



# GILA RIVER INDIAN COMMUNITY

## SACATON, AZ 85147

### RESOLUTION GR-027-20

#### **A RESOLUTION RESCINDING RESOLUTION GR-05-98 AND APPROVING THE ESTABLISHMENT OF NEW LAND DEVELOPMENT PROCEDURES FOR THE GILA RIVER INDIAN COMMUNITY**

**WHEREAS,** the Gila River Indian Community Council (the "Community Council") is the governing body of the Gila River Indian Community (the "Community"); and

**WHEREAS,** the Constitution and Bylaws of the Gila River Indian Community (approved March 17, 1960), art. XV(1)(a)(13), empower the Community Council to administer all Community property; and

**WHEREAS,** on January 21, 1998 the Community Council approved Resolution GR-05-98, thereby establishing Business and Land Development Procedures for economic development; and

**WHEREAS,** the Community has dissolved departments and established new departments under the Community Government and there is a need to update the Business and Land Development Procedures to reflect the department changes; and

**WHEREAS,** a joint effort was made by the Community's Department of Land Use Planning and Zoning and Technical Stakeholders to revise and update the Business and Land Development Procedures to provide better service to the Community, prospective business and to protect the interests of the Community; and

**WHEREAS,** the new Land Development Procedures are being proposed to ensure that all development within the Community, whether it is economic development or community development on planned and zoned areas, comply with all laws, ordinances and regulations of the Community; and

**WHEREAS,** the Land Development Procedures have been reviewed by the Community's Technical Stakeholders, which consist of Community Departments, entities of the Community, and non-Community entities consisting of Salt River Project, Arizona Power Services, Kinder-Morgan- El Paso Natural Gas, Southwest Gas and San Carols Irrigation Project, as applicable; and



**WHEREAS,** the Business and Land Development Procedures adopted in 1998 have been revised to reflect the current development procedures; and

**WHEREAS,** the Government and Management Standing Committee, the Natural Resources Standing Committee, the Legislative Standing Committee, the Cultural Resources Standing Committee, and the Economic Development Standing Committee recommend approval of the attached Land Development Procedures.

**NOW, THEREFORE, BE IT RESOLVED,** that the Resolution GR-05-98, approved by the Community Council on January 21, 1998 is hereby rescinded.

**BE IT FURTHER RESOLVED,** that the Community Council approves the attached new Land Development Procedures for the Gila River Indian Community.

**BE IT FURTHER RESOLVED,** that all development within the Gila River Indian Reservation, including but not limited to, Economic Development, Community Development, or Planned and Zoned areas, adhere to the Land Development Procedures for the benefit of the Community.

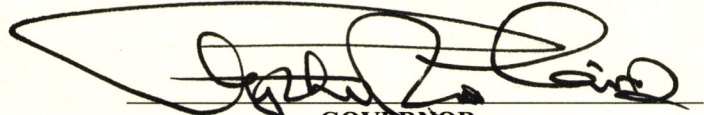
**BE IT FINALLY RESOLVED,** that the Governor, or in the Governor's absence, the Lieutenant Governor, is hereby authorized and directed to approve and execute all documents necessary to effectuate the intent of this resolution.



**CERTIFICATION**

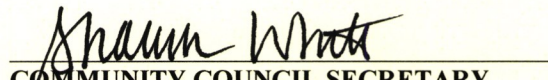
Pursuant to authority contained in Article XV, Section 1 (a) (1), (7), (9), (13), (18) and Section 4 of the amended Constitution and Bylaws of the Gila River Indian Community, ratified by the Tribe January 22, 1960 and approved by the Secretary of the Interior on March 17, 1960, the foregoing Resolution was adopted on the 4<sup>th</sup> day of March, 2020, at a Regular Community Council Meeting held in District 3, Sacaton, AZ, at which a quorum of 12 members were present by a vote of: 12 FOR; 0 OPPOSE; 1 ABSTAIN; 7 ABSENT; 0 VACANCY.

GILA RIVER INDIAN COMMUNITY



GOVERNOR

ATTEST:



COMMUNITY COUNCIL SECRETARY



# LAND DEVELOPMENT PROCEDURES

## Gila River Indian Community



Prepared by:

Department of Land Use Planning and Zoning

## **FOREWORD**

This document is intended to provide a guide for land development (see 2.0 Land Use Action Review Process) in the Gila River Indian Community. For the user of this guide who is not part of the Community, a brief background is provided below.

## **BACKGROUND**

The Gila River Indian Community (Community) is a federally recognized Indian tribe consisting of the Akimel O'odham (Pima) and Pee Posh (Maricopa). The Pee Posh have a separate and distinct culture, history, and language from the O'odham and share a cultural affiliation with the Yuman Tribes.

Prehistorically the Huhukam, created and maintained a sophisticated system of irrigation from the Gila and Salt Rivers, which along with the then natural wealth of the rivers provided an abundant lifestyle. Diversion of the river waters upstream severely disrupted the agricultural based economy and lifestyle of the Community.

As the Community moves into the 21st century, the elected leaders of the Community have articulated a vision for the Community. This vision includes a restoration of the Community's water rights and agricultural economy, which the Community is actively pursuing through the Pima Maricopa Irrigation Project and related water rights issues. The leaders have also designated selected lands for economic development to provide employment opportunities for Community members; and revenues for the Community government, enterprises and individual Community members. Preservation, protection, and restoration of the natural environment for use by current and future generations of Community members are major parts of the vision. The Community's land is not considered simply an economic commodity, as is common today, but the permanent home of Pee Posh and Akimel O'otham peoples. With this view we hope to pass on to our future generations an environment for their beneficial use.

In addition to the economic viability of a proposed development, all development that occurs should be a positive reflection of Community heritage, culture and values. This includes respect for the Community's sovereignty; natural environment; heritage; and cultural values. Developments that pose a threat to the natural environment, or a threat to the health, safety and general welfare of the Community are not encouraged.

## **SOVEREIGNTY**

The Community is a federally recognized Indian tribe, with a constitution, and sovereign government status. The Community's sovereign rights are of central importance and will be applied to the maximum degree.

## **TRUST STATUS**

With very few exceptions Community lands, whether owned by the Community or an individual allottee, are held in trust by the federal government through the Secretary of the Interior. This trust status makes Community lands subject to certain federal laws, including the National Environmental Policy Act of 1969 and the Archaeological Protection Act of 1979 among others. A prospective developer should recognize compliance with these laws may be required by federal law.

