Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Commission Hearing Date:	March 27, 2014
Board Hearing Date:	April 23, 2014
Case # / Title:	TA2013004 – Exemption for building/structures existing prior to 1/1/2000
Agenda Item:	3
Supervisor District:	All

Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Local Additions & Addenda (MCLAA), 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
Support/Opposition:	No known opposition. One email of support.
Staff Recommendation:	**Approve**
BCAB Recommendation:	**Approve**
Commission Recommendation:	**Approve**
Additional Comments:	There are no updates since the Commission report. TA2013004 has been processed through the County's enhanced regulatory outreach program (EROP). 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 – which is January 1, 2000. The regulatory amendment will take effect 30 days after Board approval. The proposed language is a new paragraph to be added to MCLAA, Sec. 205:

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.

Presented by:	Darren V. Gerard, AICP, Deputy Director
Attachments:	DRAFT minutes of the 3/27/14 Commission hearing – not available as of the writing of this report but will be provided later under separate cover when available. 3/27/14 Commission packet (12 pages)

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	**TA2013004 – Exemption for building/structures existing prior to 1/1/2000**
Meeting Date:	March 27, 2014
Agenda Item:	3
Supervisor District:	All
Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Local Additions & Addenda (MCLAA), 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
Support/Opposition:	No known opposition. One email of support.
Recommendation:	**Approve**

Discussion:

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 – which is January 1, 2000. The proposed language is a new paragraph to be added to MCLAA, Sec. 205:

> *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.*

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on October 25, 2013. This item was initiated and recommended at the January 28, 2014 public meeting of the Maricopa County Building Code Advisory Board (BCAB). The Commission initiated this item at a January 30, 2014 public meeting. Assuming positive recommendation by the Commission, the mater will be scheduled before the Board of Supervisors (BOS) at the April 23, 2014 public hearing for adoption. The regulatory amendment will take effect 30 days after BOS approval.

There is no known opposition to the proposed language. A single email of support was received via EROP:

From: Darren Gerard - PLANDEVX
Sent: Wednesday, January 08, 2014 6:45 PM
To: 'plan-dev@nrdhca.com'
Subject: RE: Regulatory Outreach TA2013004

Ann: Thank you for your comment. Darren

From: plan-dev@nrdhca.com [mailto:plan-dev@nrdhca.com]
Sent: Saturday, December 21, 2013 5:42 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013004 – Exemption for Building/Structures Existing Prior to 1/1/2000

Citizen's Name: Ann Hutchinson
Organization: New River Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type: home
Email: plan-dev@nrdhca.com

Does citizen want to be contacted: no

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA)has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:41:59 PM

Recommendation:

Staff recommends the Commission recommend **approval of TA2013004**.

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachment: January 30, 2014 Commission minutes (excerpt, 1 page)
January 28, 2014 BCAB minutes (5 pages)
January 28, 2014 BCAB packet (4 pages)

Text Amendment: TA2013004 **All Districts**

Applicant: Commission Initiated

Request: 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.

Mr. Darren Gerard presented TA2013004, a text amendment to the Maricopa County Local Additions and Addenda, which is the adopted Construction Safety Codes, it would add a paragraph to Section 205 to exempt construction of buildings and other structures that had been in existence prior to January 1, 2000 from requirement to obtain a building permit. The text amendment is going through the Enhanced Regulatory Outreach Program, a stakeholder meeting was held on October 25, 2013. The text amendment would come back before you on March 27th for public hearing.

Commissioner Copeland questioned if Mr. Gerard was saying that something built prior to the year 2000 does not need to get a building permit if they are going to upgrade the facility at all?

Mr. Gerard responded no; any renovations or additions would require construction permits. If you had an existing structure that never had any benefit of a construction permit, the County is not going to require you to come in and obtain a building permit, even if you built another structure on the site.

Commissioner Copeland, responded, the old would be grandfathered in, the new structure on site would have to be permitted?

Mr. Gerard, responded, I would not use the term grandfathered. We are not calling it legal non-conforming; we are just saying there is not going to be a requirement to obtain a building/construction permit. If during the course of inspections there is an observed public safety deficiency or some type of blighted condition, then we would pursue Code Enforcement. A structure that is verified as being in prior to 2000 would not be required to obtain a building permit.

COMMISSION ACTION: Commissioner Aster moved to initiate TA2013004; Commission Muller seconded the motion which passed with a vote of 6-0.

DRAFT

BUILDING CODE ADVISORY BOARD
MEETING MINUTES

DATE: January 28, 2014
TIME: 2:00 p.m.

LOCATION: 501 North 44th Street, 1st Floor
Phoenix, AZ 85008

MEMBERS PRESENT:

Mr. Tracy Finley, Chairman
Mr. Vincent Territo, Vice Chairman
Mr. John Kight
Mr. Robert Ghan
Mr. Gabriel Millican
Mr. Arthur Luera

STAFF PRESENT:

Tom Ewers, Plan Review Manager/Chief Building Official
Lynn Favour, Deputy Director
Ralph Shepard, Plan Review Supervisor
Darren Gerard, Deputy Director

PUBLIC PRESENT:

None

ROLL CALL

Chairman Finley called the meeting to order at 2:04 p.m.

APPROVAL OF MINUTES

Chairman Finley asked if everyone looked at the minutes from the previous May 21, 2013 meeting and were there any comments. Member Ghan made a motion to approve the minutes. Member Kight seconded the motion. Motion passed unanimously.

REPORT OF COMMITTEES

None

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Annual Business Meeting – Election of Officers

   Member Kight made a motion to appoint Gabe Millican as Chairman. Chairman Finley seconded the motion. Motion passed unanimously.

   Member Ghan made a motion to appoint John Kight as Vice Chairmen. Member Finley seconded the motion. Motion passed unanimously.

2. TA2013004 Permit Exemption Date

   Tom Ewers presented the staff report and recommendation. Our electronic records are very complete going back to 2000. Prior to that our historical records are not complete.

   The proposed code amendment will relieve our customers of the responsibility for obtaining new permits for structures built prior to 2000 for which there are no permit records. Verification of the existence of a building prior to 2000 can be by aerial photographs. However, if there are visible signs of defects or unsafe conditions we will still require plans and permits to correct.

   This code amendment will also bring the Local Additions and Addenda into line with similar dates currently in the Maricopa County Zoning Ordinance and Drainage Regulations.

   Lynn Favour added that the intent is that buildings will not be considered Legally Non-Conforming, just that we will not require new building permits for a pre-2000 structure for which the department does not have a permit record, unless there is an obvious safety issue.

   Member Ghan asked how we would discover those safety issues. Tom Ewers answered through complaint or on site inspection. If there are visible signs of defects or unsafe structures a permit is then required and the applicant would have to comply with as-built permit requirements for plans and third party reports. Lynn Favour added the example where we would issue a permit for a room addition but not require an existing house to meet new codes unless there was structural instability or hazards. That way we don't penalize people who purchase property with pre-2000

existing structures just because Maricopa County doesn't have complete historical records.

Member Territo asked if the inspector would go through the house. Lynn Favour responded that we just inspect the permitted work and whatever work is necessary to support it (i.e. electrical panel upgrade).

Tom Ewers pointed out that the EROP criteria has been met: (1) the amendment has been the subject of at least one Stakeholder Workshop (posted on the County's web site at least two weeks in advance); (2) a draft of the regulatory change was available on the EROP web site at least two weeks prior to the Board hearing; and (3) the BCAB has received no opposition to the proposed text amendment and is recommending approval of the proposed language. Also there was one email in support of the text amendment, which was included in the BCAB packets.

Lynn Favour pointed out that this matter had also been discussed by the Task Force and they supported this Text Amendment.

Tom Ewers pointed out that the BCAB needs to adopt two motions, one to initialize TA2013004 and one to recommend approval.

Member Kight made a motion to initialize TA2013004. Member Finley seconded the motion. Motion passed unanimously.

Member Kight made a motion that the BCAB recommend that TA2013004 be approved for expedited EROP processing and that the Maricopa County Planning and Zoning Commission and Board of Supervisors adopt TA2013004. Member Ghan seconded the motion. Motion passed unanimously.

3. TA2013005 Annual Facilities Permit Program

Tom Ewers presented the staff report and recommendation. This is a text amendment to the Maricopa County Local Additions & Addenda revising Section 301(with reference to Section 105.1.1 & 105.1.2 of the 2012 International Building Code) regarding an annual permit and annual permit records to create a process for an Annual Facilities Permit (AFP) and adoption of related fees in Section 208. This is intended to improve customer service, reduce regulatory burden, and streamline the permitting process.

The concept is that a facility, like a hospital, can register as a Qualified AFP Facility and obtain a one year permit for all small remodeling jobs to be done. For each facility they will have a Registered Architect or Engineer Agent who will prepare plans and supervise the work and keep a record for the Building Official. Before any work is covered from view it will be

inspected by County Inspectors who will charge an hourly rate for inspections. This will allow a Qualified Facility to do work without waiting for individual plan reviews and permits, thereby saving time and money.

There are fees proposed to cover the cost of service for the program: $750 Registration Fee, $500 Annual Facilities Permit Fee, and $190 per hour Inspection Fees.

Member Territo asked about the Registration Fee. Lynn Favour indicated that would be a one time fee. She also indicated this matter was discussed by the Task Force and was based on a City of Phoenix program.

Member Ghan asked if we would need additional staff. Tom Ewers said we would use current resources. Lynn Favour added that fees for service were meant to achieve cost recovery and additional staff might be needed if the program is widely used.

Member Finley asked about the "contract employee". Tom Ewers indicated that the highlighted first line of the Agent definition was being removed at the suggestion of the Task Force. Member Luera described some projects he was familiar with that needed qualified on site supervision. Tom Ewers indicated that the Building Official would decide when separate permits are required, depending on the work.

