

TEMPORARY USE PERMIT APPLICATION - MODEL HOME COMPLEX

Temporary uses require an approved Temporary Use Permit to operate pursuant to Section 504.08 of the City's Zoning Code. Temporary uses shall be located, developed, and operated in compliance with the following standards:

1. ***Time Limits.*** A temporary information/sales trailer may be used during the construction of the model homes for a maximum period of twelve months.
2. ***Location of Sales.*** Real estate sales conducted from a temporary sales office are limited to sales of lots within the subdivision it is located and to other subdivision projects under the same ownership.
3. ***Return to Residential Use.*** Prior to the close of a sale of any of the model homes as a single-family residence, any portion used for commercial purposes will be converted to its intended residential purpose, including flagpoles.
4. ***Term of Use.*** The model home may be established and operated until completion of the sale of the lots or residences within the subdivision, or for a duration specified as a condition of the Temporary Use Permit.

This Section establishes a process for review and approval of certain uses that are intended to be of limited duration of time and will not permanently alter the character or physical facilities of the site where they occur.

1. ***Application.*** Any person may apply to the Hearing Officer for approval of a temporary use not more than 90 days and not less than 45 days before the use is intended to begin accompanied by payment of the required fee.
2. ***Required Findings.*** The Hearing Officer may approve an application for a Temporary Use Permit to allow a temporary use for a period of time, only upon making all of the following findings:
 - a. The proposed use will not unreasonably affect or have a negative impact on adjacent properties, their owners and occupants, or the surrounding neighborhood, and will not in any other way constitute a nuisance or be detrimental to the health, safety, peace, comfort, or general welfare of persons residing or working in the area of such use or to the general welfare of the City;
 - b. The proposed use is consistent with a land use permitted by the present Zoning District within which the site is located, or a land use considered permitted by a Zoning District listed in the General Plan as being consistent with the General Plan land use designation of the site;

- c. The proposed use will not unreasonably interfere with pedestrian or vehicular traffic or circulation in the area surrounding the proposed use, and will not create a demand for additional parking that cannot be safely and efficiently accommodated by existing parking areas; and
 - d. Appropriate controls are in place that will ensure the premises will be kept clean, sanitary, free of litter, and all circulation and parking surfaces will include a suitable dust-controlled surface.
- B. **Conditions of Approval.** In approving a Temporary Use Permit, the Hearing Officer may impose reasonable conditions deemed necessary to achieve the findings for a Temporary Use Permit listed above, including but not limited to:
 1. Regulation of vehicular ingress and egress and traffic circulation;
 2. Regulation of dust control surfaces;
 3. Regulation of lighting;
 4. Regulation of hours, total number of events/duration for the permit, and other characteristics of operation;
 5. Submission of final plans to ensure compliance with conditions of approval;
 6. Requirement of bonds or other guarantees for cleanup or removal of structure or equipment; and
 7. Such other conditions as the Hearing Officer may deem necessary to carry out the intent and purpose of this Article.
- C. **Public Notification.** Notice of the proposed Temporary Use Permit shall be posted on the subject property for a period of 15 days prior to the Zoning Hearing. Notice shall also be mailed to property owners within 300 feet of the property boundaries proposed for the Temporary Use, in accordance with 502.05 F.(1)(3). Additional notification may be required at the Zoning Administrator's discretion
- D. **Effective Dates.**
 1. ***Permit Period 45 Days or Less.*** A Temporary Use Permit issued for 45 days or less shall become effective on the date the permit is approved by the Hearing Officer.
 2. ***Permit Period More than 45 Days.*** A Temporary Use Permit for more than 45 days shall become effective seven days from the date the permit is approved by the Hearing Officer.

Over-All Review Time Frames

City will either grant or deny each type of permit (license) that it issues. The time frame includes an administrative completeness review period to accept or reject the application, and a substantive review period to provide a technical review of the request. The City shall approve or deny the request within the overall time frame listed below, however, should the City extend the review period for additional submittal(s), said extensions shall not exceed 25% of the overall time frame.

| Application Type | Administrative Completeness Review (business days) | Substantive Review (business days) | Total Time Frame (business days) |
|----------------------|--|------------------------------------|----------------------------------|
| Temporary Use Permit | 10 | 20 | 30 |

