

## TEMPORARY USE PERMIT

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RESIDENTIAL SITE PLAN (EXAMPLE)

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

**Temporary Use Permit 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 – Temporary Use Permit and the Temporary Use Permit 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!**



## TEMPORARY USE PERMIT APPLICATION INSTRUCTIONS

Procedures for making application for a Temporary Use Permit, as provided in the Maricopa County Zoning Ordinance.

### **A Temporary Use Permit is required for any of the following:**

- ☐ Temporary Housing during construction of a dwelling. REQUIRES THE RESIDENTIAL BUILDING PERMIT BE IN AN ISSUED STATUS. Temporary housing applications will not be accepted until the residential permit has been issued.
- ☐ Temporary Events – REQUIRES SPECIAL EVENTS PERMIT FROM MCDOT OR PERMITTING FROM LOCAL JURISDICTION (CITIES/TOWNS)
- ☐ Non-residential Use of a Mobile Home
- ☐ Underage Occupancy within the Senior Citizen Overlay Zoning District
- ☐ Temporary Seasonal Sales
- ☐ Temporary Model Home Sales Complex – (N/A in a recorded subdivision, maximum period of one year, or upon sale of development, 95% buildout or cessation of use with no active building permits for a one year period whichever occurs first).
- ☐ Temporary Construction Office/Yard Complex - (N/A in a recorded subdivision, maximum period of one year, or upon sale of development, 95% buildout or cessation of use with no active building permits for a one year period whichever occurs first).
- ☐ Temporary Caretaker's Quarters
- ☐ Other Temporary Uses as determined by the zoning inspector

After it has been determined that the initial submittal is complete, the filing fee per Zoning Ordinance requirement is to be paid by the owner or owner's authorized agent (checks should be made payable to "Maricopa County Planning and Development"). A receipt will then be issued and a case number assigned.

As of September 13, 2013, the Temporary Use Permit process shall be subject 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 25 day administrative timeframe and a 75 substantive timeframe for Temporary Use Permits. 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.



## TEMPORARY USE PERMIT APPLICATION INSTRUCTIONS

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

After receipt of an application, the administrative review period begins and staff 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 technical comments will be given to the applicant within a reasonable timeframe. 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/citizenaccessmcoss/>

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.

Depending on the comments received, the application materials may need revisions. The owner or authorized agent must submit revised materials to the OSS. The applicant's resubmittal must meet the County's technical requirement or it will be denied. Additionally, an administrative decision of denial can be made if the Director finds that it is not possible to grant the application within the timeframe or the applicant has not provided additional or supplemental information within 90 days (not working days) of a written or electronic request for said information.

Upon acceptance of an administratively complete application by staff, the subject property shall be posted with a "Notice of Application" for a period of 10 days. If a written appeal (objection/protest) is received within the 10-day posting period, the request shall be placed on the agenda of the first available Board of Adjustment hearing for resolution of the application is deemed substantively complete. The owner or owner's authorized agent and appellant will be notified in writing of the hearing date. If no objection is received during the required 10-day posting period, the Temporary Use Permit may be approved administratively, provided it has been deemed substantively complete.

Once staff is satisfied that technical requirements have been met, staff will either approve the request or schedule the request for hearing at the first available Board of Adjustment meeting. At this time, the substantive timeframe clock will stop. If applicable, the owner or owner's authorized agent will be given the staff's written recommendation to the Board approximately 5 days prior to the hearing. The Board of Adjustment meets at 10:00 a.m. in the Board of Supervisors' Auditorium at 205 West Jefferson Avenue, unless otherwise noted.

After a decision has been made by either staff or the Board, a decision letter will be issued.



## TEMPORARY USE PERMIT APPLICATION INSTRUCTIONS

### Notes:

- Incomplete submittals will not be accepted. Applications determined to be incomplete shall not be processed by staff.
- Applications for a **Temporary Event** must be submitted **at least 30 days** prior to the first planned event date or the application will not be accepted. Temporary Event permit also requires applicants to submit for a **Special Events Permit** with Maricopa County Department of Transportation (MCDOT) for sites that have driveway access from MCDOT right-of-way. A copy of the issued permit shall be submitted with Temporary Event application. For MCDOT permitting processing utilize the following website: <https://www.maricopa.gov/499/Permits>.

Sites that have driveway access from a local jurisdiction (city or town) right-of-way, applicants shall coordinate and obtain the required permits from the local jurisdiction. A copy of the issued permit shall be submitted with the Temporary Event application for access to street(s) and roadway(s).