Member Finley made a motion to also delete the words "and residing" from the Agent definition. Member Territo seconded the motion. Member Ghan said we needed the architect to be readily available for smaller jobs. Member Territo said the owner can take the risk of using an out of state architect. Motion passed 4 in favor, 2 opposed (Ghan, Luera)

Member Finley made a motion to initialize TA2013005. Member Luera seconded the motion. Motion passed unanimously.

Member Territo made a motion that the BCAB recommend that TA2013004, as amended to remove the words "and residing", be approved for expedited EROP processing and that the Maricopa County Planning and Zoning Commission and Board of Supervisors adopt TA2013004. Member Luera seconded the motion. Motion passed unanimously.

Lynn Favour asked if the BCAB was comfortable with this expedited process of initializing and voting on code amendments at the same meeting, given that the BCAB only regularly meets four times per year. There was general agreement. Member Finley expressed that it was more efficient. Member Territo indicated that special meetings may also be arranged.

SET DATE OF NEXT MEETING

Chairman Millican confirmed the next regular meeting is scheduled for April 8, 2014.

ADJOURNMENT

Member Ghan made a motion to adjourn the meeting. Member Kight seconded the motion. Motion passed unanimously and the meeting was adjourned at 2:46 PM.

Minutes Prepared and Reviewed by Thomas F. Ewers, Chief Building Official

Report to the Building Code Advisory Board

Prepared by the Maricopa County Planning and Development Department

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Cases:	**TA2013004 – Exemption for buildings/structures existing prior to 1/1/2000**
Meeting Date:	January 28, 2014
Agenda Item:	2
Supervisor District:	All
Applicant:	Staff
Request:	Initiate and Consider a Recommendation for a Text Amendment to the Maricopa County Local Additions & Addenda to adopt a new paragraph to Section 205.
Support/Opposition:	No known opposition. One email of support. General recommendation of support by the Maricopa County Planning and Development Department Ad Hoc Task Force on Process Improvements.
Recommendation:	**Initiate and Recommend Approval**

Discussion:

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.

Maricopa County began issuing building permits in 1975. Prior to that time only zoning certification permits were issued. In accordance with its approved State Records Retention Plan, the Planning and Development Department is required to retain copies of paper permits for 180 days from the date the project receives final inspection approval. As a result, the department has some paper records dating back to 1975, but they are not all inclusive. The department's electronic records are very complete back to the year 2000. Prior to the year 2000, the department's records are not complete.

During a permit review, questions can arise about existing buildings on a site, including whether or not they were built with a proper permit. If no record of a permit can be found, the department has been compelled to request that an applicant obtain a new permit. The existing structure would often need to be brought up to current code, which could be an expensive undertaking.

The proposed code amendment will relieve customers of the responsibility to obtain permits for structures built prior to 2000, which can be verified by aerial photographs. However, if there are visible signs of defects or unsafe conditions, the department will still have the authority to require proper plans and permits to ensure necessary safety corrections.

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.

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on October 25, 2013. This item will be presented on January 28, 2014 for initiation and possible recommendation. At the January 28th meeting, the BCAB may recommend that the text amendment process be expedited. An expedited process recommendation means that the BCAB would both initiate and make a recommendation regarding the text amendment at the same meeting. To be considered for the expedited process, the following three criteria must be met: (1) the amendment has been the subject of at least one Stakeholder Workshop (posted on the County's web site at least two weeks in advance); (2) a draft of the regulatory change was available on the EROP web site at least two weeks prior to the Board hearing; and (3) the BCAB has received no opposition to the proposed text amendment and is recommending approval of the proposed language. If the BCAB does not make a recommendation for expedited processing, an additional hearing date must be scheduled.

In accordance with state statutes, this text amendment is also scheduled to be heard by the Maricopa County Planning and Zoning Commission (Commission) at their January 30, 2014 Commission meeting. If positively acted upon, this amendment will be scheduled for a hearing before the Board of Supervisors (BOS) this spring. This schedule is subject to change depending on information and recommendations received by the public and by the actions of the BCAB, Planning and Zoning Commission and BOS.

The initial October 25th Stakeholder Meeting was attended by one party and this matter was discussed. (No minutes of the meeting were prepared.) The stakeholders indicated no opposition to the proposed text amendment. An email in support from the New River/Desert Hills Community Association is attached.

This matter was also discussed by the Maricopa County Planning and Development Department Ad Hoc Task Force on Process Improvements. This citizen committee appointed by the County Manager convened August 26, 2013 and held a series of meetings to discuss opportunities to improve Planning and Development Department processes. The Task Force suggested that the department simplify approaches to the plan review process and improve consistency with its permit reviews. The subcommittee was briefed regarding the EROP process. A text amendment that would exempt construction in existence prior to 1/1/2000 from permitting requirements unless visibly unsafe conditions are present was discussed at the subcommittee's September 18, 2013 and October 2, 2013 meetings.

The Task Force recommended that an amendment to exempt pre-2000 construction from building permit requirements, unless visibly unsafe, be pursued through the EROP process and approved by the Board of Supervisors. This Task Force recommendation will be presented by the Task Force as part of their final report to the Board of Supervisors at the January 27, 2014 Board of Supervisor meeting.

Recommendation:

Staff recommends that the BCAB initiate TA2013004.

Staff further recommends, if the EROP criteria are met, that the BCAB recommend that TA2013004 be approved for expedited EROP processing and that the Maricopa County Planning and Zoning Commission and Board of Supervisors adopt TA2013004.

Prepared by Tom Ewers, Plan Review Manager

Attachments: New River/Desert Hills Association email (1 page).

Darren Gerard - PLANDEVX

From: plan-dev@nrdhca.com
Sent: Saturday, December 21, 2013 5:42 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013004 – Exemption for Building/Structures Existing Prior to 1/1/2000

Citizen's Name: Ann Hutchinson
Organization: New River Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type: home
Email: plan-dev@nrdhca.com

Does citizen want to be contacted: no

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA)has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:41:59 PM

Maricopa County
Planning & Development Department

501 N. 44th St. # 200
Phoenix, AZ 85008
Phone: (602) 506-7139
Fax: (602) 506-3711
www.maricopa.gov/planning

Date: April 23, 2014
To: Board of Supervisors
From: Darren V. Gerard, AICP, Deputy Director
Subject: TA2013004

The following email thread was a result of EROP comments after the staff report for this hearing was posted online.

From: Darren Gerard - PLANDEVX
Sent: Friday, April 11, 2014 10:15 AM
To: 'BARNY182@HOTMAIL.COM'
Subject: RE: Regulatory Outreach

Sir: thank you for your comments. Your support for TA2013004 is noted. This email will be handed out at the 4/23 BOS public hearing. Darren

[Signature block snipped]

From: barny182@hotmail.com[SMTP:BARNY182@HOTMAIL.COM]
Sent: Friday, April 11, 2014 5:07:41 AM
To: Regulatory
Subject: Regulatory Outreach
Auto forwarded by a Rule

Citizen Comments

Issue: PD-TA2013004 – Exemption for Building/Structures Existing Prior to 1/1/2000

Citizen's Name: john john
Organization: nbCOlcpGAAjqf
City: New York
Zip: 47355
Phone Number: 92107198269
Phone Type: work
Email: barny182@hotmail.com

Does citizen want to be contacted: yes

Comment is regarding: express support

Comments:
vLeEY0 http://www.QS3PE5ZGdxC9IoVKTAPT2DBYpPkMKqfz.com

Time of Request: 4/11/2014 5:07:41 AM

Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Commission Hearing Date:	March 27, 2014
Board Hearing Date:	April 23, 2014
Case # / Title:	TA2013006 – Location of Parking
Agenda Item:	4
Supervisor District:	All

Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), Article 1102 regarding the location of parking spaces in relation to the use served
Support/Opposition:	No known opposition. One email of support.
Staff Recommendation:	**Approve**
Commission Recommendation:	**Approve**
Additional Comments:	There are no updates since the Commission report. TA2013006 has been processed through the County's enhanced regulatory outreach program (EROP). This is intended to improve customer service and reduce regulatory burden. This regulatory amendment will permit off-site parking spaces to be located across a local or collector street from the use served; and to permit parking spaces to be located across an arterial street or more than a distance of 600' from the use served with an approved valet parking plan. The regulatory amendment will take effect 30 days after Board approval. 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 a<u>n</u> ~~public or private~~ <u>arterial</u> 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.

Presented by:	Darren V. Gerard, AICP, Deputy Director
Attachments:	DRAFT minutes of the 3/27/14 Commission hearing – not available as of the writing of this report but will be provided later under separate cover when available. 3/27/14 Commission packet (3 pages)

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	**TA2013006 – Location of Parking**
Meeting Date:	March 27, 2014
Agenda Item:	5
Supervisor District:	All
Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), Article 1102 regarding the location of parking spaces in relation to the use served
Support/Opposition:	No known opposition. One email of support.
Recommendation:	**Approve**

Discussion:

This is intended to improve customer service and reduce regulatory burden. This regulatory amendment will permit off-site parking spaces to be located across a local or collector street from the use served; and to permit parking spaces to be located across an arterial street or more than a distance of 600' from the use served with an approved valet parking plan. 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 a<u>n</u> ~~public or private~~ <u>arterial</u> street, or a railroad right-of-way<u>, unless requirement is waived by the Zoning Administrator due to an approved valet parking plan or other provision</u>.*
>
> *<u>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.</u>*

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on October 25, 2013. The case was initialized at a January 30, 2014 Commission public meeting. Assuming positive Commission recommendation, the case will be scheduled for presentation to the Board of Supervisors (BOS) at a public hearing on April 23, 2014. The regulatory amendment will take effect 30 days after BOS approval.