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## 1.0 INTENT AND PURPOSE

The Land Development Procedures are intended to achieve the following purposes:

1. To ensure land use decisions, maximize the utilization of all Community lands in keeping with the goals of the Community.
2. To provide the elected decision makers of the Community with the best information available upon which to base their decisions.
3. To create a process that allows all interested members of the Community, individual landowners, all relevant Community entities, and where appropriate other governmental or private entities to provide their input to the Community decision makers.
4. To ensure a consistent, timely decision making process, avoiding time and resource consuming delays, and lost economic development opportunities for projects desired by the Community.
5. To protect the health, safety and general welfare of the Community by ensuring all developments on the reservation are properly designed, in keeping with the adopted standards of the Community Government.
6. To protect the Community's natural environment by encouraging development practices that protect the wildlife, vegetation, land, watercourses, air quality, and water quality and supply, and avoiding development that poses a threat to the Community's environment and members.
7. To ensure all adopted ordinances of the Community such as the Native Plant, Interim Zoning, Subdivision, Pesticide, T.E.R.O., Sign, Solid Waste, Antiquities, fire code and all other applicable ordinances are followed (complete list in section 9.1).
8. To clearly define administrative responsibilities for all development projects in the Community.



## 2.0 PROCESS, GENERAL REQUIREMENTS FOR ALL DEVELOPMENT PROJECTS, TECHNICAL STAKEHOLDER REVIEW

### 2.1 PROCESS

All proposals for the development, redevelopment or utilization of Community land whether generated by a Community entity, other governmental entity or a private company or individual, except where provided otherwise in section 3.0, shall follow the processes outlined in this manual. There are three categories of proposals and three-processes to follow as defined below.

#### 1. **Development Proposal Review Process**

Economic development proposals - commercial, industrial, recreational (for profit), tourism, gaming, or any revenue generating use of land and resources. The process of reviewing and approving the development proposal is called the " Development Proposal Review Process." The Development Proposal Review Process is conducted by Pima Leasing and Financing Corporation (PLFC) and/or Wild Horse Pass Development Authority (WHPDA). An economic development proposal, if it involves land development that has not been specifically approved by an action of the Community Council, will also be required to follow the Land Use Action Review Process and Certificate of Compliance Process in accordance with the Development Proposal Review Process.

#### 2. **Land Use Action Review Process: Land Review**

Community Enhancement - Public, residential, community recreational, or other land uses intended to enhance the quality of Community life rather than primarily to produce revenue. Also included in this category is the development of new roads or utility facilities. The process of reviewing the land use and the development plan is called the "Land Use Action Review Process". The Certificate of Compliance Process can run concurrently with the Land Action Review Process.

#### 3. **Certificate of Compliance Process: Civil Plan Review**

Land that has been reviewed, planned and zoned by action of the Community Council will follow the Certificate of Compliance Process when being developed. This land category includes the Lone Butte Industrial Park, the WHPDA Area, Toka Sticks Area and other planned and zoned sites. The Certificate of Compliance Process (Technical Review), is a review and approval of development plans, to ensure that Community ordinances, policies and standards are being followed.

### 2.2 General Requirements for all Development Projects

1. All professional firms and individuals, retained on any reservation development project must have a Community Business License, prior to starting work on the project.
2. Any professional involved in a development project must obtain a right of entry permit, where required by Community law, prior to commencing work on the reservation.



3. Except where expressly permitted otherwise by the Community Council, all approved development projects must follow all applicable Community standards.
4. This document is intended to be a guide. Where adopted Community ordinances specify additional requirements, the standards of the adopted Community ordinances shall prevail.
5. All engineering plans, must have the stamp of a licensed professional engineer in the State of Arizona.
6. All Required surveys must be stamped by a certified federal surveyor, registered as a land surveyor in the state of Arizona.
7. All building and construction plans, must have the stamp of a licensed professional architect in the State of Arizona.
8. All applications for the Development Proposal Review Process Land Use Action Review Process or Certificate of Compliance Process must be signed by the developer, verifying that all information contained in the application and supporting documents is true. Incorrect information or lack of full disclosure, may require the developer to repeat each step in the process.
9. Each step of the process is represented by a single meeting of the decision making (Council Committees) and advisory bodies (stakeholders) in the flow charts and text. It is possible that these bodies may require additional coordination if more information is required prior to making a decision or formulating a recommendation.
10. The developer should be aware that Community lands, whether Tribal or allotted that are held in federal trust are subject to laws pertaining to federal land, particularly the National Environmental Protection Act of 1969, when a federal action is required for their utilization.

### 2.3 Technical Stakeholder Review

1. The initial Technical Stakeholder Review of each proposal under two of the processes (Land Use Action Review Process and Certificate of Compliance Process) should be completed within fifteen (15) working days by each Community Stakeholder. All Technical Stakeholder Reviews should be submitted in writing to the Department of Land Use Planning and Zoning Administration and Planning Development Team. In cases where the magnitude of the proposal may require additional review time for a thorough review the Department Director should notify the Department of Land Use Planning and Zoning Director in writing of the additional review time required.
2. If the proposal does not affect the area of responsibility of a Department, or if the Department has no input to offer on the proposal, the Department Director should notify the Department of Land Use Planning and Zoning Director in writing of this fact.
3. Unless an additional review period is required by the magnitude of the development, or extenuating circumstances exist it is the responsibility of the Director of each involved department to produce their initial review within the required fifteen (15) working days. If a Director fails to complete the required review within the specified time, they are subject to review by the Community Administration, who may take corrective action, in accordance with the Community Personnel Policies and Procedures.

### 3.0 EXEMPTIONS

The stated exemptions apply to these procedures, they do not imply an exemption from any other Community ordinances, except where granted by an action of the Community Council.

1. An enrolled Community member and/or Community housing program constructing a residence on an approved Community homesite or individual allotment, constructed in conformance with the provisions of the Community Homesite Ordinance and Building Codes.
2. The cultivation, improvement or development of designated agricultural lands for agricultural purposes.
3. Kiosks and similar structures (temporary or permanent) located within the mall of a covered mall building or within the perimeter line of an open mall building.
4. Routine maintenance/repair of existing buildings, structures, and facilities which includes but not limited to the following (will be determined on a case by case basis).
  - A. Repairs: The patching or restoration or replacement of damaged materials, elements, equipment or fixtures for the purposes of maintaining such components, in good or sound condition with respect to existing loads or performance requirements. *When no work is being conducted on the exterior face of the building which is viewable from the public way.*
  - B. Alterations:
    1. Removal and replacement or the covering of existing materials, elements, equipment or fixtures using new materials, elements, equipment, or fixtures that serve the same purpose. Occupancy classification does not alter from original design. When no work is being conducted on the exterior face of the building which is viewable from the public way.
    2. Reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extensions of any system or the installation of any additional equipment. Occupancy classification does not alter from original design. When no work is being conducted on the exterior face of the building which is viewable from the public way.

