



Planning Commission
Notice & Agenda
Wednesday, February 19, 2025

CITY COUNCIL CHAMBERS | 11465 WEST CIVIC CENTER DRIVE | AVONDALE, AZ 85323

REGULAR MEETING

6:00 PM

PHYSICAL ACCESS TO THE COUNCIL CHAMBERS WILL BE AVAILABLE 30 MINUTES PRIOR TO THE MEETING.

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

Approval of the October 16, 2024 Planning Commission Meeting Minutes

4. DISCUSSION ITEMS

a. AMENDMENT TO PLANNING COMMISSION BYLAWS

Planning Commission will discuss the proposed bylaws amendments that clarify the role of the alternate member and align language with City Code and City Council rules of procedure. This item is for discussion only.

Staff Contact: Catherine Lorbeer, AICP, Deputy Director - Planning

b. STATUS OF APPROVED PROJECTS

Planning Commission will receive a presentation on the status of recently approved development projects in the City of Avondale. This item is for discussion only.

Staff Contact: Catherine Lorbeer, AICP, Deputy Director - Planning

5. COMMISSION ANNOUNCEMENTS

6. PLANNING DIVISION REPORT

7. CALENDAR

March 19, 2025

8. ADJOURNMENT

Members will attend either in person or by telephone conference call. Los miembros asistirán en persona o vía teleconferencia.

Individuals with special accessibility needs, including sight or hearing impaired, large print, or interpreter, should contact the City Clerk at 623-333-1200 or TDD 623-333-0010 at least two business days prior to the meeting. Personas con necesidades especiales de accesibilidad, incluyendo personas con impedimentos de vista u oído, o con necesidad de impresión grande o intérprete, deben comunicarse con la Secretaria de la Ciudad at 623-333-1200 o TDD 623-333-0010 cuando menos dos días hábiles antes de la junta del Concejo.

Wednesday, October 16, 2024
6:00 pm

A **Regular Meeting** of the Planning Commission of the City of Avondale, Arizona was convened at 11465 West Civic Center Drive in open and public session at 6:00 p.m.

1. WELCOME AND CALL TO ORDER

Chair White called the meeting to order at 6:00 p.m.

2. ROLL CALL

The following members and representatives were present.

COMMISSIONERS PRESENT IN PERSON / PHONE / VIDEO

Chair Larry White
Commissioner Julia Jewell
Commissioner Denise Stanfield
Commissioner Alex McBurney
Alternate Ryan Benson

COMMISSIONERS EXCUSED ABSENT

Commissioner Alan Agundez Castillo
Commissioner Shaun Grimm
Commissioner Linda Warren

CITY STAFF PRESENT

Catherine Lorbeer, Deputy Director of Planning
Arrianna Ramirez, Administrative Assistant
Mary Grace McNear, Attorney II
Christina LaVelle, Senior Planner
Joshua Orton, Lead Senior Planner
Jodie Novak, Development Services Director

3. APPROVAL OF MINUTES

Chair White called for a motion to approve the minutes.

Commissioner McBurney made a motion to approve the Planning Commission Meeting Minutes for September 18, 2024, seconded by Commissioner Stanfield.

Chair Larry White	Aye
Commissioner Julia Jewell	Aye
Commissioner Alan Agundez-Castillo	N/A
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alex McBurney	Aye

Commissioner Shaun Grimm
Alternate Ryan Benson

N/A
N/A

Upon vote, the motion passed 4 to 0

4. PUBLIC HEARING ITEMS

a. ZONING ORDINANCE TEXT AMENDMENTS – CHAPTER 28, ARTICLE 1 (ADMINISTRATION AND PROCEDURES); ARTICLE 2 (RESIDENTIAL DISTRICTS); ARTICLE 7 (SUPPLEMENTARY REGULATIONS); AND ARTICLE 8 (PARKING) - APPLICATION PL-24-0225

Joshua Orton, Lead Senior Planner, provided an overview of application PL-24-0225 being city-initiated text amendments to the Avondale Zoning Ordinance Chapter 28 for Accessory Dwelling Units (ADUs) to comply with state law. The amendment is due to the passing of HB2720 by Arizona Legislature which standardized the regulation on ADUs throughout the state, specifically requiring communities with more than 75,000 residents to allow the construction of ADUs on any lot that permits a single-family home. Specific updates made within Chapter 28 were noted and reviewed, including parking.

