

DRAFT

**REGULAR MEETING OF THE PLANNING & ZONING
COMMISSION OF THE CITY OF EL MIRAGE
EL MIRAGE POLICE DEPARTMENT BLUE HONOR ROOM
12401 W. CINNABAR AVENUE
6:00 PM - TUESDAY, OCTOBER 8, 2024**

Minutes

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

2. **ROLL CALL**

Present: Phil Bueno, Chairperson; Lupe Amarillas, Vice-Chairperson; Brian Campbell-Sanderfield, Commissioner; William Mejia, Commissioner; Cornelia Nelson, Commissioner; Thomas Gouer, Alternate Commissioner; Janie Garcia, Alternate Commissioner

3. **ACTION ITEMS - Zoning items requiring review and Commission action**

1. A discussion to approve the minutes of the Planning and Zoning Commission meeting held on September 10, 2024.

Vice-Chairperson Amarillas moved to approve the minutes of the Planning and Zoning Commission meeting from September 10, 2024; seconded by Commissioner Campbell-Sanderfield.

Vote: 5 - 0 Passed - Unanimously

2. A public hearing, closure of public hearing, followed by a discussion and recommendation to the City Council on proposed text amendments to the City of El Mirage, Arizona Code of Ordinance Volume 1, Chapter 91.05 Restriction on Keeping of Animals, placing a limit on the number of fowl kept in a single-family detached residence that is a one-half acre or less in size

Chairperson Bueno opened the Public Hearing.

Senior Planner Jose Macias detailed the proposed text amendments. Vice-Chairperson Amarillas asked if the City was aware of the number of households that currently have fowl and Mr. Macias answered no. Commissioner Campbell-Sanderfield asked how this change would be enforceable and Mr. Macias stated someone would need to be reported in order for the code to be enforced. Mr. Macias stated most residents comply with Code Enforcement after being notified of a violation. Commissioner Mejia asked if, normally, a red-line version would be provided for Commissioner's review and Mr. Macias answered yes. Chairperson Bueno asked how often residents are reported and what are the steps involved in enforcement. Mr. Macias stated he did not have the statistics available at the meeting but could provide them at a later date. City Engineer Gastelum stated once a complaint is filed, a Code Enforcement Officer will work with the residents to remedy the complaint. Mr. Macias then detailed the enforcement process.

Resident Ryan Eldridge stated he is concerned about how the residents will be educated about the proposed text amendments. He also stated inspection of property is a violation of the 4th

Amendment. Mr. Eldridge said the term fowl does not just apply to chickens, and he asked how the proposed changes would affect Home Owner's Associations in the City. Mr. Macias stated the Code Enforcement Officers are aware of 4th Amendment rights and the City is planning to use social media to educate the residents about the proposed text amendments.

Hearing no further comments, Chairperson Bueno closed the Public Hearing.

Commissioner Nelson thanked those who made comments regarding this item.

Vice-Chairperson Amarillas moved to recommend to City Council the approval of proposed text amendments to the City of El Mirage, Arizona Code of Ordinance Volume 1, Chapter 91.05; seconded by Commissioner Campbell-Sanderfield.

Vote: 5 - 0 Passed - Unanimously

3. A public hearing, closure of public hearing, followed by a discussion and recommendation to the City Council on proposed zoning text amendments to the City of El Mirage, Arizona Zoning Code; Land Usage Volume 2, Chapter 154.151: Application Submittals (Administrative Completeness Review).

Chairperson Bueno opened the Public Hearing.

Senior Planner Jose Macias provided background information on the proposed zoning text amendments. Commissioner Nelson asked if this item would need to be approved by the Council and Mr. Macias answered yes. Commissioner Mejia commended the staff for streamlining the process for applicants.

Hearing no further comments, Chairperson Bueno closed the Public Hearing.

Vice-Chairperson Amarillas moved to recommend to Council proposed zoning text amendments to the City of El Mirage, Arizona Zoning Code; Land Usage Volume 2, Chapter 154.151: Application Submittals; seconded by Commissioner Campbell-Sanderfield.

Vote: 5 - 0 Passed - Unanimously

4. **STAFF REPORT** - The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action.

Economic Development Manager Tom Doyle stated there would be a small business training session on November 13, 2024, at the El Mirage Public Library from 8:30 am until 11:00 am. Mr. Macias stated there are four items for the November Planning and Zoning meeting. Mr. Macias then informed the commission that Wendy Henson would no longer be with El Mirage and this would be her last Planning and Zoning Commission meeting.

5. **COMMISSIONER COMMENTS** - The Commission may not discuss or act upon any matter unless the matter is properly noticed for legal action

The commissioners thanked the staff for their efforts on the night's meeting items.

6. **ADJOURNMENT - MEETING ADJOURNED AT 6:28 PM**

Philip Bueno, P&Z Chair

ATTEST:

Wendy Henson, Deputy City Clerk

I hereby certify the aforementioned minutes are a true and accurate record of the Regular P&Z Meeting held on Tuesday, October 8, 2024, and a quorum was present.



Wendy Henson, Deputy City Clerk