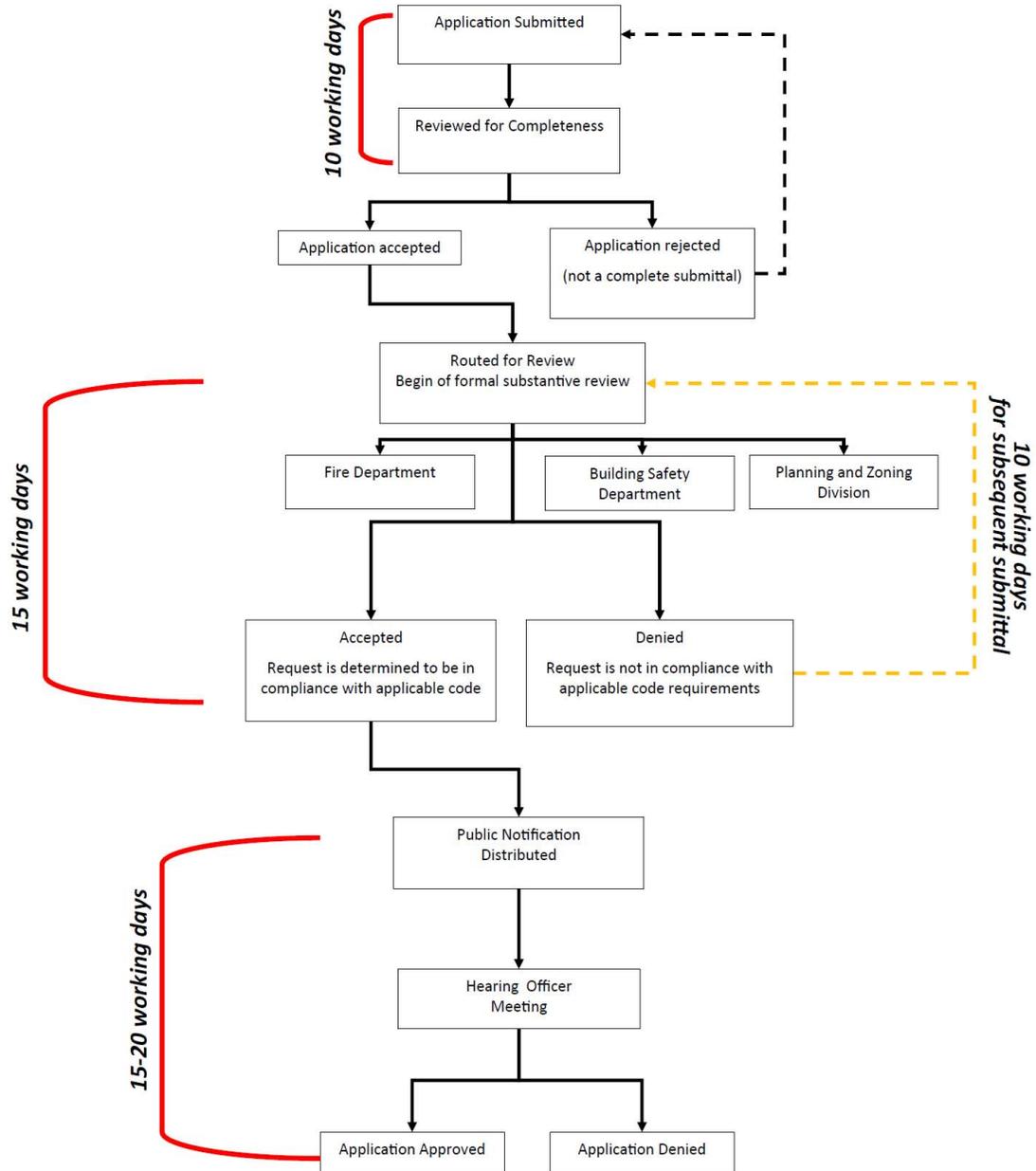
Submittal Review Turn Around Time Frames

Timeframes exclude all holidays, weekends and during the period where the applicant is revising plans. The listed timeframes are not all-inclusive and are subject to change. These timeframes are for plan review only and do not apply to submittals that require public notification outreach and approval through the Planning and Zoning Commission.

| Application Type | First Review (business days) | Subsequent Reviews (business days) |
|----------------------|------------------------------|------------------------------------|
| Temporary Use Permit | 10 | 5 |

Please note: These are projected time frames only and may change due to workload and staffing considerations

TEMPORARY USE PERMIT PROCESS FLOW CHART



TEMPORARY USE PERMIT APPLICATION -
MODEL HOME COMPLEX

Project Name: _____

SECTION I: PROPERTY OWNER(S)

Name: _____

Mailing Address: _____

Phone: _____ Email: _____

***If more than one owner, attach additional sheet with names, addresses and signatures as requested below**

SECTION II: APPLICANT INFORMATION & PRIMARY CONTACT INFORMATION

Applicant Name: _____

Affiliation with Project: _____

Mailing Address: _____

Phone: _____ Email: _____

Email: _____

SECTION III: PROPERTY AND PROPOSED USE INFORMATION

Street Address: _____

Major Cross Streets and/or Intersection (lot #, if applicable): _____

General Location/Name of Subdivision if applicable: _____

Assessor's Parcel Number: _____

Size (**gross and net**): _____ sq. ft. _____ acres

Description of Request: _____

Existing Zoning District: _____ Existing Use of the Property: _____

Dates of Temporary Use: _____

SECTION IV: SUBMITTAL REQUIREMENTS

- Project narrative (scope of work proposed)

- Site plan showing:
 - Building/structure locations
 - Required on-site parking, outdoor storage areas, and circulation
 - Landscape
 - Setbacks
 - Screening, walls and fences
 - Other information as requested by the City

- Citizen Participation Plan (see notification guide, Pg. 8-11)
 - Draft Notification Letter
 - 300 feet Radius Map
 - Mailing List

- Fees: \$200

I have read this Temporary Use Permit Application and understand that if my application is not complete in all respects it will not be processed until such time as it is complete.

