



City of Maricopa

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Meeting Minutes - Final Planning & Zoning Commission

Commissioner Chair William Robertson
Commissioner Vice-Chair James Singleton
Commissioner Robert Brems
Commissioner Jim Hughes
Commissioner James Irving
Commissioner Alfonso Juarez III
Commissioner Ted Yocum

Monday, April 22, 2024

6:00 PM

Council Chambers

1. **Call To Order**

6:00 pm Call to order, invocation and Pledge of Allegiance led by Chair Robertson.

2. **Roll Call**

Present 7 - Chair William Robertson , Vice Chair James Singleton, Commissioner Jim Hughes, Commissioner Robert Brems, Commissioner James Irving, Commissioner Alfonso Juarez III, and Commissioner Ted Yocum

3. **Call to the Public**

4. **Minutes**

- 4.1 [MIN 24-24](#) Approval of Minutes from the March 11, 2024 Planning and Zoning Commission meeting.
- A motion was made by Commissioner Irving, seconded by Commissioner Yocum, that the Minutes be Approved. The motion carried by a unanimous vote.**

5. **Regular Agenda**

- 5.1 [CUP24-02](#) PUBLIC HEARING: The Planning and Zoning Commission shall discuss and take action on a request for a Conditional Use Permit renewal application for an existing 59-foot tall stealth wireless facility. The subject property is located at 44705 W. Garden Ln., adjacent to the Cobblestone Farms subdivision. DISCUSSION AND ACTION.

Alex Bosworth, Planner, presented the details of item 5.1.

Commissioner Juarez asked if the applicant was going to continue to maintain the cell tower equipment, are there any modifications needing to be made, and have inspections been made by the City of Maricopa or Fire department regarding the road that it is on? Any impact on air quality to residents?

Alex Bosworth, Planner, stated that the tower has been there for 10-12 years with no complaints from residents up until recently. Alex stated that the tower users access the tower once every 3 months. Agricultural users use the dirt road and that could be

the reason for complaint. There is no need for inspections currently.

Chair Robertson asked if road was owned by cell tower company or if they just have access to it? They would not be held responsible for dust control? Are there other potential users for the towers?

Alex stated that they just access the road, they do not own it. They would not be responsible for dust control. Yes there is potential for other users and they would need to go through an approval process as well.

One speaker card was submitted for this item. Dennis Markovich, a resident that owns a home that backs up to the dirt road. Stated his concern from the dust kicked up when vehicles are driven on the road.

Richard Williams, Planning Manager, stated that farmers are exempt from dust control requirement. He will get with code compliance and see what can be done.

A motion was made by Commissioner Yocum, seconded by Commissioner Brems, that this Conditional Use Permit be Approved. The motion carried by a unanimous vote.

5.2 **[TXT 24-01](#)**

PUBLIC HEARING: TXT24-01 Text Amendment: A request by the City of Maricopa for review and approval of a proposed text amendment to Section 5.15.060, Massage Establishments - Special Requirements, and Section 18.90.030, Landscape-General Requirements, of the Maricopa City Code, as contained in Exhibit B and Exhibit D; DISCUSSION AND ACTION.

Richard Williams, Planning Manager, presented the details of 5.2.

Commissioner Hughes asked if a Chiropractic home based business that provided massages to their patients would be affected by this amendment.

Richard Williams, Planning Manager, stated that it would not, but they would still need to meet all the requirements for the home occupation business.

Commissioner Juarez asked who monitors and enforces the landscape requirements. Commissioner Juarez concerned with not enforcing this amendment.

Richard Williams, Planning Manager, stated that the Code Compliance Department does. HOA is also responsible for landscaping issues. This amendment would make the landscaping issues clearer as to who's responsible to maintain the standard.

Commissioner Irving asked about the massage businesses in homes and identifying businesses in neighborhoods without signage. Irving stated that there needs to be a monitoring system with the HOA to help enforce the landscaping ordinance.

Richard Williams, Planning Manager, stated that the massage businesses have requirements that they have to comply with. Williams stated that the requirements are now set in place for future communities.

Vice Chair Singleton asked about the older neighborhoods verses new neighborhoods and having the landscaping monitored.

Richard Williams, Planning Manager, stated that it is a code compliance issue and he could have code officers reach out to them or conduct a study to discuss code compliance issues at a different time.

Commissioner Brems asked what are the penalties for not complying with the landscaping issues.

Richard Williams, Planning Manager, stated that residents are given warnings to comply with landscaping issues.

Commissioner Juarez asked if landscaping issues apply to the City of Maricopa, HOA's and Residents.

Richard Williams, Planning Manager, stated that this applies to HOA's and Residential home owners.

A motion was made by Commissioner Juarez III, seconded by Vice Chair Singleton, that this Text Amendment be Approved. The motion carried by a unanimous vote.

6. Reports from Commission and/or Staff

Richard Williams, Planning and Zoning Manager, gave a report from staff. Williams stated that the next planning meeting will be May 13th, 2024 and then June 3rd.

7. Executive Session

No executive session was conducted.

8. Adjournment

A motion was made by Chair William Robertson, seconded by Vice Chair James Singleton, to Adjourn at 6:44 p.m. The motion carried unanimously.