

RESOLUTION NO. 04-23

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF MARICOPA, ARIZONA, ADOPTING AND DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK AND ENTITLED "MARICOPA ZONING CODE AMENDMENT 04-01A", RELATING TO THE PROCEDURE FOR AND ESTABLISHMENT OF SITE PLAN REVIEW REQUIREMENTS.

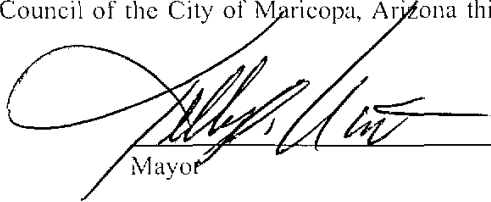
WHEREAS, the Maricopa Zoning Code has previously been adopted as Chapter 16 of the Maricopa City Code; and

WHEREAS, the City Council believes, after public hearing and upon recommendation of staff, that amending the Zoning Code to include Site Plan Review procedures will be beneficial to the City by promoting the safe, functional and aesthetic development of property by ensuring that new structures, utilities, streets, parking, circulation systems, lighting, signage, yards, open space, and landscaping are developed in conformance with the standards of the Maricopa Zoning Code and consistent with any adopted specific plans;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Maricopa, Arizona as follows:

That certain document entitled "MARICOPA ZONING CODE AMENDMENT 04-01A", a copy of which is attached as Exhibit A hereto, is hereby adopted and declared to be a public record, and three (3) copies shall remain on file in the office of the City Clerk of the City of Maricopa for examination by the public.

PASSED AND ADOPTED by the City Council of the City of Maricopa, Arizona this 17th day of August, 2004.



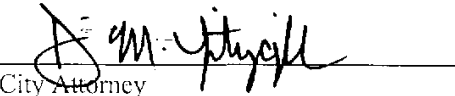
Mayor

ATTEST:



City Clerk

APPROVED AS TO FORM:



City Attorney

EXHIBIT "A"

MARICOPA ZONING CODE AMENDMENT 04-01A

The Maricopa Zoning Code, as codified in Chapter 16 of the Maricopa City Code, is hereby amended as follows:

1. Insert New Section 1210 to read:

Sec. 1210 Review Process:

- a. All multiple residential development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

2. Insert New Section 1310 to read:

Sec 1310 Review Process:

- a. All multiple residential development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

3. Insert New Section 1411 to read:

Sec 1411 Review Process:

- a. All multiple residential and commercial development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

4. Insert New Section 1511 to read:

Sec 1511 Review Process:

- a. All development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

5. Insert New Section 1611 to read:

Sec. 1611 Review Process:

- a. All development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site

Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

6. *Insert New Section 1661 to read:*

Sec 1661 Review Process:

- a. All development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

7. *Insert New Section 1711 to read:*

Sec 1711 Review Process:

- a. All development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

8. *Insert New Section 1811 to read:*

Sec 1811 Review Process:

- a. All development and construction shall require Site Plan Review prior to the applicant's submittal for building or grading permits. All applications for Site Plan Review shall comply with the submittal requirements outlined in Article 35 of the Maricopa Zoning Code. The required fee shall accompany all applications.

9. *Insert New Article 35 to read:*

ARTICLE 35

SITE PLAN REVIEW:

Sec 3501 Purpose. The purpose of the site plan review provisions and regulations is to promote the safe, functional and aesthetic development of property by ensuring that new structures, utilities, streets, parking, circulation systems, lighting, signage, yards, open space, and landscaping are developed in conformance with the standards of the Maricopa Zoning Code, the General Plan, and consistent with any adopted specific plans. The site plan review shall consider the location and physicality of structures and related improvements to promote harmonious relationships with adjacent developments and the community.

Sec 3502 Application.

1. Site Plan Review shall be required for all development and construction within the following Zoning Districts within the City of Maricopa (except for interior tenant improvements):

“CR-4” Multiple Residence Zone
“CR-5” Multiple Residence Zone
“TR” Transitional Zone
“CB-1” Local Business Zone
“CB-2” General Business Zone
“CI-B” Industrial Buffer Zone
“CI-1” Light Industry and Warehouse Zone
“CI-2” Industrial Zone

2. Site Plan Review shall also be required for any public or quasi-public facility, community facility, or places of public assembly regardless of the zoning district in which they are proposed to be located.
3. If the proposed development requires a zoning change (rezoning), the site plan shall be submitted with the rezoning application and considered concurrently. For proposed developments which do not require rezoning, the site plan must be approved prior to submittal for a building or grading permit.
4. Before the City accepts any applications; the applicant shall schedule and attend a pre-application meeting. The purpose of the pre-application meeting is to discuss, in general, the procedures and requirements for the site plan review pursuant to these regulations. All applications shall be filed on a form provided by the Development Services Department and shall be accompanied by the required fee and all required materials as outlined in this Ordinance and/or on the application. Depending upon the specific circumstances of the development, additional materials may be required by the City in order to adequately review the application and the applicant shall promptly supply any such materials as may be reasonably requested by the City.

