Board of Supervisor approval of TA2007016 on 9/22/08, Plan of Development applications were approved by the Board with recommendation from the Planning & Zoning Commission. During that period, a standard condition of approval was that any major amendment would be processed in the same manner as the original application (Board of Supervisor approval with recommendation of the Planning and Zoning Commission). However, since the Plan of Development process may now be administrative, the Board adopted a Resolution on 12/14/11, establishing that all Plans of Development, approved by the Board, may have major amendments administratively approved.

A copy of the Resolution follows this directive.

RESOLUTION OF POLICY

Maricopa County Board of Supervisors

RESOLUTION THAT ALLOWS FOR PLANS OF DEVELOPMENT TO BE AMENDED
ADMINISTRATIVELY REGARDLESS OF PREVIOUSLY APPROVED STIPULATIONS

C. 44-12. 049. M-00

BE IT RESOLVED by the Maricopa County Board of Supervisors as follows:

WHEREAS the Arizona Revised Statutes enable Maricopa County to adopt general regulations of uniform application governing planning, zoning and development of unincorporated lands within its boundaries to protect the public health and safety; and

WHEREAS in accordance with the Arizona Revised Statutes, the Maricopa County Board of Supervisors has adopted The Zoning Ordinance for the Unincorporated Area of Maricopa County providing for the regulation of land use within the unincorporated area of the County, defining its terms, dividing the jurisdiction into zoning districts appropriate for various classes of residential, business and industrial uses, providing for the establishment of setback lines, providing for adequate light, air, and parking facilities, providing for expediting traffic within the zoning districts, establishing the percentage of a lot or parcel which may be covered by buildings, and the size of yards and other open spaces; and

WHEREAS the purpose of The Zoning Ordinance for the Unincorporated Area of Maricopa County is to promote the public health, peace, safety, comfort, convenience and general welfare of the citizen of Maricopa County; to guide, control and regulate the future growth and development in order to promote orderly and appropriate use of land; to protect the character and the stability of residential, business and industrial areas; to facilitate existing or potential traffic movements; to provide adequate light, air and parking facilities; to secure safety from fire and other dangers; and to prevent overcrowding of land; and

WHEREAS, the Board of Supervisors has determined that planned development is the preferred method of development of land for business and industrial uses in

unincorporated Maricopa County and is in the best interest of Maricopa County and its citizens; and

WHEREAS, the Board of Supervisors has established the Plan of Development application has the method to ensure planned development, and to maintain overall site coordination with regard to layout and compatibility for business and industrial uses in unincorporated Maricopa County; and

WHEREAS, the Board of Supervisors adopted an amendment to The Zoning Ordinance for the Unincorporated Area of Maricopa County on August 20, 2009 per Case Number TA2007016 and amended same on December 17, 2008 per Case Number TA2008008 to create an administrative Plan of Development process; and

WHEREAS, previous to said amendments the Plan of Development process was reviewed and approved by the Board of Supervisors after recommendation by the Planning and Zoning Commission; and

WHEREAS, Plans of Development previously approved by the Board of Supervisors often contained a stipulation of approval that application for major amendment to the Plan of Development must be processed in the same manner as the original application; and

WHEREAS, said stipulation has been interpreted to require an amendment to a Plan of Development approved by the Board of Supervisors subject to such stipulation must be processed for approval by the Board of Supervisors with recommendation from the Planning and Zoning Commission despite the fact that more recent Plans of Development administratively approved by the Maricopa County Planning and Development Department may benefit from administrative amendments; and

WHEREAS, the intent of the Board of Supervisors is to give equal treatment and protection under the law;

NOW, THEREFORE, BE IT RESOLVED that the Maricopa County Board of Supervisors does hereby consider administrative approval of an amendment to a Plan of Development in unincorporated Maricopa County to be consistent with any stipulation of original Plan of Development approval by the Board of Supervisors stating that amendments shall be approved in the same manner as the original application.



DEC 14 2011

Chairman

Date



DEC 14 2011

Attest:

DEPUTY Clerk of the Board

Date



12.2.11

Director,
Planning and Development Department

Date



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-09

Supersedes: DD-2011-01

Effective: Immediately

Initiator: Tom Ewers *TE*

Director: Joy Rich *JR*

Purpose: To clarify plan review, permit and inspection responsibilities for facilities owned by Maricopa County and located in any jurisdiction.

Applicability: Maricopa County-owned facilities include (i) any property owned by Maricopa County, (ii) any property owned by entities related to Maricopa County, (iii) any property owned by any entity for which the Maricopa County Board of Supervisors is designated as its Board of Directors, (iv) any property owned by any entity for which the members of the Maricopa County Board of Supervisors are designated as its Board of Directors, or (v) any other property or facility operated as a facility of the County. This includes all county departments such as: Air Quality, Environmental Services, Facilities Management, Flood Control District, Library District, Parks and Recreation, Public Works, Solid Waste, and Transportation. This does not include any property owned by Maricopa County Community Colleges or Maricopa Integrated Health Systems.

References:

1. ARS 34-461 (A): Public buildings shall be constructed in compliance with the state fire code unless a fire code has been adopted by the city, town, county or fire district in which the building is located. Public buildings shall be constructed in compliance with applicable building, plumbing, electrical, fire prevention and mechanical codes adopted by the city, town, county or fire district in which the building is located. The owner of the public building is subject to the same fees required of other persons. Public buildings are subject to inspection during construction pursuant to these codes to determine compliance.
2. Maricopa County Attorney Opinion No. 2002-003: ARS 34-461 allows the county to apply its own building, plumbing, electrical, fire prevention and mechanical codes and permitting processes to public buildings constructed in both incorporated and unincorporated areas of the County.
3. The current editions of the building codes adopted by Maricopa County:
 - International Building Code 2009
 - International Fire Code 2003 (applicable only to County owned facilities)
 - International Residential Code 2009
 - International Plumbing Code 2009
 - International Mechanical Code 2009
 - International Fuel Gas Code 2009
 - National Electrical Code 2008
 - Local Additions and Addenda 2010
 - International Fuel Gas Code 2009
4. Maricopa County Zoning Ordinance and case law that exempts county-owned facilities from zoning requirements.
5. Maricopa County Drainage Regulations Section 404.C:

This Regulation shall not pertain to or otherwise regulate cities, towns or other incorporated municipalities, the State or its agencies or political subdivisions. This paragraph does not exempt school districts, private utilities, and private emergency or fire services from compliance with the provisions of this Regulation.

6. Drainage Policies and Standards for Maricopa County.
7. Intergovernmental Agreement between Maricopa County and the City of Phoenix 11865 (C4406001000) dated August 24, 2005.
8. Memorandum of Understanding between the Arizona Office of State Fire Marshal and the City of Phoenix Fire Department dated June 7, 2012.

Policy/Procedures:

1. Maricopa County-owned facilities shall be exempt from county or municipal zoning ordinances. However, Maricopa County will cooperate with other jurisdictions in matters of off-site improvements.
2. Maricopa County departments are exempt from the Maricopa County Drainage Regulations. However, county departments are responsible for any adverse drainage-related impacts associated with their construction. The Planning and Development Department will perform drainage reviews for compliance with Maricopa County Drainage Regulations upon request and payment of applicable fees. Upon written request from a Department Representative an exemption from the Drainage Regulations may be granted.
3. Maricopa County-owned facilities will comply with floodplain management regulations prescribed by ARS 48-3609 that has established minimum flood protection elevations and flood damage prevention requirements for uses, structures and facilities that are vulnerable to flood damage. These regulations are enforced by the governing body as specified in ARS 48-3610, which may be the Flood Control District of Maricopa County or any incorporated city or town currently engaged in floodplain management in its area of jurisdiction that has passed a resolution declaring its intent to do so.
4. Maricopa County will use best management practices for proper storm water design for its facilities in accordance with the Drainage Policies and Standards for Maricopa County and shall obtain an ADEQ AZDES storm water permit for any construction activity that disturbs more than one acre.
5. Maricopa County-owned facilities will comply with the adopted building codes listed on page one of this directive. Plan review, permit and inspection responsibilities will be completed by the Planning and Development Department as governed by those codes, the Maricopa County Local Additions and Addenda, and any subsequent revisions or updates approved by the Board of Supervisors.
6. Maricopa County-owned facilities will comply with ADEQ standards for on-site private sewage disposal systems, water treatment systems, and on-site sewage disposal systems. The county must request plan approval for these water and sewer systems directly from ADEQ.
7. Maricopa County-owned facilities, located within the corporate limits of City of Phoenix, will comply with the Intergovernmental Agreement referenced above. More specifically:
 - a. Maricopa County will work diligently with Phoenix's fire and police departments to ensure that all of the information needed to provide police and fire services and access to county-owned facilities, at reasonable times, for the purpose of training, testing and evaluation:
 - Fire department access including current keys

- Operational readiness of fire protection equipment and systems as verified by the City Fire Marshal or designee
 - Fire fighter communication systems
 - Field testing fire command room equipment
- b. For new construction and existing structures when there is a change of use or occupancy, Maricopa County will comply with the city sprinkler ordinance and the 2003 International Fire Code referenced above, which is also used as the State Fire Code.
- c. As per the Memorandum of Understanding referenced above, the Phoenix Fire Department will review plans, issue permits, and conduct inspections for all new or retrofitted County projects that include fire alarm, fire sprinkler or range hood fire suppression systems or other systems listed in Chapter 9 of the 2009 IBC and the Phoenix Fire Code. Permits for this type of work must also be obtained for Planning and Development as specified in Policy Number 5 above.
- d. While Maricopa County is not obligated to comply with the City of Phoenix Zoning Ordinance, the county is encouraged to conduct a pre-application meeting, at no cost to the county, with the City of Phoenix Development Services Department staff to review each county-owned facility site plan to obtain suggested development and design requirements for advisory purposes.
8. In accordance with State requirements, Maricopa County Facilities Management Department will ensure the inspection and approval of all elevators in county-owned facilities.
9. Permits, in accordance with approved building codes, must be obtained for all work on county-owned facilities. However, some county-owned projects may be exempt from building permit requirements. Currently, Section 105.2 of the 2009 International Building Code provides this exemption. Additionally, the following definitions of work to be accomplished by the Maricopa County Facilities Management Department will not require plan review, permitting or field inspection by the Planning and Development Department:
- a. "Like for like" replacement of existing HVAC, plumbing and general mechanical equipment within reasonable bounds. In the event that a particular unit is no longer available, a suitable replacement may be identified that shares the majority of attributes of the original while not requiring significant additional work for the change out to be accomplished. As an example, a 5-ton unit may be replaced by a 7.5-ton unit so long as the change does not involve extensive modifications to other utility systems such as electrical. Systems and engineering designs that require the seal of a professional registrant will be required to meet this requirement.
- b. New electrical items including:
- 120/208 volt circuits – 50 amps or less
 - 277/480 volt circuits – 20 amps or less
 - 120 volt receptacles – eight or fewer in number
 - Installation of new lighting fixtures – five or less in number
 - Low voltage installation of specialty items such as card readers and door actuators
- c. The Facilities Management Department will compile an accurate logbook of such projects and make the logbook available to the Planning and Development Department upon request.
10. County departments like Facilities Management will appoint one contact person for each permit application. That person will deal directly with the Plan Review Division Manager in

the Planning and Development Department. This responsibility must not be deferred to consultants, architects or contractors. During the course of plan review and construction, the contact person should remain in communication with the Plan Review Manager concerning the progress of applications, resubmittals and inspections.

11. County agencies must arrange pre-submittal meetings with Planning and Development Department staff prior to application for permits to ensure that proper plan and application materials are submitted for permits. Typically, such materials will include a Development Activity Application, Supplemental Contact Form, Financial Disclaimer Form, property deed, seven copies of site plans and three copies of building plans. Pre-submittal meetings are scheduled for Thursdays at 10:00 a.m. in the Bronze Conference Room at the Planning and Development Department. Meetings will be scheduled by the Plan Review Division Manager or the Planning and Development Department receptionist. Alternate meeting times may be arranged directly with the Plan Review Division Manager.
12. County agencies must provide an accounting string on each permit application so permit fees can be expeditiously handled through the journal voucher system.

MEMORANDUM OF UNDERSTANDING (COMPREHENSIVE)

BETWEEN

**ARIZONA DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY
OFFICE OF STATE FIRE MARSHAL**

AND

PHOENIX FIRE DEPARTMENT

This Memorandum of Understanding ("MOU" is between the Office of State Fire Marshal ("OSFM") and the Phoenix Fire Department concerning the review of plans for construction, remodeling, alterations and additions (collectively referred to as "plans") of state, county and public school buildings and grounds [A.R.S. § 41-2163(C)] and the inspections performed in conjunction therewith; as well as regularly scheduled inspections of state and county owned buildings and all public and private schools [A.R.S. § 41-2163(A)(4)].

I. RECITALS

- A. **WHEREAS**, pursuant to A.R.S. § 41-2161, the purpose of OSFM is to promote public health and safety and to reduce hazards to life, limb and property by performing inspections and fire investigations, by providing public education and by adopting fire protection codes
- B. **WHEREAS**, Arizona has adopted the International Fire Code 2003 edition as modified by A.A.C. R4-36-201 as the Arizona State Fire Code, and all Fire Department and Fire Districts must comply with the Arizona State Fire Code or a code adopted by the controlling political subdivision which is equivalent to, or more stringent, than the Arizona State Fire Code (collectively referred to as "Fire Code").
- C. **WHEREAS**, pursuant to A.R.S. § 41-2163(A)(4), OSFM is charged with conducting regularly scheduled inspections of state and county owned building and public and private schools throughout Arizona, and
- D. **WHEREAS**, pursuant to A.R.S. § 41-2163(C), OSFM is charged with the review of plans and specifications for new construction, remodeling, alterations and additions and performing inspections in conjunction therewith for state, county and public school building and grounds, and
- E. **WHEREAS**, the State Fire Marshal is empowered under A.R.S. § 41-2162(A)(2) to engage in such assistance as deemed necessary, and

- F. **WHEREAS**, the Phoenix Fire Department confirms that its personnel possesses the necessary proficiency in the understanding, interpretation and application of the applicable fire code, and
- G.. **WHEREAS**, the Phoenix Fire Department and OSFM desire to cooperate in the duties which each is charged to conduct.

