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STAFF REPORT

CASE # TXT22-04

To:	Honorable Mayor and City Council
Through:	Rodolfo Lopez, Development Services Director
From:	Rick Williams, Planning Manager
Meeting Date:	April 4, 2023

REQUEST

TXT22-04 Text Amendment: A request by the City of Maricopa for review and approval of a proposed text amendment to the City of Maricopa Zoning Code, Sections 2.15 Rules of Order and Procedure, 18.135 Commissions, Committees, Boards & Officers, 18.155 Development Review Permits, 18.140.060 Public Hearing Notification, 18.140.140 Appeals; **DISCUSSION AND ACTION.**

COUNCIL PRIORITIES CONSIDERED

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

AMENDMENT INFORMATION

This request is to formally amend the Maricopa City Code by making the following modifications:

- **Maricopa City Code, Chapter 2.15, Rules of Order and Procedure**
 - Amends Chapter 2.15.030.1b, changing the name of the Transportation Advisory Committee to the Transit Advisory Committee.
 - Amends Section 2.15.030.2d, removing the Board of Adjustments from the Standing Committee section.
- **Maricopa City Code, Section 18.135, Commissions, Committees, Boards & Officers**
 - Amends Section 18.135.020.A.2 adding the Planning and Zoning Commission to the “Initiation Powers” which allows the Planning Commission to initiate legislation and hold public meetings/hearings on General Plan Amendments, Zoning Code Map or Text Amendments, and Area Specific Plans.
 - Revises the Appeals Powers section of the Code.
 - Adds Preliminary Plats to the Decision-Making Responsibilities of the Commission.
 - Removes Preliminary Plats from the Advisory Responsibilities of the Commission.

- Removes the Board of Adjustment from Section 18.135 of the Code.
- Establishes Section 18.135.060 and requirements for a Hearing Officer.
- Establishes Section 18.135.090, Transit Advisory Committee.
- **Maricopa City Code, Section 18.155, Development Review Permit**
 - Establishes the Zoning Administrator as the approving body in lieu of the Planning and Zoning Commission.
 - Increases the notification distance of proposed DRP Applications from 300-feet to 600-feet.
- **Maricopa City Code, Section 18.140.060 Public Hearing Notification**
 - This revision updates the Public Hearing Notification Table located in Section 18.140.060 based on the above-mentioned amendments.
- **Maricopa City Code, Section 18.140.140 Appeals**
 - This revision updates the Appeal Bodies and Time Limitations table located in Section 18.140.140 based on the above-mentioned amendments.

ADHERENCE TO THE GENERAL PLAN

The text amendments to the Zoning Code is 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:

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 legal notice in the local newspaper circulator and posting on the city's website, both at a minimum of 15 days prior to a public hearing. The following is the public notification posting timeline:

- February 27, 2023 – Public Comment Posting.
- February 23, 2022 – Public Hearing Posting.
- March 13, 2023 – Planning and Zoning Commission meeting.
- As of the writing of this report, there has been no additional correspondence received by staff.

FINDINGS:

As required by Sec. 18.175.040 of the City's Zoning Code, 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 and general welfare.
3. Planning and Zoning Commission recommended (7-0) to send the application to Council with a favorable recommendation.

STAFF RECOMMENDATION:

Staff recommends Council concur with the Planning and Zoning Commission and approve Case No. **TXT22-04.**

EXHIBITS

- Exhibit A.1 – Chapter 2.15 Rules of Order and Procedure (Proposed Changes)
- Exhibit A.2 – Chapter 2.15 Rules of Order and Procedure (New Text)
- Exhibit B.1 - Section 18.135 Commissions, Committees, Boards and Officers (Proposed Changes)
- Exhibit B.2 – Section 18.135 Commissions, Committees, Boards and Officers (New Text)
- Exhibit C.1 – Section 18.155 Development Review Permit (Proposed Changes)
- Exhibit C.2 – Section 18.155 Development Review Permit (New Text)
- Exhibit D.1 – Section 18.140.060 Public Hearing Notification (Proposed Changes)
- Exhibit D.2 – Section 18.140.060 Public Hearing Notification (New Text)
- Exhibit E.1 – Section 18.140.140 Appeals (Proposed Changes)
- Exhibit E.2 – Section 18.140.140 Appeals (New Text)

-- End of staff report --