



**MARICOPA COUNTY  
PLANNING & DEVELOPMENT  
DEPARTMENT**



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**Note: As of December 31, 2012, all Land Use applications are subject to ARS § 1605.**

**- As of September 13, 2013 all Residential uses are excluded per ARS §11-1605 M.2**



## MARICOPA COUNTY PLANNING & DEVELOPMENT DEPARTMENT



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### APPLICATION INSTRUCTIONS & CHECKLIST

Applications submitted to the Maricopa County Planning and Development Department shall include all of the exhibits, items and information listed in this checklist. An application will only be accepted by the Department when all of the items listed below are submitted, unless otherwise deemed unnecessary by staff. Applications determined to be incomplete shall not be processed by staff. Additional information, detail, and/or copies may be required after review by the assigned planner.

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 Land Use application 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 Land Use applications. 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.

The applicant can authorize 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.



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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 180 days (not working days) of a written or electronic request for said information.

Once staff is satisfied that technical requirements have been met, staff may approve or deny the request. At this time, the substantive timeframe clock will stop. After a decision has been made, a decision letter will be issued.

The conditions of approval of this Home Occupation 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.

**Note:** If an applicant has not made a resubmittal of application materials in either administrative or substantive review periods after six (6) months, the application will be closed due to inactivity.



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**INFORMATION REQUIRED FOR SUBMITTAL**

1. **Application: completed and signed – 2 copies**
2. **Proof of ownership (recorded deed or unofficial copy) – 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.
3. **Qualifying Standards for Home Occupation: completed and signed – 1 copy**
4. **Site Plan – 2 copies** (11"x17" or 8 1/2" 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.
5. **Floor Plan – 2 copies of the residence**
  - a) Identify the space to be used for the home occupation.
  - b) Include the dimensions of the room as well as total square feet of the residence.
  - c) Identify all entries/exits.
6. **Narrative Report – 2 copies describing use in detail, including:**
  - a) Description of the proposed home occupation, including business operations, number of employees (if applicable), and hours/day of operation.
  - b) Address the utility providers for water, sewer, police and fire services.
7. **Photographs**
  - Submit photographs of the site, taken on all four corners of the property and looking inward to the property (minimum of four photographs).
  - Please label each photograph with the view, direction and date.
  - A site plan or key map may also be used in conjunction with the photographs with notations showing what direction the photograph faces and where it is taken.



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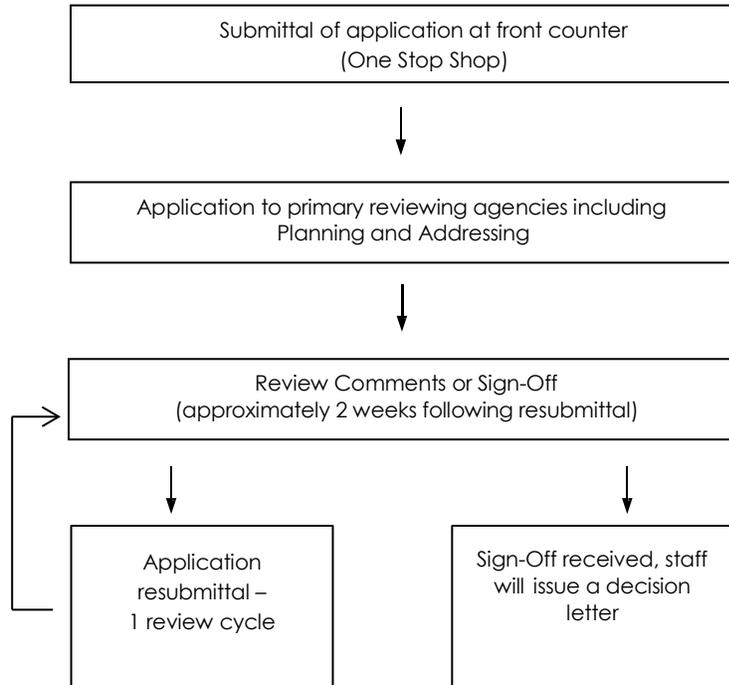
8. **Electronic copies of application materials saved as Adobe PDF files – 1 CD or jump drive.**  
Example Narrative Report should be saved as NARR-RPTS-1.pdf

<b>Application Document</b>	<b>Required Naming Convention for the Adobe PDF documents</b>
Completed Application	APPL-FORM-1
Official recorded or unofficial deed	DEED-DETL-1
Qualifying Standards for Home Occupation	QUAL-DETL-1
Site Plan	SITE-PLAN-1
Floor Plan	FLOR-PLAN-1
Narrative Report	NARR-RPTS-1
Photographs	PHOT-DETL-1

