



PLAN OF DEVELOPMENT (POD) MINOR AMENDMENT

SUBMITTAL FORMS INDEX

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***Note: As of December 31, 2012, all Plan of Development applications are subject to ARS §1605.
- As of September 13, 2013 all Residential uses are excluded per ARS §11-1605 M.2.**

Plan of Development – Minor Amendment is available as Electronic Document Review (EDR) - digital application submittal & review. The EDR Overview webpage includes information on how to get started with EDR submittal and processing.

<https://www.maricopa.gov/4687/Electronic-Document-Review-EDR-Overview>

Download the EDR User Guide – Plan of Development and the Plan of Development Minor Amendment application packet at the following website:

<https://www.maricopa.gov/4688/EDR-Guides-Tutorials-and-Applications#packets>

Any questions with EDR, please contact us at 602-506-8573 or use the On-line chat feature within the On-line Permit Manager click on **Let's Talk!**



PLAN OF DEVELOPMENT MINOR AMENDMENT PROCESS

INTRODUCTION

All development involving non-residential zoning districts, two-family or multi-family residential development in a two-family residential zoning district or multi-family residential zoning district, or property with a Unit Plan of Development (UPD), Planned Area Development (PAD), or Planned Development (PD) overlay shall be subject to a Plan of Development (POD) approval as set forth in the provisions of Maricopa County Zoning Ordinance (MCZO).

GENERAL PROCESS

Obtaining a POD is an administrative approval process involving a precise site plan, narrative report, and other supporting documentation (see attached checklist). Approval of a POD is required before any development of the property can occur. The use, height, yard, intensity of use, parking, loading and unloading, and any additional regulations shall remain the same as specified in the primary or approved UPD zoning district.

Per MCZO, Section 306, an application and phasing plan, if proposed, for a POD shall be submitted to the Planning and Development Department through the One Stop Shop (OSS) on an official form provided by the Department. The application shall satisfy the submittal requirements as well as pertinent regulations as set forth in the provisions of the MCZO or from other County departments. The application shall contain sufficient information for staff to determine whether the proposal meets the requirements of the County. **A pre-application meeting is recommended.**

Please note there is a fundamental difference between the site plan required for a POD and that required for subsequent permits. In the case of a POD, the site plan must convey the conditions that will ultimately exist at build-out, whereas the site plan submitted for construction permits may only consider existing structures and those contemplated by that/those particular construction permit(s).

ARS § 1605

As of September 13, 2013, the Plan of Development (POD) process shall be subject to ARS § 1605, a State statute that mandates establishment of timeframes to either approve or deny a "license" as defined by the statute. The full statute may be viewed at:

<http://www.azleg.gov/arstitle/>

The statute sets up two types of review timeframes: Administrative and Substantive. The Board of Supervisors (BOS) through the P-30 Licensing Timeframes Ordinance, has adopted a 90 (working) day administrative timeframe and a 180 (working) day substantive timeframe for PODs. An application related to a residential use is not subject to the statute. An application that is part of design build project may establish negotiated time process during the pre-application meeting.

Administrative Review Period

The statutes allow for multiple reviews during the administrative review period.

Substantive Review Period

Only one review is allowed for the substantive review period. The County can amend the substantive review comments to address legal requirements not identified on the original substantive review comments.

The applicant can authorize a 50% time increase. This authorization can be given at time of application or at any time during the process.

After receipt of a POD application, the administrative review period begins and Planning will review for administrative completeness. The applicant will receive a formal response from their assigned planner and may be required to submit additional information. Once administrative comments have been given to the applicant, the timeframe clock will stop and will resume upon resubmittal of the application materials. Once the application is deemed administratively complete, the planner will formally notify the applicant that the project has entered the substantive review period and shall set a Technical Advisory Committee (TAC) date.

TECHNICAL ADVISORY COMMITTEE (TAC) REVIEW

After an application is deemed administratively complete, the assigned planner will set a date for the Technical Advisory Committee (TAC) to meet. The TAC is composed of representatives of the County's Planning, Transportation, Drainage Review, Flood Control, Storm Water Management and Environmental Services Departments, as well as representatives from any other County Departments, fire district, school district, City or Town, homeowner association, or other interested party that is in close proximity or has jurisdiction over the site. The owner or authorized agent is required to attend the TAC meeting.



