



## **CONDITIONAL USE PERMIT**

### **PROCESS GUIDE & APPLICATION**

(Can be used for original and amendments)

**City of Buckeye  
Development Services Department**

530 East Monroe Avenue  
Buckeye, Arizona 85326

Phone: 623.349.6211

Fax: 623.349.6222

[www.buckeyeaz.gov](http://www.buckeyeaz.gov)

## APPLICATION PROCEDURES CONDITIONAL USE PERMIT

### Important Information:

- **The City of Buckeye now accepts all submittals/resubmittals and payments electronically. Please follow process on the Planning and Zoning Webpage. Resubmittals can be directed to your assigned planner rather than to the general submittal contact.**
- Use Permits authorize the recipient to make use of the land and structures in a particular way. All successors of the Use Permit shall make use of the land or structures in accordance with all terms and conditions of that permit.
- The CUP fees are \$1,600 or 5,175 if Site Plan is submitted concurrently and were approved by City Council in the Development User Fee Schedule Effective July 1, 2018.

The following information is provided to assist in the preparation and submittal of an application for a Conditional Use Permit ("CUP") as designated the City of Buckeye Development Code. The request will be considered and a final decision will be made by the Planning & Zoning Commission at a public hearing.

1. *Pre-Application Conference ("PAC") Process* – **Prior to filing an application for a Conditional Use Permit, the applicant must complete the PAC review process.** Forms to apply for a PAC review are available through the Development Services Department or on the City's website ([www.buckeyeaz.gov](http://www.buckeyeaz.gov)).
2. *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.
3. *Staff Review* – Once a complete application is received and processed, the submitted information will be assigned to a Planner and routed to appropriate City staff and agencies for review/comment. After this review, the assigned planner 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.

4. *Public Notification* – Upon the scheduling of any public hearing and no later than fifteen (15) days prior to its occurrence, it is the responsibility of the applicant to notify all property owners within three hundred (300) feet of the subject property. Notification shall be in the form of a letter delivered via First Class U.S. Mail, a sign(s) posted adjacent to all public rights-of-way, and publication within a widely circulated newspaper throughout the City (i.e. The Arizona Republic). All notifications should contain, at minimum, the following information; description of the Site Plan request, owner/applicant contact information, and public hearing time/date/location. Upon completion of the above-mentioned notification requirements, an Affidavit of Mailing, an Affidavit of Posting, and Proof of Publication shall be submitted to the assigned Planner not less than ten (10) days prior to the public hearing. Failure to submit the requested information will result in the postponement of the public hearing item.