- In the case of Temporary Housing, a building permit is required for both the permanent dwelling being constructed and potentially the structure being used as the temporary residence. REQUIRES THE RESIDENTIAL BUILDING PERMIT BE IN AN ISSUED STATUS. Temporary housing applications will not be accepted until the residential permit has been issued.

Contact the Maricopa County Planning and Development Department – Building Planning Services for additional information. The building permit for the permanent dwelling must remain active while the Temporary Use is in effect. A separate zoning clearance and/or building permit is also required for all other temporary uses.

- Failure to meet any required conditions placed upon the Temporary Use Permit shall result in revocation of the Temporary Use Permit by the Zoning Inspector. Requests for a time extension to the Temporary Use Permit shall be submitted to and processed through the Board of Adjustment, as outlined in the Maricopa County Zoning Ordinance.
- If an applicant has not made a resubmittal of application materials in either administrative or substantive review periods after three (3) months, the application will be closed due to inactivity.

The conditions of approval of this Temporary Use Permit 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.



# TEMPORARY USE PERMIT APPLICATION INSTRUCTIONS

## INFORMATION REQUIRED FOR SUBMITTAL

1. **APPLICATION – 2 copies.** The application is to be completed in full. Staff will only accept a completed application form.
2. **SITE PLANS – 2 copies** (11"x17" or 8½" x 14") of the property, indicating the following:
  - a) The site plan must be drawn to a recognizable scale, i.e. 1" = 20'.
  - b) North arrow and scale (written and graphic scale) shown on plan.
  - c) All property lines must be clearly shown and dimensions indicated.
  - d) Location and dimensions of all existing and proposed structures (including fences, signs and pools) from property lines and distance between structures.
  - e) Location and width of dedicated streets, recorded easements, (provide recording number) and patent easements on or adjacent to property (include names of streets if applicable).
  - f) All existing and proposed structures must be shown and dimensioned on the site plan.
3. **NARRATIVE – 2 COPIES** – describing use in detail.
4. **ELECTRONIC COPY OF APPLICATION MATERIALS – 1 jump drive.** Example a Narrative Report should be saved as **NARR-RPTS-1.pdf**

	Electronic Copies of Application Materials	Required Naming Convention for the Adobe PDF documents.
_____ A.	Completed Application form	APPL-FORM-1
_____ B.	Site Plan	SITE-PLAN-1
_____ C.	Narrative Report	NARR-RPTS-1
_____ D.	Completed Supplemental Questionnaire	QUES-DETL-1
_____ E.	Official recorded deed or unofficial deed	DEED-DETL-1
_____ F.	Affidavit of Notice of Opposition	OPPO-DETL-1
_____ G.	Caretaker's Quarter supporting documentation (only for caretaker's quarter)	SUPP-DETL-1
_____ H.	Special Events Permit – Issued by MCDOT or local jurisdiction (city/town) permit for non-MCDOT right-of-way.	SEPE-DETL-1

5. **COMPLETED SUPPLEMENTAL QUESTIONNAIRE – 2 copies** (attached).
6. **PROOF OF OWNERSHIP** (recorded deed or unofficial deed, etc.) – **1 copy.** If applicable, lease agreement. If the subject property is part of a land lease, the Lease Agreement should include the terms of the lease, and the proposed use of the leased land. Additional information may be required after reviewing the Lease Agreement.



## TEMPORARY USE PERMIT APPLICATION INSTRUCTIONS

7. **AFFIDAVIT OF NOTICE OF OPPOSITION** (attached) – signed and notarized (required for any temporary event).
8. **FILING FEE** (per year, payable at the time of application as noted above):

**All outstanding fees and fines against a property owed to the department shall be current and paid in full before any application will be scheduled for hearing.**

- Residential Use: **\$250.00** per application/renewal
- Non-residential Use: **\$750.00** per application/renewal
- Drainage Review Fee: **\$60.00** per application/renewal
- Environmental Services Fee (except temporary events): **\$25.00** per application/renewal
- Addressing Fee: **\$10.00/\$50.00** (if applicable)
- 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**

See Maricopa County Zoning Ordinance, Chapter 16 – ([www.maricopa.gov/planning](http://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).

