



# Maricopa County

## Planning & Development Department

### Department Directive

Department Directive:  
DD-2013-22

Supersedes: DD-2001-18

Effective: 09/13/2013

Initiator: Tom Ewers

Director: *Debra Stark*

**Purpose:** To clarify requirements and procedures for Public, Charter and Private School permits. (Not applicable to State Universities and Community Colleges.)

#### Reference:

ARS Section 34-461 states: "Public buildings shall be constructed in compliance with applicable building, plumbing, electrical, fire prevention and mechanical codes adopted by the county in which the building is located. The owner of the public building is subject to the same fees required of other persons. Public buildings are subject to inspection during construction pursuant to these codes to determine compliance."

A "public building" means a building or appurtenance to a building that is built in whole or in part with public monies. This includes all public schools, but NOT State buildings (therefore, not applicable to State universities or community colleges).

ARS Section 15-189.01.A states, in part: "Charter schools shall be classified as public schools for the purposes of zoning and the assessment of zoning fees, site plan fees and development fees."

ARS Section 15-189.01.B states, in part: "Voluntary compliance of a school district in the zoning regulations of a municipality or a county does not result in the application of those zoning regulations to a charter school."

Maricopa County Zoning Ordinance allows schools as a principal use in all rural, residential and commercial zoning districts.

Maricopa County Zoning Ordinance Drainage Provisions, Section 1205.3.4.5 states, in part: "This paragraph does not exempt school districts, private utilities, and private emergency or fire services from compliance with the provisions of this Regulation."

#### POLICY AND PROCEDURE:

Public School District schools and Charter schools will be permitted without regard to compliance with zoning regulations, unless the district or charter school elects to voluntarily subject itself to zoning regulations, but must comply with all building, plumbing, electrical, fire prevention and mechanical codes, and drainage regulations, adopted by Maricopa County. No zoning fees will be charged for these permits, except for voluntary review requests.

Private schools must comply with **all** zoning, building, plumbing, electrical, fire prevention and mechanical codes, and drainage regulations, adopted by Maricopa County. Zoning fees will be charged for these permits.