



Enhanced Regulatory Outreach Program NOTICE OF MARICOPA COUNTY BOARD OF SUPERVISORS PUBLIC HEARING

Date/Time: Wednesday, April 23, 2014, 9:00 a.m.

**Location: Board of Supervisors Auditorium,
205 W. Jefferson St.**

The Maricopa County Board of Supervisors will host a Public Hearing to consider adoption of the following:

TA2013004 – Exemption for building/structures existing prior to 1/1/2000: This is a text amendment to the Maricopa County Local Additions & Addenda, Sec. 205, Building Permit Exceptions to exempt construction of buildings and other structures that have been in existence prior to January 1, 2000, from the requirement to obtain a Building Permit. This is intended to improve customer service and reduce regulatory burden. It will bring the critical date for a building permit requirement in alignment with that for drainage clearance and zoning clearance in the Maricopa County Zoning Ordinance, January 1, 2000. This item was recommended for approval at the 1/28/14 meeting of the Maricopa County Building Code Advisory Board (BCAB) and the 3/27/14 Planning & Zoning Commission. The proposed language is:

A building permit shall not be required for a building or structure that was existing, or any use of land that was lawfully existing, as of January 1, 2000 or as of the effective date of subsequent amendments to this regulation provided there are no visible signs of defects or unsafe conditions. When verification is required by the Building Official a Certificate of Observable Compliance from a third party Registered Architect or Structural Engineer must be submitted.

TA2013006 – Location of Parking: This is a text amendment to the Maricopa County Zoning Ordinance, Article 1102 regarding the location of parking spaces in relation to the use served. This is intended to improve customer service and reduce regulatory burden. This item was recommended for approval at the 3/27/14 Planning & Zoning Commission. The proposed language is:

1102.3.1. Parking spaces shall be located on the same lot as the use they are intended to serve, or within 600 feet of the use to be served provided assurances are supplied to the Zoning Administrator that the off-site parking will be continuously available during normal business hours of the use to be served.

1102.3.2. Parking spaces shall be located such that each space has access to the use to be served without crossing an ~~public or private~~ arterial street, or a railroad right-of-way, unless requirement is waived by the Zoning Administrator due to an approved valet parking plan or other provision.

1102.3.3. The number and location of required parking spaces, and the distance of parking spaces from the use to be served, may be waived by the Zoning Administrator with an approved valet parking plan.

TA2013007 – Temporary Uses: This is a text amendment to the Maricopa County Zoning Ordinance, Section 1302, to permit Temporary Uses as an administrative remedy of a zoning violation. This is intended to improve customer service and reduce regulatory burden. It will allow an existing land use that is the subject of a zoning violation to obtain a temporary use permit approval to permit the use to continue for a limited period as an exit strategy or until proper long-term zoning entitlement is approved. This item was recommended for approval at the 3/27/14 Planning & Zoning Commission. The proposed language is:

SECTION 1302. TEMPORARY USES

The uses, buildings and structures permitted in this Section shall be established and maintained so as to provide minimum interference with the use and enjoyment of neighboring uses, buildings and structures and to ensure public health, safety and convenience. Temporary uses shall only be permitted as authorized within this Chapter.

ARTICLE 1302.1. PURPOSE:

1302.1.1. The provisions of this article are based on the recognition of buildings, structures and uses which, because of their unique characteristics:

1. Should not be permitted on a permanent or long-term basis, but which may be either necessary or desirable for a limited period of time; provided, however, a temporary use may be approved, even where such use may be appropriate on a permanent or long-term basis, where the purpose of the temporary use permit is to allow an applicant to satisfy a plan of compliance entered into with the County to remedy a violation of this Ordinance, or

2. Requires careful regulation especially regarding location, duration of use and operation.

TA2013008 –Amendment to Licensing Time Frames Ordinance No. P-30 per HB 2443: This is a text amendment to Maricopa County Ordinance No. P-30 regarding licensing time frames. This is a general ordinance applicable to all County regulatory agencies. This is a housekeeping item to update the ordinance with regard to changes already effective and implemented due to changes in State law per HB 2443. This item was recommended for approval at the 3/27/14 Planning & Zoning Commission. The proposed language is attached.

