

Planning & Zoning Commission
Goodyear City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395



Wednesday, September 11, 2024

6:00 p.m.

Meeting Minutes

CALL TO ORDER

Vice Chair Sambito called the meeting to order at 6 pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Vice Chair Maria Sambito; Commissioner Kent Hegedus; Commissioner Marlon Booth;
Commissioner Jeremiah Smith; Commissioner Ernie Nepomuceno

Absent: Chairman Gregg Clymer; Commissioner Anthony Wang

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Kent Hegedus to
EXCUSE Commissioner Wang and Chairman Clymer from the meeting. The motion carried by the
following vote:

AYE: Vice Chair Maria Sambito, Commissioner Kent Hegedus, Commissioner Marlon Booth,
Commissioner Jeremiah Smith, Commissioner Ernie Nepomuceno

Passed - Unanimously

APPROVE MINUTES

1. Approve the draft minutes of the Planning and Zoning Commission Meeting on August 14, 2024.

MOTION BY Commissioner Kent Hegedus, **SECONDED BY** Commissioner Ernie Nepomuceno to
APPROVE the draft minutes of the Planning and Zoning Commission Meeting on August 14, 2024.
The motion carried by the following vote:

AYE: Vice Chair Maria Sambito, Commissioner Kent Hegedus, Commissioner Marlon Booth,
Commissioner Jeremiah Smith, Commissioner Ernie Nepomuceno

Passed - Unanimously

PUBLIC COMMENTS

Non-Agenda items: This is the time for citizens who would like to address the Planning & Zoning Commission on any non-agenda item within the jurisdiction of the Goodyear Planning & Zoning Commission. Please complete a speaker card and give it to the Secretary. Each speaker is limited to three (3) minutes. Before you begin to speak, identify yourself by clearly stating for the record your name and whether you are a Goodyear resident. The Commission will listen to comments and may take any one of the following actions:

- Respond to criticism
- Request that staff investigate and report on the matter
- Request that the matter be scheduled for on a future agenda.

Agenda items: The Chairman will call for public comments as each agenda item is up for discussion. Please complete a speaker card for the Secretary, listing the agenda item on which you would like to speak. Each speaker is limited to three (3) minutes. Before you begin to speak, identify yourself by clearly stating for the record your name and whether you are a Goodyear resident.

None.

DISCLOSURE OF EX PARTE COMMUNICATIONS

This is an opportunity for Commission members to disclose any ex-parte communications they may have had prior to this meeting on any item scheduled for discussion on this agenda.

Commissioner Nepomuceno stated he had received an email from Chairman Clymer regarding an item at the last meeting but there was no discussion of the item.

PUBLIC HEARINGS

The following actions will take place for each public hearing item:

- A. Open the Public Hearing
- B. Staff Presentation
- C. Applicant Presentation (if applicable)
- D. Receive Public Comment
- E. Close the Public Hearing

2. AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO ANIMAL KEEPING AND FOWL

Vice Chair Sambito opened the public hearing at 6:05 pm.

Planning Manager Christian Williams presented the request to amend Articles 2 and 3 of the Goodyear Zoning Ordinance to bring the city's zoning requirements into conformance with requirements established by recent changes to Arizona Revised Statutes, this amendment allows a resident of a single-family detached residence to keep fowl on the property, subject to regulations. The amendment is intended to bring the city's treatment of the backyard fowl, as established in the Zoning Ordinance, into conformance with those standards established by Arizona State Revised Statute. Currently, the city only conditionally permits chickens, rooster or fowl in AU and AG zoning districts. The proposed amendment allows no more than six (6) fowl, but not male fowl or roosters, on all single-family residential lots that are developed with single-family detached dwelling units and imposing certain standards that would apply for residents to keep fowl on their property. As such, the amendment will provide for conformance with newly approved state law.

Commission asked how challenging this amendment will be to monitor. Mr Williams explained that residents are able to report noise, rodents and other issues through the Code Enforcement division.

Commission asked about restrictions within HOAs and how they would impact this amendment. Mr. Williams explained that the state law addresses cities allowing chickens within the municipality but does not override HOA CC&Rs. Residents should still check with their HOA.

Commission asked for confirmation on the size restrictions. Mr. Williams confirmed that the 20-foot requirement for enclosures from a neighboring property could be challenging for smaller lots to abide by the requirements.

Commission asked why roosters were excluded. Mr Williams stated that roosters were excluded due to noise.

Commission asked for confirmation that there is no restriction within the amendment on the size of the property. Mr. Williams confirmed that there is no minimum lot size to have chickens, but there are enclosure requirements.

Commission asked for more information on HOAs in relation to this amendment. Mr. Williams explained that the state law had no impact on HOAs, just for the city to allow chickens. If an HOA restricts chickens from their community, the CC&Rs may dictate that residents may not have chickens in their yards.

Vice Chair Sambito closed the public hearing at 6:12 pm.

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Jeremiah Smith to RECOMMEND approval for P24-00229 AMENDMENT TO ZONING ORDINANCE REGULATIONS RELATED TO ANIMAL KEEPING AND FOWL. The motion carried by the following vote:

AYE: Vice Chair Maria Sambito, Commissioner Kent Hegedus, Commissioner Marlon Booth, Commissioner Jeremiah Smith, Commissioner Ernie Nepomuceno

Passed - Unanimously

STAFF COMMUNICATIONS

Planning Manager Christian Williams reviewed the items previously seen before the Commission.

Mr. Williams reviewed future items that may be coming before the Commission relating to House Bills in the State Legislature, including an amendment for accessory dwelling units and the design guidelines update.

NEXT MEETING

The next Planning and Zoning Commission Meeting will be held on October 16, 2024 at 6 pm at the Goodyear City Hall Council Chambers.

ADJOURNMENT

There being no further business to discuss, Vice Chair Sambito adjourned the meeting at 7:16 p.m.

Respectfully Submitted by:

Alissa Magley, Commission Secretary

Date: _____

Approved at Planning & Zoning Commission Meeting held on _____, 2024.