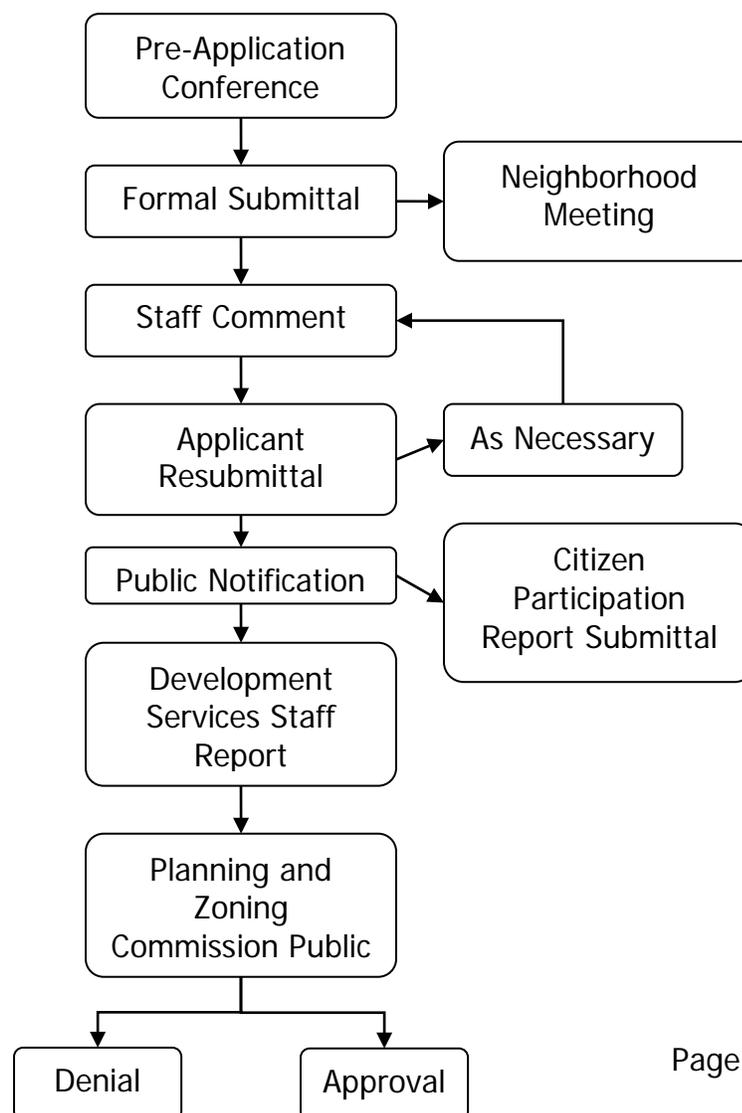
The Director may expand the notification area set forth in this section if it is determined that the potential impact of the project extends beyond the required notification boundary.

5. *Citizen Participation Report Submittal* – The Citizen Participation Report (“CPR”) must be submitted to the assigned Planner prior to the first public hearing. This report to give results of the applicant’s citizen participation effort which includes a neighborhood meeting. Failure to submit the CPR will result in the continuance of the project to the next available public hearing date. The CPR is a written report outlining the results of the citizen participation effort. The minimum requirements of the CPR can be found in the Development Code.
6. *Staff Reports* – Once all staff comments have been addressed and a hearing has been scheduled, the assigned Planner will prepare a report describing and evaluating the proposed project and making a recommendation for action to the Planning and Zoning Commission. Copies of the staff report will be made available to the public and sent to the applicant prior to each hearing.
7. *Planning and Zoning Commission Public Hearing* – Regular Planning and Zoning Commission hearings occur on the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Tuesday of each month at 6:00 p.m. Regular meetings are held in the City Council Chambers, located at 530 E Monroe Avenue. The applicant, owner, or appointed representative must be present at the hearing. The Planning and Zoning

Commission, taking into consideration staff presentation, owner/applicant/project representative presentation, and public testimony, will approve, approve with modifications and/or stipulations, continue or deny the request.

8. *Inactive Cases* – All applications need to be actively pursued to a decision. If the City has completed any and all appropriate reviews and no activity has occurred for the continued processing of the application on behalf of the applicant for at least for 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 Director 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 period.

### Conditional Use Permit Process



## SUBMITTAL CONTENT REQUIREMENTS

1. **Application** - (Complete and signed application containing all information relative to a site plan. If the applicant is not the property owner, the applicant must provide authorization from the property owner that the application is being filed with their permission.)
2. **Fee Worksheet with appropriate fee**
3. **Project Narrative** – 8 1/2 x 11 paper size, Addressing, at minimum, the following:
  - Title page (include project name, general location, tracking # & vicinity map);
  - Description of request
  - Design and Landscaping
  - Current and proposed site conditions;
  - Relationship to surrounding properties;
  - Accessibility and Circulation;
  - Phasing;
  - Water, Sewer, Refuse providers;
  - Fire and Police protection;
  - Impact on local schools, parks, etc.
  - Proposed percentage and acreage of Parks and Open Space
  - Include the following as exhibits: vicinity map, current general plan designation, current zoning designations, adjacent zoning districts, land uses, and adjoining lot lines within three hundred (300) feet
4. **PAC Meeting Comments**
5. **Citizen Participation Plan** (see Section 8.2.3.H of the 2010 Development Code)
6. **Conceptual Layout Plan** – Submit a conceptual illustration, to scale and with dimensions, demonstrating the compatibility of the request with surrounding uses. Any plan sets shall be 24"x36" **collated**. If a site plan is submitted concurrently, follow the application guidelines for site plan.
7. **Additional Material** – The Development Services Department may request additional submittal items.

