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## Enhanced Regulatory Outreach Program NOTICE OF MARICOPA COUNTY PLANNING & ZONING COMMISSION MEETING

**Date/Time: Thursday, January 30, 2014, 9:30 a.m.**  
**Location: Board of Supervisors Auditorium, 205 W. Jefferson St.**

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The Maricopa County Planning & Development Department will host a Public Meeting to discuss initialization of proposed regulatory amendments and to consider recommendation of the following to the Board of Supervisors:

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

**TA2013005 – Annual Facilities Permit (AFP):** This is a text amendment to the Maricopa County Local Additions & Addenda revising Section 301 (with reference to Sections 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. This item is also being discussed at the 1/14/14 meeting of the Maricopa County Building Code Advisory Board (BCAB). The proposed language is (changes since the 10/25/13 stakeholder meeting are highlighted):

**Section 301 – 2012 International Building Code:**

The 2012 International Building Code has been adopted as the building code for Maricopa County along with the following amendments:

Delete Sections 105.1.1 and 105.1.2 and replace with:

105.1 Annual Facility Permits.

105.1.1. General. The Annual Facilities Permit is an administrative system intended to simplify the permitting and inspection process for qualified facilities by allowing inspectors to review plans and maintaining inspectors familiar with the construction history of such facilities. Qualified facilities electing to participate in this program are exempt from the requirement to obtain individual permits for the work regulated by this code when such work does not increase the floor area, does not constitute a change of use or occupancy classification, and is performed on existing buildings, structures, and utilities associated with that qualified facility. This alternative permit process shall not exempt compliance with the technical requirements of this code, the technical codes, or with other County, State, or Federal laws, nor exempt work from inspection prior to concealment.

105.1.2. Definitions. For purposes of this Section, the following terms shall apply:

**AGENT:** A full-time or contract employee of a Qualified Facility, who is an architect or engineer registered and residing in the State of Arizona and who is responsible for complying with the substantive provisions of this Chapter. The agent, as authorized by rules established by the Arizona Board of Technical Registration, shall assure work has been performed in accordance with this code and the technical codes.

**QUALIFIED FACILITY:** A firm, corporation, or political entity engaged in manufacturing, processing, service, or property management that occupies and controls specialized buildings and building service equipment to the extent that full-time personnel are required to manage, operate, or maintain such buildings and equipment in compliance with all the provisions of this code and the technical codes.

105.1.3. Annual Facilities Permit Transferability. An Annual Facilities Permit is not transferable.

105.1.4. Annual Facilities Permit Renewal. An Annual Facilities Permit may be renewed every twelve (12) months by payment of a renewal fee as set forth in the Maricopa County Schedule of Fees. Additional hourly charges will be assessed for each work project. Renewal fees shall be due and payable prior to the permit expiration date, or a new initial application shall be required. Work performed after the permit expiration date shall be in violation of this code and subject to penalty.

105.1.5. Annual Facilities Permit Operation. The agent shall notify the Building Official or his/her designee prior to the start of any work involving alteration of the building structure system, alteration of any fire-resistive wall, floor, or ceiling assembly, alteration of any fire corridor system, or installation of any structural, mechanical, plumbing, or electrical work intended to be enclosed or concealed. The Building Official shall determine the nature and extent of plan reviews and/or inspections required. Maricopa County shall invoice the Qualified Facility and the Qualified Facility shall pay for the professional services rendered as set forth in the Maricopa County Schedule of Fees.

105.1.6 Annual Facilities Permit Records. The agent shall keep a detailed record of alterations made under an Annual Facilities Permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

**Section 208 – Other Inspections and Fees:**

14. Annual Facilities Permit Program:	
Registration Fee	\$750
Annual Facilities Permit	\$500 per year
Inspection Fee	\$190 per hour

**TA2013006 – Location of Parking:** This is a text amendment to the Maricopa County Zoning Ordinance, Article 1102 regarding the location of parking spaces in relation to the use served. This is intended to improve customer service and reduce regulatory burden. The proposed language is:

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

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

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

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

**SECTION 1302. TEMPORARY USES**

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

**ARTICLE 1302.1. PURPOSE:**

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

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

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

**TA2013008 –Amendment to Licensing Time Frames Ordinance No. P-30 per HB 2443:** This is a text amendment to Maricopa County Ordinance No. P-30 regarding licensing time frames. This is a general ordinance applicable to all County regulatory agencies. This is a housekeeping item to update the ordinance with regard to changes already effective and implemented due to changes in State law per HB 2443. Verbatim language is not proposed at this time but may be available at the meeting.

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

## **SECTION 201. DEFINITIONS**

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

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

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

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

## **SECTION 1110. ADDITIONAL YARD AND OPEN SPACE REGULATIONS**

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

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

**TA2013010 – Hillside Measurement:** This is a text amendment to the Maricopa Zoning Ordinance, Article 1201.2.1 to revise the Hillside measurement from areas of natural slope of 15% or greater within any horizontal distance with a 5' elevation change to within any horizontal distance with a 10' elevation change. This is intended to remove minor washes and small features from Hillside designation. The proposed language is:

### **Section 1201. HILLSIDE**

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

**TA2013011 – Street Name Suffixes:** This is a text amendment to the Maricopa County Addressing Regulations, Section 702 to permit "Glen" and "Dale" street name suffixes west of the County 0/0 block numbering and "Terrace" and "Run" suffixes to the east. The proposed language is (changes since the 11/22/13 stakeholder meeting are highlighted):

### **702 GRID STREETS**

5. Numbered **streets-alignments** ~~W~~est 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~~ast 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.**

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