For reference an ADU is a self-contained residential living unit that is on the same lot or parcel as a single-family dwelling of greater square footage than the ADU and provides permanent provisions for living, sleeping, eating, cooking, and sanitation including a separate entrance. The number of ADUs allowed per parcel depends on the circumstances but generally one parcel can have an attached and detached ADU. A larger one acre or more lot can have an additional detached ADU, but it is required to be restricted affordable as defined in the zoning ordinance.

Highlighted conditions for ADUs:

- The maximum square footage is 1,000 or 75% of the gross floor area of the main house, whichever is smaller.
- The minimum side and rear setbacks will be five feet
- The front set back will be the same as the main house
- The height will be the same as the main house or what the zoning district allows, generally 30 feet.

All required public notifications were completed including a digital post on Avondale Connect which generated one comment in support of the amendments.

Chair White opened the public hearing, no public asked to speak therefore the public hearing was closed.

Commissioner McBurney made a motion to recommend approval of Application PL-24-0225, a request for text amendments to the Zoning Ordinance for the reason set for the in the staff report, seconded by Commissioner Stanfield.

Chair Larry White	Aye
Commissioner Julia Jewell	Aye
Commissioner Alan Agundez Castillo	N/A
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alex McBurney	Aye

Commissioner Shaun Grimm
Alternate Ryan Benson

N/A
N/A

Upon vote, the motion passed 4 to 0

**b. ZONING ORDINANCE TEXT AMENDMENTS – CHAPTER 28, ARTICLE 1
(ADMINISTRATION AND PROCEDURES) - APPLICATION PL-24-0227**

Christina LaVelle, Senior Planner, provided an overview of Application PL-24-0227 a city-initiated text amendment to the Zoning Code for specified timeframes for the review of new residential rezone requests to comply with state law. The amendment is due to the passing of SB1162 by Arizona Legislature which specifies the timeframes for the city to bring residential rezone requests to the City Council for action. The new requirements must be adopted by January 1, 2025

The text amendment adds a timeframe of 30 days for the city to determine a residential rezone application complete and a 180-day timeframe to bring the application to the City Council for action. State law does provide for some exceptions and for the applicant to seek extensions.

All required public notifications were completed including a digital post on Avondale Connect which generated one comment that asked for future multi-family residential applications to be denied.

Chair White opened the public hearing, no public asked to speak therefore the public hearing was closed.

Commissioner McBurney made a motion to recommend approval of Application PL-24-0227, a request for text amendments to the Zoning Ordinance for the reason set forth in the staff report, seconded by Commissioner Jewell.

Chair Larry White	Aye
Commissioner Julia Jewell	Aye
Commissioner Alan Agundez Castillo	N/A
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alex McBurney	Aye
Commissioner Shaun Grimm	N/A
Alternate Ryan Benson	N/A

Upon vote, the motion passed 4 to 0

5. COMMISSION ANNOUNCEMENTS

Commissioner Standfield announced her Pastoral Installation service is on October 26, 2024 if anyone is available to attend, and flyers are available as well.

6. **PLANNING DIVISION REPORT**

Mrs. Lorbeer noted on October 7, 2024, the City Council proclaimed October as National Community Planning month and we are proud to share that recognition with the residents, Planning Commission, and Planning Staff who work hard to build a great community in Avondale.

7. **CALENDAR**

The next Planning Commission meeting is scheduled for November 20, 2024.

8. **ADJOURNMENT**

There was no further business; Chair White called for a motion to adjourn.