## Conditional Use Permit 1<sup>st</sup> Submittal Checklist

(Please provide original list with formal submittal)

### **REQUIRED MATERIALS**

	<b>Applicant Checklist</b>	<b>Staff Verification</b>
<b>Application</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Completed Fee Worksheet w/ Appropriate Fee</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Project Narrative</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Conceptual Layout Plan – (24" x 36")</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Citizen Participation Plan</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>PAC Comments</b>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Additional Materials</b>	<input type="checkbox"/>	<input type="checkbox"/>



**City of Buckeye**  
**Planning and Zoning**  
**Project Application**

<b>DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY</b>			
Date: _____ Planner: _____ Case No: _____			
<b>PROPERTY INFORMATION:</b>			
Project Name: _____ Associated Cases: _____			
Project Address/Location: _____			
Current Zoning District: _____ Parcel Number(s): _____ Quarter Section: _____			
Request: _____			
<b>CASE TYPE:</b>		<input type="checkbox"/> Other: _____ <input type="checkbox"/> Conditional Use Permit	
<b>IMPORTANT NOTE ABOUT PROJECT CONTACT:</b>		The property owner shall designate an agent as the coordinator for the project. This person (the applicant) shall attend pre-application conferences and public hearings, will receive the agenda, recommendations, and case reports, and will communicate all case information to other parties as required. <b>All contact for this project will be made through the applicant listed below.</b>	
<b>CONTACT INFORMATION:</b>			
Applicant Contact: _____ Company: _____			
E-mail: _____ Phone: _____ Fax: _____			
Address: _____ City: _____ State: _____ Zip: _____			
<b>Owner Contact:</b> _____		<b>Developer Contact:</b> _____	
Company: _____		Company: _____	
Phone: _____ Fax: _____		Phone: _____ Fax: _____	
E-mail: _____		E-mail: _____	
Address: _____		Address: _____	
City: _____ State: _____ Zip: _____		City: _____ State: _____ Zip: _____	
<b>Architect Contact:</b> _____		<b>Engineer Contact:</b> _____	
Company: _____		Company: _____	
Phone: _____ Fax: _____		Phone: _____ Fax: _____	
E-mail: _____		E-mail: _____	
Address: _____		Address: _____	
City: _____ State: _____ Zip: _____		City: _____ State: _____ Zip: _____	
<b>PROPERTY OWNER AUTHORIZATION</b>			
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	
<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 City of Buckeye as result of the filing of this application.			
_____		_____	
Owner Signature		Date	
_____		_____	
Applicant Signature		Date	
<b>Development Services Department</b> 530 East Monroe Ave, Buckeye AZ 85326 Phone 623.349.6211 Fax 623.349.6222			



City of Buckeye  
Planning and Zoning  
Project Application

DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY

Date: \_\_\_\_\_ Planner: \_\_\_\_\_ Case No: \_\_\_\_\_

Project Location: \_\_\_\_\_

**Proposed Property Details:**

- Single-Family Residential       Multi-Family Residential       Commercial       Industrial
- Other: \_\_\_\_\_