There is no known opposition to the proposed language. A single email of support was received via EROP:

From: Darren Gerard - PLANDEVX
Sent: Wednesday, January 08, 2014 7:18 PM
To: 'Plan-Dev@nrdhca.com'
Subject: RE: Regulatory Outreach TA2013006

Ann: thanks for your comments. Darren

From: Plan-Dev@nrdhca.com [mailto:Plan-Dev@nrdhca.com]
Sent: Saturday, December 21, 2013 5:47 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013006 – Location of Parking

Citizen's Name: Ann Hutchinson
Organization: New River - Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type:
Email: Plan-Dev@nrdhca.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA) has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:47:21 PM

Recommendation:

Staff recommends the Commission **recommend approval of TA2013006**.

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachment: January 30, 2014 Commission minutes (excerpt, 1 page)

Text Amendment: TA2013006 **All Districts**

Applicant: Commission Initiated

Request: Text Amendment to the Maricopa County Zoning Ordinance, Article 1102 regarding the location of parking spaces in relation to the use served.

Mr. Darren Gerard presented TA2013006, a text amendment to the Maricopa County Zoning Ordinance, Article 1102 in regard to location parking spaces in relation to the uses served. This would permit off-site parking spaces to be located across a local or collector street from the use served. It would allow parking spaces to be located across Arterial street or more distance than 600' from the use served with an approved valet parking plan as part of the Plan of Development.

Commissioner Aster asked so a collector, anything other than an arterial they can just park, there is no valet involved, a valet is involved with an arterial.

Mr. Gerard responded correct; currently the ordinance would not allow you to have the parking across the street. If you are at a country club and there is a clubhouse and a street and parking area, that could not work in our current zoning ordinance. It is a bit restrictive that it does not allow for design to accommodate that type of safety issues and local street and collector streets there is traffic calming measures.

COMMISSION ACTION: Commissioner Aster moved to initiate TA2013006; Commission Muller seconded the motion which passed with a vote of 6-0.

DRAFT

Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Commission Hearing Date:	March 27, 2014
Board Hearing Date:	April 23, 2014
Case # / Title:	TA2013007 – Temporary Uses
Agenda Item:	5
Supervisor District:	All

Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), Section 1302, to permit Temporary Uses as an administrative remedy of a zoning violation
Support/Opposition:	No known opposition. One email of support.
Staff Recommendation:	**Approve**
Commission Recommendation:	**Approve**
Additional Comments:	There are no updates since the Commission report. TA2013007 has been processed through the County's enhanced regulatory outreach program (EROP). This is intended to improve customer service and reduce regulatory burden. This regulatory amendment 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. The regulatory amendment will take effect 30 days after Board approval. 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.

Presented by:	Darren V. Gerard, AICP, Deputy Director
Attachments:	DRAFT minutes of the 3/27/14 Commission hearing – not available as of the writing of this report but will be provided later under separate cover when available. 3/27/14 Commission packet (3 pages)

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	**TA2013007 – Temporary Uses**
Meeting Date:	March 27, 2014
Agenda Item:	6
Supervisor District:	All
Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), Section 1302, to permit Temporary Uses as an administrative remedy of a zoning violation
Support/Opposition:	No known opposition. One email of support.
Recommendation:	**Approve**

Discussion:

This is intended to improve customer service and reduce regulatory burden. This regulatory amendment 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. 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 <u>or long-term</u> basis, but which may be either necessary or desirable for a limited period of time<u>; 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</u>, or

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

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on October 25, 2013. The case was initiated at the January 30l, 2014 Commission public meeting. Assuming positive recommendation by the Commission, the Board of Supervisors (BOS) public hearing for adoption is April 23, 2014. The regulatory amendment will take effect 30 days after BOS approval.

There is no known opposition to the proposed language. A single email of support was received via EROP:

From: Darren Gerard - PLANDEVX
Sent: Wednesday, January 08, 2014 7:27 PM
To: 'Plan-Dev@nrdhca.com'
Subject: RE: Regulatory Outreach TA2013007

Ann: thanks for your comment. Darren

From: Plan-Dev@nrdhca.com [mailto:Plan-Dev@nrdhca.com]
Sent: Saturday, December 21, 2013 5:48 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013007 – Temporary Uses

Citizen's Name: Ann Hutchinson
Organization: New River - Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type:
Email: Plan-Dev@nrdhca.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA) has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:48:27 PM

Recommendation:

Staff recommends the Commission **recommend approval of TA2013007**.

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachment: January 30, 2014 Commission minutes (excerpt, 1 page)

Text Amendment: TA2013007 **All Districts**

Applicant: Commission Initiated

Request: Text Amendment to the Maricopa County Zoning Ordinance, Section 1302, to permit Temporary Uses as an administrative remedy of a zoning violation.

Mr. Darren Gerard presented TA2013007, a text amendment to Section 1302 of the Maricopa County Zoning Ordinance, which creates a new Temporary Use category, which is simply to allow potential for any use to be given a one year period of validity during which time there would be an exit strategy for cease and desisting of the business that is subject to zoning violation or to obtain permanent zoning entitlement. There is a public notice process, public hearing process if there is any neighborhood opposition.

COMMISSION ACTION: Commissioner Aster moved to initiate TA2013007; Commission Muller seconded the motion which passed with a vote of 6-0.

DRAFT

Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Commission Hearing Date:	March 27, 2014
Board Hearing Date:	April 23, 2014
Case # / Title:	TA2013008 – Amendment to Licensing Time Frames Ordinance No. P-30 per HB 2443
Agenda Item:	6
Supervisor District:	All

Applicant:	Commission initiated
Request:	Text Amendment to Maricopa County Ordinance No. P-30 regarding licensing time frames
Support/Opposition:	No known opposition. One email of support.
Staff Recommendation:	**Approve**
Commission Recommendation:	**Approve**
Additional Comments:	There are no updates since the Commission report. TA2013008 has been processed through the County's enhanced regulatory outreach program (EROP). This is a general ordinance applicable to all County regulatory agencies. This regulatory amendment 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. A leg-edit version of the proposed ordinance amendment is attached to the Commission report. The regulatory amendment will take effect 30 days after Board approval.

Presented by:	Darren V. Gerard, AICP, Deputy Director
Attachments:	DRAFT minutes of the 3/27/14 Commission hearing – not available as of the writing of this report but will be provided later under separate cover when available. 3/27/14 Commission packet (28 pages)

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	**TA2013008 – Amendment to Licensing Time Frames Ordinance No. P-30 per HB 2443**
Meeting Date:	March 27, 2014
Agenda Item:	7
Supervisor District:	All
Applicant:	Commission initiated
Request:	Text Amendment to Maricopa County Ordinance No. P-30 regarding licensing time frames
Support/Opposition:	No known opposition. One email of support.
Recommendation:	**Approve**

Discussion:

This is a general ordinance applicable to all County regulatory agencies. This regulatory amendment 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. A leg-edit version of the proposed ordinance amendment is attached.

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on October 25, 2013. The Commission initated this case at the January 30, 2014 public meeting. Assuming positive Commission recommendation, the public hearing for Board of Supervisors (BOS) adoption will be scheduled for April 23, 2014. The regulatory amendment will take effect 30 days after BOS approval but essentially is already effective due to State law.

There is no known opposition to the proposed language. A single email of support was received via EROP:

> **From:** Darren Gerard - PLANDEVX
> **Sent:** Wednesday, January 08, 2014 7:33 PM
> **To:** 'Plan-Dev@nrdhca.com'
> **Subject:** RE: Regulatory Outreach TA2013008
>
> Ann: thanks for your comment. Darren
>
> **From:** Plan-Dev@nrdhca.com [mailto:Plan-Dev@nrdhca.com]
> **Sent:** Saturday, December 21, 2013 5:50 PM
> **To:** Regulatory
> **Subject:** Regulatory Outreach

Citizen Comments

Issue: PD-TA2013008 – Amendment to Licensing Time Frames Ordinance No. P-30

Citizen's Name: Ann Hutchinson
Organization: New River - Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type:
Email: Plan-Dev@nrdhca.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA) has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:49:49 PM

Recommendation:

Staff recommends the Commission **recommend approval of TA2013008.**

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachments: January 30, 2014 Commission minutes (excerpt, 1 page)
Proposed language (leg-edit of Ord. No. P-30 and exhibits, total 25 pages)

No enclosures

Text Amendment: TA2013008 **All Districts**

Applicant: Commission Initiated

Request: Text Amendment to the 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.

Mr. Darren Gerard presented TA2013008, is to initiate an amendment to County Ordinance P-30 regarding licensing timeframes. This is a general ordinance applicable to all County agencies that issue licenses. However, this is a housekeeping measure, memorializing changes that have already been put into place to keep up with changes in state law.

COMMISSION ACTION: Commissioner Aster moved to initiate TA2013008; Commission Muller seconded the motion which passed with a vote of 6-0.

DRAFT

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

Maricopa County

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

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

Chapter 1 – Purpose and Title

SECTION 101. Purpose

The purpose of this Ordinance is to establish both administrative completeness review and substantive review time frames for those Licenses, as defined in A.R.S. §11-1601 ("License," "Licenses" or "Licensing ") issued by Maricopa County, as required by A.R.S. §11-1605.

SECTION 102. Title

This Ordinance shall be referred to and known as 'Ordinance Establishing Licensing Time Frames."

SECTION 103. Severability

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

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

Chapter 2 – Administration

SECTION 201. Purpose

The purpose of this chapter is to provide in one location all administrative authorizations for implementation of this Ordinance.

SECTION 202. Administrative Responsibility

It shall be the responsibility of the Deputy County Manager or Assistant County Manager with responsibility to oversee the applicable department, office or agency, or the Clerk with responsibility to oversee the Office of the Clerk of the Board of Supervisors, to enforce the provisions of this Ordinance. Each Maricopa County department and agency is hereby authorized to adopt necessary forms, processes and procedures to implement the provisions of this Ordinance.

