



Planning & Development  
Department



MINING EXEMPTION

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# Planning & Development Department

## MINING EXEMPTION CHECKLIST



Applications submitted to the Maricopa County Planning and Development Department shall include all of the exhibits, items and information listed in this checklist. An application will only be accepted by the Department when all of the items listed below are submitted, unless otherwise deemed unnecessary by staff. Applications determined to be incomplete shall not be processed by staff. Additional information, detail, and/or copies may be required after review by the assigned Planner. The governing statute and regulation that apply are: Arizona Revised Statutes 11-830.A2 & Maricopa County Zoning Ordinance, Chapter 13, Section 1304.

1. Application – completed and signed – 2 copies
2. Proof of ownership (official recorded deed, etc.). If applicable, lease agreement. If the subject property is part of a land lease, the Lease Agreement should include the terms of the lease, and the proposed use of the leased land. Additional information may be required after reviewing the Lease Agreement. – 1 copy
3. Affidavit of General Mining Use – completed, signed and notarized by the mining operator/property owner, or property owner agent – 1 copy
4. Provide a copy of the Arizona State Mine Inspector's ASMI INSP form, showing the intent to start or move a mining operation in the unincorporated areas of Maricopa County. The State Mine Inspector's office is located at 1700 W. Washington, Ste. 400, Phoenix, AZ 85007-2805. – 1 copy
5. Financial Responsibility Form – 1 copy
6. Corporate or LLC Resolution as applicable – 1 copy
7. Site Plan with the following information – 3 full size (24"x 36") copies and 1 copy (8 ½" x 11")
  - Applicant's name, property address, parcel number, property acreage, date of plan, vicinity map with location of site, north arrow and scale (written and graphic)
  - Label and provide all property line dimensions, show all structures, label intended use. Indicate setbacks from property lines and distances between. Show all building dimensions (height, square footage). Indicate lot coverage.
  - Illustrate all parking, open pits, stockpiles, and storage areas.
  - Indicate the type of mining operation (sand & gravel, aggregate, precious rock/stone) and the legal description for the mining operation.
  - Show and label all easements (i.e., drainage, ingress/egress, public utility easements, etc.) and floodplain delineations. Label and dimension dedicated street access and names.
  - Show the location of all existing fire hydrants, water supply/storage, wells, & septic systems.
  - Label the alignment of washes, slope and general elevation changes, vegetation, and type of driveway material (driveway and parking areas must be paved or in the alternative surfaced with aggregate based crushed material).
8. Photographs. Submit photographs of the site, taken on all four corners of the property and looking inward to the property (minimum of four photographs). Please label each photograph with the view, direction and date. A site plan or key map may also be used in conjunction with the photographs with notations showing what direction the photograph faces and where it is taken.
9. Provide Patent Easement Deed (when applicable) which may be acquired at the Bureau of Land Management, 1 N. Central, Phoenix, (602) 417-9200 – 1 copy
10. Fees:
  - Zoning Clearance (Commercial) - **\$250**
  - Addressing Review Fee of **\$10** to verify an existing address or **\$50** to assign an address (This fee is a separate fee but can be combined with the zoning clearance fee)



**Planning & Development  
Department  
LAND USE APPLICATION**



Agricultural Exemption       Mining Exemption       Group Home       Gov't Action

Home Day Care       Home Occupation       Legal Non Conforming       Industrial As -Built

**REQUEST**

Title of Project \_\_\_\_\_  
 Description of Request: \_\_\_\_\_  
 Existing Use of Property: \_\_\_\_\_  
 Existing Zoning District: \_\_\_\_\_  
 Related Case Number: \_\_\_\_\_

**PROPERTY INFORMATION**

Address (if known): \_\_\_\_\_  
 General location (include nearest city/town): \_\_\_\_\_  
 \_\_\_\_\_  
 Size in Acres: \_\_\_\_\_ Square Feet: \_\_\_\_\_  
 Legal Description Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
 Assessor's Parcel Number: \_\_\_\_\_  
 Subdivision Name (if applicable): \_\_\_\_\_

**OWNER'S AUTHORIZED AGENT INFORMATION**

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Fax#: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

**PROPERTY OWNER INFORMATION**

Name: \_\_\_\_\_ Contact: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone #: \_\_\_\_\_ Fax#: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