Current Zoning: \_\_\_\_\_

Proposed Zoning: \_\_\_\_\_

Number of Buildings: \_\_\_\_\_

Parcel Size: \_\_\_\_\_

Gross Floor Area/Total Units: \_\_\_\_\_

Floor Area Ratio/Density: \_\_\_\_\_

Parking Required: \_\_\_\_\_

Parking Provided: \_\_\_\_\_

**Setbacks:**

Front \_\_\_\_\_

Rear \_\_\_\_\_

Side \_\_\_\_\_

Side \_\_\_\_\_

Historical Site:  Yes  No

Lot Coverage (%) \_\_\_\_\_

Landscaping (%) \_\_\_\_\_

Open Space (%) \_\_\_\_\_

Existing Condition: \_\_\_\_\_

General Plan Designation: \_\_\_\_\_

**Description of Request:**



**City of Buckeye**  
**Planning and Zoning**  
**Project Application**

**DO NOT WRITE IN THIS AREA-OFFICIAL USE ONLY**

Date: \_\_\_\_\_ Planner: \_\_\_\_\_ Case No: \_\_\_\_\_

Project Address/Location: \_\_\_\_\_ Date: \_\_\_\_\_  
 Proposed Use: \_\_\_\_\_ Zoning District: \_\_\_\_\_

<i><b>TO BE COMPLETED BY APPLICANT</b></i>		<b>CALCULATIONS</b>	<i><b>TO BE COMPLETED BY CITY</b></i>
COMMERCIAL	RESIDENTIAL		
		Net Lot Area	
		Gross Lot Area	
		Gross Floor Area Allowed	
		Gross Floor Area Provided	
		Building Volume Allowed	
		Building Volume Provided	
		Number of Units or Lots	
		Density Allowed	
		Density Provided	
		Minimum Lot Size Allowed	
		Minimum Lot Size Provided	
		Building Height Allowed	
		Building Height Provided	
		Net Floor Area	
		Parking Spaces Required	
		Parking Provided On-Site	
		Parking Provided Off-Site	
		Total Parking Provided	
		Open Space Required	
		Open Space Provided	
		Front Open Space Required	
		Front Open Space Provided	
		Parking Lot Landscaping Required	
		Parking Lot Landscaping Provided	

**SET BACKS AND PARKING REQUIREMENTS:**

REQUIRED	PROVIDED	CALCULATIONS	N, S, E, W	REQUIRED	PROVIDED
		Front			
		Rear			
		Left Side			
		Right Side			
		Parking			

**Development Services Department**

530 East Monroe Ave, Buckeye AZ 85326 Phone 623.349.6211 Fax 623.349.6222

## **PUBLIC HEARING NOTIFICATION REQUIREMENTS**

The City of Buckeye Development Code requires that a public hearing notice be published and mailed to adjacent property owners prior to a public hearing.

Prior to the public hearing the applicant shall be responsible for completing a minimum 10 day notification of the public hearing including:

1. A public hearing notice to be published in a newspaper of general circulation within the City of Buckeye;
2. A public hearing notice to be sent to all property owners within 300 feet of all property lines of the subject property; and
3. A public hearing notice to be posted on the property.

- The applicant shall secure a public hearing date from the Development Services Department and shall complete the notice of public hearing by filling in the blanks of a standard Development Services Department form and delivering the public hearing notice to the newspaper within their time frame so that the public hearing notice is published at least 10 days prior to the public hearing date.
- Proof of publication shall be supplied by the applicant to the Development Services Department prior to the public hearing date.
- The applicant shall secure the names and addresses of all property owners within 300 feet of all property lines of the subject application property either through a title company or the Maricopa County Assessor's web site and shall send the public hearing notice to each said owner no less than 10 days prior to the public hearing date.
- The applicant shall provide a notarized Affidavit of the mailing list and said mailing to the Development Services Department prior to the public hearing date.
- The applicant shall post the property per the City of Buckeye Development Services Site Posting Requirements.
- The applicant shall submit a notarized Affidavit of Posting and photographs of the posting (see next page) to the Development Services Department prior to or on the fifteenth day prior to the public hearing date. Failure to provide such documentation in a timely manner will result in continuance of the case to the next available public hearing date.
- The signs must be maintained and updated with amended information until after the final public hearing.
- The signs must be removed and disposed of within 10 days after the final public hearing.
- You may use a sign vendor of your choice