Sec 3503

Submittal Requirements. All site plan review applications shall comply with the submittal requirements outlined herein and those on the application.

1. A vicinity map showing the particular property or properties for which the rezoning or site plan review application is being requested.
2. A legal description of the property, along with an accompanying map of the property that includes: (a) the total area of the property, (b) the name and route numbers of boundary streets and the width of existing rights-of-way; and (c) all adjacent properties, buildings, structures and land uses within a radius of three hundred (300) feet of the exterior boundaries thereof.
3. A detailed land use plan at a scale of one inch equals one hundred feet (1"=100 ft.) which, at a minimum, shall include the following:
 - a. The location and arrangement of all proposed uses.
 - b. The location, arrangement and dimensions of all lots.
 - c. Topography showing existing and proposed grades and drainage systems, and natural and manmade features with indication as to which are being retained and which are to be altered or removed.

- d. All buildings and structures; both existing and proposed.
 - c. Proposed block layout, street system, street dedications, improvements and utility plans.
 - f. The traffic and pedestrian circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, walkways and bicycle paths.
 - g. The amount of open space provided and the location and type of open space.
 - h. Off-street parking facilities, including number of spaces and dimensions of parking area, loading bays and service access drives and landscaping for parking areas.
 - i. Architectural features of typical proposed structures, including all elevations, lighting fixtures, signs, mechanical equipment and outdoor storage and activities.
 - j. Proposed landscaping; size, type and location.
 - k. The location, size and type of all of walls and fences.
 - l. The location, size and scale of all outdoor lighting and signs.
4. The City reserves the right to require additional information and materials, and to require the submission of additional studies as may be necessary in order to adequately review the request.

Sec 3504

Procedures.

- 1. The applicant shall schedule and attend a pre-application conference with the Planning Director to discuss the proposal.
- 2. The applicant shall make a formal submittal including a completed application, all required fees, notification material if required, and all materials and studies related to the development plan.
- 3. All applications for rezoning shall be accompanied by an application for site plan review and both applications may be processed and reviewed concurrently.
- 4. Once the Planning Director has determined that the application package is complete and all necessary information has been submitted, the application will be scheduled for the Planning and Zoning Commission meeting.
- 5. When the application involves rezoning, the Planning Director shall require, as a prerequisite to the Commission hearing for any rezoning, a neighborhood meeting, which shall be conducted by the applicant no less than 30 days prior to the scheduled Commission meeting. The purpose of the meeting is to provide

information to the adjacent property owners and residents and to allow the neighbors and residents to express any issues or concerns that they may have with the proposed rezoning before the public hearing is conducted. The applicant will be required to notify (a) all landowners within 300 feet of the boundaries of the proposed development, (b) the City of Maricopa, and (c) any Neighborhood Associations or other parties on record with the City as requesting notice, by first class mail of the scheduled neighborhood meeting. The applicant shall submit documentation of the attendees, minutes of the meeting, and all concerns and issues identified by those attendees to the Planning Director for inclusion in the staff report. All meeting(s) shall be held within the City of Maricopa corporate limits.

6. If the site plan review is in conjunction with an application for rezoning, the notification of the public hearing shall be provided as set forth in A.R.S. §9-462.04; the Commission then shall, in accordance with A.R.S. §9-462.04, conduct a public hearing.
7. If rezoning is not required, notification of the site plan review shall be by first class mail to all property owners within three hundred (300) feet of the subject property. Additionally, the property shall be posted no later than ten (10) days prior to the Commission meeting and the Commission meeting agenda shall be posted at least twenty-four (24) hours in advance of such meeting.
8. The Commission shall render a decision in the form of a written recommendation for: 1) approval, 2) approval with conditions, or 3) denial of the application. The recommendation shall then be forwarded to the Mayor and Council, unless first withdrawn by the applicant.
9. The City Council shall: 1) approve, 2) approve with conditions, or 3) deny the application.

Sec 3505

Scope of Action.

1. Site plan review approval shall become effective immediately. If the site plan review is in conjunction with a request for rezoning, the approval of the petition to rezone the land may not be enacted as an emergency measure and the rezoning along with the site plan shall not become effective for at least 30 days after City Council approval.
2. Except as set forth in any conditions to a specific site plan approval, a site plan approval pursuant to these provisions shall run with the land and shall continue to be valid upon a change of ownership of the site or structure that was the subject of the application.
3. Amendments to an approved site plan shall be processed in the same manner as the original application, except that minor amendments may be authorized and approved by the Planning Director without further hearing.
4. A "Certificate of Occupancy" shall not be issued if development activities do not conform to the approved site plan.