II. TERMS

- A. OSFM agrees to allow the Phoenix Fire Department to conduct review of plans for construction, remodeling, alterations and additions of state, county and public school buildings on behalf of OSFM and complete any inspections required in conjunction therewith.
- B. OSFM agrees to allow the Phoenix Fire Department to conduct regularly scheduled inspections of state and county owned buildings and all public and private schools on behalf of OSFM.
- C. The Phoenix Fire Department agrees to submit activity reports to OSFM, on a routine basis, at the conclusion of each review or inspection.
 - 1. Activity reports shall contain a list of review of plans and specifications for new construction, remodeling, alterations and additions, fees collected, and inspections in conjunction therewith for state, county and public school buildings and grounds.
- D. In the course of completing its review or inspection, the Phoenix Fire Department shall transmit the information electronically to OSFM.
- E. OSFM shall provide reporting requirements, forms, and guidance to Phoenix Fire Department to maintain visibility and accountability over activity in conjunction therewith.
- F. All books, accounts, reports, files and other records relating to this MOU shall be subject at all reasonable times to inspection and audit by OSFM for five (5) years after termination or completion of this Agreement.
- G. The Phoenix Fire Department is subject to periodic audits in conjunction with the performance and activity in relation to this MOU by OSFM. Notice of audit will be provided in advance to jurisdiction with a list of information to be provided at time of audit.

- H. Jurisdictions who enter into the MOU with OSFM may, contract with local or county building departments for the purposes of:
1. Conducting review of plans and specifications for new construction, remodeling, alterations and additions.
 2. Permitting for inspection.
 3. Establishing a fee schedule, and collecting fees.
 4. Phoenix Fire Department shall notify OSFM and provide documentation describing shared services.
 5. Review of plans by local or county building departments, in conjunction with this MOU, shall be conducted by personnel who have exhibited the necessary proficiency in the understanding, interpretation and application of the Fire Code.
 6. Phoenix Fire Department and local or county building departments shall be subject to periodic audits, with advance notice.
- I. Any costs incurred by Phoenix Fire Department to implement this MOU shall be borne by the Phoenix Fire Department.
- J. Phoenix Fire Department may collect such fees as permitted by its political subdivision. Any funds collected by the Phoenix Fire Department to implement this MOU are made under the authority granted to that jurisdiction and are not subject to attachment by OSFM.
- K. This MOU does not grant the authority to inspect installation or removal of underground fuel storage tanks. That task remains the sole authority and responsibility of OSFM as granted by the Arizona Department of Environmental Quality. OSFM recognizes some jurisdictions have a separate agreement to perform such inspections for Arizona Department of Environmental Quality.
- L. This MOU may be terminated by either party upon 30-days written notice to the other party.
- M. The term of this Agreement shall be for five (5) years from the effective date of this MOU.

////

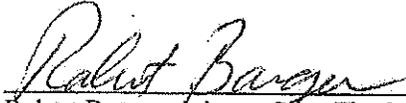
////

////

////

////

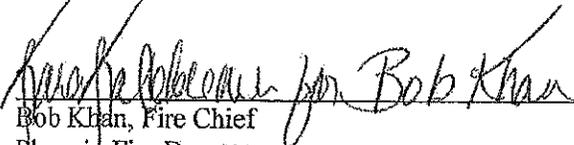
ARIZONA STATE FIRE MARSHAL



Robert Barger, Arizona State Fire Marshal
Office of State Fire Marshal
1110 W. Washington, Suite 100
Phoenix, Arizona 85007
(602) 364-1081
robert.barger@dfbls.az.gov

JUNE 7, 2012
Effective Date

PHOENIX FIRE DEPARTMENT



Bob Khan, Fire Chief
Phoenix Fire Department
150 South 12th Street
Phoenix, AZ 85034
(602) 495-7399
Robert.a.khan@phoenix.gov

JUNE 4, 2012
Date Signed



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-10

Supersedes:
DD-2004-13

Effective: Immediately

Initiator: Tom Ewers

Director: *Joy Rich*

PURPOSE: To clarify and explain requirements for site plan submittals and permit applications.

REFERENCE: Maricopa County Zoning Ordinance, Section 1501.3.3
2009 International Building Code, Section 107.1
Drainage and Flood Plain Regulations for Maricopa County

POLICY/PROCEDURE:

Site plans must be submitted with most types of building or development activity permit applications. Because site plans are reviewed by the Plan Review Division and may need to be reviewed by several departments including Flood Control, Environmental Services and the Department of Transportation, seven (7) copies of site plans must be submitted with each application. Building plans should be separate and should not contain site plans. Fewer copies of building plans are required, three (3) residential, three (3) commercial, because they are reviewed by the Plan Review Division only.

Site plans must be drawn to a verifiable scale and may be Architectural or Civil Engineering types of plans. If there are civil engineering plans, they must be used as the record site plans. The record set of site plans for a permit application must contain all information required by form 3012 Planning and Development Department Typical Residential Site Plan or form 3022 Planning and Development Department Typical Commercial Site Plan, including showing all property lines, dimensions, actual building setbacks, building dimensions, driveway or parking lot and parking space dimensions, location of wells or septic systems, access and easements, and site lighting and landscaping on commercial site plans.

Site plans must show all existing buildings and improvements, their uses and the building for which the permit is being sought that is on the permit application. Site plans will not be accepted that show future buildings that are not part of the permit application. Further, site plans will not be accepted with notes that invalidate the site plan as the record site plan for zoning clearance such as: "future", "proposed", "not in contract", "work by others", "preliminary", "not for construction" or "not for permit".

Our Customer Service Counter will accept submittals as record site plans **only** when they accurately show all the information needed for a zoning clearance.

This directive applies to all submittals including revisions.

Exception: For certain permit applications an aerial photograph that is to scale and shows the entire site, but that does not meet all the standards above, may be submitted:

1. Demolition – indicate buildings to be demolished by crossing them out.
2. Wall Signs – indicate location of wall sign.
3. Tenant Improvements, Residential or Commercial, with no changes to the site or building exterior – highlight and dimension location of T.I.
4. Minor permits that require site plans, such as water lines and gas lines.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-11

Supersedes: DD-2002-09

Effective: Immediately

Initiator: Tom Ewers

Director: *Joy Rich*

PURPOSE: To implement an expedited permit process.

REFERENCE: DD-2008-06 Standard Plans

POLICY/PROCEDURE:

The Maricopa County Planning and Development Department shall implement an Expedited Permit Process as follows:

Prior to being allowed to participate in the Expedited Permit Process the agent/contractor must meet with Planning and Development Staff to ensure proper qualifications are met and understood.

In order to qualify for participation in an Expedited Permit Process:

1. The agent/contractor must maintain an adequate trust account with the Maricopa County Planning and Development Department with a minimum balance of \$1500 at all times. If the trust account balance falls below the required minimum, the agent/contractor will be notified that no additional review work will be completed. Failure to maintain the minimum balance, after three written warnings, may result in the agent/contractor being denied participation in the Expedited Permit Process.
2. The property that is the subject of the expedited permit application must be in a subdivision or mobile home park that has zoning entitlement by Maricopa County, sewer and water services, drainage approved pad certifications, and properly assigned addresses and parcel numbers.
3. The agent/contractor must submit a list that indicates lots of which they will be requesting permits. This list must show lot numbers, the finished floor elevation, the pad elevation and two curb elevations. This information can be found on the approved as-built engineered site plans for each approved subdivision.
4. The Building Official will maintain a list of subdivisions or mobile home parks that meet requirements and will maintain a list of approved agent/contractors.
5. The applicant/contractor must have an approved standard plan (see directive DD-2008-06) on file with the Planning and Development Department or be installing manufactured homes approved by the State of Arizona Office of Manufactured Housing. No agent/contractor may list the standard plan of another on a permit application unless they have written permission from the holder of that standard plan.
6. The agent/contractor must submit a site plan that meets the minimum requirements per the expedited site plan checklist and sample site plan attached to this directive.

To apply for an expedited permit, an agent/contractor must submit two copies of a properly completed Building Activity Application, (with approved standard plan numbers and trust account number noted) supplemental form and seven copies of the site plan, (and two floor plans for manufactured homes) to the front counter staff at Planning and Development. In order to apply via the digital process, the agent/contractor shall have an online account login and shall submit a digital copy of the Building Activity Application packet with supplemental form, a copy of the site plan, and additional wall details and/or floor plan (for manufactured homes only).

Applications that meet the above requirements will be provided priority review for rapid permit issuance.



Planning & Development Department



EXPEDITED SITE PLAN SUBMITTAL REQUIREMENTS SINGLE FAMILY RESIDENCE

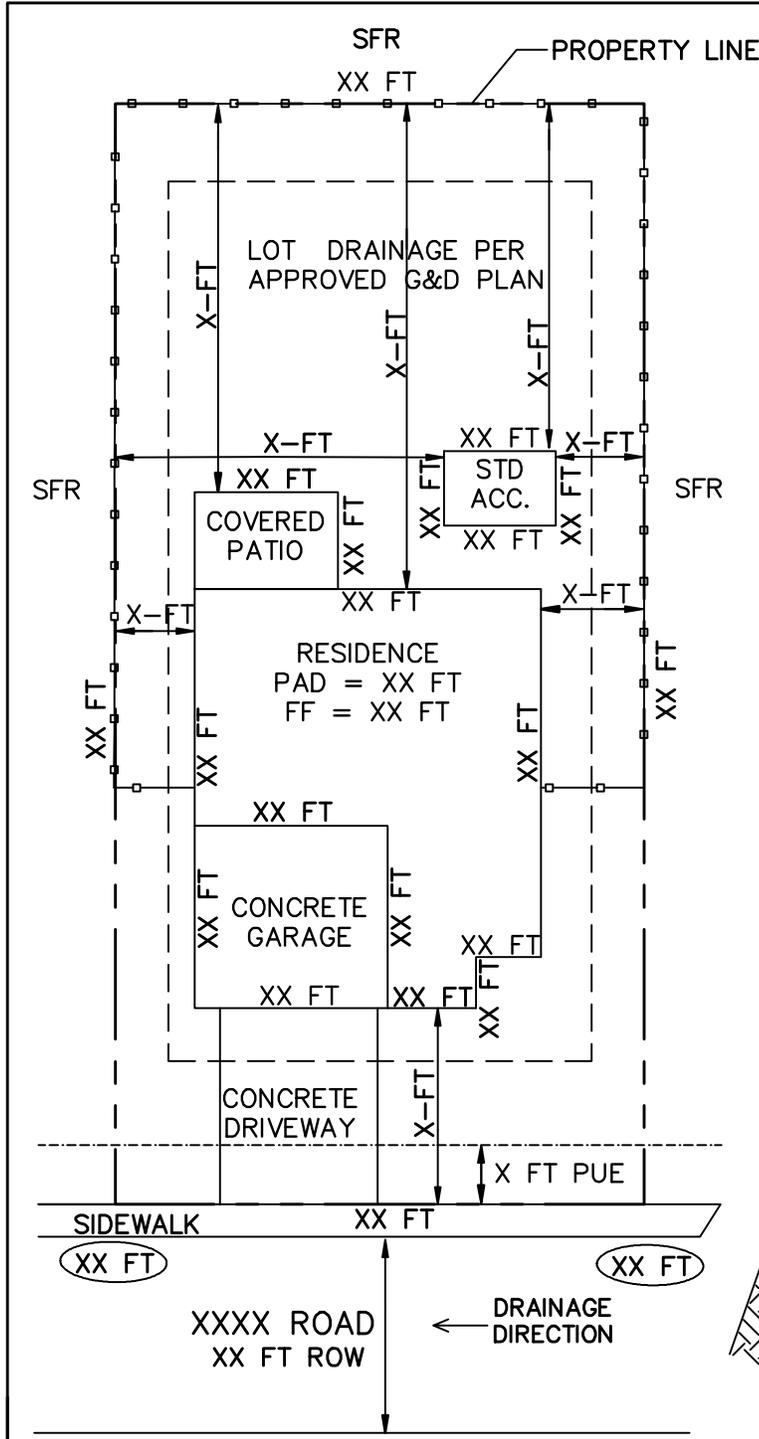
Please check your plan against the listed items for compliance. The following checklist should be used as a guideline. Additional data may be required based upon complexity of the design and location. Submit the checklist with your revised grading and drainage plan.

Applicant **EXPEDITED SITE PLAN**

Check

- 1. TITLE BLOCK WITH PROJECT NAME, PLAN TYPE, SITE ADDRESS, SUBDIVISION, AND LOT NUMBER.
- 2. THE ASSESSOR'S PARCEL NUMBER (APN).
- 3. A SITE LOCATION MAP INDICATING THE SITE LOCATION IN RELATION TO THE NEAREST CROSS STREETS.
- 4. THE OWNER/APPLICANT NAME, ADDRESS, PHONE NUMBER, EMAIL ADDRESS, WITH DATE.
- 5. SITE TOTAL LIVABLE, 2ND FLOOR LIVABLE, 1ST FLOOR LIVABLE, GARAGE, COVERED PORCH, ADDITIONAL STRUCTURES, AND TOTAL FOOTPRINT AREAS. INCLUDE LOT AREA, LOT COVERAGE PERCENTAGE, AND FENCE LENGTH WITH FENCE TYPE AND HEIGHT.
- 6. USE OF ADJACENT PARCELS WITH APN# - VACANT, RESIDENTIAL, ETC. (ALL SIDES)
- 7. DEDICATED STREET ACCESS INCLUDING STREET NAME, RIGHT-OF-WAY DIMENSION, AND DRAINAGE DIRECTION.
- 8. LIST OF STANDARD PLAN NUMBERS AND BUILDING OPTIONS USED.
- 9. NORTH ARROW AND PLAN SCALE WITH A GRAPHIC SCALE BAR. PLANS MUST BE DRAWN/ PLOTTED TO AN IDENTIFIED SCALE. PLANS MUST BE BASED ON A STANDARD ENGINEERING SCALE (1 INCH EQUAL TO 10, 20, 30, OR 40 FEET) OR ARCHITECTURAL SCALE. MAXIMUM 1"=40 ENGINEERING SCALE TO BE USED ON ALL SITE PLANS, UNLESS APPROVED IN ADVANCE BY COUNTY STAFF.
- 10. THE SIZE OF LETTERING AND SYMBOLS SHALL BE A ONE-TENTH (1/10) OF AN INCH MINIMUM. PLANS SHALL BE SUFFICIENTLY CLEAR TO ALLOW LEGIBLE REPRODUCTION.
- 11. LOCATIONS AND DIMENSIONS OF DRAINAGE TRACTS, EASEMENTS, AND BUILDING SETBACKS.
- 12. FINISHED FLOOR ELEVATION(S).
- 13. AS-BUILT TOP OF CURB ELEVATIONS AT PROPERTY LINE CORNERS FROM RECORD DRAWINGS.
- 14. A DETAIL DEMONSTRATING THE PAD, FINISHED FLOOR, AND FINAL GRADE ELEVATION. NOTE STEM WALL REVEAL PER ENGINEERED PLAN AT THE FRONT AND REAR OF STRUCTURE.
- 15. LOT DRAINAGE PATTERN SHALL CONFORM TO THE APPROVED GRADING AND DRAINAGE PLAN.
- 16. LOT PROPERTY LINE LOCATIONS AND DIMENSIONS.
- 17. OUTLINE, LABEL, AND DIMENSION ALL STRUCTURES.
- 18. DIMENSIONS FROM ALL STRUCTURES TO ALL PROPERTY LINES.
- 19. INCLUDE COPY OF DEVELOPER'S FENCE AND GRADING DETAILS AS APPLICABLE.
- 20. SITE INGRESS/EGRESS LOCATION(S) WITH DRIVEWAY MATERIAL NOTED (CONCRETE, ASPHALT, ABC, ETC.).
- 21. LOCATION OF THE SEPTIC TANK AND LEACH FIELD WITH SETBACK TO NEARBY BUILDINGS.
- 22. LOCATION OF STORAGE TANKS, I.E. PROPANE, WATER. MUST SHOW SETBACK AND TANK SIZE.
- 23. POOL PERIMETER, AREA, AND SPA UL LISTING IF APPLICABLE.

