



TEMPORARY USE PERMIT (TUP)

PROCESS GUIDE & APPLICATION

City of Buckeye
Development Services Department
530 East Monroe Avenue
Buckeye, Arizona 85326

Phone: 623.349.6211

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www.buckeyeaz.gov

APPLICATION PROCEDURES TEMPORARY USE PERMIT (TUP)

Important Information:

- A TUP shall be valid for the time period stated on the approval letter unless otherwise authorized by the Development Code. A maximum of two 30-day extensions may be granted.
- Unless otherwise stated, all proposed structures and/or improvements associated with a TUP will require some form of construction permit that is applied for under a separate application process. Please contact 623-349-6200 for permitting details.
- Temporary Uses are also subject to the City's licensing regulations. Prior to operation, please contact Business Licensing at 623-349-6165.
- Temporary Events on City property require a Special Events Permit through the Community Services Department. Please contact 623-349-6320 for additional details.

Temporary Land Uses that require a TUP per the 2010 Development Code Section 3.4:

- Temporary Antennas
- Temporary Expansion or Replacement Facilities
- Temporary Retail Sales (i.e. retail sales of Christmas trees, nursery products, agricultural produce, fireworks, roadside stands etc.)
- Temporary Sales/Leasing Office
- Temporary Yard Sales
- Temporary Events (i.e. carnivals, festivals, rodeos, etc.) on private property
- Other Temporary Uses

Temporary Land Uses that are exempt and do not require a TUP:

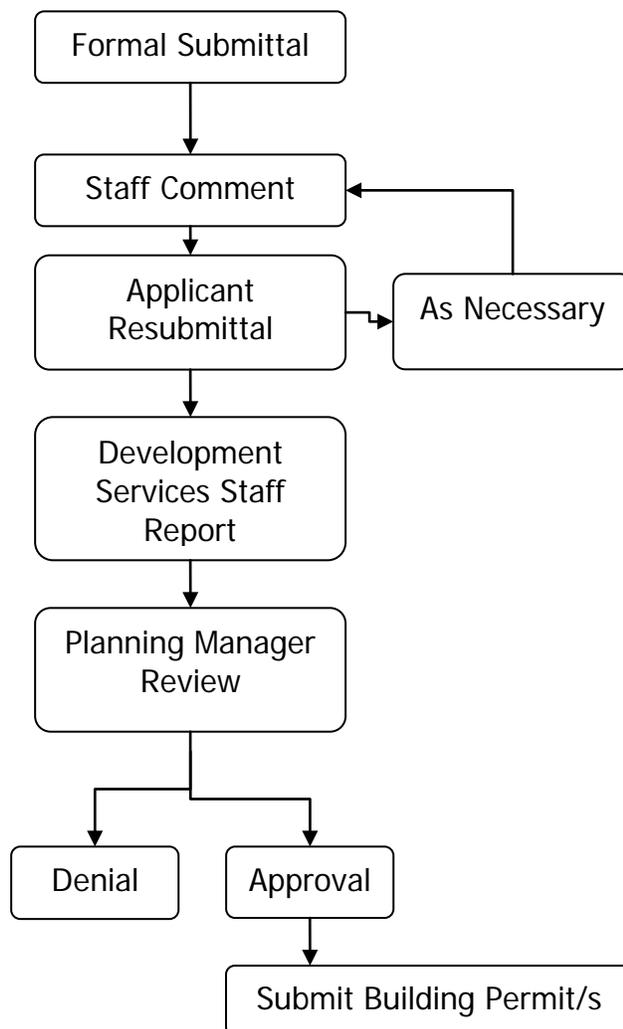
- Temporary Events utilizing City property (Special Event Permit though Community Services is required)
- Up to seven, two-day garage or yard sales per dwelling unit per year
- Up to seven Temporary Car Washes per year
- Gatherings of less than 100 people between the hours of 8 a.m. to 9 p.m.
- Temporary Uses that occur within an enclosed permanent building

The following information is provided to assist in the preparation and submittal of an application for a TUP on private property within the City of Buckeye.

1. *Application Filing* – For an application to be accepted, the applicant must provide all of the required information described on the submittal checklist at the time of formal submittal. It shall be the responsibility of the applicant to ensure the accuracy and completeness of the request. Applications received after 4:00 p.m. will be processed the next business day. Incomplete applications will NOT be accepted.
2. *Staff Review* – Once a complete application is received and processed, the submitted information will be assigned to a Planner and routed by a Plans Coordinator to appropriate City staff and agencies for review/comment. After this review, the Plans Coordinator collects and consolidates the comments, which are then returned to the applicant. Any technical questions should be addressed with the assigned Planner who will facilitate any needed communications or meetings with the appropriate city departments. The applicant is then responsible for addressing the comments and submitting revised plans. Upon resubmittal, the staff review process will begin again albeit at an expedited pace. In some cases, it is necessary to have several resubmittals before moving the request forward in the process.
3. *Staff Reports* – Once all staff comments have been addressed, the assigned Planner will prepare a report describing and evaluating the proposed project and making a recommendation for action.
4. *Planning Manager Review* – The Planning Manager, taking into consideration staff recommendation, will approve, approve with modifications and/or stipulations, or deny the request. Any decision appeals requested shall be heard by the City Council.
5. *Building Permits* – After approval of a TUP, it may be necessary to obtain building permits for proposed structures and equipment (i.e. tents, canopies, generators etc.). A separate application and fee will be required for any building permits. Additionally, as part of the building permit process, building safety and fire inspections will be required.
6. *Inactive Cases* – All applications need to be actively pursued to a decision. If the City has completed all appropriate reviews and no activity has occurred for the continued processing of the application on behalf of the applicant for at least one hundred eighty (180) days, the application will be considered inactive, deemed to be withdrawn, and the file will be closed. Thirty (30) days prior to the inactive date, staff will notify the applicant in writing of the impending action. The

applicant may submit a written request for the application to remain active along with an explanation for the inactivity. The Planning Manager may grant an extension for up to one hundred eighty (180) days for good cause if there is reasonable belief that the application will be actively pursued during the extension.