Commissioner McBurney made a motion to adjourn, seconded by Commissioner Stanfield.

Chair Larry White	Aye
Vice-Chair Julia Jewell	Aye
Commissioner Alan Agundez Castillo	N/A
Commissioner Denise Stanfield	Aye
Commissioner Linda Warren	N/A
Commissioner Alex McBurney	Aye
Commissioner Shaun Grimm	N/A
Alternate Ryan Benson	N/A

Upon vote, the motion passed 4 to 0

The meeting adjourned at 6:16 p.m.

Chair, Larry White

Date

ITEM NUMBER: 4.a.

SUBJECT: Amendment to Planning Commission Bylaws**MEETING DATE:** 2/19/2025

TO: Planning Commission**FROM:** Catherine Lorbeer, AICP, Deputy Director - Planning**THROUGH:** Jodie Novak, Director of Development Services**PURPOSE:**

Planning Commission will discuss the proposed bylaws amendments that clarify the role of the alternate member and align language with City Code and City Council rules of procedure. This item is for discussion only.

BACKGROUND:

On July 25, 1950, the Council adopted Ordinance 38 which created a zoning commission and defined its duties and powers. Since then, the name of the zoning commission has changed to the Planning Commission and the bylaws have been amended several times, most recently in 2017.

DISCUSSION:

A quorum is required to transact any business at a Planning Commission meeting and four (4) members constitute a quorum. In 2022, City Code amendments were approved that a) allowed the affirmative vote of the majority of the members present for the passage of any matter before the Commission and b) clarified how a member may abstain from voting.

The proposed amended bylaws reflect these previous code changes and will also allow for an alternate member to fill the seat of an absent member, be counted toward a quorum, and vote. This allowance for alternate member participation will reduce the possibility of tie votes. Exhibit A contains a redlined version of the proposal. On February 24, 2025, the City Council will consider a request to adopt a resolution, amending the bylaws.

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

This item is for discussion only.

BYLAWS
PLANNING ~~AND ZONING~~ COMMISSION
CITY OF AVONDALE, ARIZONA

AMENDED AND RESTATED ~~SEPTEMBER 18, 2017~~ FEBRUARY 24, 2025

I. **ORGANIZATION**

A. **MEMBERSHIP**

- (1) The City Planning Commission shall be composed of a total of seven members and one or more alternate members who shall be selected and serve as set forth in the city council rules of procedure.
- (2) Members shall be residents of Avondale.

B. **POWERS AND DUTIES**

- (1) It shall be the duty of the Avondale Planning Commission:
 - (a) To formulate, create and administer any lawful plan duly adopted by the City Council for the present and future growth of the City, pertaining to the use of land and buildings for any purpose, together with all incidental activities usually associated therewith.
 - (b) To recommend to the City Council revisions in such plans which, in the opinion of the Commission, are for the best interest of the citizens of the City.
 - (c) To advise the Council in all such matters that may pertain to planning and zoning.
- (2) In matters requiring official action by the Mayor and Council, the Commission shall, after giving due public notice thereof, hold at least one public hearing, wherein it shall determine the nature of its recommendations by the affirmative vote of ~~at least four of its members~~ a majority of the members present, enter its action thereon over the signature of the Chairperson, and forward its recommendation to the Mayor and City Council for public hearing and action.

C. **OFFICERS AND STAFF**

- (1) Prior to the first January meeting of the Commission each year, the Mayor and City Council shall select a Chairperson and Vice Chairperson from among the current members of the Commission.
 - (a) The term of Chairperson and Vice Chairperson shall be one year. Any member serving as Chairperson or Vice Chairperson shall be eligible for re-appointment.
 - (b) The Vice-Chairperson shall act as Chairperson in the Chairperson's absence. In the absence of the Chairperson, the senior member, based upon years of membership, shall act as Chairperson.
 - (c) Any vacancy for Chairperson or Vice Chairperson as may occur for any reason shall be filled from the Commission membership by the City Council, for the remainder of the term.