SECTION 203. Posting of Notice

Each Maricopa County department and agency shall post on the same web page that contains information to the public about each License, all applicable administrative completeness review time frames and substantive review time frames which are germane to said License.

SECTION 204. Amendment

This Ordinance may be amended from time to time in accordance with A.R.S. §11-251.05(C). The Clerk of the Board of Supervisors may correct typographical errors and/or reformat this document without such corrections being considered an amendment.

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

Chapter 3 - Definitions

SECTION 301. Purpose

The purpose of this chapter is to centrally locate all terms specifically defined for use in the administration of this ordinance.

SECTION 302. Definitions

In this Ordinance, unless the context requires otherwise, the following terms shall be as defined below. If a capitalized term is not defined herein, it shall have the definition in A.R.S. §11-1601.

APPLICATION means all documents, plans and materials required by the applicable department, office or agency to support a request for License.

DESIGN BUILD means a construction project delivery system in which the design and construction aspects are contracted for with a single entity known as the design-builder or design-build contractor, and in which the system is used to minimize the project risk for an owner(s) and to reduce the delivery schedule by overlapping the design phase and construction phase of a project entity

COUNTY means Maricopa County.

MANAGER means the Deputy County Manager or Assistant County Manager assigned to oversee a specific department, office or agency of Maricopa County, or the Clerk who oversees the Office of the Clerk of the Board of Supervisors.

~~**PROJECT WITH SPECIAL CIRCUMSTANCES** means an application that involves a series of Licenses, all of which are interrelated, where it is necessary for the applicant to complete different elements at different times and for which any one time frame would be inappropriate. A project qualifies as one with Special Circumstances where Licenses will be issued at separate times as opposed to one where all Licenses must be obtained simultaneously.~~

REGULATORY BILL OF RIGHTS means A.R.S. §11-1601 through A.R.S. §11-1610. Any term not specifically defined in this Ordinance shall have the meaning set forth in the Regulatory Bill of Rights.

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

Chapter 4 – General Regulations

SECTION 401. Purpose

The purpose of this chapter is to provide in one location the general regulations implementing the Regulatory Bill of Rights.

SECTION 402. Time Frames

a. **Administrative Completeness Time Frames**

The administrative completeness time frames for each License issued by the County shall be as set forth on Exhibit A attached hereto and made a part hereof. As used in Exhibit A, days shall mean Working Days.

b. **Substantive Review Time Frames**

The substantive review time frames for each License issued by the County shall be as set forth on Exhibit A attached hereto and made a part hereof. As used in Exhibit A, days shall mean Working Days.

c. **Default Time Frames**

If Exhibit A shall fail to identify an administrative completeness time frame for any License issued by the County, in such event the administrative completeness time frame for such License shall be sixty (60) Working Days. If Exhibit A shall fail to identify a substantive review time frame for any License issued by the County, in such event the substantive review time frame for such License shall be one hundred twenty (120) Working Days.

SECTION 403. Changes to Applications

a. **Substantially Altered Applications**

If, during the course of review of a pending application, the applicant revises the application with significant changes, alterations, additions, or amendments that are not in response to a request for corrections that results in ~~so that~~ the application ~~is~~ being substantially altered such that extensive additional review is necessary, in such event, the submission shall be deemed to be a new application, the

substantive review time frame shall start over and the fee established by the Board of Supervisors as set forth in Exhibit B hereto, shall be charged.

b. **Related Applications**

If, during the course of review of a pending application, the applicant submits one or more additional applications that are related to the pending application, in such event, the substantive review time frame shall be reset on all related applications. In this event there shall be one applicable substantive review time for all of the related applications and the time frame shall be revised to be the longest substantive review time frame that was applicable to any one of the related applications. As a result, the entire substantive review time frame for the related applications shall start over, and the fee, established by the Board of Supervisors as set forth in Exhibit B hereto, shall be charged.

SECTION 404. Denial of Applications

a. **General Denial of Applications**

The Director of each department, office or agency is granted the power and authority to deny any and all License applications, of any kind whatsoever, made to the department, office or agency if, in the opinion of the Director, it is not possible to grant the application within the time frame established pursuant to the requirements of A.R.S. §11-1605 and this Ordinance.

b. **Denial for Failure to Supply Information**

In the event an applicant for License has been provided with a written or electronic request for additional or supplemental information, or has been provided with a written or electronic notice of deficiencies, and in the further event the applicant has not provided said additional or supplemental information within 365 days (not Working Days) of the written or electronic notice of Administrative Incompleteness or of Substantive Incompleteness having been sent to the applicant, then and in such event, the department, office or agency to which such application has been made shall issue a written notice of ~~denial~~ administrative closure of the application and the department, office or agency shall close any and all files opened in connection with such application. The ~~denial~~ closure shall be without prejudice to the right of the applicant to re-apply for the same License.

SECTION 405. ~~Additional Requests /~~ Extensions of Time Frames

~~A.R.S. §11-1605(G) permits the County to make one comprehensive request for additional information during substantive review, but allows mutual agreement authorizing the County to make more than one comprehensive written or electronic request for additional information during the substantive review time frame.~~ A.R.S. §11-1605(~~H~~ I) permits the applicant and County to mutually consent to the extension of the substantive review and overall time frames for up to ~~twenty-five~~ fifty percent (~~25~~ 50%) of the overall time frame. Maricopa County hereby consents to any and all such extensions. ~~In no event shall any department, office or agency of the County consent to extend the applicable time frame unless the applicant shall also agree, as provided by statute, to waive the limitation of only one comprehensive request for additional information during substantive review. In no event shall any department, office or agency of the County consent to waive the limitation of only one comprehensive written or electronic request for additional information during the substantive review unless the applicant shall also agree, as provided by statute, to extend the applicable time frame for twenty-five percent (25%) of the overall time frame.~~

SECTION 406. ~~Projects with Special Circumstances~~ Design Build Projects

~~In the event the applicant shall request to have its project treated as a Project with Special Circumstances, the department(s) or agency(ies) to which the application is made or to be made, shall determine if the department(s) or agency(ies) consent to such treatment. In the event of applications to multiple departments or agencies, each department and agency must so consent; provided, however, that if an application is submitted to the Maricopa County One Stop Shop, the determination of applicability shall be made by the Director of the Planning and Development Department. If the application is determined to be a Project With Special Circumstances, the applicant and the appropriate departments or agency(ies), shall mutually agree to an appropriate administrative completeness review time frame and an appropriate substantive review time frame, and shall agree to any procedures and processes which may deviate from the customary procedures and processes. Any such agreement shall be written and executed by the Director of each department, office or agency, or in the event of an application to the Maricopa County One Stop Shop, by the Director of the Planning and Development Department, on behalf of Maricopa County. In the event the applicant and the department(s) or agency(ies) are unable to mutually agree to appropriate administrative~~

~~completeness review and substantive review time frames, then and in such an event, the time frames set forth in Exhibit A hereto, as may be modified from time to time, shall apply.~~
ARS §11-1610(6) exempts from the statute Design Build projects. The agreement referenced in §11-1610(6), shall be initiated by the applicant but to which Maricopa County is to be a party, may be reached on behalf of Maricopa County the the Director of the Planning and Development Department or by his/her designee.

SECTION 407. Exemptions

An application specific to residential is not subject to time frames per ARS § 11-1605 M.2. Design build projects may establish negotiated time process during a pre-application meeting and are exempt from time frames per ARS § 11-1610 – 6.

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

Chapter 5 – Appeals

SECTION 501. Purpose

The purpose of this chapter is to provide a process for appeal for any applicant whose application has been denied either due to the determination that the County cannot issue an approval due to the presence of the time frames required in this Ordinance or because of the failure of the applicant to comply with substantive requirements required to obtain the License sought.

SECTION 502. Hearing Officer

The Board of Supervisors hereby establishes the position of Hearing Officer to hear and decide all appeals of decisions denying any application for License pursuant to this Ordinance. The Board of Supervisors hereby designated any and all Hearing Officers appointed pursuant to Chapter 15 of the Zoning Ordinance for the Unincorporated Areas of Maricopa County (No. P-18) as Haring Officers forall purposed under this Ordinance.

SECTION 503. Procedure

The Board of Supervisors hereby delegates to the Manager the responsibility to develop the procedures to implement an appellate process after the denial of any application for License pursuant to this Ordinance, provided, however, that any such procedure shall include:

a. All notices of appeal shall be by either the applicant or the property owner as identified on the application, shall be in writing, shall be served upon the Director of the department from which the denial is being appealed and shall include all appropriate fees as established by the Board of Supervisors and as set forth in Exhibit B hereto.

b. The Hearing Officer may, upon application by a party and good cause shown, issue a subpoena for the production of documents or to compel the appearance of a witness.

c. The Arizona rules of evidence shall not apply in the appellate process. Any evidence offered may be admitted subject to a determination by the Hearing Officer that the offered evidence is relevant and material and has some probative value to a fact at

issue. This is not to be construed as abrogating any statutory provision relating to privileged communications.

d. The Hearing Officer may, on Motion of the Hearing Officer, call and examine witnesses, including the appealing party. No person may be examined at a hearing except by the Hearing Officer, the appellant or their representative, or a deputy county attorney.

e. A verbatim record of the appeal shall be kept.

f. Applications for discovery shall be made to the Hearing Officer in a timely manner.

SECTION 504. Final Decision

The decision of the Hearing Officer shall be the final determination by the County on the application. Judicial review of the Hearing Officer's decision shall be pursuant to Arizona Revised Statutes Title 12, Chapter 7, Article 6

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

Chapter 6 – Effective Date

SECTION 601. Effective

This Ordinance shall be effective as of December 31, 2012.

