



# City of Maricopa

## Legislation Text

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**File #:** MISC 22-39, **Version:** 1

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The Mayor and City Council shall discuss and take action on initiating Board & Commission Role Revisions, including the preparation of any necessary code revisions for formal adoption by City Council at a later date, as set forth in the staff report and discussed at the December 5, 2022 work session of City Council. Discussion and Action.

The City Council held "Futures Planning" in January 2022 initiated early conversation regarding potential changes to the selection process for appointees to boards and commissions. Discussion also centered on revisions to the Planning Commission, Board of Adjustment, and Transportation Advisory Committee. These early discussions were followed up by a discussion held in E-session where in City Council provided direction to move forward with the following revisions.

### Board/Commission Appointment Process:

- Individual members of the City Council will nominate an appointment to perspective Boards/Commissions, which shall be vetted and approved by the full City Council.
- Citizens Academy Training. Each individual member of the City Council will self determine if this training is a prerequisite for appointment to any board/commission.

### Board/Commission Training/Reporting:

- Staff and Legal will provide training to board/commission appointees 2x per year
- Boards/Commissions will report out annually to the City Council on a schedule to be determined

### Organizational Changes:

- Chair and Vice Chair shall be elected by the body of the board/commission annually (January)
- Chair and Vice Chair shall not serve more than two consecutive years
- Consider a youth member (High School Junior/Senior) as a non-voting member of each board/commission
- Strengthen In-person attendance requirement

### Planning Commission:

- Planning Commissioners are policy advisors, City Council are policy makers, and City staff are policy administrators and enforcers of the City Code and/or adopted Development Guidelines
- The Planning Commission is the first and primary body responsible for soliciting, hearing and weighing public input on land use and re-zone matter
- The Planning Commission is to be a deliberative body, not simply a straw poll among predetermined, inflexible opinions
- The Planning Commission will measure an application against the code and not personal preference
- Neither the Planning Commission or staff have the authority to invoke provisions or requirements outside of code and/or adopted guideline provisions
- There is broad discretion granted to the Planning Commission regarding land use or re-zone applications that may be denied based on appropriate findings

### Planning Commission Role Revisions:

- Minor General Plan amendments may be approved administratively by staff
- Planned Area Developments, Preliminary Plats and Development Review Permits may be approved administratively by staff provided they meet code and/or adopted design guideline provisions

- Any exceptions, only those exceptions, will come before the Planning Commission for review
- Any code and/or adopted Design Guideline amendments will be vetted by the public via the Planning Commission who will then forward a recommendation to the City Council
- The Planning Commission may recommend staff and/or the City Council consider revisions to any code and/or adopted design guidelines
- The Planning Commission will serve as the "Transportation Advisory Committee", as need to meet Federal Transit Grant guideline.

**Transportation Advisory Committee:**

- The TAC is called upon once per year to hear public comment in fulfillment of our Federal Transit Grant requirements.
- Per our Futures Planning discussion in January 2022 and subsequent e-session, recommendation was to transfer these duties to the Planning Commission
- With the elimination of the current TAC, current appointees will be notified and thanked for their service

**Board of Adjustment:**

- Per A.R.S. 9-462.06 (A), The legislative body, by ordinance, shall establish a board of adjustment... appointed by the legislative body in accordance with provision of the ordinance, except that the ordinance may establish the legislative body as the BOA. The legislative body may, by ordinance, delegate to a hearing officer the authority to hear and decide on matters within the jurisdiction of the BOA... except that the right of appeal from the decision of the hearing officer to the BOA shall be reserved.
- Install a Hearing Officer (third party) when needed
- City Council to become the BOA to receive any appeals
- With the change the current BOA will be notified and thanked for their service
- It should be noted that this board has not been called into service in over four years

**Motion:**

- Direct appropriate staff to initiate these revisions and to prepare any code revisions for formal adoption by the City Council