- (2) The Chairperson shall preside at all meetings and hearings of the Commission, decide all points of order and procedure, and perform any duties required by law, ordinance, or these by-laws. The Chairperson shall have the right to vote on all matters before the Commission, and shall also have the right to make or second motions in the absence of a motion, or a second made by a member.
- (3) The City of Avondale Development Services Director, or his/her designated representative, shall serve the Commission as Secretary. The City of Avondale Planning Staff shall furnish professional and technical advice to the Commission.
- (4) The Avondale City Attorney, or his designated representative, shall have the responsibility of furnishing such legal advice on all points of points of order, procedure, or other matters as may be requested by the City Council from time to time.

II. **MEETINGS**

A. **REGULAR MEETINGS**

- (1) The Commission shall hold one regular meeting each month, unless the Development Services Director or his/her authorized designee determines there are no scheduled agenda items. Regular meetings shall be held at the Council Chambers, 11465 West Civic Center Drive, Avondale, Arizona, unless advertised differently.
- (2) Regular meetings of the Commission shall be open to the public and the minutes of its examinations and other official actions, shall be filed in the Development Services Department as a public record. For any matter under consideration, any person may submit written comments and recognized by the Chairperson and stating his or her name and address and the names of any persons on whose behalf he or she is appearing.
- (3) The Commission may, by a single consent motion, approve routine or non-controversial matters before the Commission. Should any members of the Commission or public so request, the Chairperson shall withdraw any item from the consent agenda for the purpose of public discussion and separate action.

B. **WORK SESSIONS**

- (1) The Commission may hold work sessions as necessary.
- (2) Work sessions may be held on the call of the Chairperson, request of two or more members or by Staff request. All work session notices shall be given at least 24 hours before the meeting.
- (3) Work sessions may be held before or after any regular meeting, subject to providing notice as provided herein. When a matter is set for a work session, public testimony may be barred or limited.

C. **EXECUTIVE SESSIONS**

If the City Attorney is present, the Commission may hold an executive session closed to the public during a regular or special meeting to consider matters permissible in executive sessions pursuant to the laws of the State of Arizona.

D. **NOTICE OF MEETINGS AND HEARINGS**

- (1) Written notice of all meeting to Commission members shall be delivered by mail, email or in person, unless a Commission member specifically request notice by mail, email or in person delivery, at least 24 hours before the date of meeting; except that where required by an actual emergency, members may be notified by telephone by the Secretary.
- (2) Notice of time and place of any public hearing to be held by the Commission shall be given as required by State Law and City ordinances.
- (3) Hearings on all matters on which a decision of the Commission is required by law, shall be open to the public. The applicant shall appear in his or her behalf, or may be represented by counsel or agent.

E. **QUORUM**

- (1) ~~Four (4) members~~ ~~A majority of the members~~ of the Commission shall constitute a quorum for transacting business at any meeting. No action shall be taken at any meeting in the absence of a quorum, except to adjourn the meeting to a subsequent date.
- (2) ~~Alternate Member Quorum.~~ At a meeting where a ~~majority of the members are~~ ~~member is~~ not present and the alternate members are present, ~~the an~~ alternate ~~members may member shall fill the seat of an absent member,~~ be counted ~~to constitute toward~~ a quorum, ~~to conduct the meeting.~~ ~~The alternate members and~~ may also vote ~~at the meeting.~~ At a ~~Commission~~ meeting where ~~a majority of the all~~ members are present ~~to constitute a quorum,~~ the alternate members will not ~~be seated, will not be count counted~~ towards ~~the a~~ quorum, and may not vote at the meeting. If more than one alternate is present at the meeting, the chair shall decide which alternate member to seat, giving the member with the longest tenure first preference.

F. **AGENDA**

An agenda shall be prepared by the Secretary for each Regular Meeting, Work Session, and Executive Session of the Commission. The agenda shall include the various matters of business as scheduled for consideration by the Commission.