Signature of Applicant Print Name Date

Signature of Property Owner Print Name Date

***If more than one owner, attach additional sheet with names, addresses and signatures**



TEMPORARY USE PERMIT

NOTIFICATION TEMPLATES

39700 W. Civic Center Plaza
Maricopa, AZ 85138
Ph: 520.568.9098
Fx: 520.568.9120
www.maricopa-az.gov

Notification Letter (EXAMPLE)

ADD BUSINESS NAME / CORPORATE LOGO ON TOP OF LETTERHEAD

RE: **Case # and project name**. This site is generally located at _____ within the City of Maricopa corporate limits.

Dear Neighbor,

An application has been filed with the City of Maricopa by **APPLICANTS NAME** for a Temporary Use Permit at the above mentioned property.

According to the Pinal County Assessor records, you are a property owner within 300 feet of the property under consideration. In order to better inform you of the "rwdrle"o ggvlpi "uej gf wrgf", this notice is being sent to you via **FIRST CLASS OR CERTIFIED** mail.

If you wish to provide input on this matter, "qwb c{ "cwgpf "j g"o ggvlpi "qt"uwo kl'y ritten"eqo o gpv"q" j g"Rrcppkpi "F kklkqp"at 5; 922"Y 0Ekkl"Egpgvt"Rrc| c, Maricopa, A\ "8513: subject ___case # and r tqlgevpcg gO"

The letter must contain name, address, and telephone number and signature of requestor. You can also contact the Planner **NAME OF PLANNER** at the City of Maricopa Planning Department at 520-568-9098. He can also be contacted by email, **@maricopa-az.gov** subject **CASE # AND PROJECT NAME**.

"Rwdrle"J gctkpi "O ggvlpi "
"aa*F CVG+aaaa"cv'aaaa*VIO G+ "
"Ek{ "J cm"
"5; 922"Y 0Ekkl"Egpgvt"Rrc| c"
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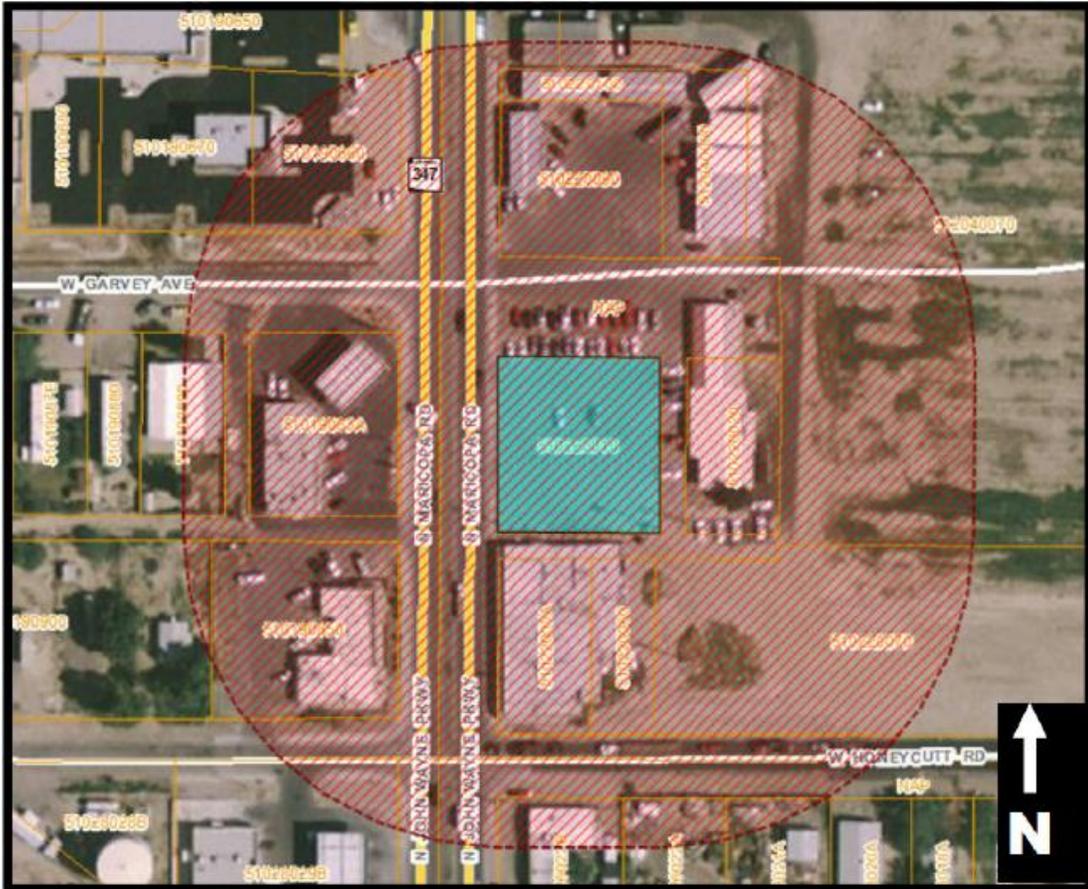
Please see additional pages for project narrative and overall map of the usage.