9. **SUPPORTING MATERIALS** - any other information deemed necessary by the owner or authorized agent or staff. Pictures of the subject property and surrounding properties should be provided.
10. **TEMPORARY CARETAKER'S QUARTERS ONLY:** Documentation supporting the need for the caretaker's quarters. This may include notarized letters from a physician or other documentation as determined necessary by staff. This Temporary Use must be renewed on a yearly basis.
11. **TEMPORARY EVENTS ONLY:** Include within narrative report
  - a. Police Traffic Control Protection: State if proposed and identify how it is to be provided.
  - b. Water Facilities: State if proposed and identify how it is to be provided.
  - c. Food Concessions: Quality and quantity of food and location of concessions must be approved by the Maricopa County Environmental Services Department (MCESD) prior to issuance of any Temporary Use Permit.
  - d. Sanitation Facilities: All sanitation facilities must be approved by the MCESD prior to issuance of any Temporary Use Permit.
  - e. Medical Facilities and Fire Protection: State if proposed and identify how it is to be provided.



## TEMPORARY USE PERMIT APPLICATION INSTRUCTIONS

- f. Parking Areas: Identify amount and location of parking for attendees of the temporary event. Parking shall be required to meet minimum requirements as outlined in Section 1102 of the Maricopa County Zoning Ordinance (MCZO). Adequate dust control shall be provided as per Maricopa County Department of Transportation (MCDOT) and Air Quality Department requirements.
  - g. Access, Traffic and Parking Control: Identify ingress and egress for the temporary event.
  - h. Time of Operation: Identify the duration of the use (both dates and hours of operation).
  - i. Illumination: State if proposed and identify how it is to be provided. All outdoor lighting must comply with Section 1112 of the MCZO.
  - j. Overnight Camping Facilities: All overnight camping facilities shall be reviewed and approved by MCESD prior to issuance of any use permit.
  - k. Other: Identify the anticipated number of attendees; include any other information which staff deems necessary.
12. **Special Event Permit issued by MCDOT or Local Jurisdiction (City/Town) Permit – 1 copy** - Submit a copy of the issued Special Event Permit issued by MCDOT for the Temporary Event. For non-MCDOT right-of-way, submit a copy of the issued permit from the local jurisdiction (city/town) for access to street(s) and roadway(s). Please note this only applies for a Temporary Event.
13. The following items are required 2 working days following the end of the Temporary Event.

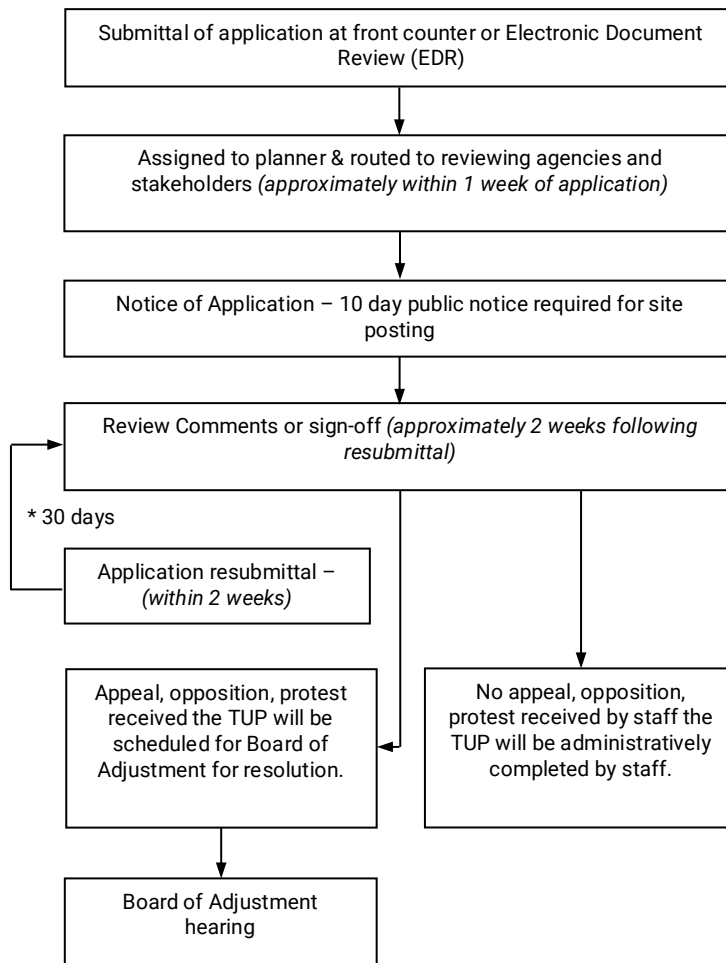
**AFFIDAVIT OF STRUCTURES FOR TEMPORARY EVENTS - 1 copy** with documentation that indicates structures were erected and maintained subject to all building safety codes and manufacturer's specifications.