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TAC comments from all reviewing agencies will be given in writing to the applicant at the TAC meeting and can be discussed. The substantive timeframe clock stops from receipt of comments until the applicant makes a formal resubmittal.

At any time during the process, an applicant can check the status of their application by viewing the Citizens Access Portal on the Planning and Developments website:

<https://accela.maricopa.gov/citizenaccessmccoss/>

The applicant's assigned planner can also be utilized as a resource for checking application status. If at any time comments are given to the applicant, a notation will be made as to the administrative or substantive timeframe remaining which will not resume until a resubmittal is made. **Note:** It is very important to return the planner's comment memo upon resubmittal so that the appropriate statutory timeframe can resume.

POST-TAC REVIEW

Depending on the comments received at the TAC, the application materials (such as the site plan, grading and drainage plan, traffic impact study, narrative report, etc.) may need revisions. The owner or authorized agent must submit revised materials, reflecting the TAC comments, to the OSS, which will forward the revised materials to the appropriate agencies.

Once staff is satisfied that the technical requirements have been met, staff will make a determination regarding the request. Staff shall review the POD in accordance with submittal requirements, regulations, and policies. If staff determines that the proposal is consistent with the purposes and intent of MCZO, other pertinent regulations and policies, then staff shall grant approval and may impose conditions as deemed necessary to satisfy the provisions of MCZO or other applicable regulations and policies.

Staff may also find that conditions required for approval do not exist and, may therefore, deny the request. Alternatively, staff may forward the request to the Planning and Zoning Commission for a recommendation to the Board of Supervisors. If an application has been scheduled for a Commission meeting, the substantive timeframe clock will stop.

Additionally, a decision of denial can be made for the following reasons: 1) the Director finds that it is not possible to grant the application within the timeframe, or 2) the applicant has not provided additional or supplemental information within 365 days (not working days) of a written or electronic request for said information.

INACTIVITY

If an applicant has not made a resubmittal of application materials in either administrative or substantive review periods after six (6) months, the application will be closed due to inactivity.

APPROVAL TIMEFRAME

For all development subject to a POD, an approved POD and subsequent building permits are required prior to the commencement of any construction or development on the site. The owner or authorized agent shall ensure that required building permits for the site or first phase shall be issued within two (2) years of the date of approval of the POD. Prior to the date of expiration, the owner or authorized agent may file a single request via a Minor Amendment application for a one (1) year time extension authorized by the Director of Planning and Development. If the time frame has expired, the owner or authorized agent shall submit a new POD application.

AMENDMENTS

Any change or modification to an approved POD shall be considered an amendment to the POD. Staff shall determine whether changes constitute a Minor or Major Amendment according to MCZO Article 304.9. UPDs and PODs that were originally processed through the Board of Supervisors may be amended administratively, either as a Major or Minor Amendment, as set forth in the provisions of MCZO.

APPEALS

The conditions of approval of this Plan of Development may be appealed to the Hearing Officer pursuant to ARS § 11-832. Provide request for appeal to the Hearing Officer Liaison at this address within 30 calendar days of the administrative/ministerial approval date to schedule an administrative hearing.





PLAN OF DEVELOPMENT MINOR AMENDMENT APPLICATION

ALL FEES ARE DUE AT TIME OF APPLICATION AND ARE NON-REFUNDABLE

Is this Design Build? Yes No Is this Residential? Yes No

REQUEST

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

PROPERTY INFORMATION

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

OWNER'S AUTHORIZED AGENT INFORMATION

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

PROPERTY OWNER INFORMATION

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

PROPERTY OWNER AND OWNER'S AGENT AUTHORIZATION

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

PROPOSITION 207 WAIVER - Signature required

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

Property Owner Signature: _____ Date: _____

INSPECTIONS

By submitting this application, I am inviting County staff to conduct all site inspections they deem necessary.

VERIFICATION OF APPLICATION INFORMATION - Signature required

I certify that the statements in this application and support material are true. Any approvals or permits granted by Maricopa County in reliance upon the truthfulness of these statements may be revoked or rescinded.

