



# Maricopa County

## Planning & Development Department

### Department Directive

Department Directive:  
DD-2016-03  
Supersedes: N/A

Effective: Immediately

Initiator: Darren Gerard - *DG*

Director: Debra Stark - *DS*

**PURPOSE:** To ensure consistent treatment of Special Use Permit (SUP), Temporary Use Permit (TUP) and Conditional Use Permit (CUP) applications.

**REFERENCE:** Maricopa County Zoning Ordinance (MCZO), Sec. 201; Art. 304.8; Sec. 1301, Sec. 1302 & Sec. 1303

#### **POLICY/PROCEDURE:**

Refer to DD-2-015-xx which outlines that for the purposes of implementing the Maricopa County 'Vision 2030' Comprehensive Plan (and the county's adopted county area plans), a CPA will only be required for rezoning of sites greater than 40 acres – if it can be demonstrated the rezoning furthers implementation of the plan's goals and policies.

MCZO, Art. 304.8 now simply states that, "*All applications for changes of Zoning District boundaries must be in compliance with the County's adopted Comprehensive Plan and/or any adopted area plan.*"

The definition of Special Use in MCZO, Sec. 201 and MCZO, Art. 1301.1 indicates the Board of Supervisors (BOS) may legislatively permit an SUP in any zoning district (unless otherwise specified). The definition of Temporary Use in MCZO, Sec. 201 and MCZO, Sec. 1302 lists TUPs as permitted in any zoning district. The definition of Conditional Use in MCZO, Sec. 201 and MCZO, Sec. 1303 lists CUPs as permitted in any zoning district.

Legislative approval of an SUP, administrative or Board of Adjustment (BOA) approval of a TUP, and administrative approval of a CUP does not change the underlying zoning, and thus arguably does not change the zoning district boundary line triggering requirement for compliance with the Comprehensive Plan. Therefore, a CPA is not required for an SUP, TUP or CUP. However, staff will consider a special/temporary/conditional use site covering an area greater than 40 acres to represent a predominant land use for that general area, and (absent a CPA) may or may not recommend approval of the SUP/TUP/CUP depending upon analysis and determination as to whether or not it furthers implementation of the plan's goals and policies.

This Directive will remain effective unless specifically negated with an update of the adopted Maricopa County 'Vision 2030' Comprehensive Plan.