**PROPERTY OWNER AND OWNER'S AGENT AUTHORIZATION**

I (property owner) \_\_\_\_\_ authorize (owner's agent) \_\_\_\_\_  
 to file this application on all matters relating to this request with Maricopa County. By signing this form as the property owner I  
 hereby agree to abide by any and all conditions that may be assigned by the Maricopa County Board of Supervisors, Maricopa  
 County Planning and Zoning Commission, or Maricopa County Planning and Development Department staff as applicable, as  
 part of any approval of this request, including stipulations, development agreements, and/or any other requirement that may  
 encumber or otherwise affect the use of my property.

**PROPOSITION 207 WAIVER**

The property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights  
 to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges  
 that it is the property owner who has requested the action sought by the filing of this application. Therefore, with full knowledge of  
 all rights granted to the property owner pursuant to A.R.S. §§ 12-1132 through 1138, the property owner does hereby waive any and  
 all claims for diminution in value of the property with regard to any action taken by Maricopa County as result of the filing of this  
 application.

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**VERIFICATION OF APPLICATION INFORMATION**

I certify that the above statements are true. If any of the above statements is willfully false, I understand that I am subject to  
 punishment and that any approvals or permits granted by Maricopa County in reliance upon the truthfulness of the above  
 statements may be revoked or rescinded.

Property Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**CASE INACTIVITY**

Cases which are not active within 30 days will be considered inactive and closed by staff. A letter addressing the inactivity will be  
 sent to the owner's authorized agent or property owner with notification of the case to be closed within thirty (30) days. To pursue  
 entitlement after the closing of the case, a new application and associated fees will need to be filed.

**APPLICATION MUST BE COMPLETED IN FULL AND ALL FEES ARE DUE AT TIME OF APPLICATION AND ARE NON-REFUNDABLE.**



# Planning & Development Department



## Affidavit of General Mining Use

If approved, the Certificate of Exemption for Mining is an exemption from portions of the Maricopa County Zoning Ordinance, and the County's Building Code Authority, for the use of the land for the approved mining activities. Any use not incidental to the approved mining operation will be required to comply with the current regulations imposed upon said land by the underlying zoning district. The primary use of land shall be the mining operation. If the mining operation use is abandoned or is not the primary use of the land, then the appropriate zoning regulations shall apply.

Each time the property owner wishes to expand the use or construct, alter, modify or demolish any structure or improvement on the subject parcel, a revised land use application is required. At that time, the Department shall re-evaluate the exemption status to ensure that the current zoning exemption is valid.

Date:	Project Name:
Type of Mining Operation:	In Existence Since:
Name of Operator:	
Location:	

I hereby certify that I have been authorized by the owner to act as his agent to make this exemption request.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
<p>I, _____ hereby acknowledge that I have read and understand the information provided on form 423, which recites ARS § 11-830 and Article XXIII, General Provisions, Section 2302, Exempted Uses, from the Maricopa County Zoning Ordinance.</p>			

\_\_\_\_\_  
Owner's/Agent's Signature

\_\_\_\_\_  
Date

Subscribed and sworn to before me, on \_\_\_\_\_

Notary Public \_\_\_\_\_ Commission Expiration \_\_\_\_\_



Planning & Development  
Department



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**ADDENDUM: PERSONAL GUARANTEE OF FINANCIAL RESPONSIBILITY**

I, \_\_\_\_\_, hereby absolutely, unconditionally and irrevocably  
(print name)

guarantee to Maricopa County the prompt payment of any and all fees and charges in connection with this application and the property for which the application made, including any fees incurred if this application is withdrawn, without the necessity of Maricopa County first seeking payment from the named applicant.

All outstanding fees and fines against a property owed to the Department must be current and paid in full before any application will be scheduled for hearing or administrative approval as applicable.

Signature of Guarantor: \_\_\_\_\_

Date: \_\_\_\_\_



Planning & Development Department



LIMITED LIABILITY COMPANY RESOLUTION

Be it resolved that the transaction herein referred to, being herewith approved, \_\_\_\_\_ member of \_\_\_\_\_, L.L.C. be and (s)he is hereby directed, authorized and empowered to execute, acknowledge and deliver such documents, instruments and papers and perform such acts as may be legally, properly and reasonably required or necessary for the purpose of filing necessary applications with the Maricopa County Planning and Development Department to obtain \_\_\_\_\_ for parcel number(s) \_\_\_\_\_.

