



# Maricopa County

## Planning & Development Department

### Department Directive

Department Directive:  
DD-2015-08  
Supersedes: N/A

Effective: Immediately

Initiator: Darren Gerard - *DG*

Director: Debra Stark - *DS*

**PURPOSE:** To ensure consistent treatment of Minimum Building Separation with regard to UPD overlay zones.

**REFERENCE:** Maricopa County Zoning Ordinance, Section 1002 RUPD (Residential Unit Plan of Development) , Section 1003 CUPD (Commercial Unit Plan of Development), & Section 1004 IUPD (Industrial Unit Plan of Development); and the Maricopa County Local Additions & Addenda (building code)

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

MCZO, Sections 1002, 1003 & 1004 set forth the procedures and requirements, respectively for an RUPD, CUPD & IUPD overlay zoning district. The purpose statement of each section specifically allows for variation in development standards.

In many historic instances, the “minimum distance between buildings” was varied by a BOS approved UPD. However, on 10/19/11, TA2011013 removed this development standard from the zoning ordinance, with decision that it was not necessary as a zoning regulation because the building code addresses minimum building separation distances where necessary. Since the intent was to wholly remove building separation as a zoning requirement, then the intent was to remove it in general, no matter what distance may have been required in a previously BOS approved UPD overlay zone.

Building code may require separation between uses. There is no zoning regulation for minimum separation between buildings in the Maricopa County Zoning Ordinance.

An accessory building will be considered “detached” if it is structurally detached/separated and not under the same roof/eave overhang of another building. An “attached” building must meet the minimum setbacks required of the principal building.

The County will not enforce a minimum separation distance between attached building for a previously approved UPD overlay zone. However, customers should be advised that CC&Rs or other private covenant enforced by an HOA or other community association may still require a minimum separation between buildings.