

**CITY OF EL MIRAGE
PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
AUGUST 9, 2011**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Doug Doede called the meeting to order at 6:00 p.m. and led the Pledge.

II. ROLL CALL

1. Members present were Doug Doede, Frank Carnal, Brandon Forrey, Mary Koestner, and Justin McCarty. Staff members were Senior Planner Mark Smith and Technician James Koller plus Deputy City Manager Bill Pupo.

III. ELECTION OF CHAIR AND VICE CHAIR

Carnal nominated Doede to continue as Chair. This was seconded by Koestner and passed unanimously. Doede then nominated Forrey as Vice Chair. Koestner seconded and the motion passed unanimously.

IV. APPROVAL OF THE MINUTES OF JUNE 14, 2011

Koestner made a motion for approval of the minutes as amended, seconded by Forrey. The motion passed 3 to 0 with 2 abstentions since new members Carnal and McCarty were not members for that meeting.

V. CONTINUANCES [None]

VI. NEW BUSINESS

1. Proposed Code Amendments for a Form-Based Development Code

Smith referred to the packet of proposed ordinance changes to implement the form-based code and a few other cleanups. The first change refers to the relation to the General Plan. Next is the new list of zoning districts. Staff left the Planned Development, Floodway and Floodplain, and Airport overlays. He suggested changing the transect numbers and initials to two-word names to make them easier to relate to. Forrey asked if other cities create their own names. Smith said they often are similar but not all the same. Koestner asked if it would be confusing to eliminate the T designations. Smith said most people would not relate to them. Forrey thought the transects had some merit even if people do not understand it. He was okay either way. Doede said he could go either way also. Smith said the transect itself was not included in the changes. Doede said most people would not understand that and recommended going with names. Forrey suggested that staff bring back names. Smith suggested doing it now. After discussion, the names were NR Natural Resource, RA Rural Area, SR Suburban Residence, MP Mobile Park, Mixed Urban, UC Urban Corridor, TD Transit Development, Commerce Park, EI Employment/

Industrial, PD Planned Development, FW Floodway, FP Floodplain, and then the military overlays from state law.

Staff changed the requirement for Mayor and Council to certify the map. The land use table is inserted and refers to noise zone overlays and requires conditional use permit for wireless communication facilities. The standards table is included and district standards are deleted. Doede asked about lot coverage. Smith said it was buildings, not impervious surface. Staff is recommending striking out the local military overlays and referring to ARS 28-8481. If the state law changes, City code would also. Staff deleted the Artist Live-Work Overlay in favor of Mixed Urban zoning. He noted that noise zone areas would not allow new residences, but they would be allowed closer to Grand Avenue outside the noise overlays.

The section on Pool Barriers refers to state law requiring fencing between the house and pool for households with young children as recommended by the attorney general and sheriff but deletes the older requirements. Staff also changed all references to the Uniform Building Code to the "adopted building code" so that it remains current with present and future changes. Barbed wire has been changed to include all security wire and requires screening. T2 has been changed to Rural Area. The clear sight triangle definitions have been deleted and refers to Engineer's standards. Reference to business and industrial districts was changed to Business and industrial properties. References to district names were changed.

Staff is recommending reducing landscaping to 10% instead of 20%. Staff tried to change this a few years ago when some very lush properties required variances. The reduced setbacks in the new code make this even more necessary. The quality is more important than the quantity. Doede said it fit. Smith said the site plan and design would be more important. The next step would be to adopt design standards for these.

Koestner asked when the City adopted new building codes. Smith said they first went to the 2003 and then 2006 International Building Code. The same company prepared the Uniform codes but changed their name and the name of the code itself. Other cities he had worked with used the Southern Building Code of some other one. The state sometimes mandated certain codes such as the electrical code. Staff wanted to make sure that the future changes would not affect the City Code each time.

Smith referred the Commission to the tables and map. Staff changed the lot width from 100 to 120 feet in the Rural Area to avoid lot splits. Forrey asked about Urban Corridor versus Mixed Urban at Thunderbird and Grand. Smith said they changed the intersection but did not want to run Urban Corridor down Thunderbird or El Mirage until they were widened. Staff will not allow development on any property affected by wideining.

Smith said staff had presented the new code to stakeholders on July 26th. One HOA president was concerned about the entire city being like Europe, but staff assured her that the same code that allowed mixed-use urban development in the downtown also preserved suburban development in the neighborhoods. Concerns were voiced were a supposed relation to United Nations Agenda 21 that recommended 'global adoption of sustainable codes' but did not mention the SmartCode or any other code specifically. One expressed concern that larger lots may be split in his neighborhood. Staff stated that this was not possible within the noise zones. He asked what would happen if the noise zones were no longer in effect. Staff said they would have to evaluate whether the lots should be allowed to be split if they were no longer within noise zones.

The Commission by consensus asked staff to advertise the proposed code revisions for a public hearing of the Commission on September 13th. Staff said they would be taking it to Council work session later in August and for final action after the Commission meeting in September.

2. Commission Code of Conduct

Staff said this was similar to the Code of Conduct for City Council. The Commission agreed and the consensus was to adopt it as presented.

VII. STAFF'S REPORT

Smith noted that the proposed annexation would go to Council with initial zoning similar to County zoning depending on the code in effect then so it would not come back to the P&Z Commission for their recommendation.

VII. COMMISSIONERS' COMMENTS

The Chair welcomed the two new Commission members and the new Vice-Chair and noted that it was not a difficult task to perform for the City.

IX. ADJOURNMENT

The Chair adjourned the meeting at 6:53 p.m.

Mark L. Smith, Senior Planner

Doug Doede, Commission Chair