I, \_\_\_\_\_ (attesting witness); member of \_\_\_\_\_ L.L.C., a Limited Liability Company of the State of \_\_\_\_\_, CERTIFY that the foregoing Resolution is duly authorized by the Certificate of Formation and the Operating Agreement of the company; that it has not been modified, amended or rescinded, and is in full force and effect as of the date hereof.

Dated: \_\_\_\_\_

\_\_\_\_\_



Planning & Development  
Department



**CORPORATE RESOLUTION**

Be it resolved that the transaction herein referred to, being herewith approved,  
\_\_\_\_\_ President of \_\_\_\_\_, be and (s)he is hereby directed,  
authorized and empowered to execute, acknowledge and deliver such documents,  
instruments and papers and perform such acts as may be legally, properly and  
reasonably required or necessary for the purpose of filing necessary applications with  
the Maricopa County Planning and Development Department to  
obtain\_\_\_\_\_ for parcel number(s)  
\_\_\_\_\_.

I, \_\_\_\_\_ (attesting witness); Secretary of  
\_\_\_\_\_ a corporation of the State of \_\_\_\_\_, CERTIFY that the  
foregoing Resolution is duly authorized by the Board of Directors of the company; that it  
has not been modified, amended or rescinded, and is in full force and effect as of the  
date hereof.

