

**CITY OF EL MIRAGE  
PLANNING AND ZONING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 12, 2015**

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

Planning and Zoning Commission Chairman Frank Carnal called the meeting to order at 6:00 p.m. & led the Pledge of Allegiance.

**II. ROLL CALL**

Members present were Chairperson Frank Carnal, Vice-Chair Monica Dorcey, Commission Members Martin Crosby, Justin McCarty and Robin Freberg. City staffs present were Jorge Gastelum, Director of Development & Community Services/City Engineer, Jose A. Macias, Development Services Coordinator/GIS and Tom Doyle, Economic Specialist.

**III. APPROVAL OF THE MINUTES OF JULY 14, 2015**

There being no changes; Dorcey made a motion to approve the minutes for the July 14, 2015 Regular Meeting, seconded by Crosby, and the motion passed with a vote of 5 to 0.

**IV. OLD BUSINESS**

None

**V. NEW BUSINESS/PUBLIC HEARING ITEM**

**1. Public hearing, discussion, & action to amend the City's Code Section §154.101 FENCES and WALLS (D) Residential fences and walls, (I)(C) and §154.103 LANDSCAPE REQUIREMENTS (O) Sight visibility triangle,(1).**

Commission Chairperson Carnal opened the public meeting. City of El Mirage Police Lieutenant, Laura Liuzzo, and Macias presented the staff report to the commission members. Carnal asked if there were lots problems in the city with the issue or was it just a one-time incident. Liuzzo stated that she doesn't see a lot of problems with the issues, but it was the citizens who brought up the matter to the department for a matter of public safety. Crosby asked how the new amendment would effect existing landscaping. Liuzzo stated that the existing landscape height would not be affected if plants/trees are not blocking the view at the intersections. Freberg asked if political signs would be affected by the code amendment. Macias stated the political signs were exempt from this code and would not be affected. Dorcey wanted to clarify if the code referenced private residential driveways. Liuzzo and Macias confirmed that the code is meant for corner lots at intersections. Dorcey asked if existing walls would have to be moved. Liuzzo stated that there not a whole lot they can do about the existing walls, but that new developments would have to follow the new code. Crosby asked if future corner lot walls would have to lower. Macias stated that the code would limit the walls/fences to thirty-six (36) inches tall. McCarty started a discussion with staff on how the code is being written and defined, "back of curve" vs. "right-of-way" and the size of the triangle based on the speed limit. The El Mirage Assistant Chief of Police, Terry McDonald, gave a brief background as to why the code needs to be amended and the interpretation of the code. McCarthy asked if the department would go after residences with lots not in compliance with the code.

McDonald stated that the department would have to take a good look at the situation before any action would be taken.

Carnal opened the public hearing to the audience for public comments and questions. El Mirage Mayor, Lana Mook, asked what efforts the Code Enforcement department would do if they find a property in violation of the new code. Liuzzo stated that they would reach out to the property owner and educate them on the matter and find a resolution to come into compliance, before a civil citation would be issued. Worst case scenario would be that the criminal citation would be issued resulting in fines. Mayor Mook asked what is the percentage of cases comply with a violation. Liuzzo deferred the question to Police Sergeant Robert Peoples, who stated that it was a very high percentage of compliance, about ninety (90) percent and very rare that a citation is written.

There being no additional discussion from the public and staff, Carnal closed the public meeting and called for a motion. Dorcey made a motion to recommend approval; McCarty stated that there was still some un-clarity with the language of the code and proposed the language be modified to be clear. Gastelum clarified the verbiage and a new motion was made by Dorcey to approve the code as presented, seconded by Crosby, motion passed with a 5-0 vote.

#### **VI. DISCUSSION ITEM**

None

#### **VII. STAFF REPORT**

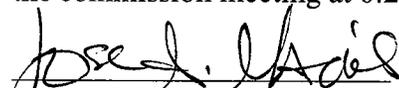
Gastelum reported the following; 1) the Family Dollar Store is near completion and will be open by Labor Day. 2) El Mirage Road Project will start next week between Cinnabar Avenue and Cactus Road; Southwest Gas is doing some improvements on Thunderbird Road between El Mirage Road and El Frio Street.

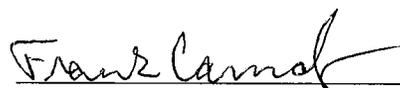
#### **VIII. COMMISSIONER COMMENTS**

Chairperson Carnal thanked staff for their hard work.

#### **IX. ADJOURNMENT**

Planning and Zoning Commission Chairperson, Frank Carnal, adjourned the commission meeting at 6:28 p.m.

  
Jose A. Macias, DSC/GIS

  
Frank Carnal, Chairperson