EXPEDITED SITE PLAN



XX % MAX LOT COVERAGE

TOTAL LIVABLE.....XX SQFT
 2ND FLOOR LIVABLE.....XX SQFT
 1ST FLOOR LIVABLE.....XX SQFT
 GARAGE(S).....XX SQFT
 COVERED PORCH/PATIO..XX SQFT
 ADD'L STRUCTURES.....XX SQFT
 TOTAL FOOTPRINT.....XX SQFT
 LOT AREA.....XX SQFT
 LOT COVERAGE %.....XX %
 FENCE LENGTHXX LF
 FENCE TYPE & HEIGHT..XXXXX, X FT

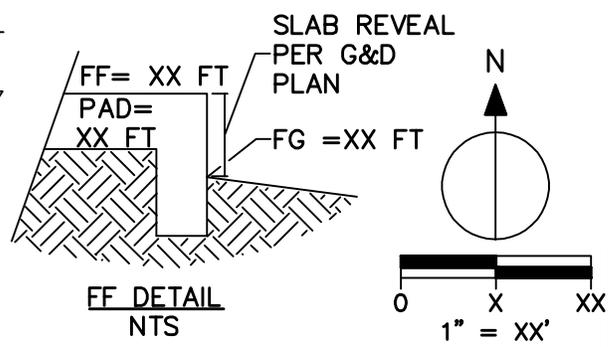
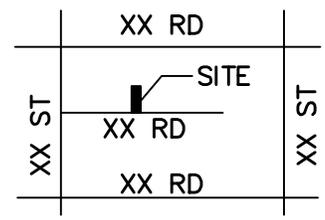
STANDARD PLANS & OPTIONS

HOUSE.....SPXXXXXXX
 POOL/SPA.....SPXXXXXXX
 ACC. STRUCT. SPXXXXXXX
 OPTION #1.....XX SQFT
 OPTION #2.....XX SQFT
 OPTION #3.....XX SQFT

POOLS

PERIMETER.....XX LFT
 AREA.....XX SQFT
 SPA UL LISTING.....XXXXXXX

VICINITY MAP



ASSESSOR'S PARCEL NUMBER		PROJECT NAME	
OWNER NAME		SUBDIVISION NAME	
ADDRESS		LOT NO.	DATE
CITY	STATE	ZIP CODE	OWNER PHONE & EMAIL

INCLUDE COPY OF DEVELOPER'S FENCE AND GRADING DETAILS WITH SUBMITTAL



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-12

Supersedes:

Effective: Immediately

Initiator: Tom Ewers

Director: *Joy Rich*

PURPOSE: To clarify and explain requirements for construction storage and office trailers.

REFERENCES:

Maricopa County Zoning Ordinance, Sections 501.2.27, 601.2.20, 801.2.7, 802.2.13, 803.2.49, and 901.2.20, all of which allow temporary construction office/yard as a permitted use in the respective zoning districts, with language as reproduced in procedure number 8 below.

Maricopa County Zoning Ordinance, Section 1205 Drainage Provisions.

2009 International Building Code, Section 3309.1

2009 International Plumbing Code, Sections 403.1, 602.1 and 701.2.

2008 National Electrical Code, Sections 545 and 590.

Federal Regulation 36 CFR 1191 Appendix B, Chapter 2, Section 203.2, which exempts construction trailers and portable toilet units provided for use exclusively by construction personnel on a construction site from ADA accessibility.

Department Directive DD-2011-03

POLICY/PROCEDURE:

1. Construction storage and office trailers are permitted in any Zoning District provided they are related to a valid permit issued for construction on the same or an adjacent site.
2. A separate building permit is required for each construction office trailer or combined trailer complex and each group of construction storage trailers.
3. Permit submittals must include permit application forms, available on the website at www.maricopa.gov/planning.
4. Permit submittals must include seven site plans. For small residential projects this may be a single sheet that demonstrates zoning compliance. For commercial projects this may be one or two sheets from the civil engineered grading and drainage plans previously approved for the site, that are amended to depict the construction yard area, location of all trailers, location of utility services for electric, water and waste disposal, fences or gates, guard or entry structures, finish floor elevations, and adjacent grade elevation. Finish floor elevations shall be set a minimum of 18" above the highest adjacent grade and not located within any drainage feature. If the construction trailer is located within a floodplain an engineered plan will be required.
5. Permit submittals must include three copies of cut sheets or plans for each construction storage or office trailer. Plans must comply with all Maricopa County Codes. Office trailer plans must show locations of exits and fire extinguishers. Office trailer plans must show sufficient electrical, toilet, sink and potable water facilities in the trailer or in adjacent facilities within 300 feet. Office trailer and bathroom plans must show ADA accessibility if they are to be used by any personnel other than the contractors.
6. Construction trailer plans for small, (6 or less trailers) residential and commercial projects may be reviewed by Planning and Development Department staff for Building, Zoning and Drainage compliance and by other County Agencies such as Flood Control, Environmental Services, MCDOT, as needed.
7. Construction trailer plans for large, (more than 6 trailers) residential and commercial projects may be reviewed by Planning and Development Department staff for Zoning and Drainage compliance and by other County Agencies such as Flood Control, Environmental Services, MCDOT, as needed. Reviews for building, plumbing, electrical, mechanical, and accessibility compliance may be completed by outsourced



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-12

Supersedes:

Effective: Immediately

Initiator: Tom Ewers

Director: *Joy Rich*

professional consultants under contract with the Planning and Development Department.

8. Temporary construction office/yard complexes, which may include a security office or residence for a security guard, are permitted uses provided that the following conditions are met:
 - A. The uses are only associated with the developer/owner and subdivision or project in which they are located. Off-site construction office/yard complexes may be allowed subject to approval by the Board of Adjustment.
 - B. Upon sale of the development, cessation of the need for the use (95% build out), or cessation of the use, all structures, modifications to structures and uses related to the construction office/yard complex shall be removed.
 - C. Those uses of structures allowed shall meet all building code requirements.
 - D. All items stored on site shall only be those required for the construction on site.
 - E. The allowed uses may encroach into setback areas.
 - F. All necessary permits must be issued prior to placement on the site.
 - G. If these requirements cannot be met, the request shall be processed through the Board of Adjustment as a Temporary Use Permit.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-13

Supersedes: DD-2000-85
DD-2001-20
DD-2004-11

Effective: Immediately

Initiator: TE

Director: *Jay Rich*

PURPOSE: To clarify and explain requirements for electrical services

REFERENCES:

2009 International Residential Code, Section E3601.2
2008 National Electrical Code, Articles 230 and 550
Arizona Administrative Code R4-30-302
Department Directive DD-2004-01

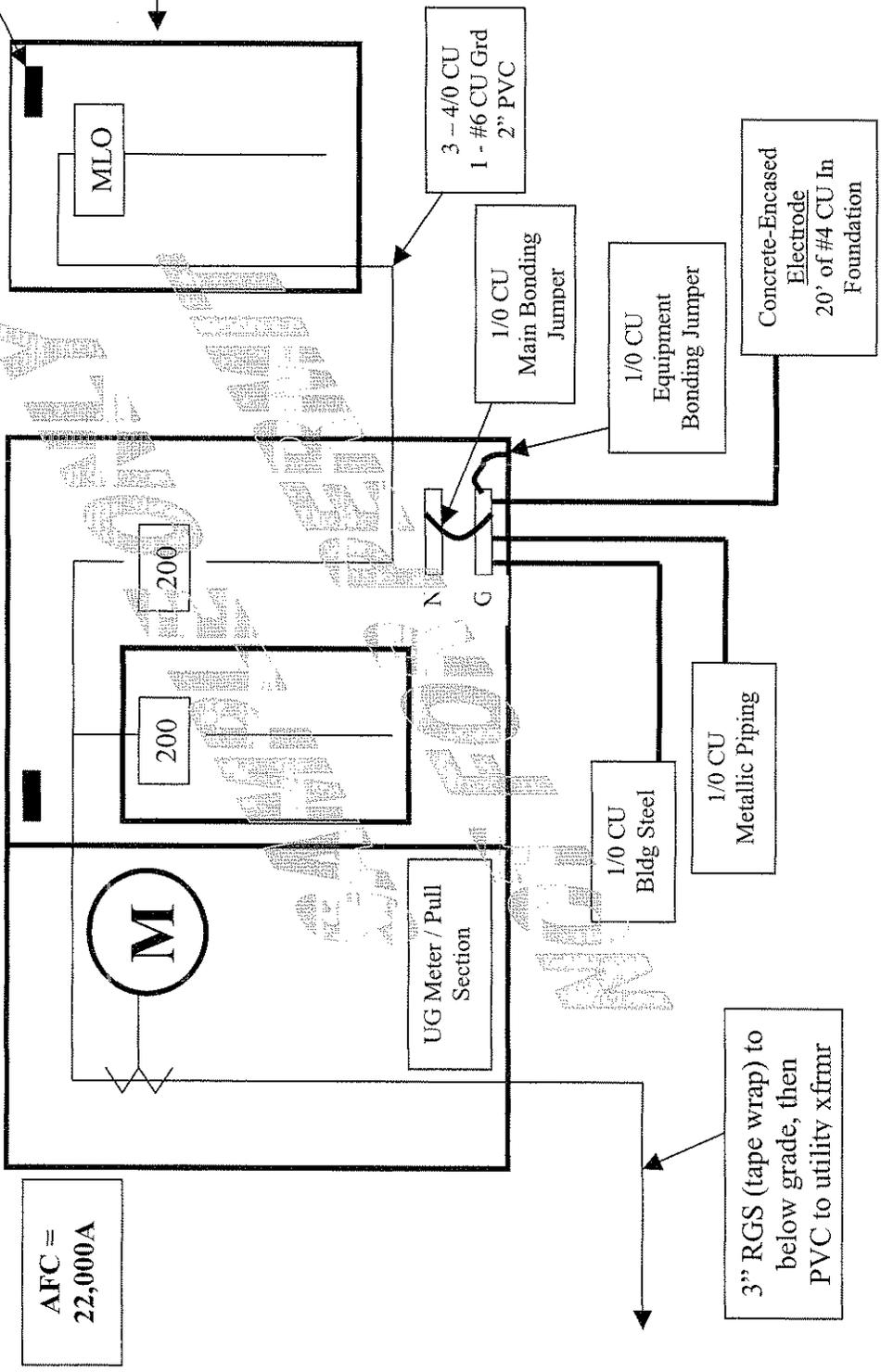
POLICY/PROCEDURE:

1. Only one electrical service is allowed per building or property unless otherwise approved by the Building Official. Section E3601.2 of the 2009 International Residential Code states "One- and two-family dwellings shall be supplied by only one service." **Note:** APS and SRP will allow electrical service to any property and/or a second electrical service as a commercial service, if approved by the Building Official.
2. No electrical service will be permitted on a property without an established principal permitted use. Department Directive DD-2004-01 (Electrical Service to Shared Wells) requires establishment of a principal permitted use in order to obtain electrical service for a shared well. For purposes of electrical service, the keeping of horses or a corral or fence do not constitute establishment of a principal permitted use that warrants an electrical service.
3. No permit will be approved for an electrical service sized greater than needed for the established principal permitted use unless otherwise approved by the Building Official.
4. Electrical service equipment must be installed on permitted buildings and not permanently located on poles or power pedestals except as follows:
 - a. Electrical service equipment, listed and labeled for use on mobile homes, modular housing or manufactured housing, which is factory installed, shall be located adjacent to the building per National Electrical Code Article 550.
 - b. An electrical service pedestal, which is listed and labeled as suitable for use as service equipment for other than a mobile home, rated for the use, designed to be free standing, and which is permanently mounted on a concrete pad may be used for electrical service if approved by the Building Official.
5. Applications for electrical service permits shall include application forms, site plans (if needed), and floor plans showing the location of the new electrical service and panel and including any electrical outlets, fixtures and equipment inside and outside the building. Applications that include more work than just the electrical service shall be processed as alteration permits.
6. For electrical services 400 amperes and over, applications for permit shall include an Electrical One Line Diagram and Electrical Load Calculations as shown on the attached examples. For electrical services over 600 amperes, those plans shall be sealed by an Arizona Professional Registrant. The Arizona Administrative Code R4-30-302 states "A registrant shall prepare and submit drawings and specifications for new electrical system or an addition or modification to an existing electrical system provided the service and associated electrical feeders exceeds 600 amperes 120/240 volts, single phase or 225 amperes 120/208 volts, three phase and the fault current exceeds 10,000 amperes."

New Panel "B" - 200Amp
 120/240V - 1PH - 3 Wire
 NEMA 1 Series Rated
 AFC = 18,560

New "SES" - 400 AMP
 120/240V - 1PH - 3 Wire NEMA 3R
 Series Rated System - 22K/10K AIC

AFC =
 22,000A



Sub-panel within
 same building
Isolated Neutral

Typical Series
 Combination System
 Ratings Plaque

3" RGS (tape wrap) to
 below grade, then
 PVC to utility xfmr

1/0 CU
 Bldg Steel

1/0 CU
 Metallic Piping

1/0 CU
 Main Bonding
 Jumper

1/0 CU
 Equipment
 Bonding Jumper

Concrete-Encased
 Electrode
 20' of #4 CU in
 Foundation

3 - 4/0 CU
 1 - #6 CU Grd
 2" PVC

ELECTRICAL ONE-LINE DIAGRAM - Not To Scale

NOTE
 Submit load calculations along
 with one-line diagram
 Installation or modification of
 Services of 600 amps or larger
 require one-line diagram and load
 calculations which are sealed by
 an Arizona Engineer.
 Additional electrical plans or
 calculations may be required.

