



**Planning & Development  
Department  
Zoning Adjudication Division**



**Land Use Application Memorandum**

**Date:** November 18, 2014  
**From:** Glenn Bak, Planner  
**Case:** **TU2014020**  
**Location:** 19421 W. Jomax Road, Surprise, AZ, 85361  
**Applicant:** Gammage & Burnham  
**Owner:** Arizona State Land Department  
**Request:** Temporary Use for building and flying remote controlled aircraft and related events.

Gammage & Burnham on behalf of Speedworld R/C Flyers is requesting a Temporary Use Permit (TUP) to allow for the building and flying of remote controlled aircraft and related special events and uses in the Rural-43 zoning district. The building and flying of remote controlled aircraft may occur daily. Specific competitions and events, and dates have not yet been determined. The applicant is requesting that the TUP coincide with the approved time period of the Special Land Use Permit (23-117146-26) issued by the Arizona State Land Department, which expires on September 11, 2015, and the renewal of the permit for an additional five (5) years through the Arizona State Land Department. The property address is 19421 W. Jomax Road, Surprise, AZ 85361.



Subject property and surrounding area



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**Background**

**September 16, 2014:** The applicant submitted the subject TU request (TU2014020).

**October 4, 2014:** The subject property was posted for ten (10) days.

**Discussion and Evaluation**

The Speedworld R/C Flyers (SWRCF) evolved from an organization that has been using a portion of the larger Speedworld facility since 1986. The overall Speedworld facility encompasses 344.11 acres that has been leased from the Arizona State Land Department since 1961. A Special Use Permit (Z217) was approved without time limit on July 20, 1961. The SUP was approved well in advance of, and therefore did not encompass the R/C Flyer events that began much later in 1986. No other additions or improvements are planned. No permanent structures are being proposed and no building permits are associated with this subject request and staff research found that the shade structure (silver roof in photo) has existed since before the MCZO's January 1, 2000 legal non-conforming date.

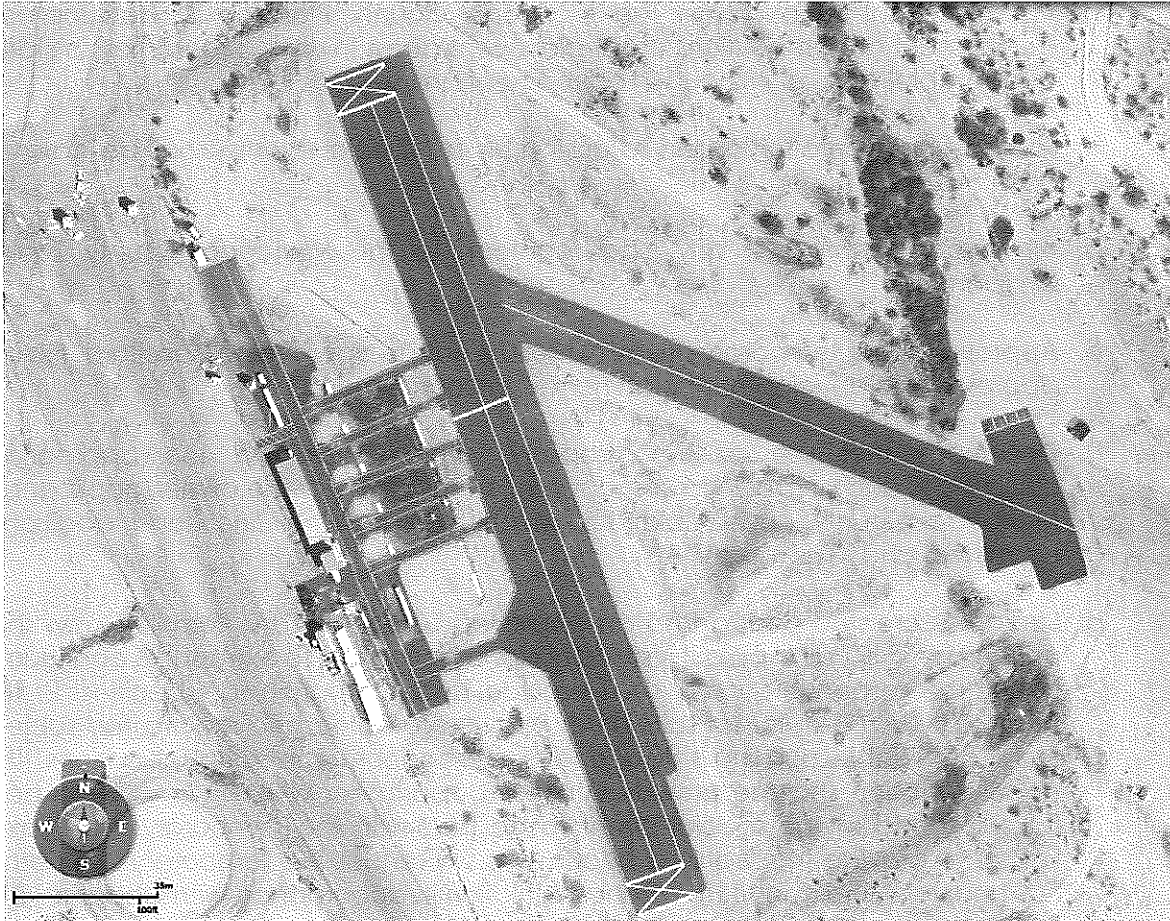
Since 1986 the SWRCF has been conducting the proposed use within a portion of the Speedworld facility and staff has no knowledge of any problems with the use that is the subject of this request. No public opposition was received during the ten (10) day posting period. Drainage Plan Review reviewed the subject request and did not raise any issues or concerns.