Dated: \_\_\_\_\_

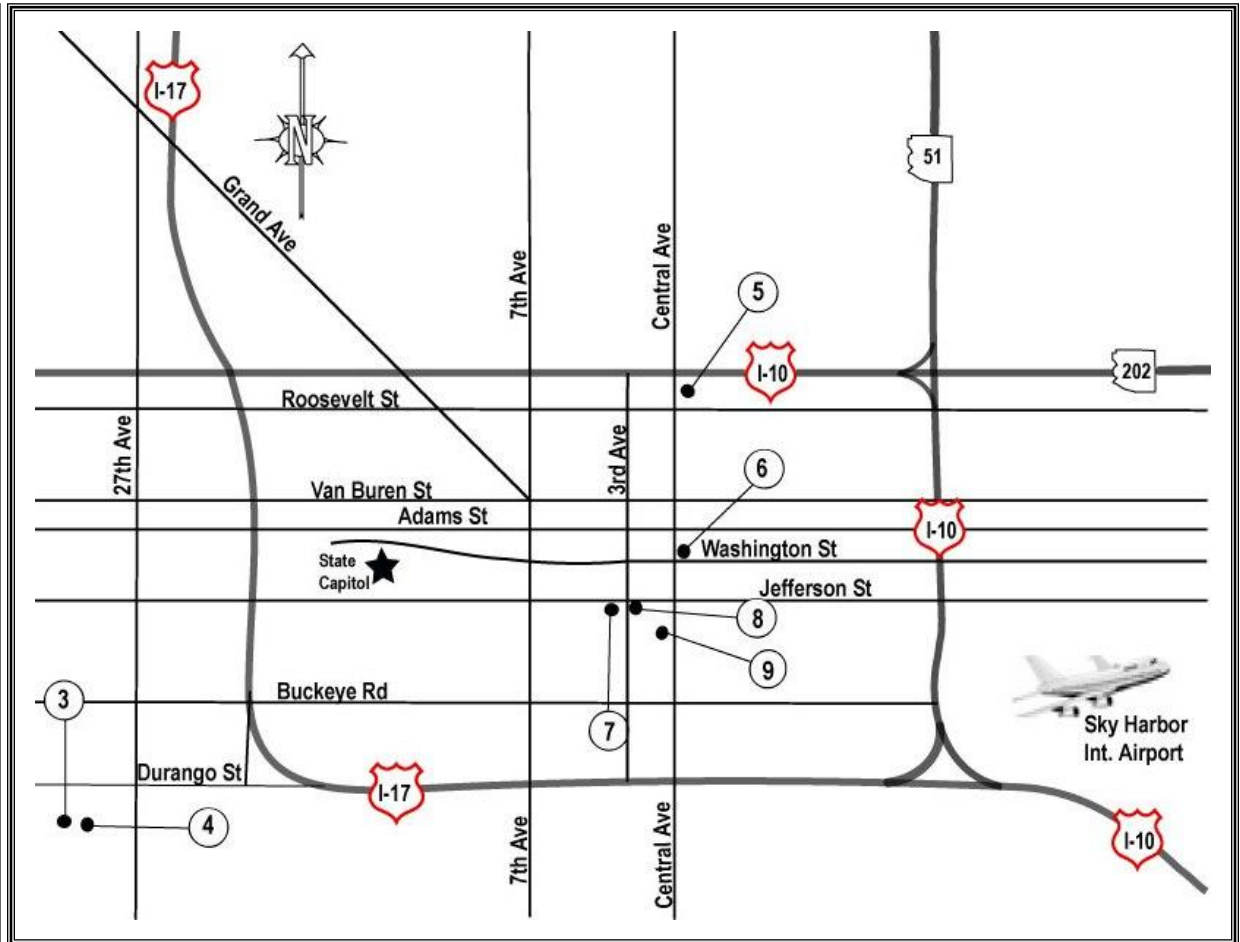
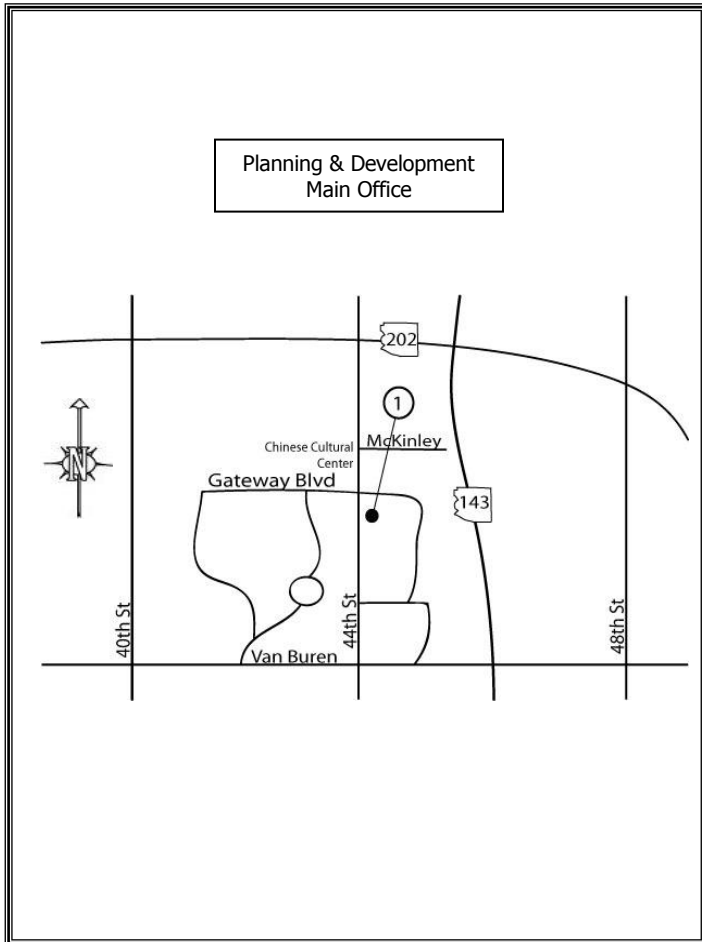
\_\_\_\_\_





# Planning & Development Department

## PERMITS FACILITIES DIRECTORY



- 1.) Planning & Development** (602) 506-3301  
501 N. 44<sup>th</sup> St, Suite 200 Fax: (602) 506-3711
- 3.) Department of Transportation** (602) 506-8600  
2901 W. Durango St.

- 4.) Flood Control District** (602) 506-1501  
2801 W. Durango St.
- 5.) Environmental Services** (602) 506-6666  
1001 N. Central Ave
- 6.) B.L.M.** (602) 417-9200  
1 N. Central Ave

- 7.) Assessor's Office** (602) 506-3406  
301 W. Jefferson St.
- 8.) Recorder's Office** (602) 506-3535  
111 S. 3<sup>rd</sup> Ave
- 9.) Sheriff's Office** (602) 876-1070  
201 W. Jefferson St.  
(Records & ID)