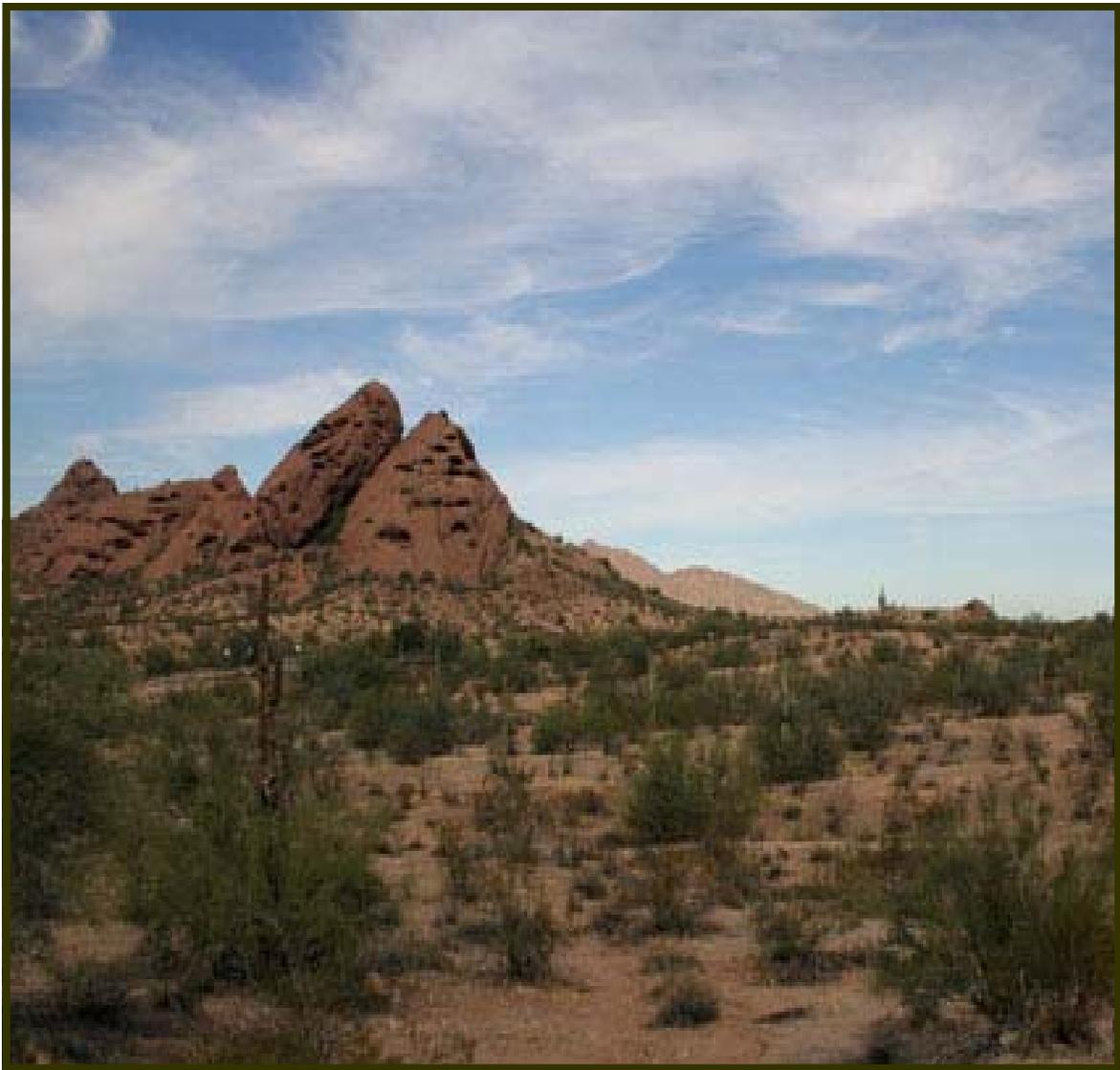


Adopted by City Council  
January 15, 2008



# Pinnacle Peak Character Area Plan





# Table of Contents

	Page Number
I. Purpose & Intent .....	4
II. Background .....	5
III. Land Use .....	6
IV. General Plan .....	7
V. Zoning .....	8
VI. Character Elements .....	9
A. Rural Land Use Character Policy .....	9
B. Home Based Business Policy .....	10
C. Principle and Accessory Building Policy .....	10
D. Fence and Wall Policy .....	11
E. Equestrian, Large Mammal and Poultry Policy .....	12
F. Gateway Policy .....	12
G. Citizen Participation Policy .....	13
VII. City Services .....	13
A. Public Safety Services .....	13
B. Streets and Drainage .....	14
C. Water and Wastewater .....	15
D. Solid Waste Service .....	16
E. Dial A Ride Service.....	16
F Parks and Recreation Services .....	16
VIII. Appendices	
Appendix 1: Pinnacle Peak Road—43 Zoning District	

# I. Purpose & Intent

## Appendix 2: Rural Street Cross-Sections

The Pinnacle Peak Road Character Area Plan is intended to establish policy guidance designed to protect and foster rural lifestyle characteristics which exist within the Pinnacle Peak Road Planning Area. This area plan was initiated by the City of Peoria in 2007 as a result of several well attended focus groups with area residents to determine barriers and opportunities toward annexation of the planning area into the City of Peoria. As a result of these focus groups, it was recommended that an area plan be developed which identifies the community elements present within the area which add richness and value to residents and should be maintained and preserved following annexation