MARICOPA COUNTY
ORDINANCE ESTABLISHING
LICENSING TIMES FRAMES IN
COMPLIANCE WITH A.R.S. §11-1601
THROUGH A.R.S. §11-1610

Adopted December 12, 2012
Amended , 2014

Effective December 31, 2012



TA2013009 – Setbacks: This is a text amendment to the Maricopa County Zoning Ordinance to delete language from the definitions of “Yard”, “Front Yard”, “Rear Yard” and “Side Yard” in Chapter 2 and delete language from Article 1110.6.2 so that setbacks will be measured from the lot line to the building at grade and that ordinary projections above grade may encroach up to 2’ into any required yard. This item was recommended for approval at the 3/27/14 Planning & Zoning Commission. The proposed language is:

SECTION 201. DEFINITIONS

***Yard:** The open space at grade level between a building and adjoining lot lines, ~~unoccupied and unobstructed by any portion of a structure from the ground upward,~~ except as otherwise provided in the Ordinance. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the principal building is to be used; however, on any lot wherein a setback line has been established by the regulations of this Ordinance for any street abutting the lot, such measurement is to be taken from the principal building to the setback line (see “YARD, REQUIRED”).*

***Yard, Front:** A yard extending across the front width of a lot and being the minimum horizontal distance between the street line and the principal building ~~or any projection thereof,~~ other than steps, unenclosed balconies and unenclosed porches. The front yard of a corner lot is the yard adjacent to the designated front lot line.*

***Yard, Rear:** A yard extending between the side lot lines and being the minimum horizontal distance between the rear lot line and the principal building ~~or any projection thereof,~~ other than steps, unenclosed balconies and unenclosed porches. On corner lots and interior lots, the rear yard is in all cases at the opposite end of the lot from the front yard.*

Yard, Side: A yard between the building and the side lot line of a lot and extending from the front yard to the rear yard and being the minimum horizontal distance between a side lot line and the side of the principal building ~~or any projection thereof~~, other than steps, unenclosed balconies and unenclosed porches. An interior side yard is defined as the side yard adjacent to a common lot line.

SECTION 1110. ADDITIONAL YARD AND OPEN SPACE REGULATIONS

Article 1110.6. Exceptions: Every part of a required yard shall be open to the sky, unobstructed, except as enumerated in the following:

*1110.6.2. Ordinary projections of window sills, cornices, eaves and other ornamental features may project a distance not exceeding **two feet (2')** into any required yard, ~~except that in the case of accessory buildings in the required rear yard and /or the required side yard this projections shall not exceed one foot beyond the walls of such accessory building.~~*

TA2013010 – Hillside Measurement: This is a text amendment to the Maricopa Zoning Ordinance, Article 1201.2.1 to revise the Hillside measurement from areas of natural slope of 15% or greater within any horizontal distance with a 5' elevation change to within any horizontal distance with a 10' elevation change. This is intended to remove minor washes and small features from Hillside designation. This item was recommended for approval at the 3/27/14 Planning & Zoning Commission. The proposed language is:

Section 1201. HILLSIDE

*1201.2.1. All portions of a lot, tract or parcel having a natural slope of **15% or greater** within any horizontal distance with a **ten foot (10') five-foot elevation change** shall be subject to the regulations set forth in this Section. Any challenge to a determination by the Department that any portion of a lot, tract or parcel is subject to the regulations set forth in this Section, shall include as part of the challenge a written determination of an Arizona registered civil engineer supported by sealed topographical plans.*

TA2013011 – Street Name Suffixes: This is a text amendment to the Maricopa County Addressing Regulations, Section 702 to permit "Glen" and "Dale" street name suffixes west of the County 0/0 block numbering and "Terrace" and "Run" suffixes to the east. This item was recommended for approval at the 3/27/14 Planning & Zoning Commission. The proposed language is:

702 GRID STREETS

5. ~~Numbered streets-alignments~~ ~~West~~ of County 0/0 block numbering starting point shall have street types assigned by Avenue (Ave.), Drive (Dr.) ~~and~~ Lane(Ln.), Glen (Gl.) and Dale (Dl.) in a westerly direction with q standard of every 1/8 alignment being an Avenue. However, there are places where the alignments will be 1/7.

6. ~~Numbered streets-alignments~~ ~~East~~ of County 0/0 block numbering starting point shall have street types assigned by Street (St.), Place (Pl.) ~~and~~ Way (Way), Terrace (Ter.) and Run (Run) in an easterly direction with q standard of every 1/8 alignment being a Street. However, there are places where the alignments will be 1/7.

The public may submit comments to the project manager, Darren Gerard, at:
<http://www.maricopa.gov/regulations/comments.aspx>.