



Requesting Department

Development Services

TO: Planning and Zoning Commission

THRU: Brett Burningham, Development Services Director

FROM: Erik Swanson, Planning Administrator
Sarah Clark, Senior Planner/Project Manager

RE: **Public Hearing and Possible Action on P22-0032 Minimum Residency Requirement for Planning Commissioners Text Amendment**, a staff initiated request for a Zoning Ordinance and Town Code Text Amendment to enact a minimum 1-year residency requirement for Planning Commissioner appointments.

DATE: April 13, 2022

STAFF RECOMMENDATION

This request is for a staff initiated request for a Zoning Ordinance and Town Code Text Amendment to enact a minimum 1-year residency requirement for Planning Commissioner appointments.

RELEVANT COUNCIL GOAL(S)



Effective Government

PROPOSED MOTION

Move to recommend approval of P22-0032 Minimum Residency Requirement for Planning Commissioners Text Amendment, a request for a Zoning Ordinance and Town Code Text Amendment to enact a minimum 1-year residency requirement for Planning Commissioner appointments.

DISCUSSION:

The Town Code requires Commissioners to be residents of the Town, however, it does not identify a minimum amount of time a person must be a resident of Queen Creek before they can be appointed to the Commission. Staff is proposing an amendment to the Town Code and Zoning Ordinance to require a minimum 1-year residency for Planning Commissioners. This would match the Town Council's minimum 1-year residency requirement per Arizona's Constitution. Additionally, an emergency clause will be provided that if in the event of an immediate vacancy, that a potential candidate may be appointed without the residency timeframe requirement being satisfied if in the best interest of the Commission as determined by the Planning Administrator and approved by the Town Council.

Staff is recommending consideration of the minimum 1-year residency requirement so that individuals appointed to the Commission have an established familiarity with the Town before making Town planning decisions or planning recommendations to the Town Council. If adopted,

in the event a seat on the Commission becomes available, all potential candidates would be required to have lived in Queen Creek for at least one year.

The proposed text amendment language to the Town Code and Zoning Ordinance is attached to this report.

ATTACHMENTS

1. Town Code – Redlines
2. Zoning Ordinance - Redlines

ARTICLE 2-7 PLANNING AND ZONING COMMISSION

2-7-2 Membership

1. The commission shall consist of seven members. The members of the commission shall be residents of the town for a period of one-year preceding appointment. The members shall be appointed by the mayor and council and shall serve at the pleasure of the mayor and council.
2. In the event of an immediate vacancy, a candidate may be appointed to the Planning Commission without satisfying the 1-year residency requirement if in the best interest of the Commission as determined by the Planning Administrator and approved by the Town Council.
3. All appointments or extension of terms shall be for a three year period and all terms shall end on August 31st of the third year after appointment or extension.
4. Commission members shall serve without pay, except that they may be reimbursed for actual expenses incurred in connection with the duties of their office upon authorization or ratification by the council.

Proposed Amendments to the Zoning Ordinance:

2.4.C. Organization, Membership, Terms, Appointment, and Removal. The Commission shall be organized as follows:

1. Composition. The Commission shall be composed of the number of members to be appointed by the Town Council as established by the minimum requirements of A.R.S. §9-461.02. The members of the commission shall be residents of the town for a period of one-year preceding appointment. In the event of an immediate vacancy, a candidate may be appointed without satisfying the 1-year residency requirement if in the best interest of the Commission as determined by the Planning Administrator and approved by the Town Council;