Criteria for Project Narrative
*****Project Narrative should include**

- Site location
- Parcel #
- Hours of operation
- Intent of the use
- Etc...

Sincerely, **Applicant's name**

Notification Area Map (EXAMPLE)



300 feet
Notification Area



Subject Property

REGULATORY BILL OF RIGHTS

This past legislative session (Fiftieth Legislature, First Regular Session), the Arizona Legislature passed **Senate Bill 1598**. This “Regulatory Bill of Rights” went into effect on **July 20, 2011 (with full implementation on December 31, 2012)**. The rights afforded private regulated parties under the new law are provided below.

A.R.S. § 9-832: REGULATORY BILL OF RIGHTS

TO ENSURE FAIR AND OPEN REGULATION BY CITIES, A PERSON:

- IS ELIGIBLE FOR REIMBURSEMENT OF FEES AND OTHER EXPENSES IF THE PERSON PREVAILS BY ADJUDICATION ON THE MERITS AGAINST A CITY IN A COURT PROCEEDING REGARDING A CITY DECISION AS PROVIDED IN A.R.S. § 12-348.
- IS ENTITLED TO RECEIVE INFORMATION AND NOTICE REGARDING INSPECTIONS AS PROVIDED IN A.R.S. § 9-833 (EFFECTIVE JUNE 30, 2012).
- IS ENTITLED TO HAVE A CITY NOT BASE A LICENSING DECISION IN WHOLE OR IN PART ON LICENSING CONDITIONS OR REQUIREMENTS THAT ARE NOT SPECIFICALLY AUTHORIZED AS PROVIDED IN A.R.S. § 9-834.
- MAY HAVE A CITY APPROVE OR DENY **THE PERSON’S LICENSE APPLICATION WITHIN A** PREDETERMINED PERIOD OF TIME AS PROVIDED IN A.R.S. § 9-835 (EFFECTIVE DECEMBER 31, 2012).
- IS ENTITLED TO RECEIVE WRITTEN OR ELECTRONIC NOTICE FROM A CITY ON DENIAL OF A LICENSE APPLICATION (EFFECTIVE DECEMBER 31, 2012).
 - THAT JUSTIFIES THE DENIAL WITH REFERENCES TO THE STATUTE, ORDINANCE, REGULATION, DELEGATION AGREEMENT OR AUTHORIZED SUBSTANTIVE POLICY STATEMENT ON WHICH THE DENIAL IS BASED AS PROVIDED IN A.R.S. § 9-835.
 - **THAT EXPLAINS THE APPLICANT’S** RIGHT TO APPEAL THE DENIAL AS PROVIDED IN A.R.S. § 9-835.
- IS ENTITLED TO RECEIVE INFORMATION REGARDING THE LICENSE APPLICATION PROCESS AT THE TIME THE PERSON OBTAINS AN APPLICATION FOR A LICENSE AS PROVIDED IN A.R.S. § 9-836.
- MAY INSPECT ALL ORDINANCES, REGULATIONS, AND SUBSTANTIVE POLICY STATEMENTS OF A CITY, INCLUDING A DIRECTORY OF DOCUMENTS, AT THE OFFICES OF THE CITY AS PROVIDED IN A.R.S. § 9-837.
- UNLESS SPECIFICALLY AUTHORIZED, MAY EXPECT CITIES TO AVOID DUPLICATION OF OTHER LAWS THAT DO NOT ENHANCE REGULATORY CLARITY AND TO AVOID DUAL PERMITTING TO THE MAXIMUM EXTENT PRACTICABLE AS PROVIDED IN A.R.S. § 9-834.
- MAY FILE A COMPLAINT WITH THE CITY COUNCIL CONCERNING AN ORDINANCE, REGULATION OR SUBSTANTIVE POLICY STATEMENT THAT FAILS TO COMPLY WITH A.R.S. § 9-832.