G. **WITHDRAWAL OF REQUEST**

Any request may be withdrawn upon request to the Secretary, but no request shall be withdrawn after posting of hearing notice or legal ad published for notification prior to the public hearing thereon without formal consent of the Commission.

II. **ORDER OF BUSINESS**

A. **MEETING PROCEDURE**

The Chairperson shall conduct all Meetings pursuant to the City Council Rules of Procedure.

B. **HEARING CONDUCT**

- (1) The Chairperson may exclude irrelevant or redundant testimony and may make such other rulings as may be necessary for the orderly conduct of the proceedings, while ensuring basic fairness and a full airing of the issues involved.

- (2) Any evidence supporting the granting or denial of an application shall be submitted to the Development Services Department prior to the public meeting or to the Commission during the public meeting.
- (3) The Commission may continue the hearing up to 60 days on any application or other matter for which the applicant fails to appear, unless the applicant has requested in writing that the Commission act without him or her being present at the hearing; provided, however, the Commission may hear those persons requesting to speak in response to the notice of hearing.

C. **VOTING**

- (1) After all evidence has been submitted to the Commission, each case shall be heard, considered and acted upon in public meeting.
- (2) In taking action on any application or other matter, the Commission may grant approval, grant approval with conditions, modify the request, or deny the item. In these actions, the Commission shall be guided by the provisions of the City of Avondale General Plan and elements thereof, the Avondale Zoning Ordinance, Subdivision Code, and other development standards, policies, and area plans as adopted by the City Council.
- (3) By majority vote, the Commission may defer action on any matter when it concludes that additional time for further study or input is necessary.
- (4) A majority vote of those Commission members present and voting shall be required to take official action. When a motion in favor of any application or other matter fails to receive an affirmative majority vote, i.e., a tie vote, it shall be entered into the minutes as a vote to deny the application considered. In the event that there is no motion, or the motion dies for a lack of a second, it shall be entered into the minutes as a denial of the application being considered. Nothing herein shall prevent any member from making a subsequent motion on any matter where a prior motion is not approved by a majority vote of all members present.
- (5) A member shall disqualify himself or herself and abstain from voting whenever he or she has, or may have, a conflict of interest in the case under consideration, as described and provided by Arizona Revised Statutes (ARIZ. REV. STAT. § 38-501, *et seq.*) and the Avondale City Code.
- (6) Each member attending shall be entitled to one vote. The minutes of the proceedings shall indicate the vote of each absence or failure to vote. No member shall be excused from voting except on matters involving conflicts of interest.
- (7) A motion to adopt or approve staff recommendations or simply to approve the action under consideration shall, unless otherwise particularly specified, be deemed to include adoption of all proposed findings and execution of all actions recommended in the staff report on file in the matter.

D. **RECOMMENDATION TO CITY COUNCIL**

The Commission shall forward a recommendation to City Council of its findings and/or action (s) in writing respect to the merits of an application within 45 days of the conclusion of the public hearing on the matter.

ITEM NUMBER: 4.b.

SUBJECT: Status of Approved Projects**MEETING DATE:** 2/19/2025

TO: Planning Commission**FROM:** Catherine Lorbeer, AICP, Deputy Director - Planning**THROUGH:** Jodie Novak, Director of Development Services**PURPOSE:**

Planning Commission will receive a presentation on the status of recently approved development projects in the City of Avondale. This item is for discussion only.

BACKGROUND:

The Planning Commission acts as an advisory body to the City Council on existing and potential policies, and other issues related to planning development and regulation of land use. The Planning Commission has decision-making authority for a variety of development proposals.

DISCUSSION:

Over the past two years, several development proposals have come before the Planning Commission for consideration. Staff will present an update on the progress of these developments.

BUDGET IMPACT:

This item has no budget impact.

RECOMMENDATION:

This item is for discussion only.