ELECTRICAL LOAD CALCULATIONS – Dwelling Unit

WATTS

Sq. Feet Livable _____ x 3watts	=	_____
Appliance Circuits (2 Min.) _____ x 1500w	=	<u>3,000 TYP</u>
Laundry Circuit	=	<u>1,500 TYP</u>
Ranges / Other Cooking Appliances	=	<u>8,000 TYP</u>
Fixed Appliances (Dishwasher, Etc)	=	_____
Water Heaters	=	_____
Clothes Dryers	=	<u>5,000 TYP</u>
 Sub-total of “Other Load”	 =	 _____
 1 st 10kVA of “Other Load” at 100%	 =	 <u>10,000</u>
Remainder at 40%	=	_____
 Total of “Other Load”	 =	 _____
 A/C or Heating Load at 100%	 =	 _____
Other motor loads (spa, pool, etc at 100%)	=	_____
Other buildings fed from this service (garage, barn, etc at 100%)	=	_____
 Total Calculated Load	 =	 _____
 Total watts divided by _____ volts	 =	 _____ Amps

Notes: The values given above are for this residential example only.
Actual loads for a given project must be entered.
Total amps of 400 or greater require the submittal of a one-line diagram
and may require an Arizona registered engineer’s seal.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-15

Supersedes: DD-2001-21
DD-2001-26
DD-2008-03

Effective: 11/15/2012

Initiator: TE

Director: DS

PURPOSE: To clarify and explain fence, wall and pool barrier requirements

REFERENCES AND REQUIREMENTS:

Maricopa County Zoning Ordinance Sections:

- 201 For definitions of corrals, wall and retaining wall.
- 501.2.18 Corrals are a permitted use in Rural Zoning Districts.
- 501.2.19 Fences complying with 1111.5 are a permitted use in Rural Zoning Districts, also entry features maximum 24' height and 30' width with minimum opening 16' height and 12' width. Public Utility Company Exception.
- 601.2.12 Fences complying with 1111.5 are a permitted use in Rural Zoning Districts.
- 601.2.14.a Corrals for unattended horses, setback 40' from property lines with minimum 1200 s.f. per horse area are a permitted use in Residential Zoning Districts. Riding, grooming, exercising, display, etc. of attended horses is allowed outside the confines of a corral.
- 701.2.3.a Tennis court fences maximum 12' height.
- 801.9.4, 803.9.4, 804.9.4, 805.9.4, 901.9.4, 902.9.3, 903.9.3, and other sections require minimum 6' height solid wall screening to separate commercial, industrial, mobile home parks, RUPD, CUPD, cell sites from adjacent Residential areas and to screen any outdoor uses.
- 1111.5 Prohibits concertina wire, razor wire, electrical wire, or electrification of fences below 8' height. Defines and lists requirements for Fall Protection, Fence, Wall and Retaining Walls. Retaining wall maximum height 6'. Wall maximum height 8'. Fall protection fences on top of retaining walls and fences above 3'6" in Residential front yards must be 80% transparent. Public Utility Company Exception. Walls in visibility triangles maximum height 2'.
- 1205.7.6.8 Drainage Clearance (Permit) not required for walls less than 1' height provided no negative drainage impact.
- 1504.5.2 Zoning Clearance (Permit) required for fences over 6' height, pool barriers, retaining walls over 18" height, walls on hillside lots, corrals, fence as a primary use, and fence or wall on a corner lot abutting a key lot.

Maricopa County Local Additions and Addenda Section:

- 210.3 For pool barrier requirements (summarized below)

Maricopa County Building Codes

Require plans sealed by an Arizona Registered Professional for all fences or walls over 6' height (over 9' height for CMU walls 6" or thicker) and for retaining walls over 4' height or with surcharged or special loadings.

POLICY/PROCEDURE:

1. A Drainage Clearance permit is required for any fence or wall over 1' height. A Zoning Clearance/Building permit is required for any fence or wall specified in MCZO section 1504.5.2 as summarized above.
2. Fence regulations apply whether or not a permit is required.
3. Fence permit applications must include 7 site plans, drawn to scale, with a North arrow, showing all existing structures on site and the fence or wall, and 3 elevation drawings to show fence construction and baluster spacing. Approved fence details



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2012-15

Supersedes: DD-2001-21
DD-2001-26
DD-2008-03

Effective: 11/15/2012

Initiator: TE

Director: DS

are available on the Planning and Development Department website at www.maricopa.gov/planning. Plans and details for certain fences, as listed above, must be sealed by an Arizona Registered Professional. Site plans sealed by a Arizona Registered Civil Engineer may be required if the fence has the potential to create an adverse effect on drainage.

4. Fences and walls may not be located in roadways, private access easements or certain public utility easements. Also check deed and private covenants and restrictions. Fence gates are not permitted on Non-Vehicular Access Easements (N.V.A.E.).
5. Pool Barrier Requirements:
 - a. The top of the barrier must be at least 5' (60") above grade.
 - b. The maximum gap between grade and the bottom of the fence may not exceed 2" (4" from a solid base grade such as concrete).
 - c. Horizontal members must be at least 54" apart.
 - d. The property owner must ensure that the entire barrier is maintained. No section may be altered or removed except to reconstruct, repair or replace the barrier.
 - e. Barrier openings may not exceed 1-3/4" unless the distance between horizontal members exceeds 54" where the openings may be increased to 4".
 - f. Chain link fencing must be 11 gauge or thicker.
 - g. Access gates must meet barrier requirements, be equipped with self-closing, self-latching devices, and must swing open in the direction away from the pool. Any other non-pedestrian gates must be locked when not in use.
 - h. When the latching mechanism is less than 54" above ground it must be located on the pool side of the gate and at least 3" below the top of the gate.
 - i. If a building wall comprises part of the pool barrier and the subject wall contains doors or windows providing direct access to the pool, a separate barrier must be installed between the house and pool. The Building Official may approve the substitution of a self-closing, self-latching device with a release mechanism at least 54" above the ground or an alarm that sounds continuously for a minimum of 30 seconds at a level of not less than 85 decibels within 7 seconds of the door being opened.
 - j. A window facing a pool enclosure must be equipped with a mesh screen and lock and key that restricts opening the window to no more than 4", or a latching device at least 54" above the floor. The same protection must be provided for doggie doors or other openings.
 - k. Emergency escape or rescue windows must be equipped with a latching device at least 54" above the floor.
 - l. Decorative protrusions, indentations or cut outs that render the barrier climbable are prohibited.
 - m. These requirements also apply to indoor pools.
 - n. Protective enclosures must be at least 54" horizontally and vertically from any equipment, planters or other objects that could be used to climb the enclosure. This does not apply to the area between the pool and the enclosure if the enclosure is a solid wall.
 - o. An above ground pool 60" or higher may serve as a pool barrier when the ladder or steps can be secured, locked or removed to prevent access.



Maricopa County

Planning & Development Department
Department Directive

Department Directive:
DD-2013-01
Supersedes:

Effective: 1-31-2013

Initiator: Matt Holm

Director: *Debra Stark*

Purpose: To establish minimum community participation and notification requirements for General Comprehensive Plan Amendment (General Amendment) applications.

References:

- Maricopa County Comprehensive Plan
- Maricopa County Comprehensive Plan Amendment Guidelines

Policy/Procedure:

The Maricopa County Comprehensive Plan and the Maricopa County Comprehensive Plan Amendment Guidelines explain the circumstances by which amendments to the comprehensive plan and/or applicable county area plan are required. When an amendment is required, the Maricopa County Comprehensive Plan Amendment Guidelines then identify the criteria for what constitute *Major Amendments* and what constitute *General Amendments* in conformance with Arizona Revised Statute §11-805.

Maricopa County recognizes that community participation is an important part of the planning process, particularly from those that surround the area that is the subject of the amendment to the comprehensive plan and/or specific area plan. Therefore, to help promote community participation – and to supplement state statutory requirements for public hearing notice – Maricopa County requires the following notification with respect to General Amendments:

Notice of Application

Within 30 calendar days following official General Amendment application, the applicant shall send notice of application to each real property owner, as shown on the last assessment of the property, located within 300 feet of the perimeter of the area that is the subject of the proposed General Amendment. For consistency, the notice of application shall be in the form and manner approved for use in unincorporated Maricopa County; a copy of which will be provided to the applicant. Also within 30 calendar days following official application the applicant shall provide a copy of the notice of application to the Planning and Development Department, along with the names, addresses, and parcel numbers to which the notice of application was sent. The applicant is responsible for the accuracy of the information contained in the notice of application; incorrect information and/or data may result in application processing delays.

Notice of Public Hearing

At least 15 calendar days and not more than 30 calendar days prior to public hearing by the Maricopa County Planning and Zoning Commission (Commission), the applicant shall send notice of public hearing to each real property owner, as shown on the last assessment of the property, located within 300 feet of the perimeter of the area that is the subject of the proposed General Amendment. For consistency, the notice of public hearing shall be in the form and manner approved for use in unincorporated Maricopa County; a copy of which will be provided to the applicant. At the time such notice of public hearing is distributed to the real property owners, the applicant shall provide a copy of the notice of public hearing to the Planning and Development Department, along with the names, addresses, and parcel numbers to which the notice of public hearing was sent. The applicant is responsible for the accuracy of the information contained in the notice of public hearing; incorrect information and/or data may result in hearing delays.

In accordance with state law separate public hearings by the Commission and Board of Supervisors are held to consider the merits of the proposed General Amendment. Notice of such hearings is published in a manner consistent with state law.

This directive establishes the minimum requirements for public participation and notification as it relates to General Amendments to the comprehensive plan and/or applicable area plan. Applicants are encouraged to supplement these requirements with additional outreach techniques such as community and individual meetings and/or extended area notification if they deem it necessary or productive.



Maricopa County

Planning & Development Department
Department Directive

Purpose:

1. To establish consistent practices in the application of composite value of Rational Method Runoff Coefficients (C) based on actual land uses for Subdivisions.
2. To ensure the composite value of runoff coefficients are applied consistently for all Subdivisions within Maricopa County.
3. To develop a procedure in calculating the composite value of runoff coefficients that will be an accepted method as part of the drainage plan review process for determining site retention and storm water conveyance requirements.

References:

Drainage Design Manual for Maricopa County, Vol. 1 - Hydrology.
Drainage Policies and Standards for Maricopa County (Draft Revised 01/11/13)
Maricopa County Zoning Ordinance, Section 1205 - Drainage Provisions.

Policy/ Procedures:

Approved Methods in Calculating Runoff Coefficients for Subdivisions

Method 1: Default Value

The default runoff coefficient values from Table 6.3 of the Drainage Policies and Standards Manual for Maricopa County will be used. The value selected will be based on the zoning of the project and not based on calculated dwelling units (DU) per acre. If the project has an RUPD, the runoff value will be based on the parent zoning.

Examples of this method are listed below:

1. R1-6RUPD with an overall DU per acre of 5.5: use .94
2. R1-8 with an overall DU per acre of 5.5: use .84
3. R1-8 with an overall DU per acre of 3.8: use .84
4. R1-10 with an overall DU per acre of 3.8: use .80

Method 2: Composite C Values - Subdivisions

The default runoff coefficient values from Table 6.3 of the Drainage Policies and Standards Manual for Maricopa County will be used. The design engineer will use the land use class for each residential building lot or non-drainage tract within the subdivision. The engineer can calculate the total amount of area for each land use based platted boundaries and apply the land use code for each area. Drainage tracts for subdivision will use the runoff coefficient for Class 700 - General Open Space (0.50) regardless of ground cover. Roadway right-of-ways will use the runoff coefficient for Class 600 - General Transportation (0.95).

An example of this method is listed below:

A subdivision is zoned R1-8 with a total of 70 acres, of which 45 acres are residential lots, 10 acres are right of way, and 15 acres are open space/drainage tracts (retention basins).

Lots	45 ac X .84 = 37.8	37.8+9.5+7.5=54.8
Right of Way	10 ac X .95 = 9.5	54.8/70 = .78
Open Space	15 ac X .50 = 7.5	

The composite runoff coefficient (C) for this subdivision is 0.78.

Site retention and storm water conveyance facilities that use the Rational Method to determine design volumes/flows shall be based on the calculated composite runoff coefficient and the methods prescribed by the Maricopa County Drainage Design Manual – Volume 1 – Hydrology – Section 3.

Department Directive
DD-2013-03

Effective: Immediately

Initiator: Michael Norris

Director: *Debra Stark*



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-04
Supersedes: DD-2013-02

Effective: 03/25/2013

Initiator: Darren Gerard

Director: *Debra Stark*

PURPOSE: Implementation of Maricopa County's Enhanced Regulatory Outreach Program by the Planning and Development Department

REFERENCE: Arizona Revised Statutes, §§ 11-241, 11-811, 11-813, 11-814, 11-821, 11-822, 11-861, 11-862, 11-863, 11-864, 11-1601, 28-8481, 28-8482, 49-112
Maricopa County Abatement Ordinance
Maricopa County Adult Oriented Facility Ordinance
Maricopa County Enhanced Regulatory Outreach Program Policy
Maricopa County Hours of Construction Ordinance
Maricopa County Local Additions and Addenda
Maricopa County Noise Ordinance
Maricopa County Subdivision Regulations
Maricopa County Zoning Ordinance
Maricopa County Licensing Time Frames Ordinance

POLICY/PROCEDURE:

Regulatory amendments shall be processed in a consistent manner to ensure opportunity for public input. This includes fee amendments related to licenses, as defined in ARS 11-1601 issued by Maricopa County. All regulatory documents administered by the Department shall be amended per one of three processes (depending upon whether or not the proposed change involves construction safety codes, and whether or not the proposed change can be expedited as explained below), outlined in the attached flowcharts, which meets or exceeds all statutory requirements.

A web site will be created and accessible from the County main web page, with a distinct URL, that can be found on the web pages of all departments and districts engaged in regulation adoption or amendment. Designated Planning and Development staff will submit items relating to various components of this web site.

This site will serve as a central place for interested parties to participate in all County regulatory changes. At a minimum, this new site will contain the following information:

- A. Calendar – A calendar notifying the public of all major milestones and opportunities for public input on all current regulatory adoptions and amendments.
- B. Information about where comments can be submitted electronically or in writing.
- C. Staff Reports – Staff reports on all regulatory changes will be prepared and linked to the web site at least one week prior to any public meeting or hearing (citizens' advisory board, commission or Board of Supervisors). If expedited, the staff report must be linked to the web site at least two weeks prior to any public meeting or hearing. These staff reports will include:
 - (i) A summary of the proposed regulatory change;
 - (ii) An analysis of the input received during the process and how that input was responded to;
 - (iii) Language (verbatim language if to be expedited) of any proposed regulatory change or amendment;



- (iv) Minutes from all public meetings; and,
- (v) Copies of all written and electronic stakeholder input.