9. **Fees:**
- Zoning Clearance Residential for Home Occupation – **\$100**
  - Addressing Review Fee – **\$10** to verify an existing address or **\$50** to assign an address (This fee is a separate fee but can be combined with the zoning clearance fee)
  - 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**



## PROCESS FLOW CHART & PROJECTED TIMEFRAME



Approximate timeframe of 1 month



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**HOME OCCUPATION – LAND USE APPLICATION**

<b>REQUEST</b>			
Title of Project:			
Description of Request:			
Existing Use of Property:			
Existing Zoning District:			
Related Case Number:			
<b>PROPERTY INFORMATION</b>			
Address (if known):			
General Location (Include nearest city/town):			
Size in Acres:		Square Feet:	
Legal Description Section:	Township:	Range:	
Assessor's Parcel Number:			
<b>OWNER'S AUTHORIZED AGENT INFORMATION</b>			
Name:		Contact:	
Address:			
City:	State:	Zip:	
Phone #:	Fax #:		
E-mail Address:			
<b>PROPERTY OWNER INFORMATION</b>			
Name:		Contact:	
Address:			
City:	State:	Zip:	
Phone #:	Fax #:		
E-mail Address:			
<b>PROPERTY OWNER AND OWNER'S AGENT AUTHORIZATION</b>			
I (property owner) _____ authorize (owner's agent) _____ to file this application on all matters relating to this request with Maricopa County. By signing this form as the property owner I hereby agree to abide by any and all conditions that may be assigned by the Maricopa County Board of Supervisors, Maricopa County Planning and Zoning Commission, or Maricopa County Planning and Development Department staff as applicable, as part of any approval of this request, including conditions, development agreements, and/or any other requirement that may encumber or otherwise affect the use of my property.			
<b>INSPECTIONS</b>			
By submitting this application, I am inviting County staff to conduct all site inspections they deem necessary.			
<b>PROPOSITION 207 WAIVER</b>			
The property owner acknowledges that the approval being sought by this application may cause a reduction in the existing rights to use, divide, sell or possess the private property that is the subject of this application. The property owner further acknowledges that it is the property owner who has requested the action sought by the filing of this application. Therefore, pursuant to A.R.S. §12-1132 through 1138, the property owner does hereby waive any and all claims for diminution in value of the property with regard to any action taken by Maricopa County as result of the filing of this application.			
Property Owner Signature: _____ Date: _____			
<b>VERIFICATION OF APPLICATION INFORMATION</b>			
I certify that the statements in this application and support material are true. Any approvals or permits granted by Maricopa County in reliance upon the truthfulness of these statements may be revoked or rescinded.			
Owner or Authorized Agent Signature: _____ Date: _____			
<b>ARS § 1605 TIMEFRAME EXTENSION</b>			
I authorize a 50% timeframe extension for the review of my application as adopted by the Board of Supervisors per ARS § 1605 and as amended.			
Property Owner Signature: _____ Date: _____			

**ALL FEES ARE DUE AT TIME OF APPLICATION AND ARE NON-REFUNDABLE**

501 North 44<sup>th</sup> Street, Suite 200 ▪ Phoenix, AZ 85008 ▪ (602) 506-3301  
www.maricopa.gov/planning



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**QUALIFYING STANDARDS FOR A HOME OCCUPATION**

The checklist below outlines qualifying standards for zoning clearance of a Home Occupation permit. Please read this information carefully and thoroughly. Sign below if you agree to follow the requirements listed and include both pages in submittal.

- ✓ The entrepreneur of a home occupation shall reside in the dwelling on the property in which the business operates.
- ✓ The number of persons who are employed in connection with the occupants, but who are non-residents of the dwelling on the property in which the business operates, shall not exceed **three**.
- ✓ The business shall be conducted entirely within a completely enclosed building, other than allowance for limited outdoor storage. Physical business activity other than storage may occur within the area described below except that no mechanical equipment or power tools shall be operated out of doors, and in no instance shall any outdoor activity exceed the height of screening and not to exceed **eight (8) feet**.
- ✓ The outdoor storage of materials shall be limited to a maximum of **25%** of total lot area and shall not be located within any required front or street side yard. Any outdoor storage shall be completely fenced with a solid masonry wall or wood fence to obstruct the view to a height equal to the elevation of the tallest materials to be stored with a maximum height of stored materials of **eight feet**.
- ✓ The home occupation shall not interfere with the delivery of utilities or other services to the area.
- ✓ The business shall not generate any noise, (if the noise would be considered to have an adverse impact on the surrounding residential neighborhood per the Maricopa County Noise Ordinance), vibration, smoke, dust, odors, heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a zoning district used solely for residential purposes.
- ✓ No mechanical equipment or power tools shall be used, except that used for normal household purposes if the noise would be considered to have an adverse impact on the surrounding residential neighborhood per the Maricopa County Noise Ordinance.
- ✓ No toxic, explosive flammable, radioactive or other similar material shall be used, sold or stored on the site.
- ✓ There shall be no change to the residential appearance of the premises, except that a separate business entrance shall be permitted. A maximum four (4) square foot sign shall be permitted, and the sign shall otherwise meet the requirements of Article 1402.2 of the Maricopa County Zoning Ordinance.