into the City. It is also intended that this plan serve as policy guidance to the City concerning this area to ensure that these important characteristics are enhanced, not diminished by future policy decisions. The overarching intent of this plan is to document the City's goal to remain good stewards of this unique and special area of the community.



## II. Background

The Pinnacle Peak Road Planning Area is generally located between 83<sup>rd</sup> Avenue and Lake Pleasant Parkway, from Deer Valley Road north to Via Lindo. This area was developed from the 1970's through the 1990's into rural estate sized lots of generally one acre or more in size. The area is a mix of recorded subdivisions and areas subdivided by informal lot splits.

This area is occupied by residents seeking a more rural lifestyle than the predominant subdivision form taking place in the Phoenix metropolitan area which is characterized by smaller lots in moderately dense subdivisions. The rural estate development pattern offers residents the unique experience of rural life within a metropolitan region and can be characterized by large private estate properties; the ability to have large mammals such as horses and cows and the feeling of openness created by large properties with generous setbacks and beautiful desert vistas.

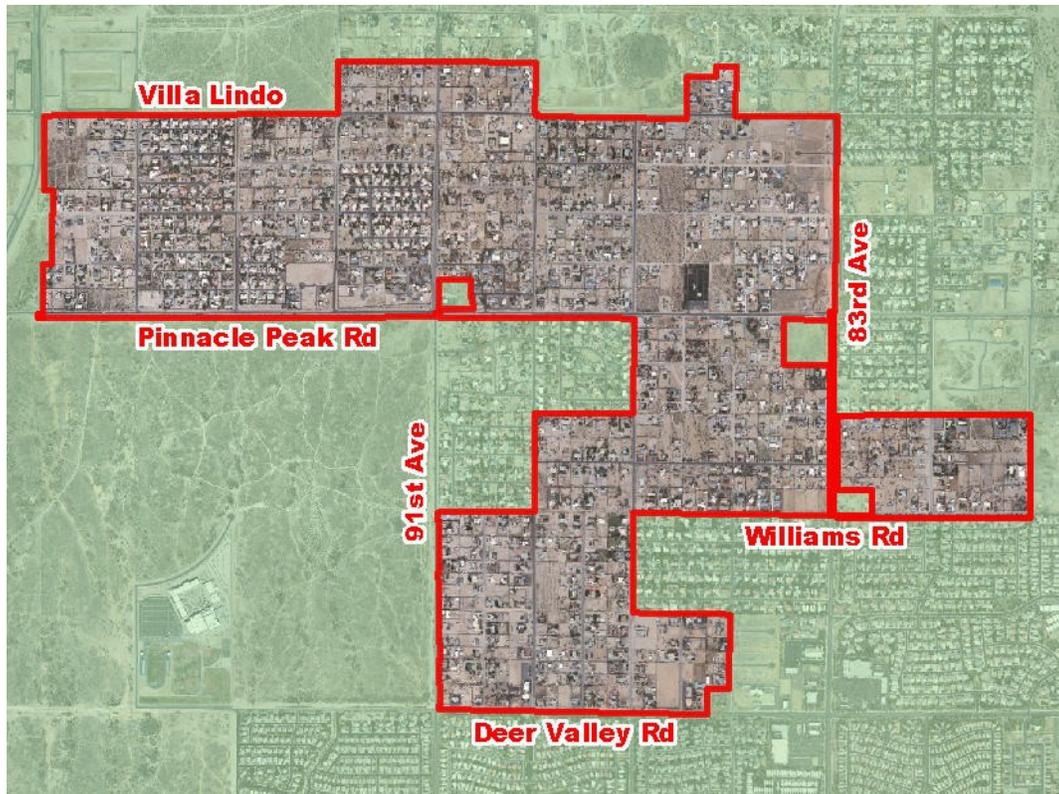
Through a series of annexation in the 1980's, the growing community of Peoria annexed around the planning area, creating a county island area. Several attempts to annex this area in the past have failed to garner community support within the planning area based on concerns regarding the following:

- Diminishment of rural lifestyle
- Local government control
- Increased tax impact
- Urbanization of rural area

In 2006, the City initiated a renewed effort to work with area residents to identify barriers to annexation and then diligently work toward resolution of those barriers. This effort involved an extensive outreach program which culminated in several well attended focus groups. The intent of the focus groups was to provide a forum for the City to listen to area residents and identify issues of concern regarding annexation. Although a number of area residents voiced opposition to annexation, a separate group of residents quietly considered the prospect of annexation and desired further information on which to make an informed choice.

### III. Land Use

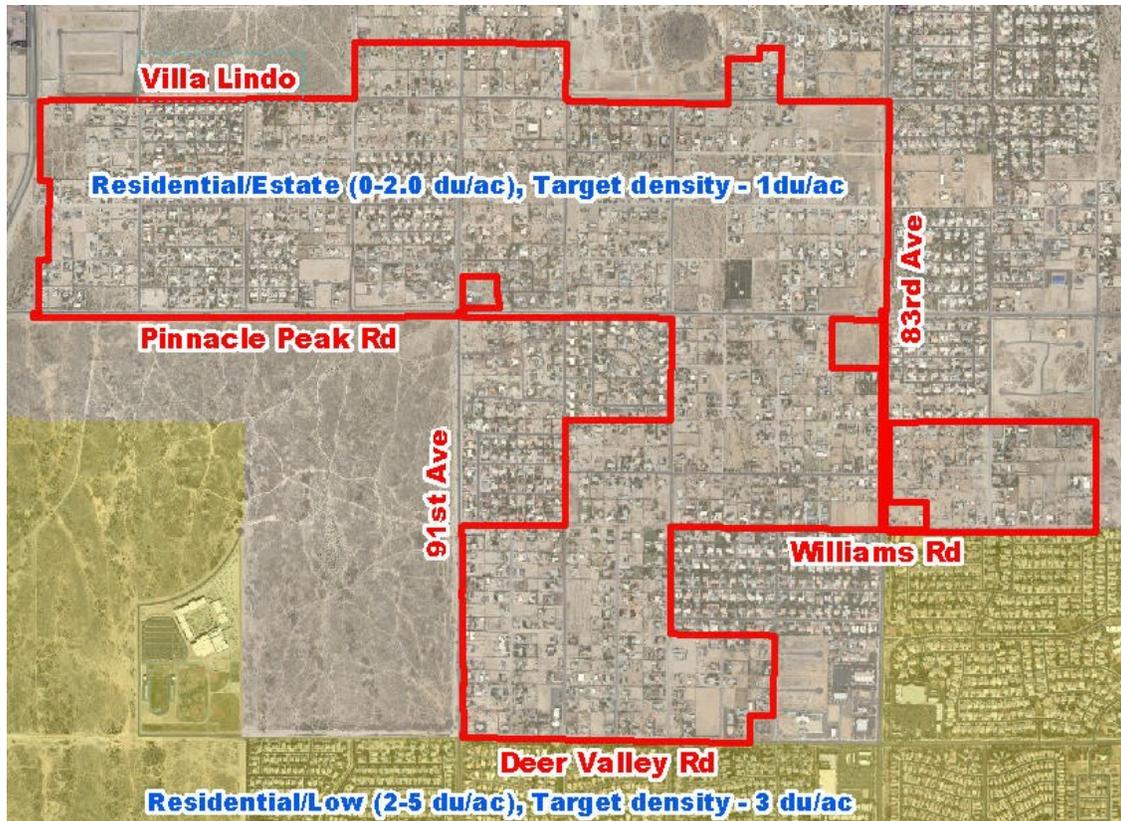
As depicted below, the planning area is characterized by low density, rural residential land uses. There is a neighborhood market and gasoline service station serving the area at the NEC 91<sup>st</sup> and Pinnacle Peak Road.