PASSED AND ADOPTED this 12th day of December 2012, by the Board of Supervisors of Maricopa County, Arizona.

AMENDMENT PASSED AND ADOPTED this _____ day of _____ 2014, by the Board of Supervisors of Maricopa County, Arizona. The change to Licensing Time Frames Ordinance P-30 accounts for amendments to ARS §11-1601 through ARS §11-1610 with House Bill 2443.

_____

Chairman

Attest:

_____

Clerk

Approved as to form:

_____

Deputy County Attorney

Exhibit – A

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
1	MCOSS	PnD	Building	Commercial	Accessory	60	120	180
2	MCOSS	PnD	Building	Commercial	Addition	60	120	180
3	MCOSS	PnD	Building	Commercial	Alteration	60	120	180
4	MCOSS	PnD	Building	Commercial	Demolition	60	120	180
5	MCOSS	PnD	Building	Commercial	Move On Structure	60	120	180
6	MCOSS	PnD	Building	Commercial	Multi-Section Manufactured Home	60	120	180
7	MCOSS	PnD	Building	Commercial	New	60	120	180
8	MCOSS	PnD	Building	Commercial	Pools and Spas	60	120	180
9	MCOSS	PnD	Building	Commercial	Principal Use	60	120	180
10	MCOSS	PnD	Building	Commercial	Production	60	120	180
11	MCOSS	PnD	Building	Commercial	Signs	60	120	180
12	MCOSS	PnD	Building	Fence	Fences	60	120	180
13	MCOSS	PnD	Building	Grading	Grading Only	60	120	180
14	MCOSS	PnD	Building	Grading	Infrastructure Only	60	120	180
15	MCOSS	PnD	Building	Grading	Miscellaneous Grading	60	120	180
16	MCOSS	PnD	Building	Grading	Subdivision Infrastructure	90	180	270
17	MCOSS	PnD	Building	Miscellaneous_1	Electrical	60	120	180
18	MCOSS	PnD	Building	Miscellaneous_1	Mechanical	60	120	180
19	MCOSS	PnD	Building	Miscellaneous_1	Miscellaneous	60	120	180
20	MCOSS	PnD	Building	Miscellaneous_1	Plumbing	60	120	180
21	MCOSS	PnD	Building	Residential_1	Accessory	60	120	180
22	MCOSS	PnD	Building	Residential_1	Addition	60	120	180
23	MCOSS	PnD	Building	Residential_1	Alteration	60	120	180
24	MCOSS	PnD	Building	Residential_1	Demolition	60	120	180
25	MCOSS	PnD	Building	Residential_1	Move On Structure	60	120	180

Licensing Time Frames

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
26	MCOSS	PnD	Building	Residential_1	Multi-Section Manufactured Home	60	120	180
27	MCOSS	PnD	Building	Residential_1	New	60	120	180
28	MCOSS	PnD	Building	Residential_1	New with Basement	60	120	180
29	MCOSS	PnD	Building	Residential_1	Pools and Spas	60	120	180
30	MCOSS	PnD	Building	Residential_1	Principal Use	60	120	180
31	MCOSS	PnD	Building	Residential_1	Production	60	120	180
32	MCOSS	Flood Control	Flood Control	Floodplain Permit	Floodplain Permit	30	60	90
33	MCOSS	MCDOT	ROW Permit	Right of Way Permit	Right of Way Permit	90	180	270
34	MCOSS	Planning	Current Planning	Board of Adjustment	Board of Adjustment	25	75	100
35	MCOSS	Planning	Current Planning	Drainage Review Board	Drainage Review Board	25	75	100
36	MCOSS	Planning	Current Planning	Plan of Development	Plan of Development	90	180	270
37	MCOSS	Planning	Current Planning	Subdivision	Final Plat	90	180	270
38*	~~MCOSS~~	~~Planning~~	~~Current Planning~~	~~Subdivision~~	~~Modification of Stipulation~~	~~90~~	~~180~~	~~270~~
39*	~~MCOSS~~	~~Planning~~	~~Current Planning~~	~~Subdivision~~	~~Preliminary Plat~~	~~90~~	~~180~~	~~270~~
40*	~~MCOSS~~	~~Planning~~	~~Current Planning~~	~~Subdivision~~	~~Preliminary Plat Extension~~	~~90~~	~~180~~	~~270~~
41	MCOSS	Planning	Current Planning	Temporary Use Permit	Temporary Use Permit	25	75	100

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
42	MCOSS	Planning	Current Planning	Wireless Communication Facility	Wireless Communication Facility	25	75	100
43	MCOSS	PnD	Adult Business	License	License	90	180	270
44	MCOSS	PnD	Adult Business	License	License Renewal	90	180	270
45	MCOSS	PnD	Adult Business	License	Manager	90	180	270
46	MCOSS	PnD	Adult Business	License	Provider	90	180	270
47	MCOSS	PnD	Land Use	Land Use	Land Use	25	75	100
48	MCESD	Environ-mental	Water & Waste Mgt	Drinking Water – Permit	Drinking Water System *A.A.C. R18-1-525 Table 5, Group I & II*	16	67	83
49	MCESD	Environ-mental	Water & Waste Mgt	Drinking Water – Plan Review	New Source Approval *A.A.C. R18-1-525 Table 5, Group I & II*	16	67	83
50	MCESD	Environ-mental	Water & Waste Mgt	Drinking Water – Plan Review	Compliance Plan	16	67	83
51	MCESD	Environ-mental	Water & Waste Mgt	Drinking Water – Plan Review	Emergency Operation Plan	16	67	83
52	MCESD	Environ-mental	Water & Waste Mgt	Drinking Water – Plan Review	Site Sampling Plan	16	67	83
53	MCESD	Environ-mental	Water & Waste Mgt	Drinking Water – Plan Review	Backflow Prevention Plan	16	67	83
54	MCESD	Environ-mental	Water & Waste Mgt	Solid Waste – Plan Review	Experimental Project Approval	16	67	83
55	MCESD	Environ-mental	Water & Waste Mgt	Solid Waste – Plan Review	NHLW Transfer Facility	42	94	136
56	MCESD	Environ-mental	Water & Waste Mgt	Solid Waste – Plan Review	Refuse Collection Variance *A.A.C. R18-1-525 Table 12*	21	41	62

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
57	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Public Water Supply Distribution Line *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
58	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Drinking Water Chlorination Plan *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
59	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Drinking Water Master Plan or Amendment *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
60	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Reclaimed Water System Plan Review *A.A.C. R18-1-525 Table 10*	42	53	95
61	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Drinking Water Booster Pump Station *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
62	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Drinking Water Storage Tank *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
63	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Drinking Water or Wastewater Line Waiver	16	37	53

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
64	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Sewer Collection System Force Mains *A.A.C. R18-1-525 Table 10*	42	53	95
65	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Sewer Collection System Gravity Sewer 0 – 300 Connections *A.A.C. R18-1-525 Table 10*	42	53	95
66	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Sewer Collection System Gravity Sewer 301 – or more Connections *A.A.C. R18-1-525 Table 10*	42	94	136
67	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Waste Water – Master Plan or Amendment *A.A.C. R18-1-525 Table 10*	42	53	95
68	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Wastewater Review of Alternative Features *A.A.C. R18-1-525 Table 10*	42	53	95
69	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Review of Soils / Hydrology Report *A.A.C. R18-1-525 Table 10*	21	46	67
70	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Wastewater – Sewer Lift Station *A.A.C. R18-1-525 Table 10*	42	53	95

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
71	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Wastewater Reuse *A.A.C. R18-1-525 Table 10*	42	53	95
72	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Approval of Sanitary Facilities *A.A.C. R18-1-525 Table 10*	21	37	58
73	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	All other Wastewater Plans *A.A.C. R18-1-525 Table 10*	42	53	95
74	MCESD	Environ-mental	Water & Waste Mgt	Subdivision & Infrastructure	Trailer Coach (Mobile Home) Park Facility *A.A.C. R18-1-525 Table 10*	21	46	67
75	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Alteration Plan: Treatment – Public Water *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
76	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Complex Experimental Project Approval *A.A.C. R18-1-525 Table 5, Group I & II*	16	67	83
77	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Operations & Maintenance Plan *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
78	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Complex Water Treatment Plant *A.A.C. R18-1-525 Table 5, Group I & II*	16	67	83
79	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Treatment System Plan – Public Water *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
80	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Water Blending System Plan *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
81	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Well Site Review & Approval *A.A.C. R18-1-525 Table 5, Group I & II*	16	37	53
82	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Complex Experimental Project Approval (Wastewater) *A.A.C. R18-1-525 Table 10*	35	186	221
83	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Ground Water Recharge *A.A.C. R18-1-525 Table 10*	42	94	136
84	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	MAG 208 Certification *A.A.C. R18-1-525 Table 10*	42	94	136

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
85	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Non-Hazardous Liquid Waste Transfer Facility *A.A.C. R18-1-525 Table 10*	42	94	136
86	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Wastewater Treatment Plant *A.A.C. R18-1-525 Table 10*	35	186	221
87	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Treatment System Plan – Wastewater *A.A.C. R18-1-525 Table 10*	42	94	136
88	MCESD	Environ-mental	Water & Waste Mgt	Treatment Plant	Wastewater Reuse *A.A.C. R18-1-525 Table 10*	42	94	136
89	MCESD	Environ-mental	Water & Waste Mgt	Swimming Pool Plan Review	Swimming Pool or Special Use Pool *A.A.C. R18-1-525 Table 5, Group I & II*	26	67	93
90	MCESD	Environ-mental	Water & Waste Mgt	Swimming Pool Plan Review	Swimming Pool Remodel Complex *A.A.C. R18-1-525 Table 5, Group I & II*	26	67	93
91	MCESD	Environ-mental	Water & Waste Mgt	Swimming Pool Plan Review	Swimming Pool Remodel Simple *A.A.C. R18-1-525 Table 5, Group I & II*	26	26	52
92	MCESD	Environ-mental	Water & Waste Mgt	Swimming Pool Plan Review	Fence Remodel *A.A.C. R18-1-525 Table 5, Group I & II*	26	67	93

