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STAFF REPORT

CASE # TXT24-02

To:	Honorable Mayor and City Council
Through:	Rodolfo Lopez, Development Services Director
From:	LaRee Mason, Assistant Planner
Meeting Date:	November 19, 2024

REQUEST

TXT24-02, Animal Keeping, Charitable Donation Containers, Review of Applications Text Amendments; A request by the City of Maricopa for review and approval of a proposed text amendment to the City of Maricopa City Code, Sections 18.80.030 Animal Keeping, 18.140.040 Review of Applications, and to add Section 18.120.290 Charitable Donation Containers.
DISCUSSION AND ACTION.

APPLICANT/OWNER

City of Maricopa
Contact: LaRee Mason
39700 W. Civic Center Plaza
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Phone: 520-316-6928
Email: LaRee.Mason@maricopa-az.gov

PRIORITIES CONSIDERED

- Quality of Life
- Economic Sustainability
- Managing the Future
- Public Safety

AMENDMENT INFORMATION

This is a request to formally amend the Maricopa City Code to request comprehensive revisions to Section 18 of the Maricopa City Code (MCC). The City initiated text amendments will allow for continued refinement of the MCC to reflect changes in policies and procedures, allow for clerical corrections, and address the overall accuracy and usability of the code. More specifically, the proposed amendment would accomplish the following:

- Bring the current code in compliance with the Arizona Revised Statutes (A.R.S.) from the requirements outlined in Senate Bill 1162 (Apr. 23, 2024) and House Bill 2325 (May 21, 2024).
- Update multiple sections of the code to be consistent with current development trends and standards.

Arizona House Bill 2547 Housing Impact Statement

Arizona House Bill 2547 was passed into legislation on April 18, 2023, which amended Section 9-462.01, Arizona Revised Statutes, Relating to Municipal Zoning. More specifically, the revised bill mandates that the legislative body of a municipality shall consider a housing impact statement regarding the impact of the proposed zoning ordinance or zoning ordinance text amendment. prior to taking final action on the item. The revised bill states that the impact statement shall include the following:

1. A general estimate of the probable impact on the average cost to construct housing for sale or rent within the zoning districts to which the zoning ordinance or text amendment applies.
2. A description of any data or reference material on which the proposed zoning ordinance or text amendment applies.
3. A description or any less costly or less restrictive alternative methods of achieving the purpose of the proposed zoning ordinance or text amendment.

Section 18.140.040 Review of Applications

Senate Bill 1162 (SB1162) was signed into legislation on April 23, 2024 to amend Title 9, Chapter 4, Article 6.1, Arizona Revised Statutes, by adding Section 9-462.10, relating to Municipal Zoning. More specifically, SB1162 requires municipalities to adopt statute requirements for a fifteen-day administrative completeness review outlining municipal procedures when an application is incomplete, approve or deny an application within one hundred eighty days, and provide extension allowances.

Section 18.80.030 Animal Keeping

House Bill 2325 (HB2325) was signed into legislation on May 21, 2024 to amend Title 9, Chapter 4, Article 6.1, Arizona Revised Statutes, by adding Section 9-462.10, relating to Municipal Zoning. More specifically, HB1162 requires municipalities to codify state requirements regarding backyard fowl keeping. State requirements include standards on enclosures, maintenance, and defines fowl as the domestic chicken.

Section 18.120.290 Charitable Donation Containers The Planning and Zoning Department is seeking to amend Title 18 of the Maricopa City Code by adding Section 18.120.290, Charitable Donation Containers. More specifically, this MCC text amendment establishes enforceable regulations that outline permitting requirements, placement of donation containers, identification posted on the container, screening requirements, design requirements, cleanliness of the surrounding area, and possible revocation of the required Zoning Permit.

**Housing Impact Statement: No housing impact is expected with this proposed amendment.*

ADHERENCE TO THE GENERAL PLAN

Text amendment TXT24-02 is in conformance with the following goals and objectives outlines in the City of Maricopa General Plan.

B. Land Use Element Goal B1.4

Objective B1.4.5: Update and consistently enforce the community's development codes,

including zoning, subdivision, and related regulations.

F. Economic Development Element Goal F1.2

Objective F1.2.2: Solicit direct involvement of the business community in defining the language and intent of new rules and regulations.

Objective F1.2.9: Streamline and simplify governmental permitting processes to assist businesses in location or expanding within the community.

CITIZEN PARTICIPATION

As outlined in MCC Sec. 18.140.060, notification via a public hearing process is required. The Public Participation Plan included both a legal notice in a local newspaper and a web posting on the city's website at a minimum of 15 days prior to a public hearing. The following is the public notification timeline:

- August 29, 2024 – Web Posting
- August 29, 2024 – Public Hearing Posted
- September 26, 2024 – Newspaper Notice in the Pinal Central Dispatch
- October 14, 2024 – Planning and Zoning Commission Public hearing

At the time of this report, no additional correspondence has been received by staff.

FINDINGS

As required under Sec. 18.174.040 of the MCC, the Planning & Zoning Commission made the following findings in their recommendation to the City Council:

1. The amendment is consistent with the general plan.
2. The amendment will promote the growth of the city in an orderly manner and protect the public health, safety, peace, comfort, general welfare.
3. Planning and Zoning Commission forwarded a favorable recommendation (7-0) to Council to approve.

STAFF RECOMMENDATION

Staff recommends Council be in accordance with the Commission and approve Case No. **TXT24-02**.

EXHIBITS

- Exhibit A – Section 18.80.030 Animal Keeping (Proposed Changes)
- Exhibit B – Section 18.80.030 Animal Keeping (Final Text)
- Exhibit C – Section 18.120.290 Charitable Donation Containers (Proposed Changes)

- Exhibit D – Section 18.120.290 Charitable Donation Containers (Final Text)
- Exhibit E – Section 18.140.040 Review of Applications (Proposed Changes)
- Exhibit F – Section 18.140.040 Review of Applications (Final Text)

--End of Staff Report--