## 4.0 LAND USE ACTION REVIEW PROCESS (See figure 1)

The purpose of this process is to provide a thorough review for all changes in land use. The undeveloped land is reviewed to ensure the proposed development does not conflict with applicable Community and federal requirements. A report will be generated using Community stakeholders review comments identifying existing: infrastructure, right of ways, zoning, culturally preserved land, and any conflicts with existing utilities or leases.

### 4.1 Decision Making Process (Steps 1 through 6)

1	LAND USE ACTION REVIEW (LUAR) REQUEST*
	<p>a. The requestor meets with the Department of Land Use Planning and Zoning (LUPZ) to discuss the proposed development, review the Community requirements and regulations, and the process to be followed.</p> <p>b. LUPZ will refer the requestor to the Community entities that should be consulted in advance of submitting a LUAR request.</p> <p>c. The requestor submits a Planning Request form for a LUAR with the required information as specified in section 7.1 to the LUPZ Administration and Planning Development Team.</p> <p>d. Upon receipt of the completed request, LUPZ distributes the request to the Community Stakeholders on the Distribution List (see section 6.0) and specify the date delivered.</p> <p>e. Requestor may present the proposal to Community Stakeholders during the Technical Stakeholder meeting held on the third Thursday of each month.</p>

*\*If federal or BIA approval is needed for the proposed development action will be required by the requestor. Requestor should contact the BIA Pima Agency at this time and consult with the BIA on the process to be followed.*

2	TECHNICAL STAKEHOLDER MEETING
	All entities on the distribution list are invited to attend, if their organization would be involved in the proposed development. The purpose of the meeting will be to allow the requestor to present the proposal, and for staff to provide guidance on the relevant requirements and regulations. The stakeholders review the LUAR request and formulate recommendations for the Planning and Zoning Commission and Committees. The requestor will receive a copy of the LUAR report, which will include the stakeholder's comments.

3	DISTRICT MEETING
	The requestor will present the proposal to the respected Community District Chairman and ask for a motion of support.

4	PLANNING AND ZONING COMMISSION MEETING
	LUPZ and the requestor will present the proposal to the Planning and Zoning Commission (Commission). If the proposal requires a zoning change, the Commission will conduct a public hearing to consider the issue. Notice of the time, date, place and proposed action of any Commission public



hearing shall be posted in each Community District at least fifteen (15) days before the date of the hearing.

The Planning Development Team will supply the LUAR report and if needed draft resolution. The Commission will consider the requestor's proposal, Community stakeholder recommendations and the comments made at the public hearing and formulate a recommendation. The Commission may recommend approval, denial, or approval subject to recommended modifications.

5

STANDING COMMITTEE

The Committee(s), Economic Development and/or Natural Resources, depending on the type of development proposed, will receive the Commission recommendations, LUAR report and comments made by members of the public at the Commission meeting. The Committee reviews the proposal and places it on the Council agenda for final decision.

6

COMMUNITY COUNCIL

The Community Council receives all written recommendations, LUAR report, and comments. The Community Council approves, denies or approves with modifications or stipulations the resolution for land assignment or lease for proposed development use.

#### 4.2 Technical Stakeholder Review (Steps 7 through 10)

The technical stakeholder review may be conducted concurrently with the LUAR process. However, no building permit can be issued or construction commenced, without the formal approval of the proposal by LUPZ.

7

CIVIL PLAN REVIEW

The developer submits a Planning request form for a Certificate of Compliance, letter of intent, scope of project, project schedule, vesting documents, topographic survey, site and engineering plans (see 7.0 Required Information), and all off-site work included in the project to the LUPZ Administration and Planning Development Team. LUPZ, in coordination with the Community stakeholders will review the plans within fifteen (15) working days. The Department of Land Use Planning and Zoning, Planning Development Team will provide the developer with a Civil Plan Review of any changes that need to be made to bring the plans into compliance with all Community standards. The developer will then work with their consultant to make the necessary corrections.

8

CERTIFICATE OF COMPLIANCE ISSUED

When the proposal meets all Community standards and requirements, The Director of Land Use Planning and Zoning will issue a Certificate of Compliance and the project can move forward. The Certificate of Compliance is valid for a period of six (6) months. If work is not started on the project within six (6) months, the certificate is void, and a new certificate must be obtained prior to the start of construction.

9	BUILDING PERMIT
<p>The developer will submit two (2) complete sets of building plans to the Building Safety Dept. (BSD) and Fire Department. BSD and Fire Department will review the plans or specify that plan review for code compliance may be needed to be conducted by a third party plan reviewer. When all necessary corrections have been made, and all required fees paid, BSD will issue a building permit. The Fire Department will issue appropriate permit.</p>	

10	CONSTRUCTION
<p>Developer constructs project, with BSD and Fire Department providing inspections and where required Environmental Health.</p>	

11	CERTIFICATE OF OCCUPANCY
<p>When the project is completed, BSD and Fire Department provides final inspection. When BSD and Fire Dept. have determined that all code requirements have been met, a certification of occupancy will be issued.</p>	

4.0 Figure 1: Land Use Action Review (LUAR) Flowchart





## 5.0 CERTIFICATE OF COMPLIANCE PROCESS

Areas that have been previously planned and zoned for a specific purpose(s) by action of the Community Council will be exempt from the Development Proposal Review Process and Land Use Action Process unless:

1. The proposed use is not one approved by the Community Council, in the original or subsequent designation of approved uses for the area in question.
2. An action of the Community Council specifically directs otherwise.
3. The proposed development would be outside the boundaries of the previously planned and zoned area.
4. The proposed development is outside the established guidelines of the Community Council for building setbacks, height, design, intensity, environmental performance or other adopted standard of the Community Council.

All projects within planned and zoned areas are required to obtain a “Certificate of Compliance.” The purpose of the Certificate of Compliance is to insure all relevant Community standards are adhered to with each development.

1	APPLICATION
The developer of a proposed action within a planned and zoned area shall be required to submit the required applications and civil plans subject to the provisions of section 7.0 LUPZ will distribute the completed application to Community stakeholders on the distribution list and note the date delivered. The developer may present the project at the monthly Technical Stakeholder meeting.	