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
93	MCESD	Environ-mental	Water & Waste Mgt	Swimming Pool Plan Review	Swimming Pool Variance	42	184	226
94	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Alteration	10	20	30
95	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Alteration with Inspection	10	20	30
96	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Composing Toilet <3000 Gal/Day *A.A.C. R18-1-525 Table 10*	42	31	73
97	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Septic Tank with Additional Alternative Elements *A.A.C. R18-1-525 Table 10*	42	53	95
98	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Septic Tank, Conventional Disposal <3000 Gal/Day *A.A.C. R18-1-525 Table 10*	42	31	73
99	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Aerobic System with Surface Disposal *A.A.C. R18-1-525 Table 10*	42	53	95
100	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Onsite Wastewater Treatment Facility, Flow 3000 to <24000 Gal/Day *A.A.C. R18-1-525 Table 10*	42	94	136
101	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Reconnect / Remodel Review	10	20	30

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
102	MCESD	Environ-mental	Water & Waste Mgt	Onsite Wastewater	Reconnect / Remodel Review with Inspection	10	20	30
103	MCESD	Environ-mental	Environmental Health	Environmental Health	New Business Owner – Food Service *A.A.C. R9-8-104 Table 1*	30	30	60
104	MCESD	Environ-mental	Environmental Health	Environmental Health	New Business Owner – Public Accommodation	30	30	60
105	MCESD	Environ-mental	Environmental Health	Environmental Health	New Business Owner – School Grounds	30	30	60
106	MCESD	Environ-mental	Environmental Health	Environmental Health	New Business Owner – Pet Shop / Groomer	30	30	60
107	MCESD	Environ-mental	Environmental Health	Environmental Health	New Business Owner – Mobile Food *A.A.C. R9-8-104 Table 1*	30	30	60
108	MCESD	Environ-mental	Environmental Health	Environmental Health	Eating & Drinking 0-9 Seating Capacity Plan Review *A.A.C. R9-8-104 Table 1*	30	30	60
109	MCESD	Environ-mental	Environmental Health	Environmental Health	All Other Food Establishments Plan Review *A.A.C. R9-8-104 Table 1*	30	60	90
110	MCESD	Environ-mental	Environmental Health	Environmental Health	Mobile Food Establishments Plan Review *A.A.C. R9-8-104 Table 1*	30	60	90

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
111	MCESD	Environ-mental	Environmental Health	Environmental Health	Mobile Pet Groomer / Shop Plan Review	30	60	90
112	MCESD	Environ-mental	Environmental Health	Environmental Health	Pet Shops Plan Review	30	60	90
113	MCESD	Environ-mental	Environmental Health	Environmental Health	Public Accommodation Plan Review	30	60	90
114	MCESD	Environ-mental	Environmental Health	Environmental Health	Pushcart Plan Review *A.A.C. R9-8-104 Table 1*	30	60	90
115	MCESD	Environ-mental	Environmental Health	Environmental Health	School Facilities (Food) Plan Review *A.A.C. R9-8-104 Table 1*	30	60	90
116	MCESD	Environ-mental	Environmental Health	Environmental Health	School Facilities (Non-Food) Plan Review	30	60	90
117	MCESD	Environ-mental	Environmental Health	Environmental Health	Other Minor Review *A.A.C. R9-8-104 Table 1*	30	60	90
118	MCESD	Environ-mental	Environmental Health	Environmental Health	Approval of Request for Variance *A.A.C. R9-8-104 Table 1*	30	60	90
119	MCESD	Environ-mental	Environmental Health	Environmental Health	Approval of HACCP Plan *A.A.C. R9-8-104 Table 1*	30	60	90

Licensing Time Frames

#	AGENCY	GROUP	PERMIT TYPE	PERMIT SUBTYPE	PERMIT CATEGORY	Administrative Time (days)	Substantive Time (days)	Overall Time (days)
120	MCESD	Environ-mental	Environmental	Storm Water	Pre-Construction Plan Review	25	50	75
121	MCESD	Environ-mental	Environmental	Storm Water	Post-Construction Plan Review	25	50	75
122	Animal Care & Control	Animal Care & Control	Animal Care & Control	License / Permit	Dog License	5	10	15
123	Animal Care & Control	Animal Care & Control	Animal Care & Control	License / Permit	Kennel Permit	10	60	70
124	Clerk of the Board	Clerk of the Board	Clerk of the Board	Bingo License	Bingo License	5	65	75
125	Clerk of the Board	Clerk of the Board	Clerk of the Board	Fireworks Permit	Fireworks Permit	5	45	50
126	Clerk of the Board	Clerk of the Board	Clerk of the Board	Off-Track Pari-Mutuel Wagering Permit	Off-Track Pari-Mutuel Wagering Permit	5	45	50
127	Clerk of the Board	Clerk of the Board	Clerk of the Board	Franchise License	Franchise License	10	45	55

* Deleted Planning and Development licenses with Text Amendment - TA2013008.

~~Exhibit B – Fees~~

~~Fees will be adopted by separate ordinance to be adopted by the Board of Supervisors.~~

Exhibit – B

- $350 pre-application meeting fee for non-residential projects
- $150 pre-application meeting fee for residential projects subject to a violation
- $50 pre-application meeting fee for residential projects not subject to a violation
- $50 fee for a change to an application for a license in progress
- $50 fee for an application to be added to an application for a license in progress
- $50 fee to re-initiate application for a license administratively denied due to time (within 180 days)
- $150 fee to appeal administrative denial of a license (within 30 days)

Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Commission Hearing Date:	March 27, 2014
Board Hearing Date:	April 23, 2014
Case # / Title:	TA2013009 – Setbacks
Agenda Item:	7
Supervisor District:	All

Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), 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 regarding setbacks
Support/Opposition:	No known opposition. One email of support. One emailed question. Also one email thread discussion that was handed out at the Commission hearing, attached.
Staff Recommendation:	**Approve**
Commission Recommendation:	**Approve**
Additional Comments:	There are no updates since the Commission report. TA2013007 has been processed through the County's enhanced regulatory outreach program (EROP). This is intended to improve customer service and reduce regulatory burden. This regulatory amendment will revise ordinance language to simplify setback measurement - 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. The regulatory amendment will take effect 30 days after Board approval. 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~~.*

Presented by:	Darren V. Gerard, AICP, Deputy Director
Attachments:	Email thread discussion handed out at Commission hearing (3 pages) DRAFT minutes of the 3/27/14 Commission hearing – not available as of the writing of this report but will be provided later under separate cover when available. 3/27/14 Commission packet (7 pages)

From: Darren Gerard - PLANDEVX
Sent: Wednesday, March 26, 2014 4:44 PM
To: 'Rusdon Ray'
Subject: RE: EROP Comment -TA2013009

This entire thread will be printed and handed out at the hearing tomorrow. Please note that it will be held in the BOS Auditorium at 9:30 a.m.

From: Rusdon Ray [mailto:houseplansinaweek@gmail.com]
Sent: Wednesday, March 26, 2014 8:24 AM
To: Darren Gerard - PLANDEVX
Subject: RE: EROP Comment -TA2013009

Thanks Darren. That would be great to include the email if that's alright. I try not to write anything that I don't want others to see. Thanks for thinking to include it. We have to let those passing the codes know what is happening. I know, with how it all works, that adopting the new codes is much easier than not adopting the new codes, but something must be done. We've tried not to just complain. We've put together a simple and logical solution to the issue of the ICC codes and the code adoption process but it is much bigger than anything the EROP has recommended. It maintains all the vital or life-safety issues of the code while allowing the rest to be voluntary like the energy codes and to be regulated by the free enterprise system which is a proven and a preferred regulator of quality and efficiency than government at its best. This idea that we have proposed has not been taken seriously by those in the building department since they took it as an insult or critique to what they are doing now. No doubt there were some who also recognized it as a loss of power or regulating authority, but I believe it will be better for them as well as better for the building industry and better for the future building of the American dream for generations to come. The plan we have is not complicated and will not significantly change the current process while at the same time eliminating the vast majority of the complaints and nonsensical issues of the recent out-of-control process, soon to be worse with future code adoptions. I would love to present and share this idea if invited to do so but feel that it would be seen as too extreme if presented to the EROP now without being invited to do so. It would take 5 minutes to explain for all to understand. I'm sure there will be issues to clarify and things o work out but that's if others take the idea seriously first.

Rusdon Ray
GER Drafting Services
2243 E. Claxton
Gilbert, AZ 85297
(480)988-2472 Office
www.houseplansinaweek.com

The Defenders of Liberty
God - Religion - Freedom - Peace - Family

From: Darren Gerard - PLANDEVX [mailto:DarrenGerard@mail.maricopa.gov]
Sent: Tuesday, March 25, 2014 7:39 PM
To: Rusdon Ray
Subject: RE: EROP Comment -TA2013009

Sir: did you want this email thread included as a handout for TA2013009 at the 3/27 P&Z hearing? I'm assuming not and that this is an informal conversation, and thus will not include it as a handout/attachment. Please advise if my understanding is incorrect.

From: Darren Gerard - PLANDEVX
Sent: Tuesday, March 25, 2014 7:38 PM
To: 'Rusdon Ray'
Subject: RE: EROP Comment -TA2013009

Sorry for the tardy response. I'll defer to Tom Ewers, Building Official with regard to the number of pages in the 2012 international codes. I do support the county's consistent and transparent Enhanced Regulatory Outreach Program which includes public meetings before citizen appointed boards/committees. The EROP process gave citizens such as yourself voice to express support, concern, opposition, suggestion to regulatory adoptions. The green construction and energy conservation codes were adopted as voluntary based upon input from you and others.