Owner or Authorized Agent Signature: _____ Date: _____

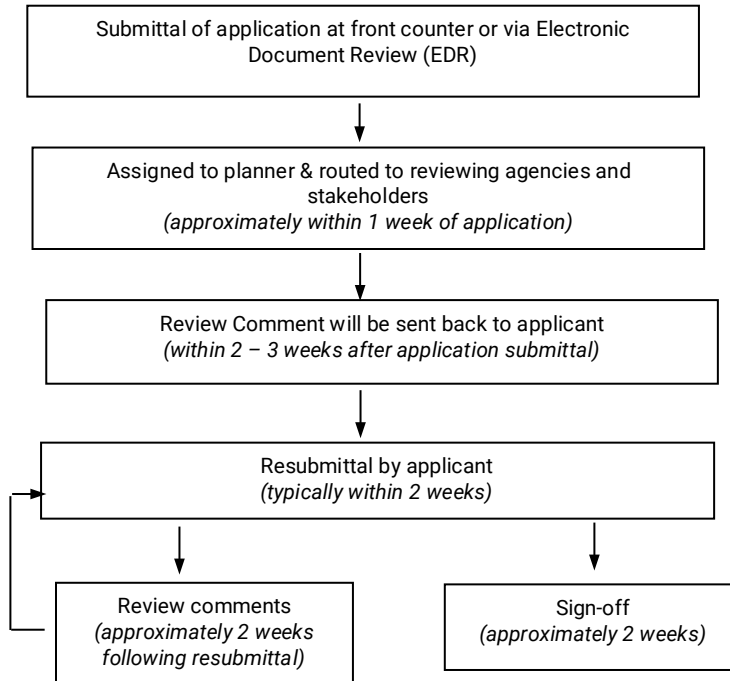
ARS § 1605 TIMEFRAME EXTENSION

I authorize a **50% timeframe extension** for the review of my application as adopted by the Board of Supervisors per ARS § 1605 and as amended.

Property Owner Signature: _____ Date: _____



PLAN OF DEVELOPMENT MINOR AMENDMENT PROCESS FLOW CHART & PROJECTED TIMEFRAME



* Approximate timeframe for Plan of Development Minor Amendment is approximately 2 months.



PLAN OF DEVELOPMENT MINOR AMENDMENT APPLICATION SUBMITTAL CHECKLIST

Applications submitted to the Maricopa County Planning and Development Department shall include all of the exhibits, items, and information listed in this checklist. This information is required by County Ordinance or Department Staff in order to adequately review the proposal. An application will only be accepted by the Planning and Development Department when all of the items listed below are submitted, unless otherwise deemed unnecessary by staff. Once an application is accepted, it must be reviewed for Administrative Completeness by all One Stop Shop (OSS) agencies. Once the application is deemed Administratively Complete, the Substantive Review Period shall commence and technical review comments will be given. **PLEASE BE ADVISED THAT COMPLIANCE WITH EITHER ADMINISTRATIVE OR TECHNICAL REQUIREMENTS DOES NOT GUARANTEE STAFF SUPPORT OF THE REQUEST OR FINAL APPROVAL OF THE REQUEST.**

1. APPLICATION:

- A. Completed and signed application – **2 copies**
- B. Proof of ownership (Recorded Deeds – unofficial copy acceptable etc.) – **1 copy**
- C. Electronic copies of application materials saved as Adobe PDF files – **1 jump drive.**

| Application materials | Required Naming Convention for the Adobe PDF documents |
|--------------------------------------|--|
| Completed Application | APPL-FORM-1 |
| Official recorded or unofficial deed | DEED-DETL-1 |
| Site Plan | SITE-PLAN-1 |
| Narrative Report | NARR-RPTS-1 |
| Photographs | PHOT-DETL-1 |
| Drainage Report/Plan (if applicable) | DRAI-RPTS-1 |
| Traffic Impact Study (if applicable) | TRAF-RPTS-1 |

2. SITE PLAN (PLAN OF DEVELOPMENT):

- A. 8-1/2" X 11" paper copy of site plan – **1 copy**
- B. 24" X 36" **collated, folded, and stapled** copies of site plan – **2 copies**

Site plan is to include the following information:

- 1. Project name and case (tracking) #
- 2. Date of plan and dates of any subsequent revisions
- 3. Vicinity map with location of site
- 4. Title block identifying owner, developer, engineer, and/or owner or authorized agent
- 5. Site dimensions/boundaries
- 6. North arrow and scale (written and graphic)
- 7. Site summary table:
 - Gross acreage
 - Net acreage
 - Existing zoning and/or land use
 - Proposed zoning and/or land use
- 8. Request
- 9. Legal description
- 10. Street names, existing and proposed, along with right of way dimensions for all existing and proposed streets. Show proposed cross-sections.
- 11. Access points with centerline dimensioned from property corner.
- 12. Dimensions of all driveway widths and distances between driveways.
- 13. Each use identified:



PLAN OF DEVELOPMENT MINOR AMENDMENT APPLICATION SUBMITTAL CHECKLIST

- Dimensions of each structure
 - Dimensions between structures
 - Distances from property lines
 - Lot coverage
 - Building height and square footage
- ___ 14. Parking areas:
- Dimensions and angles
 - Surfacing and/or paving materials
 - Vehicle storage areas
 - Loading spaces or zones identified
 - Required & proposed parking spaces (including handicapped-accessible)
- ___ 15. Adjacent property owners, uses, zoning and parcel numbers
- ___ 16. Name of school district the project is located within
- ___ 17. Utility/service commitment table (a table illustrating water, wastewater disposal, fire protection, police protection, electric, natural gas, telephone, and refuse providers)
- ___ 18. Location of all utilities (existing and proposed)
- ___ 19. Signs:
- Location, size, height and type
 - Elevations of each sign
 - Source of illumination
 - Area and number allowed/area and number requested
- ___ 20. Location of all recorded/proposed easements
- ___ 21. Type of screening (i.e. walls and plantings)
- ___ 22. Existing and proposed contours
- ___ 23. Location of landscaping and retention areas
- ___ 24. Typical landscaping section (if landscape plan is not provided)
- ___ 25. Location, height and type of outdoor lighting. Note compliance with Section 1112 of the Zoning Ordinance in regard to outdoor lighting.
- ___ 26. Show the location of all proposed and existing fire hydrants, water supply/storage, and wells, and septic systems.

3. NARRATIVE REPORT: (Brief explanation of the project. **2 copies** – 8-1/2" X 11" paper, Underlined wording indicates a section heading.)

- ___ A. Title page – include project name, general location, case/tracking #, and vicinity map
- ___ B. Purpose of Request
- ___ C. Description of Proposal, including proposed uses(s), business operations, hours/days of operation, # of employees, description/location of buildings, color palette, type of construction material, sign detail/descriptions, screening wall/fence details and location, etc.
- ___ D. Relationship to Surrounding Properties
- ___ E. Explanation of how the proposed development will benefit the community or area
- ___ F. Discussion of recent changes in the area of your request that support the application request (i.e. adoption of city or town plans, subdivision approvals, surrounding development, etc.)
- ___ G. Location and Accessibility
- ___ H. Circulation System (on & off) – include proposed improvements or dedications
- ___ I. Development Schedule (phasing)
- ___ J. Community Facilities and Services (school district, parks, amenities, etc.)
- ___ K. Public Utilities and Services (refuse, sewer, water, police, fire, etc.)
- ___ L. Other information that will be helpful in evaluating the request



**PLAN OF DEVELOPMENT MINOR AMENDMENT
APPLICATION SUBMITTAL CHECKLIST**

- Architectural renderings and themes (descriptions)
- Landscaping renderings and themes (descriptions)
- Floor plans, elevations

4. DRAINAGE REPORT/PLAN: (See Drainage Requirements for Precise Plan) – **2 copies**

5. TRAFFIC IMPACT STUDY: (Please check with the Maricopa County Department of Transportation to determine the type of report required.) – **2 copies**

6. Fees:

___ A. Planning Review Fee Minor Amendment **\$750 + \$100/acre or portion thereof** (\$5000 max.)

See Maricopa County Zoning Ordinance, Chapter 16 – (www.maricopa.gov/planning) – Please be aware that an additional investigation fee equal to the planning fee will be charged when a request is related to an active zoning violation case. This investigation fee will be assessed upon implementation of a signed compliance agreement, or upon a Hearing Officer’s determination that the respondent(s) is/are responsible for the applicable code violation(s).