2	TECHNICAL STAKEHOLDER REVIEW
The departments on the distribution list will have fifteen (15) working days* to review the application and civil plans, to insure that it conforms with all relevant Community standards (ordinances, resolutions, or actions of the Community Council regulating land use activities). If a department finds the proposal in violation of a Community standard, the Director of the Department shall notify the Developer of the problem. If the department does not contact the Department of Land Use Planning and Zoning within the required fifteen (15) working days, the Department of Land Use Planning and Zoning Director may assume that the proposal is in compliance with the Community standards under the administrative jurisdiction of that department. In cases where there is a deviation from a Community standard, the developer shall be given the opportunity to rectify the problem and submit revised plans.	

*\*A proposal that has a significant impact may require an additional review.*

3	CERTIFICATE OF COMPLIANCE ISSUED
<p>If the proposal meets all Community standards and requirements, The Director of Land Use Planning and Zoning will issue a Certificate of Compliance and the project can move forward. The Certificate of Compliance is valid for a period of six (6) months. If work is not started on the project within six (6) months, the certificate is void, and a new certificate must be obtained prior to the start of construction.</p>	

4	BUILDING PERMIT
<p>The developer will submit two (2) complete sets of building plans to the Building Safety Dept. (BSD) and Fire Department. BSD and Fire Department will review the plans or specify that plan review for code compliance may be needed to be conducted by a third party plan reviewer. When all necessary corrections have been made, and all required fees paid, BSD will issue a building permit. The Fire Department will issue appropriate permit.</p>	

5	CONSTRUCTION
<p>Developer constructs project, with BSD and Fire Department providing inspections and where required Environmental Health.</p>	

6	CERTIFICATE OF OCCUPANCY
<p>When the project is completed, BSD and Fire Department provides final inspection. When BSD and Fire Dept. have determined that all code requirements have been met, a certification of occupancy will be issued.</p>	

**RESOLUTION OF DISPUTES**

In the event of a dispute over the interpretation of a Community standard between the developer and a Department head, the item will be placed on the next agenda of the Natural Resources Committee for arbitration. The Natural Resources Committee will decide the issue.

**COMMUNITY COUNCIL CONSIDERATION**

In cases where the proposed action may have a significant impact on the Community's environment, the Director of Land Use Planning and Zoning may recommend to the Economic Development Committee or Natural Resources Committee that the proposal be reviewed by the Community Council. It will be the Committee's decision whether the proposal will be reviewed by Community Council.

**WAIVERS**

A waiver may be issued if minimal or no ground disturbance will occur. Developer must submit to the Department of Land Use Planning and Zoning the required application and plans subject to the provisions of section 7.0.

## PRELIMINARY APPROVAL CERTIFICATE OF COMPLIANCE (PACOC)

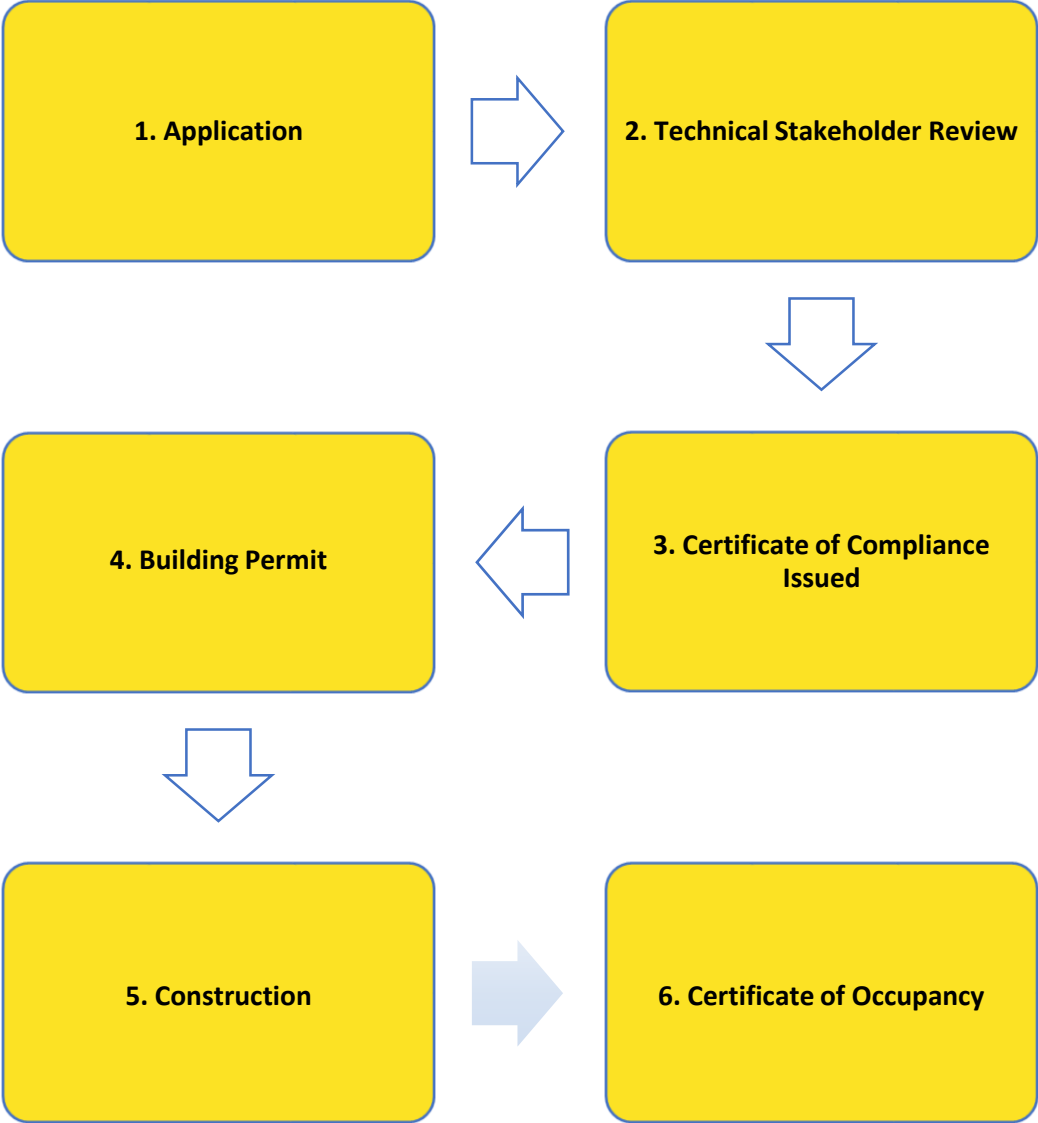
A preliminary approval certificate of compliance will require approval from stakeholders. Stakeholders will be informed of the request when the first review is sent by a LUPZ Planner. The first plan review will determine if PACOC is feasible. The final approval will be determined by the Department of Land Use Planning and Zoning Director.