Temporary Use Permit Process



SUBMITTAL CONTENT REQUIREMENTS

1. **Application** - (Complete and signed application)
2. **Project Narrative** – Addressing, at minimum, the following:
 - Title page (include project name, general location, tracking # & vicinity map);
 - Description of request
 - Current and proposed site conditions;
 - Relationship to surrounding properties;
 - Accessibility and Circulation;
 - Water, Sewer, Refuse providers; Fire and Police protection;
 - Include the following as exhibits: vicinity map, current zoning designations, adjacent zoning districts, land uses, and adjoining lot lines within three hundred (300) feet
3. **Conceptual Layout Plan** – Submit a conceptual layout plan with north arrow, property lines, and dimensions. Show location of all existing and proposed structures with dimensions as well as location and width of dedicated streets and recorded easements.
4. **Appropriate fee**
5. **Affidavit of Structures**
6. **Electronic Copy of Application Materials**

Temporary Use Permit 1st Submittal Checklist

(Please provide original list with formal submittal)

REQUIRED MATERIALS

	Applicant Checklist	Staff Verification
Application – 7 copies	<input type="checkbox"/>	<input type="checkbox"/>
Project Narrative – 7 copies	<input type="checkbox"/>	<input type="checkbox"/>
Concept Layout Plan – 7 copies	<input type="checkbox"/>	<input type="checkbox"/>
Fee	<input type="checkbox"/>	<input type="checkbox"/>
Affidavit of Structures	<input type="checkbox"/>	<input type="checkbox"/>
Digital copy of all material submitted (1-CD)	<input type="checkbox"/>	<input type="checkbox"/>

Subsequent Submittals:

Submit seven (7) copies of all requested materials to the Development Services Department.



CITY OF BUCKEYE
PLANNING AND ZONING
PROJECT APPLICATION

DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY

Date: _____ Planner: _____ Case No: _____

PROPERTY INFORMATION:

Project Name: _____ Associated Cases: _____
 Project Address/Location: _____
 Current Zoning District: _____ Parcel Number(s): _____ Quarter Section: _____
 Request: _____

CASE TYPE:

- | | | |
|---|--|--|
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Land Division | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> General Plan Amendment | <input type="checkbox"/> Temporary Use Permit | <input type="checkbox"/> Final Plat / Replat |
| <input type="checkbox"/> Site Plan | <input type="checkbox"/> Community Master Plan | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final Landscape Plan | <input type="checkbox"/> Variance |

**IMPORTANT
NOTE ABOUT
PROJECT
CONTACT:**

The property owner may designate an agent as the coordinator for the project. This person (the applicant) will receive any technical comments and decision letters and will communicate all case information to other parties as required. **All contact for this project will be made through the applicant listed below.**

CONTACT INFORMATION:

Applicant/Owner Authorized Agent Contact: _____
 Company: _____
 E-mail: _____ Phone: _____ Fax: _____
 Address: _____ City: _____ State: _____ Zip: _____

OWNER INFORMATION:

Company: _____
E-mail: _____
Phone: _____ **Fax:** _____
Address: _____ **City:** _____ **State:** _____ **Zip:** _____

PROPERTY OWNER AUTHORIZATION

I (property owner) _____ authorize (owner's Agent) _____
 To file this application on matters related to this request with the City of Buckeye. By signing this form as the property owner, I hereby agree to abide by any and all stipulations that may be assigned by the City of Buckeye as part of any approval of this request.

 Owner Signature Date

PROPOSITION 207 WAIVER

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 City of Buckeye as result of the filing of this application.

 Owner Signature Date

DEVELOPMENT SERVICES DEPARTMENT

530 EAST MONROE AVE, BUCKEYE AZ 85326 PHONE 623.349.6211 FAX 623.349.6222



Affidavit of Structures

Date: _____

I, _____ (owner/authorized agent) have reviewed the Temporary Use Permit application located at _____ for the purpose of _____. I hereby certify that all structures will be erected and maintained subject to all applicable building safety and fire codes and manufacturer's specifications. I also certify that placement of all structures and any other detail of the property will be as illustrated and/or explained in the TUP application materials.

I further agree to release, hold harmless, defend, and indemnify the City of Buckeye from any liability involving this TUP should anyone be harmed or property damaged as a result of this approval.

Notwithstanding approval of a TUP, I understand that permits and/or inspections may still be required for certain structures and/or equipment as deemed appropriate by reviewing City Departments.

Owner's/Authorized Agent's signature: _____

SUBSCRIBED AND SWORN before me this _____ day of _____, _____.

Notary Public

My Commission Expires: _____

DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY

Date: _____

Planner: _____

Case No: _____