Change to an application for a license in progress - **\$50**

For an application to be added to an application for a license in progress - **\$50**

To re-initiate application for a license administratively denied due to time (within 180 days) - **\$50**

Appeal of administrative denial of a license due to time (within 30 days) - **\$150**

___ B. Drainage Review Fee Minor Amendment: **\$650**

___ C. Department of Transportation Review Fee of **\$250**.

___ D. Maricopa County Environmental Services Department (MCESD) Review Fee of **\$225**.

___ E. Addressing Review Fee of **\$10 to verify an existing address or \$50 to assign an address**.

No application shall be administratively approved unless and until all fees and fines owed to the Department as a result of any activity or inactivity attributable to the property that is the subject of the application are brought current and paid in full or any amounts owed pursuant to an agreement of compliance are current, as the case may be. This requirement shall not be waived by the Board of Supervisors or Planning and Zoning Commission.

8. OTHER INFORMATION: (as applicable if required by staff and/or other department or agency)

___ A. Title report – 2 copies

___ B. Deed restrictions (CC & R's) – 2 copies

___ C. Parcel map(s) of site and area – 2 copies

___ D. Letters of support or commitment – 2 copies

___ E. Market study – 2 copies

___ F. Landscape plans (including plant types, quantities, sizes, % coverage, ground-cover, etc.) – 2 copies



**PLAN OF DEVELOPMENT MINOR AMENDMENT
APPLICATION SUBMITTAL CHECKLIST**

___ G. Building elevations (including material, color and treatment descriptions, etc.) – 2 copies

MARICOPA COUNTY AGENCY CONTACTS:

| | |
|--|----------------|
| Planning and Development (Planning, Plan Review, and Engineering): | (602) 506-3301 |
| Environmental Services: | (602) 506-0371 |
| Flood Control District: | (602) 506-1501 |



DRAINAGE REVIEW REQUIREMENTS FOR PRECISE PLANS INCLUDING SPECIAL USE PERMITS

A detailed drainage report with respect to hydrology and hydraulics in conjunction with grading, drainage and paving plans may need to be submitted. The final drainage plan needs to be signed and sealed by an Arizona Registered Professional Civil Engineer and should address the following:

1. **Offsite Hydrology** – Need to determine the quantity, the entrance and exit points, and how the flow is to be routed through the site.
2. **Onsite Hydrology** – Need to show how the flows are to be routed to retention basins.
3. **Onsite Retention** – Need to retain water for the 100-year, 2-hour storm for the site, including adjacent right of way. Determine volume needed and the size and location of basins.
4. **Retention Disposal** – Provide testing results in conformance with Standard 6.10 for disposal of total ponding volume within 36 hours.
5. **Onsite Hydraulic Calculations** – Need to show hydraulic analysis for any channels, culverts, storm drains, or street drainage.
6. **Cross Sections** – Need to show perpendicular cross-sections through the site indicating property lines, swales, retention areas, finished floors, and street details.
7. **Finished Floor Elevations** – Need to show finished floor elevation and certification note.
8. **Topography** – Need to show natural and proposed contour elevations or spot elevations.
9. **Dry Wells** – If applicable, need to submit a copy of the dry well registration before final drainage clearance of a permit.
10. **Floodplains** – Need to show the delineated floodplain boundaries if the site is within a Federal Emergency Management Agency's (FEMA) special flood hazard area. Will also need to apply for Floodplain Use Permit.
11. **Erosion Setbacks** – For washes and other watercourse channels an erosion setback will need to be determined, which meets Arizona State Standard 5-96.

Since complex drainage systems may require more detailed information, a meeting should be arranged with personnel from Drainage Review.

FEE INFORMATION*:

Planning Cases:

| | | |
|--|------------------------|------------------|
| Plan of Development including SUP (except SFR-SUP) | \$ 1,000 + \$ 500/Acre | \$11,000 Maximum |
| SUP or Plan of Development with disturbance of less than 1,500 sq. ft. | \$ 650 | |
| Minor Amendment to a Plan of Development | \$ 650 | |
| Zone Change (no site plan, without precise plan entitlements) | \$ 60 | |
| Special Use plan for SFR uses | \$ 210 | |
| Modification of Stipulation/s | \$ 60 | |

Construction Permits

\$ 2,000 + \$ 250/Acre \$ 42,000 Maximum
Minor Accessory structure on previously developed site (see Regulation for restrictions) - \$ 650
Major Accessory structure on previously developed site (see Regulation for restrictions) - \$ 5,000
(Or as noted above if lower).

* See the Drainage Regulation for current fee schedule

