



Maricopa County

Planning & Development Department

Department Directive

Department Directive:
DD-2011-04
Supersedes:

Effective: Immediately

Initiator: *Lynn Favour*

Director: *Jay Rich*

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

REFERENCE:

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

POLICY/PROCEDURE:

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

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



PERSONAL ASSURANCE OF SUBMITTAL ACCURACY

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

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

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

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

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

Print Name _____ Sign Name _____ Date _____