The COC will contain two parts a PACOC, Preliminary Approval Letter, and final COC. The PACOC allows any construction to begin at the contractors own risk. A building permit can be issued with the PACOC.

The final COC will be issued when all conditions set forth in the PACOC are met. If all conditions are not met for the final COC a Certificate of Occupancy will not be issued until final COC is approved by LUPZ.



5.0 Figure 2: Certificate of Compliance (COC) Flowchart



## 6.0 DISTRIBUTION LIST

1. Department of Environmental Quality
2. Department of Public Works
3. Pima-Maricopa Irrigation Project
4. Building Safety Department
5. Gila River Fire Department
6. Cultural Resources Management Program
7. Tribal Projects
8. Gila River Indian Irrigation and Drainage District
9. Gila River Indian Community Department of Transportation
10. Land Use Planning and Zoning Director
11. Land Use Planning and Zoning Flood Control
12. Land Use Planning and Zoning Geographic Information System
13. Land Use Planning and Zoning Realty
14. Land Use Planning and Zoning Survey
15. Land Use Planning and Zoning Ordinance
16. Land Use Planning and Zoning Planning
17. Arizona Public Service (WHERE APPROPRIATE)
18. Gila River Indian Community Utility Authority (WHERE APPROPRIATE)
19. Salt River Project (WHERE APPROPRIATE)
20. Gila River Telecommunication Inc. (WHERE APPROPRIATE)
21. Kinder Morgan – El Paso Natural Gas (WHERE APPROPRIATE)
22. Southwest Gas (WHERE APPROPRIATE)
23. San Carlos Irrigation Project (WHERE APPROPRIATE)

## 7.0 REQUIRED INFORMATION

The required information for two of the three processes is noted below. For required information for the Development Proposal Review Process contact PLFC.

The Director of LUPZ may waive any of the required information if the information exists or is clearly not necessary to the evaluation of the proposal. In special circumstances the LUPZ Director may require additional information necessary for a thorough evaluation of the proposal.

### 7.1 Required Written Information (LUAR & COC)

1. Letter of Intent - Summary of project, describing the purpose, benefits and key points of the proposal signed by developer
2. Ownership, name & address of property owner(s), developer, and each individual or company having a financial interest in the project
3. Project Schedule
4. Signed and validated leases or approvals from allottees, if allotted land is involved
5. Display showing project limits

### 7.2 Required Boundary and Topographic Survey Information\* (LUAR & COC)

1. Name, address, telephone number and signature of RLS
2. Official seal and registration number
3. Date survey was completed and revision dates
4. Graphic scale and north arrow
5. Legend included – symbols, abbreviations, line weights and types
6. All data necessary for mathematical closure
7. Point of commencement and point of beginning shown
8. Basis of bearings
9. GRIC Resolution GR-18-97 system of coordinates (GRIC Survey Control Network)
10. Both record and measured bearings and distances shown (record if applicable)
11. Adjoining documented parcels, easements and right of ways labeled – if no doc. R/W note, include street names
12. All easements evidenced by recording documents shown – if no doc. easement note
13. Gores or overlaps along exterior boundary shown
14. All monuments found or set labeled
15. Monuments placed at all corners
16. Vicinity map
17. Gross land area of parcel(s) included in legal description
18. Reference documents listed
19. Legal description included record and measured (record if applicable)
20. Surveyors certification
21. Section ties minimum to two corners record and measured (record if applicable)

22. Survey meets minimum standards set forth and adopted by the Arizona Board of Technical Registration (with exception of recording)
23. Certified Federal Surveyor (CFedS) required
24. Section location map shown with bearings, distances and monumentation shown
25. Maximum allowable relative positional precision for all boundary monuments will be 0.07 feet plus 50 parts per million
26. Title including: lot, block, tract or subdivision name; the section, township, range and meridian, county and state, visible address (LUPZ # in case of no visible address) and the owner or leaseholders name, district
27. General notes
28. Sheet index map
29. Location of all buildings, if none so note
30. Location of buildings and improvements within 25 feet of boundary
31. Physical evidence of encroaching structural appurtenances
32. Driveways, alleys of access on or crossing property shown
33. Substantial visible improvements in addition to buildings
34. Parking areas and stripes
35. Indication of public way on land
36. Location of visible utilities, floodplain and zoning Information

#### DELIVERABLES

37. Three hard copies of drawing 24x36 on bond paper, CFedS/RLS signed and sealed and PDF
38. AutoCAD file
39. Parcel closure report
40. Legal description in electronic format
41. ADDITIONAL SURVEY ITEMS
  - a. Identify survey or legal description being retraced to define subject parcel(s)
  - b. GRIC control points used identified on survey
  - c. Temporary benchmark (2) located on site and listed in table and on survey
  - d. Spot elevations, finish floors, manhole rims & inverts
  - e. Contours with break lines used
  - f. Building setbacks shown

\*MUST BE PART OF PLAN SET

#### 7.3 Required Site Plan Information\* (COC)

1. Map data- Name of development, north arrow, scale, date
2. Planned. buildings, location, sf., height, setbacks
3. The planned use of land and buildings
4. Parking plan with ingress and egress
5. Designated Refuse Collection Area, screening
6. Building Elevations, architectural design
7. Landscape plan
8. ADA accommodations

