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Maricopa City Council

November 19,
2024

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Zoning Code Amendment

Miscellaneous Zoning Text Amendments
TXT24-02

Presented by: LaRee Mason



Details of the Request

Applicant:

City of Maricopa

Proposal:

A request by the City of Maricopa to make comprehensive revisions to Section 18 of the City Code, revising multiple sections to conform with recently passed Arizona Revised Statutes (A.R.S.) and the addition of Section 18.120.290, Charitable Donation Containers. The specific Sections are listed below:

- **Section 18.80.030** Animal Keeping
- **Section 18.120.290** Charitable Donation Containers
- **Section 18.140.040** Review of Applications

Section 18.80.030(D) Urban Chickens

Details of House Bill 2325:

- House Bill 2325 (HB2325), signed May 21, 2024
- Amended Title 9, Chapter 4, Article 6.1, A.R.S.
- Requires municipalities to codify state requirements regarding fowl.
- Total number of fowl (Hens) allowed – Six (6).
- Maximum Size 200 sq. ft. – Maximum height 8 ft.
- Minimum Setbacks – 20 ft. from neighboring property.
- Feed must be stored in pest proof containers.
- Waste disposed or composted minimum of twice weekly.

Section 18.120.290 Charitable Donation Containers

Details of Charitable Donation Containers:

- No current provisions in Maricopa City Code (MCC).
- Zoning Permit and Owner Authorization Required.
- Permitted as an accessory to a primary use only on a paved surface.
- Location shall not impact required parking, vehicular circulation, site visibility (SVT), loading zones, or landscaping.
- No more than two donation bins clustered together.
- The container shall be fully screened and landscaped if visible from a public roadway.

Section 18.120.290 Charitable Donation Containers

Details of Charitable Donation Containers:

- The name, telephone number and email address of the owner/operator shall be posted on the container.
- The owner/operator shall remove materials left outside the containers within 24 hours of written notice.
- The property owner shall control the Zoning Permit.
- An approved Zoning Permit may be revoked by the City.

Section 18.140.040 Review of Applications

Details of Senate Bill 1162:

- Signed into law on April 23, 2024
- Amended Title 9, Chapter 4, Article 6.1, A.R.S.
- Requires municipalities to codify state requirements as noted below:
 - Determination of completeness within 15-days of submittal.
 - After completeness, City has 180-days to approve or deny.
 - City does have ability to extend the time frame past 180.
- This requirement does not apply to Historical Lands or PAD's
- If the City fails to notify in writing within 15-days, the application is deemed Administratively complete.

Public Outreach

- 8/29/24 – Web Posting and Public Hearing Posted
- 9/26/24 – Newspaper Notice in the Pinal Central Dispatch

As of this meeting, no public comment has been received by staff.

Staff Analysis

- The amendment continues the refinement of the City Code to reflect changes in policy and procedures and enhance the overall accuracy and usability of the code.
- The amendment will promote the growth of the City in an orderly manner and protect the public health, safety, peace, comfort, and general welfare
- The amendment is consistent with the goals and objectives of the General Plan.

Recommendation

Staff Recommendation:

- Staff recommends that the City Council be in accordance with the Planning and Zoning Commission and approve the proposed **Text Amendment, Case # TXT24-02**, Animal Keeping, Charitable Donation Containers, and Review of Applications, as described and stated in the staff report.