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## **STAFF REPORT**

**CASE NUMBER TXT25-02**

To: Honorable Mayor and Council

Through: Rodolfo Lopez, Development Services Director

From: Rick Williams, Planning and Zoning Division Manager

Meeting Date: December 2, 2025

## **REQUEST:**

**TXT25-02, A request by the City of Maricopa for miscellaneous revisions to Chapter 17 – Subdivision Regulations, of the Maricopa City Code. Discussion and Action**

## **COUNCIL PRIORITIES CONSIDERED:**

- Managing the Future

## **DETAILS OF THE REQUEST:**

This is a request to formally amend the Maricopa City Code by requesting comprehensive revisions to Chapter 17, Subdivision Regulations. The City initiated text amendments will allow for continued refinement of the City Code 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 amendments would accomplish the following:

1. Brings the current code in compliance with Arizona Revised Statutes (ARS).
2. Update Section 17 of the city code to be consistent with current development trends and standards.
3. Addresses any Scrivener errors identified in the code.

For the purpose of this discussion, text amendments for Chapter 17 have been separated into two discussion categories; General Revisions and Legislative updates. Additionally, attached as Exhibit D, is a general summary of proposed changes to Chapter 17 including the State of Arizona required Housing Impact Statement

### **General Revisions**

- **Section 17.30.040 Recreation and Tot-lot Design Requirements** – Removes the Recreation and Tot-lot design requirements from the subdivision regulations and locates the requirements in Section 18.90.050 (Landscape) of the municipal zoning code.

### **Legislative Updates**

#### **Arizona House Bill 2447**

Arizona House Bill 2447 was passed into legislation on March 31, 2025, which amended Arizona Revised Statutes § Section 9-500.49, relating to “Administrative review and approval; self-certification program; expedited approval; and definitions.” More specifically, Section 9-500.49.2 of the revised bill mandates that the legislative body of a city or town shall by ordinance, authorize administrative personnel to review and approve site plans, development plans, land divisions, lot line adjustments, lot ties, preliminary plats, final plats and plat amendments without a public hearing. The stated goal

of this revision is to allow cities to approve specific functions/applications at the staff level, thereby increasing the speed and efficiency of the development process while respecting local control. It should be noted that there are other requirements stated in House Bill 2447, such as, the requirement to allow at-risk submittals for preliminary grading and drainage work and the ability to submit for expedited permit review. The City of Maricopa currently engages in both of those requirements. For the purposes of this discussion, Staff is proposing the following amendments in order to meet House Bill 2447 requirements:

- **Section 17.20.050 – Preliminary Plat Approval** - Removes preliminary plat approval as a Planning and Zoning Commission function.
- **Section 17.20.060 – Final Plat and Improvement Plan Approval** - Removes final plat and improvement plan approval as a City Council function.

### **ADHEARANCE TO THE GENERAL PLAN:**

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The proposed text amendments to the Zoning Code are in conformance with the following goals and objectives outlined in the General Plan (Planning Maricopa).

#### **B. Land Use Element**

- Objective B1.4.5: Update and consistently enforce the community's development codes, including zoning, subdivision, and related regulations.
- Objective B2.2: Identify and use available tools, including area specific plans, zoning and subdivision standards, to promote housing diversity in both type and lot size for existing and future PAD's

#### **F. Economic Development Element**

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

### **CITIZEN PARTICIPATION:**

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As required per the City's Zoning Code Sec. 18.140.060, notification via a public hearing process is required. The Public Participation Plan included a public comment posting and a Public Hearing Notification posting on the city's website and the local newspaper. Both advertisements were posted a minimum of 15 days prior to a public hearing. The following is the public notification posting timeline:

- September 8, 2025 – Public Comment Posting.
- October 9, 2025 – News Paper Advertisement.
- As of the writing of this report, no new correspondence has been received by staff.
- October 27, 2025 – Planning and Zoning Commission Meeting.

### **PLANNING & ZONING COMMISSION:**

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Planning & Zoning Commission conducted a public hearing for the proposed text amendments on October 27, 2025. The Planning Staff presented a summary of the proposed text amendments that categorized the amendments as routine revisions/scrivener errors and legislative revisions. Planning & Zoning Commissioners had the following comments regarding the proposed text amendments:

Led by Commissioner Robertson, the commissioners objected to the removal of preliminary plats and final plats from the Planning Commission and City Council purview. More specifically, Commissioner Robertson argued that the removal of these functions would diminish the public transparency of the Council and Commission, ultimately eroding the public's confidence in the City's ability to conduct routine business. Nick Cook, City Attorney Office, stated that State of Arizona had mandated that local municipalities adopt ordinances whereby staff would administratively approve specific applications

without a public hearing. The stated goal of this revision is to allow cities to approve specific functions/applications at the staff level, thereby increasing the speed and efficiency of the development process. Commissioner Klob emphasized the value of preserving a public component in these processes. He noted the importance of participation in refining project details, which can foster significant improvement in projects.

Additional discussion extensively touched upon the requirements for Food Courts. In addition to the name, commissioners also raised concerns regarding permanent power pedestals and overnight parking and storage. Staff stated that the proposed Food Court amendment was in its infancy and would continue to be evaluated as it is implemented. Staff also stated that no consideration had been given to overnight storage of food trucks as that would not meet the current City requirements for outdoor storage.

Subsequent to the Planning Commission meeting on October 27, 2025, staff engaged in additional discussion regarding commissioner comments and Food Courts. Based on the internal discussion, staff is recommending the following changes for the Food Courts: Change the name of the proposed amendment from Food Courts to Food Truck Courts and no changes to the overnight storage requirements. With respect to permanent power pedestal requirements, this will be evaluated on a site-by-site basis. Section 18.120.300.E of the proposed amendment states that the “Zoning Administrator may evaluate and accept an alternative method/design that meets the intent and spirit of the code and other City of Maricopa policy documents.” It should be noted that this provision was always in the proposed amendment but was not properly identified at the Planning & Zoning Commission meeting.

The Planning Commission voted (3-1), to forward the proposed text amendments to City Council with a favorable recommendation.

**STAFF RECOMMENDATION:**

Staff recommends, City Council concur with the Planning and Zoning Commission and approve TXT25-02, miscellaneous amendments to Chapter 17 – Subdivision Regulations, of the Maricopa City Code, as outlined in Exhibit A and Exhibit C, and contained in the City Council staff report dated December 2, 2025.

Exhibit A – Ordinance 25-16 – Amendment to Chapter 17, Subdivision Regulations

Exhibit B – Chapter 17 Proposed Text

Exhibit C – Chapter 17 Final Text

Exhibit D – Chapter 17 Summary with Housing Statement

-- End of staff report --