

ORDINANCE NO. 2020-02

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 21 OF THE PEORIA CITY CODE (2017 EDITION), BY AMENDING SECTION 21-505 "LIMITATION ON USES" OF THE PEORIA CITY CODE; PROVIDING FOR SEPARABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Maricopa County, Arizona, held a public hearing on January 16, 2020 to consider proposed amendments to the Peoria City Code, after notice in the manner provided by law; and

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance, and manner provided by law including publication of such in the Peoria Times on December 26, 2019; and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Arizona at its regularly convened meeting of January 16, 2020 voted to recommend to the Mayor and Council of the City of Peoria, Arizona, that amendments be made to the Peoria City Code (2017 edition); and

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, have considered the recommendation of the Planning and Zoning Commission of the City of Peoria, Arizona, and deem it to be in the best interest of the public health, safety and welfare of the residents of the City of Peoria, Arizona to amend Section 21-505 ("Limitations on Uses"), of Chapter 21 of the Peoria City Code (2017 edition):

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. Chapter 21 of the Peoria City Code (2017 edition) shall be amended to read as indicated on Exhibit A.

SECTION 2. Effective Date. This Ordinance shall become effective on the date provided by law.

SECTION 3. SEPARABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria,
Maricopa County, Arizona this 18th day of February, 2020.

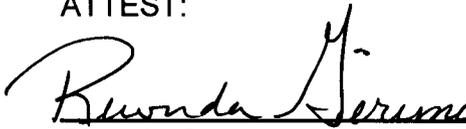


Cathy Caflat, Mayor



Date Signed

ATTEST:



Rhonda Geriminsky, City Clerk



APPROVED AS TO FORM:



Vanessa P. Hickman, City Attorney

Published in: Peoria Times
Publication Date: February 27, 2020
Effective Date: MARCH 25, 2020

Exhibit A

Case TA19-02

21-505 Limitations on Uses

5. Gas Service Stations shall be subject to all of the following additional requirements:

- a. Minimum frontage of one hundred-eighty (180) feet on one arterial street is required.
- b. No part of any canopy, fuel dispenser, or fuel storage tank shall be within 200 feet of any single-family residentially zoned lot, not including common area tracts.
- c. A minimum of 500 feet of separation is required between gas service stations located on the same side of the street. Gas Service Stations separated by arterial streets are not subject to this requirement.
- d. All of the following development standards shall apply:
 - 1) All fuel pump mechanism and any accessory equipment dispensing fuel shall be covered by canopies.
 - 2) Under canopy mounted lights shall be flush with the underside of the canopy.
 - 3) Fuel tanks larger than 1,000 gallons must be located underground. Above ground tanks shall be screened from street view, shall not exceed 6-feet in height, and shall be setback at least 25-feet from any public street.