\*MUST BE PART OF PLAN SET

#### 7.4 Required Engineering Plan Information\* (COC)

1. Note of Conformance with Preliminary Plat Stipulations
2. Scale: 1"=100' or 1"=50', if less than 10 acres. Preferably 1"=20' Scale for smaller areas
3. Sheet Size 24" x 36" and or 11" x 17" (depending on project size. Consult with LUPZ)
4. Name, Address, Phone Number, Seal and Signature of Az. State Registered Land Surveyor (R.L.S.)
5. Name, Address, Phone Number, Seal and Signature of Az. State Registered Architect (R.A.)-All architectural sheets
6. Name, Address, Phone Number, Seal and Signature of Az. State Registered Professional Engineer (P.E.)-Each Sheet
7. Name, Address, Phone Number, of all other Disciplines involved. Label Community approved permit to work number
8. Subdivision Ties to fractional corners
9. Exception areas labeled as "Not Part of this Plan"
10. All existing dedications and easements from past documents
11. All adjacent dedications (within 100 ft of subject property) labeled.
12. Note that street names conform to MAG Standards, State, B.I.A., M.C.D.O.T., and Community GIS assigned street names
13. Show all boundaries: R.O.W., D.E., P.U.E., V.N.A.E., etc. if applicable
14. Bearings and Distances of all property lines and street courses
15. Width/Dimensions of all streets, alleys, easements, etc. and conform to stipulated requirements
16. Points of Tangencies, central angles of all curvilinear streets, and radius of all rounded street line intersections
17. Check to ensure all tracts shown by consecutive letter. All areas within the plat boundary not occupied by lots or public streets shall be shown as a tract.
18. Corners set or Found
19. Results of Survey/Topographic Survey with min. 1ft contours
20. Community Resolutions Exhibit (if other than scattered homesite)
21. Submit a digitized electronic copy of the Final Plat
22. All existing buildings and significant structures
23. All proposed buildings, location, setback dimensions from property line
24. Parking Plan with Legal Ingress and Egress
25. Show existing and proposed ground surfaces in Profile. Show existing and proposed contours and topographic features in plan view
26. Utilities onsite, size, elevation, operator, and any improvements needed to extend service
27. Existing/Proposed Spot elevations and Contour Lines (min 1 ft. contour intervals), drainage arrows, grade breaks, and high points
28. Show proposed grading, buildings, etc. with a heavier line to designate proposed versus existing condition



29. All offsite improvements (Roads, Utilities, Drainage) on separate sheets, but labeled sufficiently to show tie in with site on Civil Plan
30. Planned storm water discharge locations, ultimate outfall location(s) with elevation(s)
31. Planned Water Use/Irrigation Systems
32. Label size, type, treatment of ground surface, irrigation system affecting Landscape
33. Soils Report (with percolation rates for drain time calculations for retention basins)
34. Proposed finished floor elevations a min. 1 ft. above the adjacent 100-yr water surface elevation.
35. Building Elevations, architectural designs
36. Nearest Fire hydrant
37. Provide Earthwork Cut and Fill Volumes with Net amounts exclusive of street quantities
38. Provide all applicable notes, including Grading and Drainage Notes
39. Provide Elevation Datum and Benchmark Elevations with Exact Locations
40. Provide spot elevations every 50 ft. on adjacent properties sufficient to depict existing conditions that effect drainage of property to be filled. Usually 30 ft. beyond property line is sufficient

\*MUST BE PART OF PLAN SET

## 8.0 COMMUNITY ORGANIZATIONS

### 8.1 Decision Making and Advisory Bodies

ORGANIZATION	FUNCTIONS (Pertaining to Policy)
<b>Community Council</b> (meets first & third Wednesday each month at 9:00 AM)	Establishes ordinances and policies, final decision making body for all Land Development Policies, Procedures, and Regulations.
<b>Natural Resources Committee</b> (meets Tuesday week before Council 9:00 AM)	Standing Committee of the Community Council. Reviews all land development proposals pertaining to Community development and the use of Community's natural resources. Performs decision making functions as delegated by the Community Council.
<b>Economic Development Committee</b> (meets Wednesday week before Council 1:00 PM)	Standing Committee of the Community Council. Reviews all business or economic development proposals, including commercial, industrial, commercial recreation and gaming. Performs decision making functions as delegated by the Community Council.
<b>Planning and Zoning Commission</b> (Meets second Thursday at 1:00 PM)	Reviews and where required conducts public hearings on land use or zoning proposals, formulates recommendations, provides direction to the LUPZ Program

### 8.2 Community Administration and Staff

ORGANIZATIONS	FUNCTIONS (Pertaining to Policy)
<b>Community Administration</b> Governor, Lt. Governor, Community Manager (520) 562-9700	Chief executive of the Community Government. Directs and oversees the functions of all staff organizations.
<b>Department of Land Use Planning and Zoning</b> (LUPZ ) (520) 562-6003	Responsible for administering the Land Use Action Review Process, Zoning, Subdivision and Plat, Native Plant, and Antiquities Ordinances and for providing staff recommendations to the Planning and Zoning Commission, Standing Committees and Community Council.
<b>Department of Environmental Quality (DEQ)</b> (520) 562-2234	Responsible for protection of the reservation's environmental quality, including water quality; air quality; solid and hazardous wastes; and pesticides.
<b>Department of Public Works (DPW)</b> (520) 562-3343	Operates the Community's water and sewer systems.
<b>Pima-Maricopa Irrigation Project (PMIP)</b> (520) 562-6700	Responsible for developing the Community's irrigation distribution system and agricultural lands.
<b>Building Safety Division</b> (520) 562-6080	Administers the Community's building, electrical, mechanical, and plumbing codes, issues permits, inspects construction and issues COO's.

<b>Fire Department</b> (520) 796-5900	Responsible for providing fire protection, administering the fire code, technical review and approval of building plans
<b>Environmental Health</b> (520) 562-5100	Responsible for Community health, safety and sanitation standards
<b>Office of Contracts and Grants (C&amp;G)</b> (520) 562-9841	Responsible for assisting GRIC Department with grant opportunities, proposal development, grant writing, and provide grant compliance and training.
<b>Office of General Counsel</b> (520) 562-9760	Review leases, land use permits, and provides legal advice to Community organizations
<b>Tribal Employment Rights Office (T.E.R.O.)</b> (520) 562-3387	Administers Tribal Employment Rights Ordinance, which specifies hiring preferences
<b>Office of Treasurer</b> (520) 562-9685	Issues Tribal Business Licenses
<b>Technical Stakeholder Meeting</b> (regular meeting 3rd Thursday of each month at 9:00 AM, special meetings as required)	Land Use Planning Program, Dept. of Environmental Quality, Public Works Dept., Building Safety Dept., Fire Dept. and other organizations on the distribution list that attend the monthly Technical Stakeholder meeting.
<b>Cultural Resource Management Program (CRMP)</b> (520) 562-7150	Inventories and monitors the Community's cultural resources.
<b>Tribal Projects</b> (520) 562-6080	Manages Community construction projects
<b>Gila River Indian Irrigation and Drainage District (GRIIDD)</b> (520) 562-6782	Is responsible for operations and maintenance of the community's canal system
<b>Gila River Indian Community Department of Transportation (GRICDOT)</b> (520) 562-6110	Is responsible for operations and maintenance of the community's road system

### 8.3 Federal Organizations

FEDERAL	FUNCTIONS (Pertaining to this Policy)
<b>BIA Realty</b> (520) 562-3326	As Trustee, administers real estate records, reviews and approves leases of Tribal or allotted land
<b>BIA Land Operations</b> (520) 562-3326	Operates and maintains irrigation facilities, responsible for BIA NEPA compliance

