

ORDINANCE NUMBER 19-05

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF MARICOPA, ARIZONA, AMENDING SECTION 501.06, SECTION 501.07, TABLE 501.11, TABLE 502.06 AND SECTION 504.08 OF THE MARICOPA CITY ZONING CODE REGARDING THE REQUIREMENT FOR A HEARING OFFICER FOR SPECIFIC APPLICATION TYPES AND PROVIDING FOR SEVERABILITY AND THE EFFECTIVE DATE THEREOF.

WHEREAS, on November 4, 2014, the City of Maricopa adopted a revised version of the Maricopa Zoning Code; and

WHEREAS, the City's Planning and Zoning Commission held a public hearing on March 11, 2019, in zoning case #TXT 18-06, in the manner prescribed by law for the purpose of amending provisions of the City Zone Code regarding the requirement for a Hearing Officer for specific application types; and

WHEREAS, the Mayor and City Council of the City of Maricopa believe, after consultation with its staff, that amending Section 501.06, Section 501.07, Table 501.11, Table 502.06 and Section 504.08 of the Maricopa City Code to eliminate the requirement for a Hearing Officer for specific application types would be in the best interest of the City of Maricopa.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Maricopa, Arizona as follows:

SECTION 1. That Section 501.06 of the Maricopa Zoning Code be deleted in its entirety.

SECTION 2. That Section 501.07 (B)(1), Duties and Powers be amended to read as follows:

1. The Zoning Administrator shall have the duty to carry out the provisions and intent of the General Plan and this Code. The Zoning Administrator shall have the power to hold a public hearing to review and approve, continue, deny, or approve with conditions, the following:
 - a. Zoning Permits;
 - b. Minor Development Review Permits;
 - c. Temporary Use Permits;
 - d. Waivers;
 - e. Minor modifications to Waivers and Temporary Use Permits;
 - f. Administrative Use Permits; and
 - g. Modification to Zoning Permits, Administrative Use Permits, Temporary Use Permits, and Minor Development Review Permits.

SECTION 3. All references to a Hearing Officer in Table 501.11, Table 502.06, and Section 504.08 shall be revised to Zoning Administrator.

SECTION 4. Section 504.08(D), Public Notification, shall be amended to read as follows:

Public Notification. Notice of the proposed Temporary Use Permit shall be posted on the subject property for a period of 15 days. Notice shall also be mailed to property owners within 300 feet of the property boundaries proposed for the Temporary Use, in accordance with 505.05(F)(1)(3). Additional notification may be required at the Zoning Administrator's discretion.

SECTION 5. To the extent of any conflict between other City Ordinances and this Ordinance, this Ordinance shall be deemed to be controlling; provided, however, that this Ordinance is not intended to amend or repeal any existing City Ordinance, Resolution or regulation except as expressly set forth herein.

SECTION 6. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 7. This Ordinance shall become effective thirty (30) days from the date of adoption by the City Council for the City of Maricopa.

PASSED AND ADOPTED by the Mayor and Council of the City of Maricopa, Arizona, this 2nd day of April, 2019.

APPROVED:

Christian Price
Mayor

ATTEST:

Vanessa Bueras, CMC
City Clerk

APPROVED AS TO FORM:

Denis Fitzgibbons
City Attorney