In addition to the required staff report, an executive summary of the report including an overview of stakeholder input and staff responses will be provided to the Board of Supervisors (BOS) at least one week prior to any BOS public hearing. Stakeholder comments received after public distribution of the staff report will be included on the Enhanced Regulatory Outreach site and noted as such.

- D. Process Flow Charts – All new ordinances and regulatory amendments to be administered by the Planning and Development Department will be initiated by the Planning and Zoning Commission who will make recommendation to the Board of Supervisors. See the attached process flow chart that outlines the regulatory adoption / amendment process for the Planning and Development Department.

All new ordinances and regulatory amendments administered by the Planning and Development Department involving construction safety codes will also be reviewed by the Building Code Advisory Board who will make recommendation to the Board of Supervisors. See the attached flow chart.

The process may be expedited so that an item is initiated and recommended at the same Commission/Board hearing, but only if the following criteria have been met:

- (i) The proposed amendment has been the subject of at least one Stakeholder Workshop (posted on the County's web site at least two weeks in advance);
- (ii) A draft of the regulatory change was available on the EROP web site at least two weeks prior to the Commission hearing; and
- (iii) Staff has received no opposition to the proposed language, and is recommending approval of the proposed language.

See the attached flow chart.

- E. Stakeholder Notification Sign-up - The Enhanced Regulatory Outreach site will include an opportunity for any interested person to sign up to receive notices of all proposed regulatory changes, including opportunities to participate in the process. Citizens will have the option of receiving notices regarding all regulation changes or only those involving specific departments.
- F. Index of Current Regulations - Organized by implementing department or district, the index will list all County regulations and a link to each.
- G. Index of Substantive Policy Statements – As required by ARS § 11-1607, an index, organized by department or district, listing all departmental substantive policy statements and a link to each.
- H. A standardized County definition of the terms Guidelines, Policies and Best Practices along with an index, organized by department or district, listing all documents that meet these definitions and a link to each.



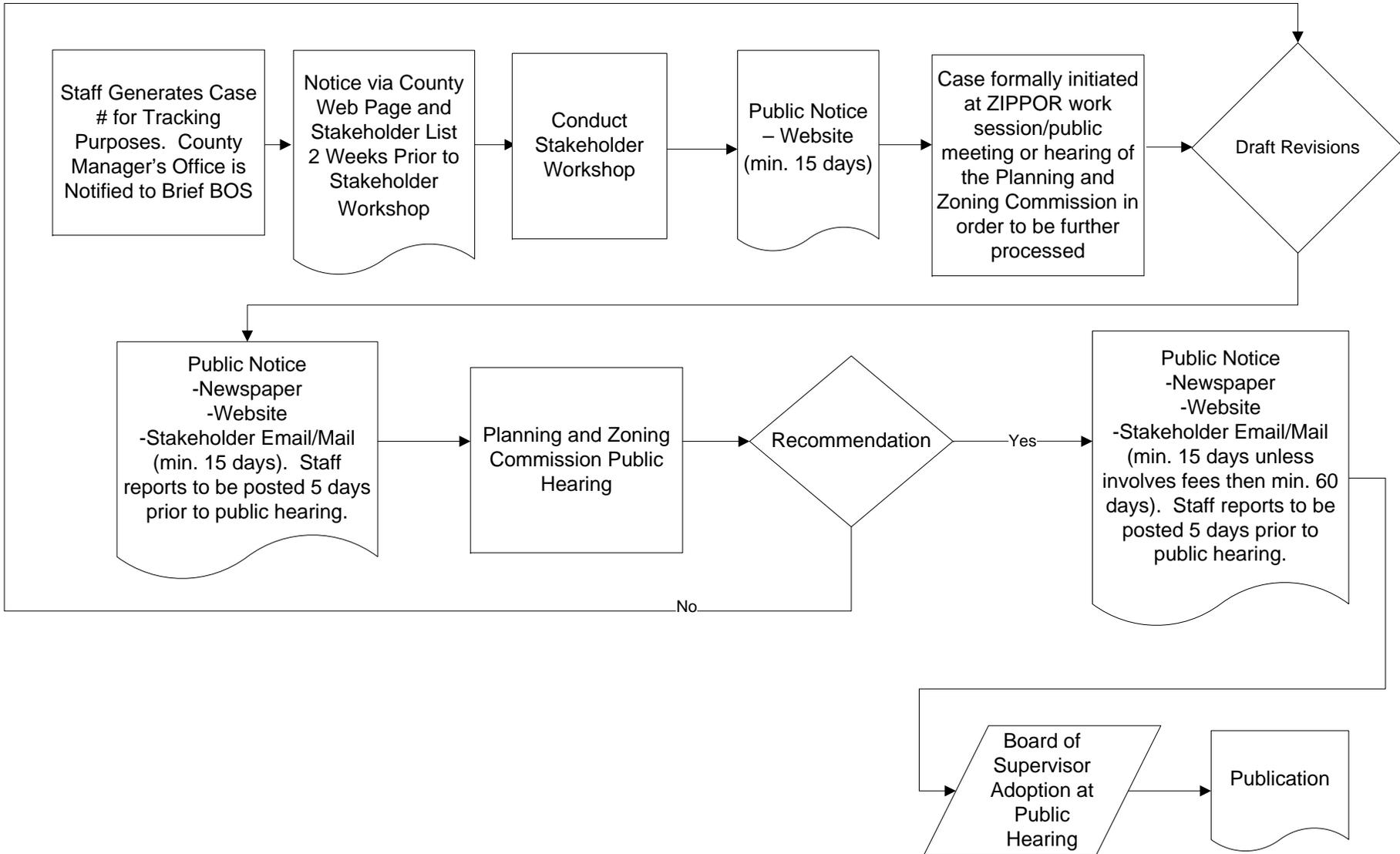
- I. Process for Review Complaints Re: Failure to Observe Adoption Procedure - If an affected person has a complaint concerning a failure to observe the requirements of this policy, it shall be submitted to the Board or Commission initiating or recommending the regulation or ordinance. The complaint shall contain, at a minimum, the name of the Department adopting or amending the rule; the specific rule being adopted or amended; and an explanation specifying the failure of a process or procedure of this policy that lead to the complaint. Within forty-five days after the date of submission, the Board or Commission shall, in writing, respond to the complaint and recommend action. The affected person may appeal the decision by filing with the Clerk of the Board within thirty days after the date of the written decision of the Board or Commission, a written appeal to the Board of Supervisors. The Board shall place the complaint on its agenda within thirty days and provide a response to the complaint at the meeting.

- J. Emergency Adoption of Regulations and Ordinances - The Board of Supervisors may adopt regulations or ordinances without complying with the procedures of this policy if it makes a finding of an emergency requiring the adoption of the regulation and ordinance and records the nature of the emergency and the reason for the adoption in its minutes. The ordinance or regulation shall terminate when the Board determines the emergency no longer exists.

Maricopa County Planning & Development Department

Regulatory Action Process Flowchart

(All regulation other than Construction Safety Codes)



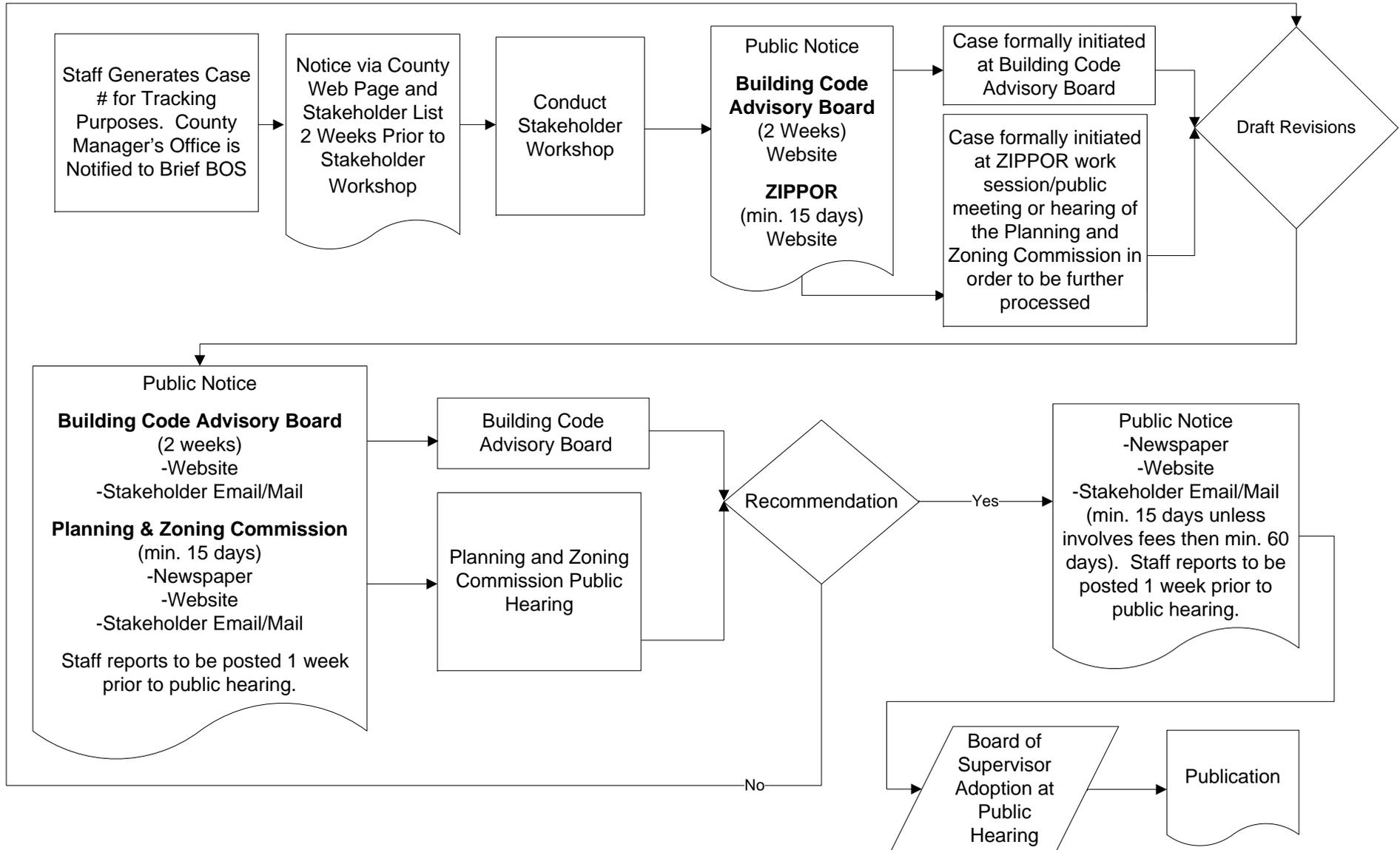
Per Arizona Revised Statutes

ARS §11-251, 11-811, 11-813 11-814, 11-821, 11-822, 11-861, 11-862, 11-863, 11-864, 28-8481, 28-8482.

April 2013

This flowchart refers to regulatory changes other than Construction Safety Codes, and that are routed only to the Planning and Zoning Commission.

Maricopa County Planning & Development Department Regulatory Action Process Flowchart (Construction Safety Codes)



Per Arizona Revised Statutes

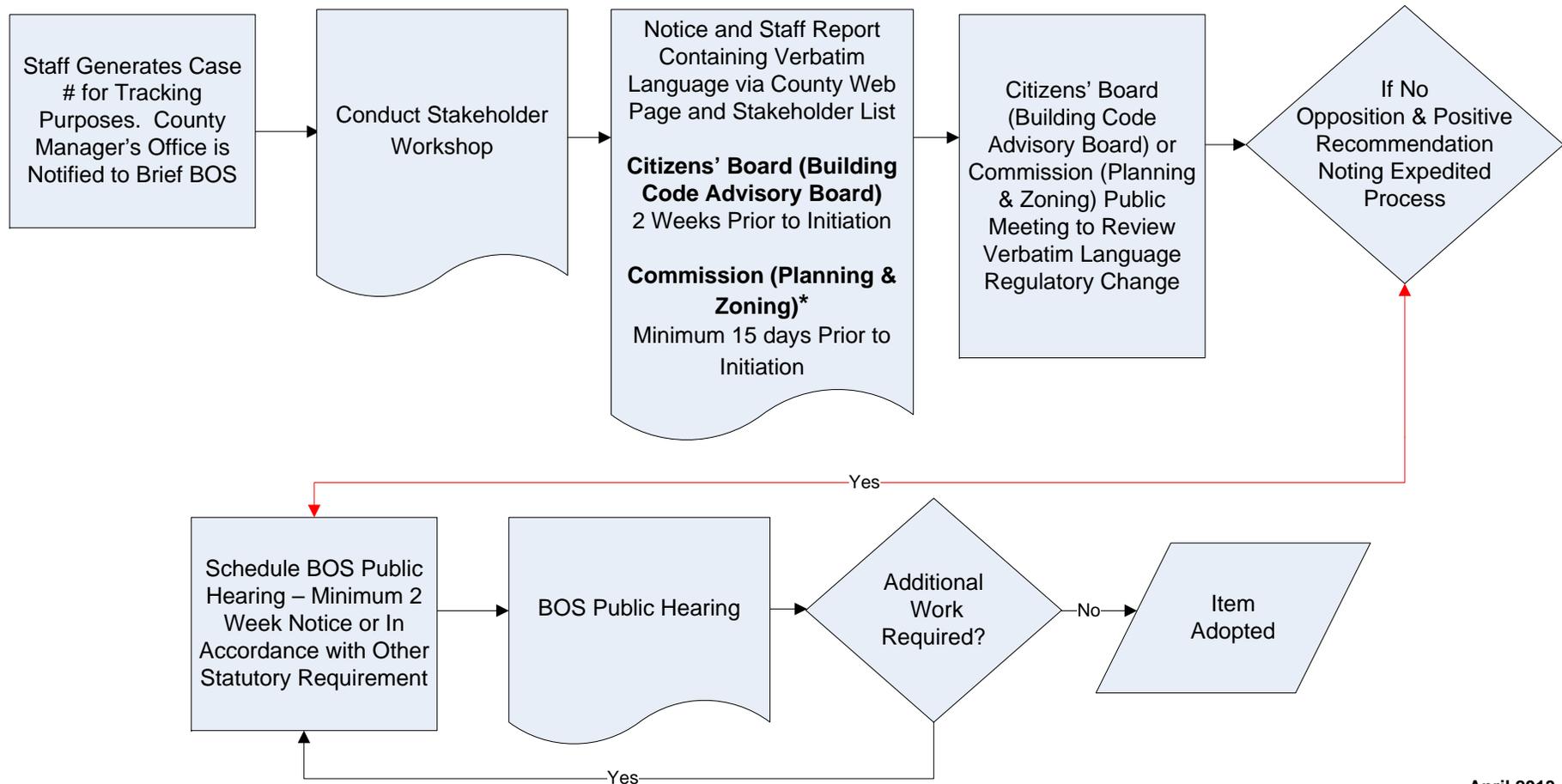
ARS §11-251, 11-811, 11-813 11-814, 11-821, 11-822, 11-861, 11-862, 11-863, 11-864, 28-8481, 28-8482.

