



Frequently Asked Questions

Licensing Time Frames as Regulated by State Law A.R.S § 9-835 (I)

WHAT DOES THE LAW DO?

The law regulates licensing time frames and requires the city to publish processing time frames and refund fees if those time frames are not met. “Licensing” as defined by the law, includes all permits and approvals issued by a city or county. The law identifies and allows for an administrative review for application completeness and two substantive reviews for compliance. After two substantive reviews, the application must be approved or denied. The law requires all notification from the city be in writing (email is acceptable).

Additionally, the law requires the city to identify all other licenses and approvals required to obtain final approval of the application. For Development, this will be in the form of a Project Sequence Guide as described below. The law also requires the applicant be informed about procedures to be followed upon denial. These procedures will be identified in the Application Denial Letter.

WHAT’S GOING TO CHANGE?

Building/Construction Plans

Administrative Review of Plans- The law requires an administrative review for completeness. This is a new process requiring the jurisdiction to take in complete applications only. A construction plan and its accompanying documents are considered an application for a permit and the City will no longer accept incomplete plans for log in.

Substantive Review of Plans - The law also regulates the substantive plan review after log in. The City is allowed only two reviews. The first review is a comprehensive review and the second review is a review of corrections required from the first review. After two reviews, the City must approve or deny the permit.

With these limitations on plan review, P&D can no longer put plans on hold or perform a third review to allow the design team to:

1. Redesign after the first review,
2. Submit additional new sheets, or
3. Resolve corrections that remain unresolved after second review

If any part of the construction plans are revised or redesigned after the first comprehensive plan review:

- The application may be denied and the applicant would have to resubmit the plans for another substantive review.

or

- The applicant may obtain a permit for the initial design if all initial comments were addressed in the second submittal. The applicant should then submit revisions for the redesign. The revisions will be reviewed as a separate submittal with a new substantive review.

Denial of Application – The Law requires the City to approve or deny an application after the second review. If all methods of relief (see below) are exhausted and the application is not compliant with City codes or ordinances, the application will be denied.

GUARANTEED (OVERALL) TIME FRAMES

The new law requires the city to publish time frames for every license process and refund the applicant's fees if those time frames are not met. The published time frames are calendar days in which the city or county has control of the application. The time in between the city's review constitutes applicant time. Applicant time is the time during which the applicant makes corrections, obtains required information, or participates in another related licensing process necessary for the approval of this license. Applicant time is not counted as city time in regard to the published time frame.

The Guaranteed Time Frame is a maximum time frame. The City's standard turnaround goals remain the same.

Select this link for information on the [current month's average turnaround times](#).

IS THERE ANY RELIEF TO ALLOW CITY STAFF AND DESIGN PROFESSIONALS TO WORK THROUGH MINOR ISSUES?

The new law allows two forms of relief in the substantive review process:

1. Time Extension of up to 25% of overall time frame – if the city must deny the application because it cannot be approved in the guaranteed time frame, the applicant can agree to allow the City more time, up to 25% of the overall time frame, to complete the review of their application. Select this link to view a [Time Extension Application Form](#).
2. Request for Additional Information – if the city cannot approve the application after the second substantive plan review, the applicant can agree to allow the city to request additional information. Select [this link](#) to view a Request for Additional Information Form.

WHAT IS THE PROJECT SEQUENCE GUIDE?

State law requires the city to identify all licenses and approvals required for final approval of an application. Development and construction can be complicated, requiring many different permits and approvals prior to obtaining the final Certificate of Occupancy. In order to comply with the state law and provide construction permit applicants with as much information as possible, the city created a Project Sequence Guide that lists all possible permits and approvals that may be needed prior to obtaining a Certificate of Occupancy. Upon review of the application, staff will indicate all the items on the Project Sequence Guide necessary to obtain final approval of that application.

The Project Sequence Guide lists the various licenses and approvals in sequence, to assist the applicant with project planning. The guide also provides the guaranteed time frames for each separate license or approval. Many of these licenses and approvals can be processed concurrently by the applicant and the city, however, each license or approval will be considered separately in regard to the guaranteed time frame.

To accompany the Project Sequence Guide and assist applicants with understanding each license process, the city created a definition document. This document provides a description of each process and includes references to appropriate websites for more information or guidance.

Select [this link](#) to view the Project Sequence Guide and the Definitions Document.

WHAT IS THE APPEAL PROCESS FOR APPLICATION DENIALS?

If, at the end of the substantive review, an application is not compliant with city codes, ordinances, or policies, the application will be denied. The city is committed to working with customers and using all relief possible under this state law prior to denying an application. However, once an application is denied, the applicant will have two options:

1. Appeal the city's application or interpretation of code. Items not in compliance with code will be listed on the Application Denial Letter.
or
2. Resubmit the application for another substantive review. Resubmittal fees will vary based upon the extent of the additional staff work necessary to approve the new application.

In the event of denial, a written Letter of Application Denial will be sent to the applicant. This letter will identify the items that are not compliant with the code, ordinance or policy and provide the options listed above. Appeals of code application or interpretation will follow existing appeal processes. Select [this link](#) to find the appropriate [code interpretation or appeal form](#).

If the applicant chooses to resubmit the plans for a second substantive review, the City Development Team Leader will determine the extent of the additional staff work necessary to complete the review and calculate the appropriate fee.