From: Rusdon Ray [mailto:houseplansinaweek@gmail.com]
Sent: Tuesday, March 18, 2014 8:20 AM
To: Darren Gerard - PLANDEVX
Subject: RE: EROP Comment -TA2013009

Darren,
You are correct. This one little relatively insignificant issue of measuring to stucco vs the stem wall is a zoning issue. You are also correct that the vast majority of the amendments have been relaxing regulation. However, that statement is grossly misleading. While it is true that the amendments have for the most part all been reductions in regulation, but the recent 2012 ICC code adoption was the largest increase in government regulation on private property in the history of Maricopa County despite the amendments. (We have witnessed it and felt its affects along with the home owners.) Maricopa County relaxes a couple of items with amendments and advertises the code adoption as reduction in regulation. We see right through it.
However, it could be a reduction in the future if we were to stop the mindless adoption of the ICC codes and then only adopt new reductions or relaxations to the existing codes. The 2015 ICC codes are far worse than even the 2012 codes and the 2018 codes are far worse even still. Do you support the ICC code adoption process and this ever growing exponential increase to government regulation?

Rusdon Ray
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2243 E. Claxton
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www.houseplansinaweek.com

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From: Darren Gerard - PLANDEVX [mailto:DarrenGerard@mail.maricopa.gov]
Sent: Monday, March 17, 2014 3:22 PM
To: Rusdon Ray
Subject: RE: EROP Comment -TA2013009

This particular regulatory amendment is with regard to the county's zoning ordinance. But as with all our amendments the past three years, it's a relaxing of regulation. Thanks again for your comments.

From: Rusdon Ray [mailto:houseplansinaweek@gmail.com]
Sent: Monday, March 17, 2014 3:17 PM
To: Darren Gerard - PLANDEVX
Subject: RE: EROP Comment -TA2013009

Thanks Darren.
Anything we can do to rein in these ICC codes and give choices and responsibility back to the people and the free market. These codes are getting out of hand - all with good intentions of course. But then again when has the growth of government ever been with bad intentions. If we are unable to stop these ICC Codes, we will have to learn by sad experience. "Government is not reason, nor eloquence. It is force. And like fire, it is a dangerous servant and a fearsome master".

Rusdon Ray
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From: Darren Gerard - PLANDEVX [mailto:DarrenGerard@mail.maricopa.gov]
Sent: Monday, March 17, 2014 2:36 PM
To: HOUSEPLANSINAWEEK@GMAIL.COM
Subject: RE: EROP Comment -TA2013009

Sir: thank you for the comments. They will be provided to the P&Z Commission at the 3/27 public hearing. Darren

Darren V. Gérard, AICP, Deputy Director
Maricopa County Planning & Development Department
501 N. 44th St. # 200 Phoenix, AZ 85008
602-506-7139, 602-506-3711 (fax)
darrengerard@mail.maricopa.gov
www.maricopa.gov/planning

Your feedback is important - Click **HERE** to let us know!

From: houseplansinaweek@gmail.com[SMTP:HOUSEPLANSINAWEEK@GMAIL.COM]
Sent: Monday, March 10, 2014 7:42:06 AM
To: Regulatory

Subject: Regulatory Outreach
Auto forwarded by a Rule

Citizen Comments

Issue: PD-TA2013009 – Setbacks

Citizen's Name: Rusdon Ray
Organization: GER
City: Gilbert
Zip: 85297
Phone Number: 480-988-2472
Phone Type: work
Email: houseplansinaweek@gmail.com

Does citizen want to be contacted: no

Comment is regarding: express support

Comments:
TA2013009-Setbacks Please pass this amendment allowing the Setbacks to be measured from the stem walls at grade rather than wall finished whatever they might end up being - stucco or stone or siding etc.

Time of Request: 3/10/2014 7:42:06 AM

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	**TA2013009 – Setbacks**
Meeting Date:	March 27, 2014
Agenda Item:	8
Supervisor District:	All
Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), 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 regarding setbacks
Support/Opposition:	No known opposition. One email of support. One emailed question.
Recommendation:	**Approve**

Discussion:

This is intended to improve customer service and reduce regulatory burden. This regulatory amendment will revise ordinance language to simplify setback measurement - 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.
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~~.*

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on November 25, 2013, and the case was initialized at the January 30, 2104 Commission public meeting. Assuming positive Commission recommendation, the public hearing for adoption by the Board of Supervisors (BOS) will be scheduled for April 23, 2014. The regulatory amendment will take effect 30 days after BOS approval.

There is no known opposition to the proposed language. Four emails of support, and a single question via email, were received via EROP: [staff signature blocks snipped for staff report formatting]

From: Darren Gerard - PLANDEVX
Sent: Monday, March 17, 2014 2:35 PM
To: 'GORDONRAY49@GMAIL.COM'
Subject: RE: EROP Comment: TA2013009 FW: Regulatory Outreach

Sir: thank you for the comments. They will be provided to the P&Z Commission at the 3/27 public hearing. Darren

---

From: gordonray49@gmail.com[SMTP:GORDONRAY49@GMAIL.COM]
Sent: Monday, March 10, 2014 9:03:58 AM
To: Regulatory
Subject: Regulatory Outreach
Auto forwarded by a Rule

Citizen Comments

Issue: PD-TA2013009 – Setbacks

Citizen's Name: Gordon Ray
Organization: ger drafting

City: Gilbert
Zip: 85297
Phone Number: 480-202-0133
Phone Type: mobile
Email: gordonray49@gmail.com

Does citizen want to be contacted: no

Comment is regarding: express support

Comments:
I have been drafting and drawing site plans for over 40 years and have never had a building measured from anything else but the concrete. Never in any city has it been measured from the veneer.

Time of Request: 3/10/2014 9:03:58 AM

From: Darren Gerard - PLANDEVX
Sent: Monday, March 17, 2014 2:35 PM
To: 'BPAL.EMAIL@GMAIL.COM'
Subject: RE: EROP Comment - TA2013009

Sir: thank you for the comments. They will be provided to the P&Z Commission at the 3/27 public hearing. Darren

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From: bpal.email@gmail.com[SMTP:BPAL.EMAIL@GMAIL.COM]
Sent: Sunday, March 09, 2014 3:07:35 PM
To: Regulatory
Subject: Regulatory Outreach
Auto forwarded by a Rule

Citizen Comments

Issue: PD-TA2013009 – Setbacks

Citizen's Name: Ben Palmer
Organization:
City: Gilbert
Zip: 85298
Phone Number:
Phone Type:
Email: bpal.email@gmail.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:
The ammendment proposed to change measuring to the building at grade will align Maricopa County with the industry standard and how every City and County in Arizona measures to the building along with all municipalities in the United States...I strongly support and recommend passage...thank you for your consideration.

Time of Request: 3/9/2014 3:07:33 PM

From: Darren Gerard - PLANDEVX [mailto:DarrenGerard@mail.maricopa.gov]
Sent: Monday, March 17, 2014 2:36 PM

To: HOUSEPLANSINAWEEK@GMAIL.COM
Subject: RE: EROP Comment -TA2013009

Sir: thank you for the comments. They will be provided to the P&Z Commission at the 3/27 public hearing. Darren

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From: houseplansinaweek@gmail.com[SMTP:HOUSEPLANSINAWEEK@GMAIL.COM]
Sent: Monday, March 10, 2014 7:42:06 AM
To: Regulatory
Subject: Regulatory Outreach
Auto forwarded by a Rule

Citizen Comments

Issue: PD-TA2013009 – Setbacks

Citizen's Name: Rusdon Ray
Organization: GER
City: Gilbert
Zip: 85297
Phone Number: 480-988-2472
Phone Type: work
Email: houseplansinaweek@gmail.com

Does citizen want to be contacted: no

Comment is regarding: express support

Comments:
TA2013009-Setbacks Please pass this amendment allowing the Setbacks to be measured from the stem walls at grade rather than wall finished whatever they might end up being - stucco or stone or siding etc.

Time of Request: 3/10/2014 7:42:06 AM

From: Darren Gerard - PLANDEVX
Sent: Wednesday, January 08, 2014 7:49 PM
To: 'Plan-Dev@nrdhca.com'
Subject: RE: Regulatory Outreach TA2013009

Ann: thanks for your comment. Darren

From: Plan-Dev@nrdhca.com [mailto:Plan-Dev@nrdhca.com]
Sent: Saturday, December 21, 2013 5:51 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013009 – Setbacks

Citizen's Name: Ann Hutchinson
Organization: New River - Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514

Phone Type:
Email: Plan-Dev@nrdhca.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA) has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:51:06 PM

From: Darren Gerard - PLANDEVX
Sent: Wednesday, January 08, 2014 8:01 PM
To: 'dentj10@yahoo.com'
Cc: Terri Hogan - PLANDEVX
Subject: RE: Regulatory Outreach TA2013009

Sir: the proposed text amendment will clarify that building setbacks are measured from a lot line to the building at grade. Your question is not specifically related to the proposed text amendment. When a Variance is scheduled for a public hearing before the Board of Adjustment the subject property is posted with a Public Notice at least 10 days in advance of the hearing. The notice indicating the case tracking number, summary of the request, staff contact information, and the date/time/location of the hearing. I've copied the Current Planning Supervisor on this email in the event you have further questions or she has additional detail. Darren

From: dentj10@yahoo.com [mailto:dentj10@yahoo.com]
Sent: Friday, December 27, 2013 2:26 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013009 – Setbacks

Citizen's Name: jack luftman
Organization:
City: paradise valley
Zip:
Phone Number:
Phone Type:
Email: dentj10@yahoo.com

Does citizen want to be contacted:

Comment is regarding: other

Comments:
I would like to know the rules regarding notice to adjacent properties in the case of a zoning variance application

Time of Request: 12/27/2013 2:25:48 PM

Recommendation:

Staff recommends the Commission **recommend approval of TA2013009.**

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachment: January 30, 2014 Commission minutes (excerpt, 1 page)

Text Amendment: TA2013009 **All Districts**

Applicant: Commission Initiated

Request: 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.