April 2013

This flowchart refers to Construction Safety Codes that are routed to both the Planning and Zoning Commission and the Building Code Advisory Board (BCAB)

EXPEDITED

Maricopa County Planning and Development Regulatory Adoption / Amendment Process



April 2013

* Air Quality = Board of Health; Environmental Services = Board of Health; Flood Control = Flood Control Advisory Board; Planning & Development = Planning & Zoning Commission and Building Code Advisory Board; Transportation = Transportation Advisory Board



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-05

Supersedes: 99-009

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To establish uniform Departmental Procedures as they relate to the verification of sewer service.

REFERENCE: International Plumbing Code, Section 701.2 Sewer required.

POLICY/PROCEDURE:

The Customer Services, Plan Review and Inspection Services Divisions shall enforce as an element of their zoning clearance review, plan review, and site inspection, a sewage disposal system verification. This requirement shall mainly impact building permits pertaining to primary use on property.

All building permits pertaining to primary use on property must be accompanied by either:

1. A letter from Environmental Services indicating a septic permit has been applied for
- OR
2. A letter from a sewage disposal system provider indicating they have agreed to provide service to the property.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-06

Supersedes: DD-2000-72

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

Purpose: To clarify the definition of a "dwelling unit" and number of allowable kitchens

References:

Maricopa County Zoning Ordinance, Section 202 defines dwelling unit: one or more persons occupying a premise and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house or hotel as herein defined.

International Building Code, Section 202 defines dwelling unit: a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

The U.S. Census Bureau defines a housing unit: a house, an apartment, a group of rooms or a single room intended for occupancy as separate living quarters. Separate living quarters are those in which the occupants live separately from any other individuals in the building and which have a direct access from outside of the building or through a common hall.

POLICY/PROCEDURE:

It is clear that codes require a dwelling unit to have a kitchen in order to qualify as a dwelling unit. It is also clear that multiple dwelling units require an equal number of multiple kitchens. However, there is a question whether multiple kitchens in a single building constitute evidence of a multiple family use that may not be allowed.

It will be the determination of Maricopa County that multiple kitchens may be allowed in a single dwelling unit only if the work description states that the project is a single family residence addition not to be used as a separate rental unit.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-07

Supersedes: DD-2000-77

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To clarify golf course driving ranges and golf course club houses (as they pertain to liquor licenses) as an accessory use to a golf course in the Rural and Residential zoning categories.

References: Maricopa County Zoning Ordinance Section 501.2.11
Maricopa County Zoning Ordinance Section 601.2.9
Maricopa County Zoning Ordinance Section 1301.1.3

POLICY/PROCEDURE:

Sections 501.2.11 and 601.2.9 of the Zoning Ordinance allow the following in Rural and Residential zoning categories: "Golf courses including club houses located thereon, but not including miniature courses or practice driving tees operated for commercial purposes." Section 1301.1.3 allows "Amusement parks, arcades, drive-in or outdoor theaters, miniature golf courses, and golf driving ranges" as a Special Use Permit in any zoning category. The intent of the ordinance is to separate out driving ranges that are directly related to a golf course and a driving range that "stands alone" and has a use more closely associated with entertainment types such as arcades and amusement parks.

The county is continually approached by developers regarding how to process driving ranges that appear to be directly related to a golf course and are not "stand alone" driving ranges without the surrounding golf course use. Is a driving range tied to a golf course a use allowed in the Rural and Residential zoning categories or does such a use require a Special Use Permit? The language and apparent intent of the ordinance seems to allow driving ranges when they are directly related to a golf course but not if a driving range stands alone as its own commercial venture. Therefore, the following policy is established.

POLICY: Driving ranges that are an integral part of an existing or proposed golf course (within the boundaries of the existing or proposed golf course) will be considered an allowed use in the Rural and Residential zoning categories. Those driving ranges that are "stand alone" ranges with little or no relation to an existing or proposed golf course will be considered a use that requires a Special Use Permit.

Sections 501.2.11 and 601.2.9 also allow club houses as a use in Rural and Residential zones if associated with a golf course. It seems logical to equate the ability to serve food and alcohol with the club house use if accessory to the golf course. There may be instances where a proposed club house is actually a higher commercial use such as a sports bar or restaurant serving a majority of clients that are not golfers of the golf course. Because this department reviews liquor license applications for the Clerk's office, it stands to reason that applications for a liquor license for a club house associated with a golf course should get an approval from this department as far as its use if it is accessory to the golf course. Staff has the right to interpret a proposed restaurant/liquor use as a use that requires commercial zoning if it is determined that the use is not directly accessory to the club house use. Therefore, the following policy is established.

POLICY: In terms of reviewing liquor license applications for club houses that are directly related to golf courses, this department will recommend approval as it relates to the use of the property. There may be extenuating circumstances other than land use that direct staff to recommend denial of an application. Further, those uses not directly related to the golf course may be denied if it is found that commercial zoning is required.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-08

Supersedes: DD-2001-08
DD-99-040

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To establish appropriate deadlines for submitting Temporary Use Permit applications to account for administrative processing including posting the property for ten days as required by the Zoning Ordinance.

REFERENCE: Article 1302.2 of the Zoning Ordinance and the TU application form.

POLICY/PROCEDURE: Processing of Temporary Use Permits shall be as outlined in the Current Planning Division's "Current Planning Procedures". Section 1302.3.3 of the Zoning Ordinance requires a 10-day posting period, free from any opposition, for all Temporary Use applications before staff may approve the request. The ordinance does not require a certain time period that the posting must take place. Typically staff requires several days to verify addressing and parcel numbers and to create the file and initially review the case in order to create posting documents in order to finally post the property. Posting is usually accomplished within 10 business days of initial application submittal.

Because the Zoning Ordinance requires the 10-day posting period and because it typically takes at least 10 business days to post a property there is no guarantee the site can be posted and the case processed unless a completed application is received with at least 20 business days available to post property and process the application. This is especially important in requests for temporary events as applicants often apply for a TU only 10 or 11 days prior to the event planned to take place.

Further, staff has created an Affidavit of Notice of Opposition whereby an applicant must sign a document stating that they will not use a premise for the use or event requested if opposition is received within the 10-day posting period. This will put the applicant on record of knowing that a particular use or event may not take place if the request is opposed and forwarded to the Board of Adjustment for a final decision.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-09

Supersedes: DD-2001-15

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To clarify and standardize requirements and procedures for Power Plant Permits.

REFERENCE: ARS Section 11-865 and Title 40 "Public Utilities and Carriers"
Maricopa County Zoning and Building Codes
Maricopa County Zoning Ordinance
State and Federal Regulations

POLICY/PROCEDURE:

Power companies operating under a franchise or certificate of convenience and necessity from the Arizona Corporation Commission are partially exempt from the County Building Code and building permit fees. To verify if a power company has such a certificate, refer to the Arizona Corporation Commission website list at:

<http://www.cc.state.az.us/divisions/utilities/>

Maricopa County Infrastructure or Building permits will not be issued until the necessary final plat, Comprehensive Plan Amendments, Special Use Permit Plans or other zoning entitlement is approved by the Maricopa County Planning and Zoning Commission and the Maricopa County Board of Supervisors. Check the status of the approval process for any power plant with Current Planning.

Salt River Project (SRP) has a Federal exemption from all County permit and fee requirements; however, other utility company's work on SRP property will be subject to County regulations.

The following is a list of permits necessary for power plant construction. This list includes all Maricopa County permits but may not include all permits required by State or Federal Authorities.

1. Planning and Development

Building/Zoning Clearance permit and Temporary Use or Conditional Use permit for construction yard and/or trailers.

Building/Zoning Clearance permit for demolition of existing structures, one permit required for each parcel of land.

Building/Zoning Clearance permit for site grading.

Zoning Clearance permit for entire site infrastructure, production facilities and equipment. This permit will be based on the SUP or other zoning entitlement approved plans including any approved revisions or amendments and will be a record permit for the entire site development. Supplements or revisions to the plans can be submitted for review prior to construction of new work or with required SUP annual reports filed to show compliance. With these annual reports as-built plans may be submitted as revisions or supplements to these permits. As long as the as-built plans are in compliance with the parameters of the development approved by the SUP, these supplements will be



approved. This Zoning Clearance permit will serve as the record permit for the entire site to ensure compliance with the SUP and any approved amendments.

Building permit fees will **not** be required for any underground, foundation, building or equipment work directly related to production facilities but special plan review and inspection arrangements for this work will be accomplished throughout the special inspection program specified by the International Building Code.

Building/Zoning Clearance permit for each occupied building. Application forms and submittal requirements may be found at:

<http://www.maricopa.gov/planning/BuildingServices/docs/pdf/Forms/Commercial.pdf>

2. Flood Control

Drainage Clearance and/or Floodplain Use permit for entire site, including any necessary section 404 Army Corps. of Engineers approvals.

3. Environmental Services

Permit for any on-site waste water treatment (i.e. septic systems, treatment plants).

Permit for earthmoving and dust control for disturbing any site greater than 1/10 of an acre. A single permit may be issued for the entire site.

Permit for air quality compliance per Federal EPA and Arizona Department of Environmental Quality.

Permit for water systems facility.

Permit for Title V Prevention of Significant Deterioration (PSD) for air quality.

4. Department of Transportation

Permit for any work on County rights-of-way.

5. State of Arizona

Certificate of Environmental Compatibility and Certificate of Convenience and Necessity from Arizona Corporation Commission.

Permit for wells from ADWR.

Permit for on-site ponds from ADEQ including Aquifer Protection Permit (APP) and NPDES Storm Water N.O.I.

Arizona State Historic Preservation Office concurrence on no effect to historic properties.

Arizona Game and Fish development permit and/or desert tortoise handling permit.

Permit for fire protection/detection from Arizona Fire Marshal.

6. United States of America

U.S. Bureau of Land Management Finding of No Significant Impact (FONSI) and Decision Record pursuant to the National Environmental Policy Act.



U.S. Fish and Wildlife Service concurrence on no adverse effect to endangered species.

U.S. Army Corps of Engineers 404 permit to modify drainages carrying Waters of the U.S. and demonstration of the absence of wetlands.

Federal Aviation Administration No Hazard Declaration.

All permits must be issued prior to construction with the exception of some Zoning Clearance Record permits, which may have an ongoing supplement or revision process based on as-built plans. Handouts are available from each of the agencies listed above that detail the plan and information submittal requirements for each type of permit.

Each Agency listed above must be contacted for their individual final approval of any work done under their permits.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-10

Supersedes: DD-2001-16

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To define and determine procedures for subdivisions, replats and lot splits.

REFERENCES:

1. Maricopa County Subdivision Regulations (and A.R.S. Section 32-2101.56) define a **Subdivision (or subdivided lands)** as: Improved or unimproved land or lands divided or proposed to be divided for the purpose of sale or lease, whether immediate or future, into six or more lots, parcels or fractional interests. Subdivision or subdivided lands include a stock cooperative and include divided or proposed to be divided as part of a common promotional plan. This paragraph shall not apply to leasehold offerings of one year or less, or to the division or proposed division of land located in the State of Arizona into lots or parcels each of which is or will be thirty-six acres or more in area including to the center line of dedicated roads or easements, if any, contiguous to the lot or parcel and provided further that this definition shall not be deemed to include the leasing of agricultural lands, or of apartments, offices, stores, hotels, motels, pads or similar space within an apartment building, rental recreational vehicle community, rental manufactured home community, rental mobile home park or commercial building, except that residential condominiums as defined in Arizona Revised Statutes, Title 33, Chapter 9 shall be included in this definition nor shall this definition include the subdivision into or development of parcels, plots, or fractional portions within the boundaries of a cemetery that has been formed and approved pursuant to State Statutes.

2. Maricopa County Subdivision Regulations define **Minor Land Division** as: Improved or unimproved lands which are divided or proposed to be divided for purposes of sale or lease, whether immediate or future, into **five or fewer lots** or parcels all of which have or will have a gross area less than thirty-six acres, measured to the center line of contiguous roads and easements, including residential condominiums as defined in Arizona Revised Statutes, Title 33, Chapter 9. This definition shall not include the financing or leasing of apartments, offices, stores or similar space within apartment buildings, industrial buildings, commercial buildings; mobile home parks or trailer parks; land dedicated for cemetery purposes; or parcels leased or sold for agricultural purposes pursuant to Section 11-830, Arizona Revised Statutes.

3. Maricopa County Subdivision Regulations, Section 204 Replats states: Any division of a lot or lots in a recorded subdivision into **six (6) or more adjoining lots** in a recorded subdivision, or in altering a tract specified for a specific use within the subdivision, but creating no new street, shall be processed in accordance with Section 203 (Final Plats) of these Regulations.

4. The effective date for Maricopa County Subdivision Regulations was March 1, 1973.

Policy/Procedure:

1. **Subdivision** of land into **six or more** parcels must be done in accordance with all requirements of the Maricopa County Subdivision Regulations.



2. **Minor Land Division (Lot Split)** of land into **five or fewer** parcels may be done without meeting the requirements of the Maricopa County Subdivision Regulations but must be done by proper deeds and must comply with Maricopa County Zoning Ordinance and Arizona Revised Statutes.
3. **The creation of six or more adjoining lots** in subdivisions signed and approved by the Board of Supervisors and recorded after **March 1, 1973**, must comply with Section 204 of the Maricopa County Subdivision Regulations. **The creation of five or fewer adjoining lots** may be accomplished as a Minor Land Division.
4. When reviewing site plans staff will check Zoning and Assessor's records. If evidence exists of a violation of Maricopa County Regulations then no Zoning approval shall be granted. If there is evidence of a violation of Arizona Revised Statutes then Code Enforcement shall be notified by email and no Zoning approval shall be granted unless the applicant can provide written correspondence from the State of Arizona Dept. of Real Estate indicating that the lot split is allowed by law.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-11

Supersedes: DD-2001-19

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

Purpose: To clarify requirements and procedures for Utility permits.