The proposal is to permit the continuous use of the property for the building and flying of remote controlled aircraft and other related competitions, special events, and uses in the Rural-43 zoning district ending on September 11, 2020 to coincide with the current approved time period of the Special Land Use Permit issued by the Arizona State Land Department, and the renewal of the permit for an additional five (5) years through the Arizona State Land Department.

Staff is of the opinion that the proposed is appropriate per Maricopa County Zoning Ordinance (MCZO), Art. 1302.1.1.1 as 'Other Uses' pursuant to Art.1302.2.9. Staff is also of the opinion that the TUP should be issued for six (6) years to encompass the current approved Special Land Use Permit issued by the Arizona State Land Department and the renewal of the permit through the Arizona State Land Department. With expiration of this TUP the applicant must seek long term zoning entitlements, cease and desist the activities, file an application to extend the TUP through the Board of Adjustment, or apply for a new Temporary Use Permit.



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SWRCF portion of the subject property

**Recommendation**

Staff recommends **approval** of **TU2014020** for the following reasons:

- No public opposition was received during the ten (10) day posting period.
- Reviewing County agencies have no objections.
- The criteria listed in 1302.1.1.1 have been satisfactorily addressed.

Provided the following conditions are met:

- a. The expiration date of this temporary use TU2014020 shall be **September 11, 2020**, at which time the applicant must seek long term zoning entitlements, cease and desist the activities, file an application to extend the TUP through the Board of Adjustment, or apply for a new Temporary Use Permit.



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- b. The applicant is to advise the Maricopa County Planning & Development Department of competitions or special event dates in writing (an email to staff is acceptable) at least 48 hours in advance of any such date.
- c. The hours of operation (open to customers for special events) shall be dawn to dusk.
- d. All outdoor lighting, if any, shall conform to the Maricopa County Zoning Ordinance.
- e. Approval of the temporary use TU2014020 is not an approval to construct. It is not approval of a development plan nor design entitlement.
- f. Development or use of the property without obtaining the appropriate clearances and permits prior to construction shall subject the owner/applicant to Maricopa County code violations which may result in fines and additional permitting and review fees.
- g. Structures erected pursuant to an approved Temporary Use Permit, if any, shall not require a building permit if standing for a period not to exceed 96 contiguous hours. The responsible party shall provide documentation, as specified in the Temporary Use Permit that said structures were erected and maintained subject to all applicable building safety codes and manufacturer's specifications. The documentation shall be provided to the Department within two working days following end of the special event to be filed with the Temporary Use Permit. Failure to provide the required documents will render the Temporary Use Permit null and void and constitute a zoning violation in accordance with Chapter 15 of the Maricopa County Zoning Ordinance.
- h. Prior to any event, food concessions available for sale to the general public shall be permitted by Maricopa County Environmental Services Department (MCESD).
- i. The property owner/s and their successors waive claim for diminution in value if the County takes action to rescind approval due to noncompliance with stipulations.
- j. Development of the site shall be in compliance with all applicable Maricopa County Air Quality rules and regulations.
- k. The Temporary Use Permit approval letter must be visibly displayed on the property at all times. Failure to meet this display requirement shall result in revocation of the Temporary Use Permit if a Zoning Citation is issued.
- l. Prior to hosting a special event involving 200 or more attendees, the property owner shall obtain approval of temporary driveway permits for right-of-way



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access, and shall obtain traffic control plan permits, from the Maricopa County Department of Transportation.

- m. Potable water must be obtained from an appropriate water source.
- n. Events involving 200 or more attendees shall adhere to the Resolution of the Board of Supervisors Guidelines for Establishing Temporary Uses, December 1980, including that the host of the event shall provide:
  - 1) One patrolman or security guard for every 500 persons in attendance.
  - 2) Adequate ingress and egress to the premises and parking areas. Traffic guards shall be employed to insure orderly traffic movement and relieve traffic congestion onto public rights-of-way.
  - 3) Ample supply of water for drinking and sanitation purposes. The quality and quantity of water and location of facilities must be approved by the Maricopa County Environmental Services Department.
  - 4) Concessionaires must be licensed. Quality and quantity of food and location of concessions must be approved by the Maricopa County Environmental Services Department.
  - 5) Supplemental toilet facilities must be provided for every special event. At least one closed toilet facility marked MEN and on such facility marked WOMEN. A toilet for each 40 males and for each 40 females expected to attend may be required. The number and location of toilets must be approved by the Maricopa County Environmental Services Department.
  - 6) At least one trash can with 32 gallons capacity for every 25 persons expected to be in attendance. Trash and refuse disposal shall be pursuant to procedures established by the Maricopa County Environmental Services Department.
  - 7) Temporary uses conducted after dark shall provide lighting to insure public areas are adequately illuminated. All outdoor lighting shall be shielded so that it is directed downward below the horizontal plane of the fixture and does not trespass onto adjacent properties.
  - 8) There shall be no overnight camping.

I concur with the recommendation as noted.

  
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Darren Gerard, AICP, Deputy Director

*11.18.14*  
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Date

