



Maricopa County

Planning & Development Department
Department Directive

Department Directive
DD-2019-01

Effective: Immediately

Initiator: Michael Norris

Director: Jen Pokorski, AICP –
JP

Purpose:

To offer residential home builders alternatives to providing assurances for new driveways connecting to MCDOT roadways.

References: Maricopa County Resolution for Permits to work in Dedicated Maricopa County Right-of-Way (Resolution 2001-01)

Policy/ Procedures:

1. Resolution 2001-01 sets forth procedures for permitting new construction in MCDOT right-of-way (R/W), part of which requires permittees to provide a performance bond in the sum of up to 100% of the amount of the cost of the work prior to permit issuance. This bond is required as a means to guarantee that the work will be constructed in accordance with the permit requirements.
2. Maricopa County Planning and Development (PND) issues numerous permits on behalf of MCDOT for residential driveways, most of which require performance bonds of \$5,000 or less.
3. The process to accept, track and refund bonds is an onerous task for both the County and single family residential builders, who are also financially burdened by this requirement.
4. The same or better level of guarantee for driveway completion can be attained by conditioning building permits issued by PND (concurrent with MCDOT R/W Permits) such that the final drainage inspection not be approved until such time that the driveway, as shown on the approved plan(s), is completed. This in essence creates a certificate of occupancy hold. The same condition would be added to the MCDOT R/W Permit which is signed by the permittee.
5. Placing the inspection conditions in the building permit and R/W permit would negate the financial burden for single family home builders to provide performance guarantees and reduce administrative processing (accepting and returning) of the guarantees by the County.
6. Adding the permit conditions would not result in any additional fees to applicants but would reduce their financial obligations by giving them the option to not provide a performance guarantee.
7. Effective immediately, applicants for single family residence building permits, who also require a MCDOT R/W driveway permit, and whose estimated driveway cost is \$5,000 or less, shall have the option of accepting the condition as part of both the building permit and the R/W permit, that the final drainage inspection for the building permit will not be approved until such time that the driveway has been constructed in accordance with the approved plans.

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8. Applicants shall also have the option of providing a cash or bond guarantee in accordance with Resolution 2001-01.
9. For clarity, the permit condition shall further state that failure to construct the driveway will result in the inability to occupy the building.
10. **This Directive only applies to MCDOT R/W permits issued by PND, where PND also issues a Building permit for the subject location.**