Adjacent land uses within the City of Peoria include a variety of subdivision ranging in lot sizes from 8,000 sq. ft. to over one acre. Liberty High School at 93<sup>rd</sup> Avenue and Deer Valley and Sunrise Mountain Elementary located south of Deer Valley Road at 87<sup>th</sup> Avenue provide educational facilities to serve this area. Neighborhood and regional commercial services are provided by the four commercial corners at the intersection of Lake Pleasant Parkway and Happy Valley Road.

## IV. General Plan

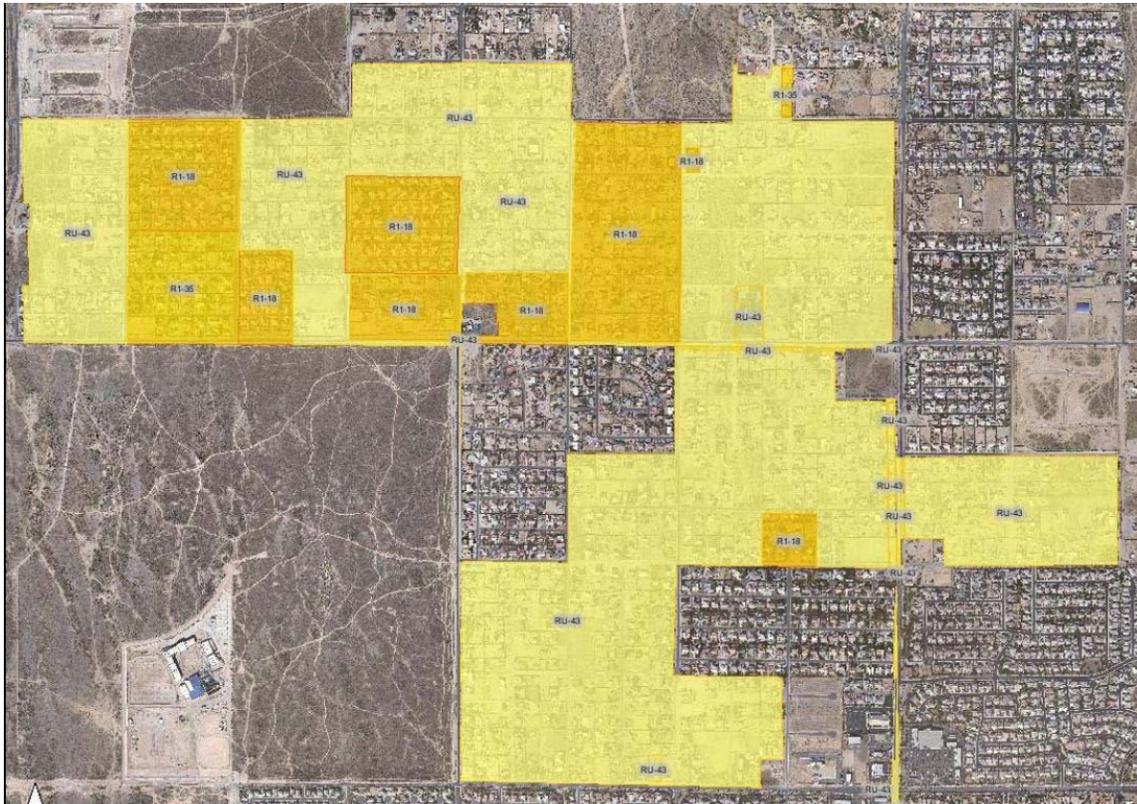
The General Plan designates the entire area plan boundary as Residential Estate (0-2 du/ac Target 1 du/ac). It is intended that this Residential Estate designation will remain as the guiding land use designation for the planning area.