## Public Hearing Notice Sign Specifications

- The sign shall be a minimum of 3ft x 3ft in size.
- The sign shall be constructed of laminated coroplast, laminated plywood, or other suitable construction material.
- The sign shall have a white background with black lettering. The least expensive process is laminated direct printing.
- The minimum lettering size shall be 1/2 inch for lowercase and 1 inch for upper case.
- The words "Public Hearing" shall be a minimum of 2 inches in size. (Sign lettering should be formatted to match the example below).
- The content of the sign shall match the example below and include specific case details.
- The sign shall be securely fastened to wooden or metal stakes.
- The applicant is responsible for maintaining the integrity and accuracy of the sign.
- The height of the sign shall be at least 4 ft from finished grade to top of sign and shall not be obstructed from view.

<p style="text-align: center;"><b>City of Buckeye</b></p> <p style="text-align: center;"><b>PUBLIC HEARING</b></p> <p style="text-align: center;"><b>Planning and Zoning Commission: [Date and Time]</b></p> <p style="text-align: center;"><b>LOCATION OF HEARINGS:</b></p> <p style="text-align: center;"><b>REQUEST:</b></p> <p style="text-align: center;"><b>PROPOSAL:</b></p> <p style="text-align: center;"><b>GENERAL LOCATION:</b></p> <p style="text-align: center;"><b>SIZE:</b></p> <p style="text-align: center;"><b>CASE #:</b></p> <p style="text-align: center;"><b>APPLICANT/CONTACT:</b></p> <p style="text-align: center;"><b>PHONE #:</b></p> <p style="text-align: center;"><b>Development Services Department: 623-349-6211</b></p> <p style="text-align: center;">Posting Date:</p>
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## Format for Publication

### City of Buckeye

**NOTICE IS HEREBY GIVEN** that the City of Buckeye Community Planning and Planning and Zoning Commission will hold a public hearing on (day of week), (month) (date), 20\_\_\_ in the City Council Chambers, 530 E Monroe Avenue, Buckeye, Arizona, at 6:00 p.m., for the purpose of hearing all persons for or against the following request:

**Case No. \_\_\_\_\_ (insert case number):** Request by (name of applicant) for the approval of a (name of application type and general description) located at (general location of subject property by street location and brief township/rage/section legal description).

For additional information, please contact the Development Services Department at (623) 349-6211

## Affidavit of Sign Posting

Case Number: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant  
Name: \_\_\_\_\_

Location: \_\_\_\_\_

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statute, the **applicant** for public hearings in the City of Buckeye shall post signs as prescribed by the "City of Buckeye Site Posting Requirements." **It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to update the hearing information on the sign until the final disposition of the case. It shall also be the responsibility of the applicant to remove the sign within ten (10) days after the final disposition of the case.**

I confirm that the site has been posted as detailed by the City of Buckeye Site Posting Requirements for the case above and the site was posted at least ten (10) days prior to the public hearing.

See attached date stamped photo exhibit of posted signs.

Applicant's / Representative's signature: \_\_\_\_\_

SUBSCRIBED AND SWORN before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

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

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

## Affidavit of Mailing Notice

**Case Number:** \_\_\_\_\_

**Project Name:** \_\_\_\_\_

**Applicant  
Name:** \_\_\_\_\_

**Location:** \_\_\_\_\_

In order to assist in providing adequate notice to interested parties and to meet Arizona State Statute, the applicant for public hearings in the City of Buckeye shall secure the names and addresses of all property owners within \_\_\_\_\_ feet of all property lines of the subject application property either through a title company or the Maricopa County Assessor's web site and shall send the public hearing notice to each said owner no less than ten (10) days prior to the public hearing date.

I confirm that I secured the names and addresses of all property owners within \_\_\_\_\_ feet of all property lines of the subject application property either through a title company or the Maricopa County Assessor's web site and did send the public hearing notice to each said owner no less than ten (10) days prior to the public hearing.

See attached copies of all sent letters and address lists.

Applicant's / Representative's signature: \_\_\_\_\_

SUBSCRIBED AND SWORN before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by:

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

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