



39700 W. Civic Center Plaza  
Maricopa, AZ 85138  
Ph: 520.568.9098  
Fax: 520.568.9120  
www.maricopa-az.gov

**STAFF ANALYSIS**

**ZONING CODE MINOR UPDATE TXT20-04**

<b>To:</b>	Honorable Mayor and City Council
<b>Through:</b>	Nathan Steele, Economic and Community Development, Director
<b>From:</b>	Rodolfo Lopez, Economic and Community Development, Deputy Director
<b>Meeting Date:</b>	March 2, 2021

**REQUEST**

**Text Amendment TXT20-04**, a request by the City of Maricopa for review and approval of minor text amendments to the City of Maricopa Zoning Code. **DISCUSSION AND ACTION.**

**COUNCIL PRIORITIES CONSIDERED**

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

**APPLICANT INFORMATION**

Project Planner: Rodolfo Lopez, Deputy Director  
City of Maricopa  
39700 W. Civic Center Plaza  
Maricopa, AZ 85138

**PROJECT INFORMATION**

The purpose and intent of this code update are to incorporate a list of changes that staff has gathered since the adoption and implementation of the code five years ago. Such changes include the removal of contradictory addresses, ambiguous or too restrictive mandates, and even outdated language. Below and on the next page is a general summary of the public, stakeholder, and Commissioners' comments received. This item was previously presented as a text amendment initiative in 2020, followed by a discussion only presentation at the January 11 P&Z Commission meeting to gather feedback from the Commission and the public. The Commission then made action on February 8 for a recommendation of approval with the proposed text amendments as presented by staff, with the condition that the comments received by staff and Commission are shared with the Mayor and City Council for consideration before final adoption.

Public Comments received:

- Section 18.120.180 Standards for Specific Uses, Day care facilities:
  - Additional traffic information should be required.
  - No Front yard playgrounds.
  - Administrative Process: City staff shall begin to share approved licensed facilities with HOA's.
  - **Staff's Recommendation:** No additional changes are needed to the section as the current regulations imply the need for traffic information before approval can be

granted, and standard fence requirements within other areas of the code will not allow for a front yard fenced-in playground.

- Section 18.120.280 Standards for Specific Uses, Food and Beverage Sales:
  - Revise language to refer to City Code, Title 5; currently being drafted via separate text amendment.
  - **Staff's Recommendation:** Staff agrees with the comment.
- Section 18.120.170 Standards for Specific Uses, Mobile Merchants:
  - Relocate obstruction of pedestrian and vehicles standards language to “Parking” sub-section, previously located under the “Insurance” sub-section.
  - **Staff's Recommendation:** Staff agrees with the comment to relocate subsection D5 to subsection F. Parking.
- Section 18.90.030 (G)(1) Landscaping:
  - Revise language for clarity, proposed language to read as the following “Any parking area landscaping that exceeds the minimum requirements of the code shall be counted as open space.”
  - **Staff's Recommendation:** Staff recommends modifying the language to the following shown in red, “Any parking area landscaping that exceeds the minimum requirements of the code shall be counted as open space **if determined by the Zoning Administrator that the landscape area enhances the general area proposed**”. The added language to the statement will assure that legitimate landscape area(s) enhances the development before credit is given towards open space requirements.
- Section 18.90.050 (B)(8) Landscaping:
  - Add the following language under Parking lot landscaping, “To minimize conflict, a landscape island shall not be located adjacent to an ADA parking stall”.
  - **Staff's Recommendation:** Staff agrees with the comment.
- Section 18.135.080 Heritage District Advisory Committee:
  - Do not delete references to the Heritage District Advisory Committee.
  - Staff has also received comments of support of holding less-restrictive neighborhood meetings rather than formal Heritage District Advisory Committee meetings.
  - **Staff's Recommendation:** Staff recommends modifying this code by eliminating the formal Heritage District Advisory Committee meetings and hold, in their place, less formal neighborhood meetings which have proven to be more productive and a better atmosphere for citizen feedback and information sharing.
- Section 18.135.090 Technical Advisory Committee:
  - Revise language to general open-ended statement instead of listing specific entities, proposed language as shown, “The technical advisory committee shall consist of city staff members, local utilities, governmental agencies, school districts, and other organizations as deemed appropriate for their expertise.”
  - **Staff's Recommendation:** Staff agrees with the comment.
- Section 18.140.020 Application submittal and review:
  - Revise language so that waiver of fees can only be granted by either an approved Development Agreement or by City Council.
  - **Staff's Recommendation:** Staff recommends keeping the language as is, “No application shall be processed without payment of a fee unless a waiver or deferral has been approved.” The current language provides open-ended options to the city to work with developers on a case by case basis. Staff recommends no changes to the existing code.

- Division 2, Base Zoning Districts:
  - Modify alternative design to specify standards instead of a blanket catch all statement.
  - Revise current language to read as the following, *“The Zoning Administrator may evaluate, and possibly accept or recommend to the decision-making body, alternative design requirements to meet the intent and the spirit of the code and other policy documents of the City of Maricopa.”*
  - **Staff’s Recommendation:** Staff agrees with either option.
  
- Section 18.165.020 Waivers:
  - To further support additional opportunities for flexibility in the code, staff recommends increasing the waiver section for setbacks and other dimensional standards from 10% to 20%.
  - **Staff’s Recommendation:** Staff agrees with either option.
  
- Section 18.140.050 Neighborhood meetings and notifications:
  - P&Z Commission raised the question on any impact to staff/resources with the proposed revision to the mailing notification range from 300 feet to 600 feet radius.
  - **Staff’s Recommendation:** There is no impact on staff time or resources with either option. Ultimately this is a Council policy decision.

## **GENERAL PLAN CONFORMANCE**

---

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.

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

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

## **PUBLIC OUTREACH**

---

As required per the City’s Zoning Code Sec. 18.140.060, notification via a public hearing process is required. However, additional outreach methods were conducted to solicit input and acceptance of the proposed amendments. Staff contacted over fifty stakeholders (developers, architects, engineers, interested citizens, etc.), one 30 day public review period of the draft text amendments, and legal public notices in the local circulator (Maricopa Monitor and Casa Grande Dispatch). The major milestones of the public outreach events are listed below.

P&Z Commission Initiates	March 9, 2020
Public Review (30 Day)	December 17, 2020
P&Z Commission (Reading)	January 11, 2021
P&Z Commission (Public Hearing and Action)	February 8, 2021

Staff received comments from residents and stakeholders which can be found within Exhibit B, list of comments received.

### **P&Z COMMISSION 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.

### **STAFF RECOMMENDATION**

---

On February 8, 2021 the Planning and Zoning Commission unanimously recommended approval of **Text Amendment case # 20-04** Minor Zoning Code Update with the following condition.

1. The public comments received shall be shared with the Mayor and City Council for their consideration (refer to staff analysis section, p. 1-3 and Exhibit B).

Exhibit A – Proposed Amendments

Exhibit B – Public Comments Received

-- End of staff report --