An additional measure of land use protection is afforded by the structure of the City's General Plan which allows for area plans to be adopted by reference. It is intended that the Pinnacle Peak Area Plan will be adopted and incorporated into the General Plan as guiding policy for future land use and development decisions by the City. The provisions of Growing Smarter adopted into Arizona State Law mandate that Cities must act in accordance with their adopted General Plan and this area plan will be implemented in accordance with this new state planning law.

## V. Zoning

The existing Maricopa County zoning designations within the planning area boundary are Rural 43, R1-18 and R1-35. These zoning categories permit rural residential uses on lots ranging from 18,000 sq. ft. to one acre.



To ensure that the Rural 43 County development standards relative to setbacks, building heights, permitted uses and all other zoning standards continue after incorporation into the City, a unique zoning designation has been developed entitled Pinnacle Peak - 43. This new designation has been carefully drafted to mirror the existing Maricopa County Rural 43 and associated ordinances. Within six (6) months following annexation, the City is mandated by State Law to apply our nearest equivalent zoning category to the County zoning in effect upon annexation. It is intended that this new zoning category will be adopted in conjunction with annexation of any land zoned Rural-43 in the area plan boundary. A draft copy of the Pinnacle Peak - 43 zoning district is included as Appendix 1 to this area plan.

Areas within the planning area which are currently zoned R1-18 and R1-35 will receive City R1-18 and R1-35 within six (6) months following annexation into the City. Alternatively, the City may initiate a Planned Area Development (PAD) zoning district to establish comparable development standards to existing County entitlements.

## VI. Character Elements

As previously stated, the overarching intent and purpose of this area plan is to identify and protect those community elements which add to the richness and ambiance of the rural setting as expressed by area residents. These rural community elements which are integral to the vitality of this area are expressed in the following policy statements which ensure maintenance and protection of these important community elements.



### A. Rural Land Use Character Policy

The proceeding sections of this area plan have identified the City's intent relative to the General Plan land Use designation and the zoning classification of this area following annexation. The goal of maintaining the Residential Estate designation and adoption of the Pinnacle Peak - 43 zoning classification is to protect and maintain the rural, open feeling of the neighborhood.

To preserve the rural character of this area, the City shall maintain the Residential Estate (0-2 du/ac. Target 1 du/ac. designation currently identified on the City's General Plan for the area plan boundary. Following annexation into the City, areas currently zoned Maricopa County Rural 43 shall be rezoned to Pinnacle Peak - 43 to reflect the current zoning entitlements in Maricopa County. Any future changes to the Pinnacle Peak - 43 zoning classification shall require

notification by first-class mail to each property owner within the annexed portion of the area plan boundary, prior to consideration by the City Council.

Areas currently zoned Maricopa County R1-18 and R1-35 shall be rezoned to City of Peoria R1-18 and R1-35 following annexation into the City of Peoria. Alternatively, the City may initiate a Planned Area Development (PAD) zoning district to establish comparable development standards to existing County entitlements.

## **B. Home Based Business Policy**

The Pinnacle Peak – 43 zoning classification includes home occupation standards which reflect current Maricopa County standards for home based businesses. This is important as it establishes legal conforming entitlement to existing legal home based businesses rather than designating these uses as non-conforming uses, which would be subject to discontinuation in accordance with non-conforming ordinances. Any existing legal home based businesses will be permitted to continue as a legal conforming use and any new home based businesses may be established in accordance the Pinnacle Peak Drive – 43 zoning classification.

Areas currently zoned R1-18 and R1-35 shall be allowed home occupations in accordance with the Home Occupation standards prescribed by the Peoria Zoning Ordinance. Alternatively, the City may initiate a Planned Area Development (PAD) zoning district to establish comparable development standards to existing County entitlements.

