



# ZONING ORDINANCE INTERPRETATION

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**Subject of Interpretation:**

Proposed EPCOR Booster Pump Station Improvements on APN 169-28-001G

**Zoning Ordinance References:**

Article XI. Special Uses and Additional Use Regulations

Section 1102. Special Use Permits (SUPs)

Section 1103. Conditional Use Permits (CUPs)

**Cause of Interpretation:**

EPCOR has requested an official interpretation whether the specific improvements proposed at the above location should be applied for as either a Special Use Permit (SUP) or Conditional Use Permit (CUP).

**Interpretation:**

The Zoning Ordinance defines conditional uses as a permitted land use subject to obtaining a Conditional Use Permit. Section 1103.2 of the Zoning Ordinance lists permitted conditional uses as dish antennas, private roadways, and municipally-owned water booster facilities. Due to the term "owned by a municipality" in the definition of Municipally-Owned Water Booster Facilities it is unclear what process a privately owned water booster facility is processed through. It has been interpreted that private water companies are required to complete either the SUP process per Section 1102 of the Zoning Ordinance for a Public/Quasi Public Utility as defined in 1102.2.C or the CUP process per 1103 depending on the specific scope of the proposed improvements.

In the specific case of the requested improvements for the EPCOR Pump Station on APN 169-28-001G, it has been interpreted that the improvements are consistent with the definition of Municipally-Owned Water Booster Facility since the improvements are specifically necessary to connect the EPCOR water system to the City of Phoenix water system in order to receive EPCOR's allotment of Central Arizona Project (CAP) water. As such, this specific application shall be processed through the Conditional Use Permit Process.

**Interpretation by:**

\_\_\_\_\_  
Zoning Administrator

10/28/2019

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Date