Mr. Darren Gerard presented TA2013009, is in regards to setbacks, deleting certain verbiage from the definitions, trying to make the ordinance more user friendly. This will simplify setback measurements so that setbacks will be measured from the lot line to the building at grade, and that ordinary projections above grade, may encroach 2' in any required yard. We are not being more liberal, we are simply clarifying that the projections must be above grade. A bay window must be above grade in order to be considered and able to encroach and not from the grade. If it is at grade that is the setback.

Commissioner Hiatt questioned whether or not this is a clarification rather than a change?

Mr. Gerard responded it is, but it does makes the reading of the ordinance and interpretation of it less bureaucratic, and we would normalize the setbacks from primary structures and accessory structures so they would all allow for the 2' encroachment. There was confusion in permitting, and that occasionally there would be projections that were not really projections they were the footprint of the building.

COMMISSION ACTION: Commissioner Aster moved to initiate TA2013009; Commission Muller seconded the motion which passed with a vote of 6-0.

DRAFT

Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Commission Hearing Date:	March 27, 2014
Board Hearing Date:	April 23, 2014
Case # / Title:	TA2013010 – Hillside
Agenda Item:	8
Supervisor District:	All

Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), 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
Support/Opposition:	No known opposition. One email of support.
Staff Recommendation:	**Approve**
Commission Recommendation:	**Approve**
Additional Comments:	There are no updates since the Commission report. TA2013010 has been processed through the County's enhanced regulatory outreach program (EROP). This is intended to improve customer service and reduce regulatory burden. This regulatory amendment is intended to remove minor washes and small features from Hillside designation. The regulatory amendment will take effect 30 days after Board approval. 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.

Presented by:	Darren V. Gerard, AICP, Deputy Director
Attachments:	DRAFT minutes of the 3/27/14 Commission hearing – not available as of the writing of this report but will be provided later under separate cover when available. 3/27/14 Commission packet (3 pages)

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	**TA2013010 – Hillside**
Meeting Date:	March 27, 2014
Agenda Item:	9
Supervisor District:	All
Applicant:	Commission initiated
Request:	Text Amendment to the Maricopa County Zoning Ordinance (MCZO), 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
Support/Opposition:	No known opposition. One email of support.
Recommendation:	**Approve**

Discussion:

This is intended to improve customer service and reduce regulatory burden. This regulatory amendment is intended to remove minor washes and small features from Hillside designation. 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.*

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on November 25, 2013, and the case was initiated at the January 30, 2014 Commission public meeting. Assuming positive Commission recommendation, the public hearing for adoption by the Board of Supervisors (BOS) will be scheduled for April 23, 2014. The regulatory amendment will take effect 30 days after BOS approval.

There is no known opposition to the proposed language. A single email of support was received via EROP:

> **From:** Darren Gerard - PLANDEVX
> **Sent:** Wednesday, January 08, 2014 8:11 PM

To: 'Plan-Dev@nrdhca.com'
Subject: RE: Regulatory Outreach TA2013010

Ann: thanks for your comment. Darren

From: Plan-Dev@nrdhca.com [mailto:Plan-Dev@nrdhca.com]
Sent: Saturday, December 21, 2013 5:52 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013010 – Hillside Measurement

Citizen's Name: Ann Hutchinson
Organization: New River - Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type:
Email: Plan-Dev@nrdhca.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA) has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:52:06 PM

Recommendation:

Staff recommends the Commission **recommend approval of TA2013010.**

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachment: January 30, 2014 Commission minutes (excerpt, 1 page)

Text Amendment: TA2013010 **All Districts**

Applicant: Commission Initiated

Request: Text Amendment to the Maricopa County 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.

Mr. Darren Gerard presented TA2013010, in regard to the Zoning Ordinance to revise Article 1201.2.1. Hillside is determined based upon a 15% slope of any amount over a 5' elevation change, we are changing that to a 10' elevation change, the reason for this increase is to eliminate minor wash banks and small features, bumps from being considered hillside. The rule of thumb around the office is if we can stand and see over it, then it's not hillside.

COMMISSION ACTION: Commissioner Aster moved to initiate TA2013010; Commission Muller seconded the motion which passed with a vote of 6-0.

DRAFT

Report to the Board of Supervisors

Prepared by the Maricopa County Planning and Development Department

Commission Hearing Date:	March 27, 2014
Board Hearing Date:	April 23, 2014
Case # / Title:	TA2013011 – Grid Streets
Agenda Item:	9
Supervisor District:	All

Applicant:	Commission initiated
Request:	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
Support/Opposition:	No known opposition. One email of support.
Staff Recommendation:	**Approve**
Commission Recommendation:	**Approve**
Additional Comments:	There are no updates since the Commission report. TA2013011 has been processed through the County's enhanced regulatory outreach program (EROP). This regulatory amendment is a housekeeping item to bring street naming practices in unincorporated Maricopa County into conformance with that of the surrounding cities and towns. These street name suffixes are already in use as evidenced by the Phoenix Metropolitan Street Atlas. Standardization of street naming patterns is important for E-911 response. The regulatory amendment will take effect 30 days after Board approval. The proposed language is:

702 GRID STREETS

5. Numbered ~~streets~~ alignments ~~W~~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 g standard of every 1/8 alignment being an Avenue. However, there are places where the alignments will be 1/7.

6. Numbered ~~streets~~ alignments ~~E~~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 g standard of every 1/8 alignment being a Street. However, there are places where the alignments will be 1/7.

Presented by:	Darren V. Gerard, AICP, Deputy Director
Attachments:	DRAFT minutes of the 3/27/14 Commission hearing – not available as of the writing of this report but will be provided later under separate cover when available. 3/27/14 Commission packet (3 pages)

Report to the Planning and Zoning Commission

Prepared by the Maricopa County Planning and Development Department

Cases:	**TA2013011 – Grid Streets**
Meeting Date:	March 27, 2014
Agenda Item:	10
Supervisor District:	All
Applicant:	Commission initiated
Request:	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
Support/Opposition:	No known opposition. One email of support.
Recommendation:	**Approve**

Discussion:

This regulatory amendment is a housekeeping item to bring street naming practices in unincorporated Maricopa County into conformance with that of the surrounding cities and towns. These street name suffixes are already in use as evidenced by the Phoenix Metropolitan Street Atlas. Standardization of street naming patterns is important for E-911 response. The proposed language is:

> ***702 GRID STREETS***
>
> *5. Numbered ~~streets~~ alignments ~~W~~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 a standard of every 1/8 alignment being an Avenue. However, there are places where the alignments will be 1/7.*
>
> *6. Numbered ~~streets~~ alignments ~~E~~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 a standard of every 1/8 alignment being a Street. However, there are places where the alignments will be 1/7.*

This item is being processed through the County's Enhanced Regulatory Outreach Program (EROP). A stakeholder meeting was held on November 25, 2013, and the case was initiated at the January 30, 2014 Commission public meeting. Assuming positive Commission recommendation, the matter will be scheduled for adoption by the Board of Supervisors (BOS) at the April 23, 2014 public hearing. The regulatory amendment will take effect 30 days after BOS approval.

There is no known opposition to the proposed language. A single email of support was received via EROP:

From: Darren Gerard - PLANDEVX
Sent: Wednesday, January 08, 2014 8:23 PM
To: 'Plan-Dev@nrdhca.com'
Subject: RE: Regulatory Outreach TA2013011

Ann: thanks for your comment. Darren

From: Plan-Dev@nrdhca.com [mailto:Plan-Dev@nrdhca.com]
Sent: Saturday, December 21, 2013 5:53 PM
To: Regulatory
Subject: Regulatory Outreach

Citizen Comments

Issue: PD-TA2013011 – Street Name Suffixes

Citizen's Name: Ann Hutchinson
Organization: New River - Desert Hills Community Association
City: New River
Zip: 85087
Phone Number: 623-742-6514
Phone Type:
Email: Plan-Dev@nrdhca.com

Does citizen want to be contacted:

Comment is regarding: express support

Comments:
New River/Desert Hills Community Association (NR/DHCA) has no objections or concerns for this TA.

Time of Request: 12/21/2013 5:52:59 PM

Recommendation:

Staff recommends the Commission **recommend approval of TA2013011**.

Prepared by Darren V. Gerard, AICP, Deputy Director

Attachment: January 30, 2014 Commission minutes (excerpt, 1 page)

Text Amendment: TA2013011 **All Districts**

Applicant: Commission Initiated

Request: Text Amendment to the Maricopa 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.

Mr. Darren Gerard presented TA2013011, is a text amendment to the Maricopa County Addressing Regulations Section 702 to permit additional roadway name suffixes be added into the mix, they would be 'Glen' and 'Dale' as street name suffixes on the west side of Central Avenue and 'Terrance' and 'Run' as suffixes on the east side. This is in keeping with other jurisdictions, it's important to have consistency for 911 emergency response.

Commissioner Aster asked, this is going forward this has nothing to do with what is out there today?

Mr. Gerard responded that is correct, new subdivisions, new development they would follow a certain order. There is Streets on the east and Avenues on the west, and there are these other suffixes that come at certain intervals,

COMMISSION ACTION: Commissioner Aster moved to initiate TA2013011; Commission Muller seconded the motion which passed with a vote of 6-0.

DRAFT