## **C. Principal and Accessory Building Policy**

The rural, large lot development pattern necessitates unique development standards for use, height, location and other allowances for principal and accessory uses and buildings. Unique features of this area include the prevalence of buildings and outdoor areas devoted to the keeping of livestock and poultry; large barns; open pastures; and large garages buildings for equipment and vehicular storage. The existing Maricopa County standards for principal and accessory buildings and uses have been



incorporated into the Pinnacle Peak – 43 zoning district to ensure protection and of existing buildings and uses as well as fostering new construction in accordance with these rural development standards.

Given the fact that all residential structures in this area are custom homes with individual and unique design, this area has been exempted from normal design review standards applicable to single-family development. Additionally, accessory buildings have been exempted from the City's normal material and design compatibility requirements due to the unique character of this area.

Areas currently zoned Maricopa County R1-18 and R1-35 shall follow the City of Peoria R1-18 and R1-35 zoning district and design review standards for principal and accessory buildings. Alternatively, the City may initiate a Planned Area Development (PAD) zoning district to establish comparable development standards to existing County entitlements.

## **D. Fence and Wall Policy**

The open character of the area is influenced by the use of open rail, chain link and picket fencing which is prevalent in this area. Fenced pasture areas and the use of open rail fencing require a different standard from normal residential subdivision fencing requirements. To this end, the Pinnacle Peak – 43 zoning standards include fencing allowances which reinforce the existing use of open fencing and provides greater height allowances to accommodate equestrian, large mammal and poultry uses within the planning area.



Areas currently zoned Maricopa County R1-18 and R1-35 shall follow the City of Peoria R1-18 and R1-35 zoning district and design review standards for fencing and wall standards. Alternatively, the City may initiate a Planned Area Development (PAD) zoning district to establish comparable development standards to existing County entitlements.

## E. Equestrian, Large Mammal and Poultry Policy

An endearing unique aspect which significantly contributes to the rural character of this area is the presence of livestock, equestrian, poultry and other animals. To ensure protection of this central characteristic of the community, the Pinnacle Peak Drive – 43 zoning classification incorporates the identical provisions for the keeping of livestock, poultry and other animals as exist currently in Maricopa County.



Based on the rural and large lot character of this area, areas currently zoned Maricopa County Rural 43 will be exempted from the City's requirements relative to the specific maximum number of large mammals which can be kept on a parcel of land. The property maintenance, health, and animal safety regulations establish the number of mammals which can be kept on a parcel of land, rather than the traditional square foot per mammal standard.

A related issue is the existence of mammals and poultry is the pens, buildings and pastures associated with the keeping of animals and poultry. The Pinnacle Peak – 43 zoning standards incorporate allowances relative to pens, enclosures, uses and buildings which reinforce this unique aspect for areas currently zoned Maricopa County Rural 43.

Areas currently zoned Maricopa County R1-18 and R1-35 shall follow the City of Peoria Code relative to the keeping of large mammals. Alternatively, the City may initiate a Planned Area Development (PAD) zoning district to establish comparable development standards to existing County entitlements.

## F. Gateway Policy

An important element which could reinforce the identity of this unique area is the construction of entry signage and features which are characteristic of the rural community. The City currently funds a neighborhood grant program which provides



funding for neighborhood enhancement projects. Upon annexation, funding could be requested by this area to enhance key gateways to reinforce the identity of this area.

## G. Citizen Participation Policy

The City currently has an abundance of methods to inform residents of planning and zoning items, transportation information and general information on all aspects of the City. These methods include the City website, formal notice and meeting requirements, a quarterly newsletter to all residents of the City and Council newsletters.

At the request of area residents, the City will assist in establishing reasonable additional methods of communication with area residents. These additional methods may include assistance in the establishment of informal neighborhood associations, periodic area newsletters and publications.

All residents of the City enjoy significant methods to shape and influence public policy. These methods include representation on City Council, serving on advisory boards to the City Council and the power to vote for elected officials and other ballot measures.