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- ✓ Unless a passenger vehicle accessory to the residence or an employee, not more than **one vehicle** used in commerce shall be permitted in connection with the home occupation. Said vehicle shall be stored in an enclosed garage at all times.
- ✓ The number of customers, clients, or students on the premises shall not exceed five at any time.
- ✓ No non-resident employees, customers, clients, or students shall be permitted on the premises for business purposes between the hours of 10:00 p.m. and 7:00 a.m.
- ✓ Deliveries from commercial suppliers (vehicle weight greater than **10,000 lbs.**) shall not restrict traffic circulation and shall occur between 8:00 a.m. and 5:00 p.m., Monday through Friday.

If the home occupation requires that any non-resident employees, customers, clients or, students visit the property, a minimum of **one (1) additional off-street parking space** shall be provided per Chapter 11, Section 1102 of the Maricopa County Zoning Ordinance. The maximum number of additional off-street parking spaces permitted shall be **six**.

- ✓ All outdoor lighting shall be shielded so as not to direct or reflect light upon adjoining land, shall not be constructed within **20 feet** of any adjoining property under other ownership, and shall not exceed **20 feet** in height.
- ✓ A Home Occupation Conditional Use Permit issued to **one** person shall not be transferable to any other person; is not attached to the land; and is not transferable from one place of residence to another.

The home occupation shall not begin operation without an approved Conditional Use Permit per Section 1303 of this Ordinance. However, if these conditions cannot be met, a Special Use Permit per Section 1301 of the Maricopa County Zoning Ordinance shall be required.

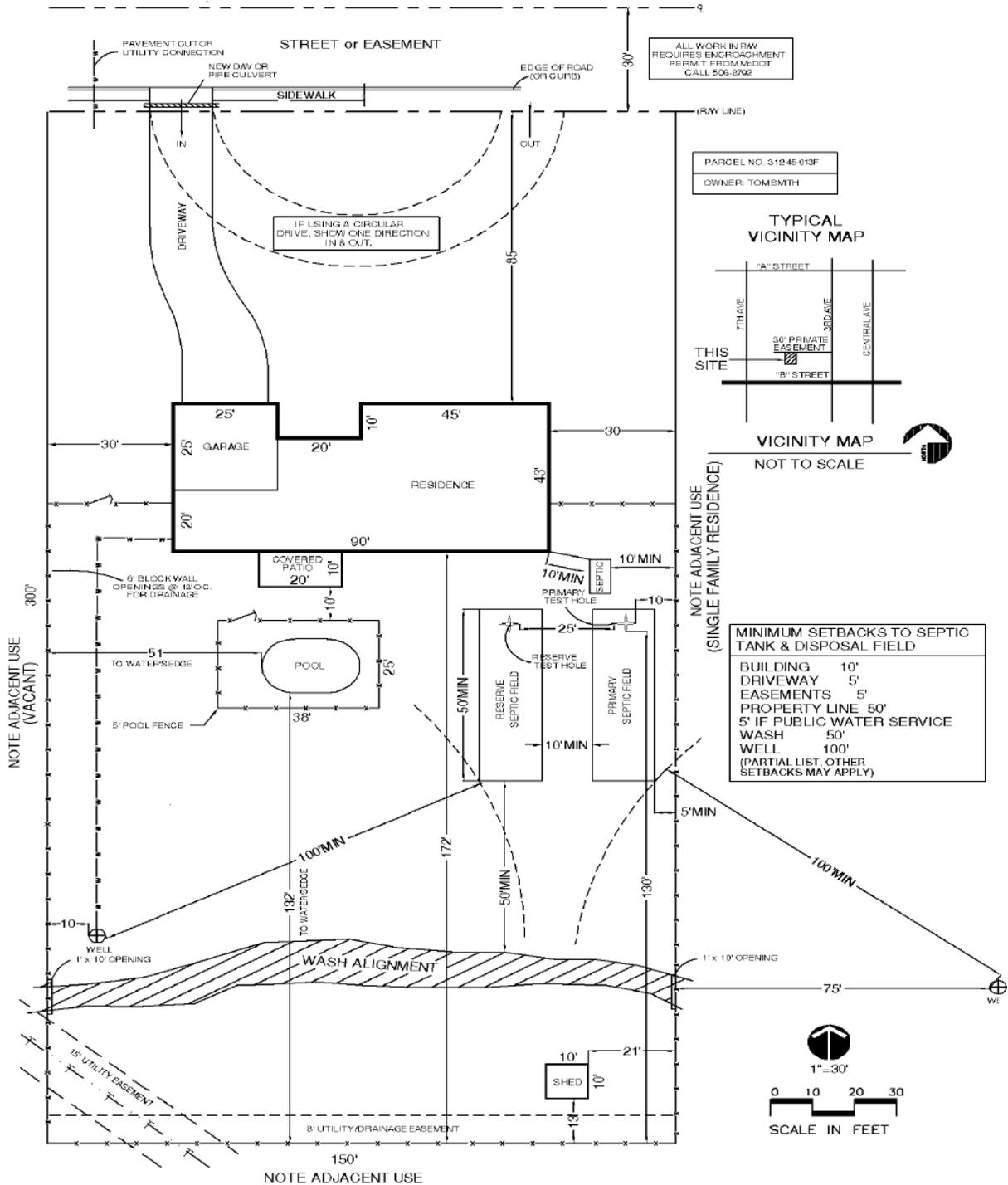
<p>I have read the above two (2) pages and by signing below agree to the Home Occupation standards. I fully understand that if I no longer comply with any of these requirements, I will be in violation of the Maricopa County Zoning Ordinance.</p>		
Owner's Name/Owner's Authorized Agent Name:		Date:
Owner's/Owner's Authorized Agent Signature:		Date:



# MARICOPA COUNTY PLANNING & DEVELOPMENT DEPARTMENT



## TYPICAL RESIDENTIAL SITE PLAN



**SAMPLE ONLY (DRAWING SHOWN IS NOT TO SCALE)  
ADDITIONAL DETAILED PLANS MAY BE REQUIRED**



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**WHAT TO EXPECT AT THE ONE STOP SHOP**

**Purpose:** Provide customers with information about what to expect when submitting a home occupation application. This information sheet includes the application material checklist, fee schedule, and a three step process for application submittal.

**Location:** Maricopa County Planning & Development Department  
501 N. 44<sup>th</sup> Street, Suite 200 Phoenix, AZ 85008

**Business Hours:** 8:00 a.m. – 5:00 p.m. Monday through Friday, except holidays (to ensure adequate time for application submittal, projects should be submitted no later than 4:30 p.m.)

**STEP 1 - Reception:** Proceed to the One Stop Shop Reception desk to obtain a call ticket for the application submittal. Provide the receptionist your name and specify the type of planning application.

**STEP 2 - Intake Counter:** One Stop Shop customer service will call your ticket number and evaluate the application materials for completeness. Once the application materials are accepted a tracking number will be provided and staff will advise you to proceed to the cashier to process application payment. The following is a list of required application materials:

<b>Home Occupation Application Submittal Documents</b>	
	<b>2 copies</b> – Land Use Application – completed & signed
	<b>1 copy</b> – Recorded deed or unofficial copy
	<b>1 copy</b> – Qualifying Standards for Home Occupation (2 pages) – signed
	<b>2 copies</b> – Site Plan 11" x 17" or 8 1/2" x 14"
	<b>2 copies</b> – Floor plan
	<b>2 copies</b> – Narrative
	<b>1 copy</b> – Photographs
	<b>1 CD or jump drive</b> with electronic copies of application materials

**NOTE: If any documentation is missing your application may not be accepted during the intake process, please be sure to follow this checklist**

**STEP 3 - Cashier - Processing Payment:** The cashier will call your ticket number, request your application tracking number, advise you of the total application fees and request your method of payment. Maricopa County accepts cash, check, or credit card. Please make checks payable to: **MARICOPA COUNTY**.

**Note: Proper payment in full, based upon the following fee schedule, is required at the time of application:**

<b>Home Occupation Application Fee Schedule</b>	
<b>Zoning Clearance</b>	Residential <b>\$100</b>
<b>Addressing</b>	<b>\$10</b> verify existing address or <b>\$50</b> assign address