Reference: ARS Section 11-865 and Title 40 "Public Utilities and Carriers"

Policy/Procedure:

Utility Companies operating under a franchise or certificate of convenience and necessity from the Arizona Corporation Commission are exempt from the County Building Code and building permit fees. To verify that a utility company has such a certificate, refer to the Arizona Corporation Commission website list at:

<http://www.cc.state.az.us/divisions/utilities/>

If a utility company is exempt, then the only permit that must be obtained is a zoning and drainage clearance permit.

If a utility company or other private owner is not exempt, then a combined building, zoning and drainage clearance permit must be obtained. Fees will be charged based on the valuation of the work proposed.

In either case, additional permits or approvals may also be necessary from the County Flood Control and Environmental Services Departments.

Salt River Project (SRP) has a Federal exemption from all County permit and fee requirements. However, other utility's work on SRP property will be subject to County regulations per this directive.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-12

Supersedes: DD-2001-22

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

Purpose: To clarify requirements and procedures for reroofing.

Reference: International Building Code, Section 1510.3

Policy/Procedure:

Not more than two overlays of asphalt shingles shall be applied over an existing roof. Simple overlay roof shingling may be done without a building permit. Any reroofing involving replacement of roof structure or sheathing or involving heavier roofing materials must be done under a proper building permit. Plans for the work must be submitted and the permit will be entered as an alteration permit. Depending on the type of roofing material involved, structural calculations may be required.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-13

Supersedes: DD-2003-01

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To establish a procedure for closing certain Code Enforcement investigation cases.

REFERENCE: Not applicable.

POLICY/PROCEDURE:

All Code Enforcement investigation cases **that require a property owner to obtain a permit or entitlement**, to bring the property into compliance, will remain open until the permit/entitlement is approved, issued, and has passed all required inspections and been placed in Final status.

The case will be placed in 'Admin Remedy' status in Accela Automation at the time of the permit or entitlement application.

Code Enforcement officers will check monthly with appropriate division personnel and inquire on the status of these permits/entitlements. The case will be monitored in this manner until the requirements of this directive have been met.

If the permit/entitlement satisfies all violations charged on the parcel, the case may then be closed.

Refer also to DD-2013-20 for violations in regard to unpermitted construction or commercial business operations in a rural or residential zoning district.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-14

Supersedes: DD-2003-05

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To clarify the definition of a kennel in the Zoning Ordinance to be consistent with the State of Arizona Revised Statutes for the purposes of Code Enforcement.

REFERENCE:

Arizona Revised Statutes § 11-1018:

11-1018. Exemption of cities, towns and counties

- A. The provisions of this article shall not apply to incorporated cities or towns that impose a license fee and vaccination on dogs by ordinance, provided that such ordinance is equal to or more stringent than the provisions of this article.
- B. The provisions of this article shall not apply to counties which regulate the running at large of dogs in the unincorporated areas of the county by ordinance provided that such ordinance is equal to or more stringent than the provisions of this article.

Maricopa County Zoning Ordinance, Chapter 2 – Excerpt

“Any premises that are used for the commercial breeding, boarding, training, grooming or bathing of dogs, cats and/or other small domesticated house pets (not farm animals), or for the breeding or keeping of dogs for racing purposes.”

POLICY/PROCEDURE:

As a matter of policy, dogs, cats and/or other small domesticated house pets (not farm animals), kept for commercial purposes or the breeding or keeping of dogs for racing purposes, as described in the zoning ordinance, will require a special use permit for a kennel. As the ordinance defines the animals in plural form, then the requirement will be “more than one”.

This directive is not meant to limit the number of personal pets kept on a parcel. Obvious concerns may arise during the course of an inspection involving numerous animals.

Special attention will be directed toward the conditions in which numerous personal pets are kept. Referrals to Animal Care and Control Services will be made in cases where animal care and overcrowding may be a concern or in cases where the animal licensing requirements may not be met.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-15

Supersedes: DD-2004-01
DD-1999-11

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To clarify requirements for electrical permits for private water systems shared wells.

REFERENCES: A.R.S. Sections 49-352 and 40-281
Arizona Administrative Code Section R18-9-A312
Maricopa County Zoning Ordinance
Maricopa County Local Additions and Addenda, Chapter 2
International Building Code
National Electrical Code
International Plumbing Code
DD-2001-19 Utility Permits
DD-2002-06 Site Plan Requirements

STATEMENTS:

1. A.R.S. Section 49-352 defines a public water system as a water system that: Provides water for human consumption through pipes or other constructed conveyances and has at least 15 service connections or regularly serves at least 25 persons for at least 60 days a year.
2. Public utility systems require a Certificate of Convenience and Necessity and are regulated by the Arizona Corporation Commission. Permit requirements for public utility system electrical services to wells are contained in Department Directive DD-2001-19.
3. Maricopa County Zoning Ordinance allows, as a principal use in Rural and Residential zoning districts, public utility systems that provide service to the public: water, gas, electricity, telephone and cable television. The foregoing shall be deemed to include without limitation, distribution, collector and feeder lines, pumping or booster stations along pipelines, and substations along electric transmission lines. Public utility treatment and generation plants, offices and attendant facilities to the above uses may be allowed with a Special Use Permit. Public utility treatment and generating plants, offices and attendant facilities are uses allowed by right in the commercial and industrial zoning districts.
4. Maricopa County Zoning Ordinance Section 1106.1 states in part: accessory buildings or uses shall not be constructed or established on a lot until construction of the principal building has been actually commenced or the primary use established.
5. Private wells and water storage tanks are considered accessory uses.
6. Permits for the drilling of the well are issued by the Arizona Department of Water Resources. The Maricopa County Environmental Services Department will also conduct a site inspection for parcels of five acres or less.
7. Arizona Administrative Code R18-9-A312 requires all private wells to be set back more than one hundred feet (100') from any on-site waste water (septic) system.



8. County Counsel has advised that the Planning and Development Department staff cannot review or comment on legal documents such as shared well agreements.

Therefore, Maricopa County will no longer be able to issue electrical permits for shared wells on vacant property.

POLICY/PROCEDURE:

1. A principal permitted use must be established on a lot before an accessory use permit for a well or water tank will be issued. This means that a building permit must have been issued for a house or other principal permitted use in order to establish a principal permitted use on a lot or no accessory use well or storage tank permits will be issued.
2. No private water system shared well may serve more than 15 lots or houses. Additionally, all applicants are cautioned that typical population estimates of three or more people per house would result in no more than eight houses being able to use a private water system shared well in compliance with State Statutes.
3. A minor electrical permit is required for electrical service to a private water system shared well.
4. An accessory use building permit is required for an above ground or below ground water storage tank although building plans are not required and building permit or plan review fees will not be charged unless the water tank exceeds 5000 gallons or is supported by a structure rather than resting on the ground.
5. Addressing fees will be charged whenever a separate address must be assigned for the electrical service to the private water system shared well for utility company billing purposes.
6. Each permit application must be submitted with a Contact Supplemental Form and seven copies of a site plan complying with departmental directive DD-2002-06. All site plans for a house must show the water connection and on-site waste water (septic) system. If the water connection goes offsite to a shared well then the necessary access easements must be shown. Site plans must also show that any on-site waste water (septic) systems are setback more than one hundred feet from any well and more than fifty feet from any property line unless otherwise approved by the Environmental Services Department.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-16

Supersedes: DD-2007-06
DD-2003-09
DD-99-019

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To define policies and procedures where qualified exempted properties develop improvements related to the exempted use.

REFERENCES:

Maricopa County Zoning Ordinance:

Chapter 13, Section 1304 - Exempted Uses, Articles 1304.1, 1304.2 and 1304.3

Chapter 12, Section 1205 - Drainage Provisions, Section 1205.3.4 - Restriction on Regulation
Arizona Revised Statutes Section 11-812.A2

POLICY:

Property is not exempt from the Maricopa County Zoning Ordinance, Building Safety Codes, and/or Drainage Regulations unless and until the Maricopa County Planning & Development Department has issued a Certificate of Exemption for that property.

A building, structure or improvement, which is principal or incidental to the exempted use, will not be required to obtain a building permit from this department and no fees are applicable.

PROCEDURE:

An approved Certificate of Exemption issued by this department is required:

1. A Certificate of Exemption may be obtained by completing and receiving approval of a Land Use application for the qualifying exempted use.
2. The related land use (LU) file number is the on-going public record of the qualifying property or properties.

To initiate and/or complete construction of improvements related to the exempted use, the applicant must provide the following:

Customer Submittal Requirements:

1. Provide seven (7) copies of a site plan, completed, in accordance with all applicable requirements, which identifies the improvements related to the exempted use.
2. Provide a completed "plan revision submittal" form. Identify the improvements related to the exempted use.
3. Provide a completed "Contact Supplemental" form.
4. Provide any additional information required by Environmental Services, Flood Control, or other regulatory agencies that have jurisdiction.
5. Said documents shall be submitted to the LU file number assigned.

Planning and Development staff will adhere to the following steps:



Planning & Development Processing procedures:

1. Intake shall follow the existing procedure for submitting a LU revision.
2. Routing shall follow the existing procedure for the routing of a LU revision.
3. All review comments shall be documented in the electronic database to the related LU file.
4. Planning is responsible for updating and maintaining the status of the LU file.
5. When utility service is required, if the improvement(s) qualify as primary or incidental to the approved exempted use, the attached "Utility Service for Exempted Uses" form will be provided to the customer. The customer may then pursue a utility connection from the utility provider without further documentation or inspections from this department.

COMMENTS:

Buildings or other improvements on the exempt parcel(s) that are not incidental to the exempted use must meet full submittal requirements and are subject to applicable fees. An exemption certificate exempts a property and the related qualifying exempted improvements from the Zoning Ordinance, adopted building codes, and drainage regulations, which are enforced by this department.

MARICOPA COUNTY ZONING ORDINANCE PROVIDING QUALIFYING CRITERIA:

Chapter 13, Section 1304 – Exempted Uses:

Article 1304.1 – Property is not exempt from the Maricopa County Zoning Ordinance and/or building Safety Ordinance unless and until the Maricopa Planning & Development Department has issued a Certificate of Exemption for that property. In order to secure a certificate of exemption, an applicant shall submit a zoning clearance application, including site plans and other reasonable supporting documentation.

Article 1304.2 – Only property classified by the Maricopa County Assessor's Office or the Arizona Department of Revenue as property used for one of the purposes enumerated in the first paragraph of this Section is eligible for exemption under this Section. If property has been so classified, the property is exempt from the Maricopa County Zoning Ordinance and/or Building Safety Ordinance, unless the Planning and Development Director independently determines that all or part of the property is not used primarily for one or more of the purposes enumerated in the first paragraph of this Section.

Article 1304.3 - Any structures built under an exemption that do not meet the underlying zoning district and/or Building Safety Ordinance standards may be required to comply with said standards if, at a future date, the exemption is no longer applicable.

Chapter 12, Section 1205 – Drainage Provisions

Section 1205.3.4 – Restriction on Regulation:

1. Require a property owner to submit plans for or install or change a drainage system on property which was already developed as December 14th, 1994, the effective date of the Drainage Regulation which this Section supersedes.



2. Require submission of a drainage report and plan in connection with the repair or alteration of property as it was developed as December 14th, 1994, so long as the effect of such repair or alteration upon drainage would not be substantial or constitute an increased hazard to that or other properties.
3. A nonconforming business use may expand if such expansion does not exceed one hundred percent of the area of the original business, unless the effect thereof upon drainage would constitute a hazard.
4. Compliance with or exemption from this Ordinance does not relieve any person from liability if that person's actions cause flood damage to any other person or property.
5. This Section shall not pertain to or otherwise regulate cities, towns or other incorporated municipalities, the State or its agencies or political subdivisions. This paragraph does not exempt school districts, private utilities, and private emergency or fire services from compliance with the provisions of this Regulation.

ARIZONA STATE LAW PROVIDING QUALIFYING CRITERIA:

A.R.S. Section 11-812.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 or more contiguous acres."



Maricopa County
Planning & Development Department

501 N. 44th St.
Phoenix, Arizona 85008
Phone: (602) 506-3301
Fax: (602) 506-3601
www.maricopa.gov/planning

UTILITY SERVICE FOR EXEMPTED USES

TO: _____

REFERENCE: _____

ADDRESS: _____

ASSESSOR PARCEL NUMBER(s): _____

The Maricopa County Planning & Development Department herein authorizes the use of a Letter/Certificate in-lieu of electrical or other applicable utility clearance in order to obtain said utility.

The afore referenced property has been issued a "Certificate of Exemption" for a qualifying exempted use. Improvements related to the exempted use are not subject to regulation as per Arizona Revised Statutes 11-812.A2, the Maricopa County Zoning Ordinance, Chapter 13, Section 1304, and the Drainage Regulations for Maricopa County, Section 1205.3.4 of the Maricopa County Zoning Ordinance.

Building activity permits are not processed. Building codes, drainage regulations, and the Zoning Ordinance, for the unincorporated areas of Maricopa County, are not applicable.

The property owner is responsible to meet the requirements of any other authorized regulatory authority.

BY: _____

SIGNATURE (original required): _____

TITLE: _____

DATE: _____

**DO NOT USE THIS DOCUMENT AS A UTILITY CLEARANCE.
ADDITIONAL DOCUMENTATION MUST BE SUBMITTED TO THE
UTILITY COMPANY BEFORE THE EQUIPMENT CAN BE ENERGIZED.**



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-17

Supersedes: DD-2007-09
DD-2006-04

Effective: Immediate

Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To clarify requirements and procedures for permits for accessory structures connected to gas lines.

REFERENCES:

Maricopa County Zoning Ordinance:
Section 201 - Structure:

1. Anything manufactured or constructed by humans, as opposed to that occurring in nature, which is affixed, anchored, or otherwise attached to or below the surface of the ground.
2. Anything manufactured or constructed by humans, as opposed to that occurring in nature, which is attached to something having been affixed, anchored or otherwise attached to or below the surface of the ground.

Section 1504.5 - Zoning Clearance:

It shall be unlawful to construct, alter, repair or improve, remove or demolish, or to commence the creation, construction, alteration, removal or demolition of a building, structure or use without first filing with the Zoning Inspector an application in writing and obtaining a Zoning Clearance.

POLICY/PROCEDURE:

For purposes of permit and plan submittal for structures connected to gas lines including, but not limited to, firepits, fire rings, fireplaces, kivas, barbeques, pool heaters, spas and attached seat benches shall be defined and regulated as minor permits under the above referenced codes. Setback and lot coverage requirements will apply but these types of structures will not be considered "buildings" and will not need to meet building separation requirements.

Minor permits for gas lines will not be issued when no permit has been issued for the associated structure and minor permits cannot be issued for gas lines to future work. Minor permits may be issued for gas tanks less than 250 gallons with the condition that the tanks be setback as set forth in directive DD-2009-03. Tanks that are 250 gallons (or larger) or tanks that are 3½ feet high (or higher), will be treated as accessory buildings.