### 8.4 Community Entities

ORGANIZATIONS	FUNCTIONS
<b>Gila River Indian Community Utility Authority (GRICUA)</b> (520) 796-0600	Manages the electrical and energy needs of the Community

<b>Gila River Telecommunications Inc. (GRTI)</b> (520) 796-8800	Manages the telecommunication services for the Community.
<b>Pima Leasing and Financial Corporation (PLFC)</b> (520) 796-2454	Manages the Community's trust land resources and promotes self-sufficiency by providing financing for community-owned enterprises.
<b>Wild Horse Pass Development Authority (WHPDA)</b> (520) 796-5389	Responsible for developing the Wild Horse Pass Development Area, the Toka Sticks Area and other areas assigned by the Community Council.
<b>Lone Butte Development Park</b> (480) 899-5280	Manages and operates the Lone Butte Development Park for economic development.
<b>Gila River Sand &amp; Gravel (GRSG)</b> (520) 418-2106	Construction aggregate producer. It produces and sells rock and sand products.

## 9.0 COMMUNITY ORDINANCES, LAND USE PLANS AND POLICIES

### 9.1 Ordinances (Pertaining to business or land development)

<b>ORDINANCE</b>	<b>DESCRIPTION</b>	<b>ADMINISTRATIVE RESPONSIBILITY</b>
Native Plant	Protects designated species of native plants, provides procedures for their use or removal	Dept. of Land Use Planning and Zoning
Subdivision	Provides standards and procedures for the subdividing of reservation land	Dept. of Land Use Planning and Zoning
Survey Control Network	Single survey datum established to standardize control surveys and for exchange of survey and technical data	Dept. of Land Use Planning and Zoning
Title 20	Establishes zoning districts and requirements in the North Central Planning Area, Township 2S, Range 4E	Planning and Zoning Commission/Dept. of Land Use Planning and Zoning
Solid Waste	Regulates the solid waste disposal on reservation lands	Dept. of Environmental Quality
Wastewater Management	Regulations of treated and untreated sanitary wastewater	Dept. of Environmental Quality
Water Code	Protects, preserves, manages, and regulates control water resources within the Community	Office of General Counsel
Pesticide	Regulates the application of pesticides in designated areas	Dept. of Environmental Quality
Trespass	Minimize the impact of undesirable behaviors and conditions within the Community	Dept. of Land Use Planning and Zoning
Sign and Billboard	Provides standards and procedures for the placement of signs	Dept. of Land Use Planning and Zoning
Antiquities	Regulates the study or excavation of cultural resource sites	Cultural Resource Management Program (CRMP)
Tribal Employment Rights (T.E.R.O.)	Provides standards for Indian preference in hiring for on reservation businesses or projects	Tribal Employment Rights Office
Homesite	Establishes procedures for the creation and assignment of Community Homesites to Community members	Land Use Planning and Zoning
Taxation Ordinance	Establishes Community taxing rates and policies	Tribal Treasurer



Fire Code (Title 21)	International Fire Code and National Fire Protection Association (NFPA) Standards	Fire Dept.
Building Codes	Title 19	Building Safety Dept.
Food Safety	Uniform food code for food service establishments	Environmental Health Program

## 9.2 Standards

DEPARTMENT	REFERENCE
Department of Public Works	General Notes & Standard Details; Water & Sewer Service Connections Standard Details
Building Safety	Adopted Building Codes
Cultural Resources Management Program	Customer Service Section- Project Review Process
GRIC Department of Transportation	Roadway Design Guide Manuals
LUPZ Flood Control	Drainage Design Guidance Manual
LUPZ Geographic Information System	Physical Address Requirements
LUPZ Survey	Survey Requirements
LUPZ Ordinance	Right of Entry Notification Guidelines
Kinder Morgan/El Paso Natural Gas	Guidelines for Design and Construction near Kinder Morgan Operated Facilities
Gila River Indian Community Fire Department	Adopted Fire Code and Standards

## 9.3 Land Use Plans

TITLE	DESCRIPTION
500-Acre Plan, 1996	Land use plan for 500+ acres within the Wild Horse Pass Development Area
Development and Design Guidelines, 1996	Architectural, site planning, roadway, and landscaping design guidelines
Lone Butte Industrial Park Plan, 1996	Revised land use plan for Lone Butte Industrial Park and additional 80 acres
Memorial Airfield, Airport Master Plan, 1996	Master Plan for Memorial Airfield
General Land Use Plan, 1984	General land use plan and land management policies for the entire Community
North Central Planning Area Land Use Plan, 1981	Land use plan for the North Central Planning Area, Township 2 south, Range 4 east
Gila Borderlands Study, 1997	As part of this study a revised land use plan for the 85 square miles on the Community's northern boundary is being prepared. Will not be considered official policy until adopted by the Community Council.

Seven District Master Plan, 2011	Created District-by-District visions and a plan to ensure that future development meets the needs and desires of the Member.
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## 10.0 FEES

### 10.1 Schedule of Fees

The following are the fees required for the various actions under this policy. The fee schedule may be modified periodically by the Community Council.

<b>ACTION</b>	<b>FEE</b>
Land Use Action review by Commission, Committees and Community Council	\$250
*Land Survey Review	3 reviews free; after third review fee of \$1,200 per review
*Site and Engineering plan review	3 reviews free; after third review fee of \$1,200 per review
Certificate of Compliance	No charge
Building Permit	As per Resolution
Certificate of Occupancy	As per Resolution
Public Hearing (in addition to Land Use Action Review)	Actual Cost
Native Plant, Antiquities, Sign, and other Community ordinances	As per ordinance
Business License	As per ordinance

\*The funds collected as a result of the fees assessed under this action are to be appropriated into an account managed by the LUPZ.

### 10.2 Exemptions

With the exception of the business license, individually enrolled Community members are exempted from the above fees. Community and federal entities may be exempted from various fees depending on the circumstances. The Economic Development or Natural Resources Standing Committee may waive a particular fee by majority vote.

## 11.0 DEFINITIONS

The following words and terms, when used in this policy, shall have the meaning set forth, except where otherwise specifically indicated. Terms not herein defined shall have the meanings customarily assigned thereto.

**AGRICULTURE** - the use of the land for agricultural purposes, including farming, pasturage, apiculture, horticulture, floriculture, viticulture, aquaculture and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

**BUILDING** - any structure built, used, designed or intended for the support, shelter, protection or enclosure of persons, animals, chattels or property of any kind, and which is permanently affixed to the land.