## TEMPORARY USE PERMIT PROCESSFLOW CHART & PROJECTED TIMEFRAME



\* Approximate timeframe of 1 month for administratively decision by staff

\* Approximate timeframe of 2 months if case proceeds to the Board of Adjustment



# TEMPORARY USE PERMIT SUPPLEMENTAL QUESTIONNAIRE

1. Explain the type of Temporary Use being proposed and why it is needed:

2. What length of time will the Temporary Use be located on the property:

3. Please note any other comments:

4. List all structures to be erected in conjunction with the event (if applicable).

Owner's Signature/Authorized Agent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## AFFIDAVIT OF NOTICE OF OPPOSITION

Date: \_\_\_\_\_

I, \_\_\_\_\_, being the owner or authorized agent for the Maricopa County case referenced below, do hereby affirm that I understand that the subject property must be posted for a ten-day period and if opposition is received during that time the request must be forwarded to the Board of Adjustment for a final decision. I also affirm that if opposition is received or if staff cannot approve my request for any reason before the date of the requested use or event I will not use the subject property for the purpose requested.

**Owner's/Authorized Agent's signature:** \_\_\_\_\_

**SUBSCRIBED AND SWORN** before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
**Notary Public**

**My Commission Expires:** \_\_\_\_\_



# AFFIDAVIT OF STRUCTURES FOR TEMPORARY EVENTS

TU#: \_\_\_\_\_ Name: \_\_\_\_\_ Phone#: \_\_\_\_\_ Email: \_\_\_\_\_

Date: \_\_\_\_\_

I, \_\_\_\_\_, (owner/authorized agent) have reviewed the Temporary Use Permit, I hereby attach documentation and certify that all structures were erected and maintained subject to all applicable building safety codes and manufacturer's specifications.

**Owner's/Authorized Agent's signature:** \_\_\_\_\_

**SUBSCRIBED AND SWORN before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

\_\_\_\_\_  
**Notary Public**

**My Commission Expires:** \_\_\_\_\_

## **Maricopa County Zoning Ordinance – Article 1302.2.2.4 – Temporary Event**

Structures erected pursuant to an approved Temporary Use Permit shall not require a building permit if standing for a period not to exceed 96 contiguous hours. The responsible party shall provide documentation, as specified in the Temporary Use Permit, that said structures were erected and maintained subject to all applicable building safety codes and manufacturer's specifications. The documentation shall be provided to the Department within two working days following end of the special event to be filed with the Temporary Use Permit. Failure to provide the required documents will render the Temporary Use Permit null and void and constitute a zoning violation in accordance with Chapter 15 of this Ordinance.

## **Local Additions & Addenda (Building Code) – Section 205, Temporary Event Permit Exemption**

Structures erected pursuant to an approved Temporary Use Permit shall not require a building permit if standing for a period not to exceed 96 contiguous hours. The responsible party shall provide documentation, as specified in the Temporary Use Permit, that said structures were erected and maintained subject to all applicable building safety codes and manufacturer's specifications. The documentation shall be provided to the Department within two working days following end of the special event to be filed with the Temporary Use Permit. Failure to provide the required documents will render the Temporary Use Permit null and void and constitute a zoning violation in accordance with Chapter 15 of the Maricopa County Zoning Ordinance.

**AFFIDAVIT OF STRUCTURES FOR TEMPORARY EVENTS DUE  
2 WORKING DAYS AFTER END OF TEMPORARY EVENT.**



## 2023 FILING DEADLINES AND HEARING DATES FOR THE BOARD OF ADJUSTMENTS

Hearings are held in the Board of Supervisors Auditorium,  
205 West Jefferson St., Phoenix, AZ 85003

If you receive Sign-Off from all County agencies by this deadline	You will be placed on this BOA Hearing Date (Thursdays)
December 27, 2022	January 19, 2023
January 23, 2023	February 16, 2023
February 21, 2023	March 16, 2023
March 20, 2023	April 13, 2023
April 24, 2023	May 18, 2023
May 22, 2023	June 15, 2023
June 26, 2023	July 20, 2023
July 17, 2023	August 10, 2023
August 28, 2023	September 21, 2023
September 18, 2023	October 12, 2023
October 16, 2023	November 9, 2023
November 20, 2023	December 14, 2023

Requests will not be scheduled for a hearing until the application is deemed complete, all reviewing County agencies have signed off on the proposal, all applicable fees are paid, and all outstanding technical comments are addressed.