Maricopa County

Planning & Development Department
Department Directive

Department Directive:
DD-2013-18

Supersedes: DD-2008-04
DD-2004-12

Effective: Immediately

Initiator: Tom Ewers

Director: *Debra W. Stark*

Purpose: To clarify the fees due for plan modifications after a permit is issued and annotate computer procedures for entering these fees.

References:

Maricopa County Local Additions and Addenda:

Section 208 - Other Inspections and Fees No. 7 - Change to Approved Plan (including standards) - \$250

Section 208: Additional Fees - Amendment to Approved Plan (data only) - \$30

Maricopa County Zoning Ordinance: Section 1602.1:

"Zoning Clearance Residential - \$100 / Commercial - \$250"

Policy/Procedure:

PLAN REVISION FEES		FEE
Site Plan Revision Fees		
1	Any site plan modification that requires amending or updating zoning clearance or computer screens.	\$100 Res.
	Fees are entered on the appropriate computer screen. Workflow is updated in computer, comments attached to Combined Review Module.	\$250 Comm.
Minor Building Plan Change Fees		
2	Any minor building plan modification that requires amending or updating computer screens.	\$30
	Fees are entered on the appropriate computer screen. Workflow is updated in computer, comments attached to Combined Review Module.	
Data Change Fees		
3	Any data change that requires amending or updating only computer screens.	\$30
	Fees are entered on the appropriate computer screen. Workflow is updated in computer, comments attached to Combined Review Module.	
Major Building Plan Revision Fees		
4	Any major building plan modification that requires additional plan review work and updating computer screens and workflow.	\$250
	Fees are entered on the appropriate computer screen. Workflow is updated in computer, comments attached to Combined Review Module.	
General Information		
5	Modifications may involve some or all of categories 1, 2, 3, and 4 above - Example: Add 1,000 sf to building: affects site plan, is major change to building plan and requires updating computer screens and workflow. \$100+\$250=\$350	



PLAN REVISION FEES		FEE
6	There may be additional Flood Control, Drainage, or Environmental Services modification fees so only the Quality Control Center will notify applicant of fees after all approvals are entered.	
7	For any additional modifications or questions on fees, contact a manager before doing any entry into the computer.	
8	Fees will only be charged for the first review of modified plans. Subsequent reviews of revised modified plans will not be charged additional fees.	
9	Modifications may not be submitted as single sheets but must be full sets of plans showing all original information with revisions clouded, numbered, and dated.	



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-19

Supersedes: DD-2009-03
DD-2004-10

Effective: Immediately
Initiator: Tom Ewers

Director: *Debra W. Stark*

PURPOSE: To provide guidelines for the installation of portable and stationary liquefied petroleum gas containers and fuel gas piping.

REFERENCES: International Building Code: Section 101.4
International Fire Code: Table 3804.3
International Fuel Gas Code: Section 404

POLICY/PROCEDURE:

There has been a demonstrated need to provide customers with technical guidance for the safe installation of LPG gas containers and fuel gas piping. In order to establish an acceptable location clearance, we must consider life safety, protection of property, and protection of the piping and container itself. In accordance with the IBC under Section 101.4 Referenced codes, it states: "The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference". Therefore, this directive is a compilation of two different sources referenced by the IBC for the purpose of determining those clearances. The sections specific to the clearance requirements are IFC Table 3804.3 and IFGC Section 404.

Definitions:

Portable Container: A container that is designed to be readily moved from one usage location to another.

Stationary Container: A container that is designed for use indefinitely at a particular location. An installation not normally expected to change in status, condition, or place.

Exception: Portable containers 5.0 pounds / gallons or less capacity shall be Exempt from the required separation on chart below when used for outdoor appliances only, such as barbeque grills, fire-pits, kivas, torches, etc.

The following shall apply to above ground containers installed along the side of a building:

Containers of less than 125 pounds / gallons are allowed next to the building they serve when in compliance with the following:

Containers shall be located so that the discharge from the pressure relief valve is at least:

- 5 feet horizontally from building openings below the level of such discharge.
- 5 feet from exterior source of ignition.
- 5 feet from openings into direct vent appliances (sealed combustion system).
- 5 feet from mechanical ventilation air intakes.

All other container installations shall comply with chart below.



CONTAINER CAPACITY (WATER GALLONS)	MINIMUM SEPARATION BETWEEN CONTAINERS AND BUILDINGS, PUBLIC WAYS, OR LINES OF ADJOINING PROPERTY		MINIMUM SEPARATION BETWEEN CONTAINERS (FEET)
	MOUNDED OR UNDER-GROUND CONTAINERS (FEET)	ABOVE-GROUND CONTAINERS (FEET)	
LESS THAN 125	10	5	NONE
125 to 250	10	10	NONE
251 to 500	10	10	3
501 to 2,000	10	25	3
2,001 to 30,000	50	50	5
30,001 to 70,000	50	75	(1/4 of sum of diameters of adjacent containers)
70,001 to 90,000	50	100	
90,001 to 120,000	50	125	

The aggregate capacity of a multi-container installation shall comply with appropriate separations from the table above.

The filling connection and vent from liquid level gauges on containers filled at the point of installation shall not be less than 10 feet from exterior sources of ignition, openings into direct vent appliances (sealed combustion system), or mechanical ventilation air intakes.

Separation of above-ground containers may be reduced to not less than 10 feet for a single container of 1,200 capacity or less, provided such container is at least 25 feet from other LPG gas containers that have 125 capacity or more.

Gas Piping Installation:

Equipment and or appliances:

- To be installed per manufacture recommendation and specifications.

Gas line location:

- No gas piping to be installed in or on the ground underneath any building or structure
- Gas piping can be installed
 1. Outside the building envelope; under a sidewalk, driveway, etc.
 2. Under a covered patio / breezeway when an acceptable sleeve method is installed in accordance with IFGC Section 404.11

Gas line depth:

- Insulated Ferrous Gas Pipe minimum depth of (12 inches) of earth cover.
- PE (Polyethylene or Plastic Gas Pipe) minimum depth of (18 inches) of earth cover with an insulated 18 AWG tracer wire suitable for direct burial. The tracer wire shall be installed adjacent to the underground nonmetallic piping, and terminate above ground at each end of the nonmetallic piping.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-20
Supersedes: DD-2012-04
DD-2003-01

Effective: Immediately

Initiator: Darren Gerard

Director: *Debra W. Stark*

PURPOSE: To ensure consistent treatment in placing **violations cases in Administrative Remedy** in unincorporated Maricopa County.

REFERENCE:

Maricopa County Zoning Ordinance (MCZO), Section 1502, Articles 1502.1, 1502.2 & 1502.3

POLICY/PROCEDURE:

The MCZO states "It shall be unlawful to erect, construct, reconstruct, alter or use any building or structure.... or use any land within a zoning district in violation of any regulation or any provision of any Ordinance.... Any such violation is a public nuisance."

Code Enforcement Officers have the ability to place a verified violation in an Administrative Remedy status if the matter is being resolved via application for review and approval by the Department and/or recommendation by this Department to the Board of Adjustment, Planning & Zoning Commission or Board of Supervisors. However, there is concern that applications can become inactive without progress made toward compliance and a public nuisance remaining unabated.

A verified violation of construction initiated or completed without first obtaining an issued construction permit and/or outside the scope of a valid construction permit shall not be placed in Administrative Remedy status without the execution of a Compliance Agreement, unless all construction permits and/or all other applications for administrative remedy can be completed in less than six months from date of Notice of Violation and Order to Comply (NOTC).

A verified violation of a commercial business operation in a residential zoning district or other lack of proper zoning entitlement shall not be placed in Administrative Remedy status without the execution of a Compliance Agreement.

Verified violations (unpermitted construction and lack of zoning entitlement) must either be remedied or subject of an executed Compliance Agreement by the noticed compliance deadline or the case shall be scheduled for an Administrative Hearing before a Hearing Officer. Staff will not support a continuance before the Hearing Officer except at the direction of the Code Enforcement Supervisor, Deputy Director or Director.



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2013-21

Supersedes: DD-2012-08

Effective: Immediately

Initiator: Darren Gerard

Director: *Debra W. Stark*

PURPOSE: All approved Preliminary Plats valid as of 10/1/10 or subsequent date will remain valid through 12/31/2015.

REFERENCE:

Maricopa County Subdivision Regulations, Section. 202.4.d.2 Preliminary Plat Approval
Maricopa County Board of Supervisors, Resolution of Policy C-44-13-103-M-00

POLICY/PROCEDURE:

There is a preliminary plat validity period of 24 months from the date of Planning & Zoning Commission approval per Section 202.4.d.2 of the Maricopa County Subdivision Regulations. However, the Board of Supervisors adopted a Resolution on 12/14/11, establishing a validity period through 12/31/13 for all preliminary plats valid as of 10/1/10 or later date. On 5/22/13, the Board of Supervisors adopted a resolution extending the validity period through 12/15/13 for all preliminary plats valid as of 10/1/10 or later date.

Any associated final plat must be approved before the preliminary plat validity expires on 12/31/15. The final plats must comply with all current requirements at time of review and/or approval and the subject property must be free of any open violation case. Final plat cases will be administratively closed if inactive for six months.

A copy of the Resolution follows this directive.

RESOLUTION

Maricopa County Board of Supervisors

C-44-13-103-11-00

RESOLUTION EXTENDING THE VALIDITY OF APPROVED PRELIMINARY PLATS TO
DECEMBER 31, 2015 IN UNINCORPORATED MARICOPA COUNTY

BE IT RESOLVED by the Maricopa County Board of Supervisors as follows:

WHEREAS, Arizona Revised Statutes mandate Maricopa County to regulate the subdivision of all unincorporated lands within its boundaries; and

WHEREAS the Arizona Revised Statutes enable Maricopa County to adopt general regulations of uniform application governing plats and subdivisions of unincorporated lands within its boundaries to protect the public health and safety; and

WHEREAS in accordance with the Arizona Revised Statutes, the Maricopa County Board of Supervisors has adopted the Maricopa County Subdivision Regulations providing for the regulation of subdivision development within the unincorporated area of the County, defining its terms, setting forth subdivision platting procedures and requirements, establishing subdivision design principles and standards, establishing street and utility improvement requirements; and

WHEREAS the purpose of the Maricopa County Subdivision Regulations is to provide for the orderly growth and harmonious development of the County; to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, power, drainage, protection against flood, storm water retention / detention, sanitary sewerage; paved streets and other accesses; and other health and safety requirements; to consider adequate sites for schools, recreation areas and other public facilities; to promote the conveyance of land by accurate legal

description; and to provide practical procedures for the achievement of this purpose; and

WHEREAS, the Board of Supervisors has determined that regulated subdivision plats is the preferred method of land development in unincorporated Maricopa County and is in the best interest of Maricopa County and its citizens; and

WHEREAS, a number of proposed subdivision developments have received benefit of a preliminary plat approval; and

WHEREAS, the Maricopa County Subdivision Regulations establishes a two year validity period for a preliminary plat approved by the Maricopa County Planning and Zoning Commission with potential for a one year extension to be administratively approved by staff of the Maricopa County Planning and Development Department; and

WHEREAS, the preliminary plat becoming invalid on a date certain is established in the Maricopa County Subdivision Regulations and not mandated in the Arizona Revised Statutes; and

WHEREAS, due to the current state of the national, state and local economy, subdivision developers are not able to financially pursue a final plat approval by the Maricopa County Board of Supervisors prior to the expiration date of an approved preliminary plat;

NOW, THEREFORE, BE IT RESOLVED that the Maricopa County Board of Supervisors does hereby extend the expiration date of all valid and approved preliminary plats and preliminary plat extensions in unincorporated Maricopa County, which are scheduled to become invalid or did become invalid on or after October 1, 2010, to December 31, 2015 subject to the following conditions:

- The preliminary plat or preliminary plat extension must have been previously approved or must be approved subsequent to this Resolution, but shall not have achieved the date of invalidity before October 1, 2010;
- The preliminary plat or preliminary plat extension shall be on a property (or properties) where all outstanding fees and fines owed to the Maricopa County Planning and Development Department shall be current and paid in full;

- The preliminary plat or preliminary plat extension shall be on a property (or properties) free of all violations of Maricopa County laws, codes, regulations and ordinance;
- Any final plat and infrastructure permit associated with any preliminary plat or preliminary plat extension benefitting from this Resolution shall not be inactive for a period exceeding six months, or the applications will be administratively closed and new final plat and infrastructure permit applications and fees shall be required;
- The final plat and infrastructure permit associated with any preliminary plat or preliminary plat extension benefitting from this Resolution, shall comply with all regulations, policies and best engineering practices in place at the time of the final plat approval by the Maricopa County Board of Supervisors; and
- After December 31, 2015, the validity period of a preliminary plat subject to this Resolution may be administratively extended for an additional one year period by the Maricopa County Planning and Development Department if there is an associated final plat and infrastructure permit that have remained active.



MAY 22 2013

Chairman

Date



MAY 22 2013

Attest:

Clerk of the Board

Date



5-27-2013

Director,
Planning and Development Department

Valid Preliminary Plats or Extensions without an approved Final Plat

Subdivision Case Number	Subdivision Name	Approval Deadline Date	Extension by Resolution
S2005020	Zanjero Trails Phase 1	8/4/2013	12/31/2013
S2005076	Rio Verde Highlands	7/23/2011	12/31/2013
S2006064	Vista Montana Estates	5/7/2011	12/31/2013
S2007009	Avalon	10/17/2010	12/31/2013
S2007019	Desert Whisper Phase 1	1/15/2011	12/31/2013
S2007020	Desert Whisper Phase 2	2/12/2011	12/31/2013
S2007021	Desert Whisper Phase 3	1/15/2011	12/31/2013
S2007025	Hassayampa 78	1/29/2011	12/31/2013
S2007038	Broadstone Ranch Phase 1A	1/5/2014	12/31/2013
S2007040	Hidden Waters Ranch Phase 1	10/8/2011	12/31/2013
S2007053	Desert Whisper Phase 4	2/12/2011	12/31/2013
S2007060	Preserve at Goldfield Ranch	1/15/2011	12/31/2013
S2009005	Twelve Oaks Estates II Extension	5/7/2011	12/31/2013
S2009008	Rancho Cabrillo H, I, J, K, V, W	10/4/2010	12/31/2013
S2009009	Desert Hills Estates	8/22/2011	12/31/2013
S2010006	Shoppes at Cortessa	12/31/2011	12/31/2013
S2010004	Riverside Estates	5/8/2011	12/31/2013
S2010001	Riggs Ranch Estates	2/7/2011	12/31/2013