**BUILDING HEIGHT**- the vertical distance from the sidewalk level, or its equivalent established grade opposite the center of the front of a building to the highest point of the underside of the ceiling beams, in the case of a flat roof; to the deck line of a mansard roof; and to the mean level of the underside of the rafters between the eaves and the ridge of a gable, hip or gambrel roof. Where no sidewalk level has been established, the height of a building may be measured from the mean elevation of the finished lot grade at the front of the building.

**BUILDING PERMIT** - A permit issued by the Community Building Safety Dept. that certifies that the building plans are in conformance with the adopted building codes of the Community. Except where a valid exemption exists, a building permit must be obtained prior to the start of any construction within the Community boundaries.

**COMMERCIAL SUBDIVISION** - A subdivision where each lot is planned zoned or dedicated for commercial use.

**COMMISSION**- the Gila River Indian Community Planning and Zoning Commission.

**COMMITTEE** - the Natural Resources Standing Committee or the Economic Development Standing Committee of the Gila River Indian Community Council.

**COMMUNITY** - the Gila River Indian Community

**COUNCIL** - the Community Council of the Gila River Indian Community.

**CULTURAL RESOURCE** - physical evidence of historic or prehistoric human life or activities, such as pottery, baskets, weapons, tools, religious artifacts, trash mounds, building remains, petroglyphs, graves or other such remains.

**DEVELOPER** – A person or an entity that improves land and arranges for utilities and essential services in order to subdivide parcels of land or to build structures.

EA, EIS - Where a "federal action" is required on Community lands held in trust status by the BIA. An environmental assessment (EA), prepared to meet the requirements of the U.S. National Environmental Protection Act 1969 is required. If the designated federal decision maker determines that the action would not significantly affect the natural environment a "finding of no significant impact" (FONSI) is prepared. If the EA concludes that the action would have a significant impact on the natural environment, a more in-depth and comprehensive analysis, an environmental impact statement (EIS) is required.

EAF - An "Environmental Assessment Form" that an Applicant for a Lease or Permit authorized under the Community's federally approved Leasing Regulations must submit to the Natural Resources Standing Committee to allow the Natural Resources Standing Committee to identify and evaluate any Significant Effect on the Environment of approving a Lease or Permit.

ENCROACHMENT – Unlawful entering (gradually and without permission) upon the land, property, other possessions, or the rights of another. For example, a building extending beyond the legal boundaries on to neighboring private or public land, or beyond the building-line of a road or street.

HOMESITE - An approved lot, subject to the Community Homesite Ordinance, assigned to an individual Community member for their use to construct or locate a home.

IMPROVEMENTS - all facilities constructed, erected or provided to facilitate the use of subdivided land.

INDUSTRIAL SUBDIVISION - A subdivision where each lot is planned zoned or dedicated for industrial use.

IRRIGATION FACILITIES- Canals, laterals, ditches, conduits, gates, pumps and allied equipment necessary for the supply, delivery and drainage of irrigation water.

LAND USE PLAN - a document adopted by the Community Council that contains the Community land use goals and objectives, an analysis of pertinent factors and planned land usage for the Gila River Indian Community or portions thereof.

LOT - a piece or parcel of land separated from other pieces or parcels by description, as in a subdivision or on a record survey map or by metes and bounds, for the purpose of lease, transfer of ownership or separate use.

LOT LINE - a boundary line of a lot:

- a. Front Lot Line - that lot line abutting with a street right-of-way line. When more than one lot line abuts a street right-of-way line a front line shall be designated on the subdivision plat.
- b. Rear Lot Line - the lot line opposite and farthest from the front lot line. For a pointed or irregular lot, the rear lot line shall be an imaginary line, parallel to and farthest from the front lot line, not less than ten (10) feet long and wholly within the lot.
- c. Side Lot line - any lot line other than front or rear lot lines.



PARCEL - the word parcel shall refer broadly to a lot, tract, or any other piece of land.

PARKING SPACE, AUTOMOBILE - space within a public or private parking area of not less than one hundred and eighty (180) square feet, nine (9) feet by twenty (20) feet, exclusive of access drives for the storage of one passenger or commercial vehicle.

PLANNED COMMERCIAL DEVELOPMENT- a parcel of land on contiguous parcels of land of a size sufficient to create its own environment. Controlled by a single landowner or lessee or by a group of landowners or lessees in common agreement as to control, to be developed as a single entity, the environment of which is compatible with adjacent lands and the intent of Community plans, ordinances and policies.

PLANNED AND ZONED AREAS – A parcel or parcels of land that have been approved for development by the Community’s Committees, Council, and Governor.

PUBLIC UTILITIES - underground, above ground or overhead facilities furnishing to the public under Federal, State or Community regulations, including electricity, natural gas, telecommunications, water, drainage, flood control, irrigation, garbage disposal and sewage disposal; also, such person, firm, corporation or governmental department or board as the context indicates.

REQUESTOR – Individual submitting a request form to LUPZ.

SETBACK - the distance between the exterior lot lines and any structure on the lot.

STREET RIGHT-OF-WAY - that area of land within the street lines designated and dedicated as such on the plat of subdivision. Street right of ways may also serve as easements for public utilities.

STREET WIDTH -the shortest distance between the property lines abutting both sides of a street right-of-way.

STRUCTURE - anything constructed or erected which requires location on the ground or is attached to something having location on the ground including a fence or a freestanding wall. A sign, billboard or other advertising medium, detached or projecting, shall be construed to be a structure.

TECHNICAL STAKEHOLDERS -The Community staff organizations that have assigned responsibilities pertaining to land development. The make up to this team may change depending on the nature and scope at the proposal, and changes in the Community organization.

TRADITIONAL CULTURAL PROPERTY (TCP) - An area, that has cultural or religious significance to Community members.

USE - the purposes for which land or a building thereon is designed, arranged or intended or for which it is occupied, maintained, or leased.

USE, LAWFUL - the use of any structure or land that conforms with all of the regulations of this ordinance or any amendments hereto and which conforms with all of the codes, ordinances and other legal requirements, as existing at the time of the enactment of this ordinance or any amendment thereto, for the structure or land that is being examined.

ZONING DISTRICT - a geographical area or portion of the reservation as depicted on the Official Zoning Map of the Gila River Indian Community, as adopted by the Community Council. Each zoning district has a list of permitted or special uses that are compatible with and complimentary to the other uses of the district. Each zoning district also contains development requirements to govern building setbacks, height, and other conditions of use.