# VII. City Services

## A. Public Safety Services

As residents of the City, a group of the finest police and fire professionals stand ready, equipped and able to engage with any emergency situation. Nearby fire facilities provide excellent response time to the planning area, which currently averages 4 minutes 30 seconds for police (Priority 1 Calls), fire and emergency medical services calls.



The Police Department is staffed by 286 public safety professionals, two thirds of which are sworn personnel. Dispatched from a new state of the art communications center, officers are deployed from both the Public Safety Facility at City Hall and the Pinnacle Peak Public Safety Facility on North Lake Pleasant Road. The Police Department is nationally accredited and provides the highest level of police services including a well trained and equipped patrol bureau, a traffic unit, K9 officers, Neighborhood Action Team, Commercial Enforcement Unit, Animal Control Unit, and investigators specializing in property crimes, family crimes, and crimes against persons.

The Fire Department employs 140 operational personnel and is also part of the valley wide regional response system. By virtue of participating in this automatic aid system, Peoria's on-duty emergency response force increases from eight companies, two incident commanders, and thirty-six personnel per day to over 100 companies and over 400 personnel. A centralized dispatch system utilizing satellite technology selects the closest unit(s) to an emergency and initiates a response regardless of jurisdiction. The closest fire station to the planning area is located on Lake Pleasant Parkway, south of Pinnacle Peak approximately 1-2 miles from most of the planning area.

The Fire Department is in the process of national accreditation and provides the highest level of fire services including basic and advanced life support, technical rescue (swift water, trench, confined space, and high angle rescue), toxicology paramedics, and mass casualty and decontamination response. In addition, participation in the regional system offers Peoria a full compliment of special services such as regional hazardous materials response, scene support units and alternative response vehicles.

## **B. Streets and Drainage**

An element which adds to the rural character of the area is the rural format of streets within the area. To ensure continuation of this important community element, rural street cross-sections have been developed based on the existing rural streets within the area (Appendix 2). These rural cross-sections will be utilized for any future street improvement in the area.

In accordance with the developed rural street and drainage standards, the Engineering Department may incrementally address street and drainage issues as part of the normal CIP process or through the formation of improvement districts. Dedication of the rights-of-way at no cost to the City would be a prerequisite for any permanent improvements.

An area of concern for any neighborhood is traffic speeds, volume and cut-through traffic. The Traffic Engineering Division NTMP program could be utilized to assess traffic concerns of area residents and development of potential solutions to identify issues. Once consensus from area residents is achieved on potential solutions, the normal NTMP procedures will be followed to install traffic calming measures in residential areas.

The City offers a variety of road maintenance services dependent on the status of existing improvements. Upon annexation, the City will evaluate the condition of paved roads, chip-sealed roads or gravel/dirt roads. A maintenance plan will be developed to address each road dependant on its condition. The Public Works Department will develop an informational fact sheet identifying projected road maintenance and related transportation services.

## **C. Water and Wastewater**

The City shall not require residents who have functioning water systems and septic tanks to connect to the city water and sewer system. If the resident desires city water or sewer service and there is an existing water or sewer line in front of their property, the resident would need to pay the prevailing development fee and connect at their own cost. If the water or sewer would need to be extended to serve their property, the extension would be done in accordance with current city code extension policy, which is at the residents cost. Additional water and sewer infrastructure improvements may be installed through the normal Capital Improvement Program or through the formation of improvement districts. As information, the formation of an improvement district requires concurrence of 51% of the affected residents.

## D. Solid Waste Services:

Area residents may continue using their private waste hauler until they elect to change providers. Once they change providers, that resident must select City provided solid waste service. Residents building new within the City are required to utilize City solid waste service. The City offers a variety of solid waste services including a comprehensive recycling program and bulk trash service.



## E. Dial A Ride Service:

This public transportation service is available to City residents for trips generally within Peoria and is operated Monday through Friday, 6:00 a.m. to 6:00 p.m., excluding City observed holidays. There is a twenty-four hour advance registration required to use the service. Residents new to the City may begin utilizing this service consistent with the operating guidelines established by City Council.

## F. Parks and Recreation Services:

Several existing and planned neighborhood and community parks do and will provide a variety of recreational services to serve this area. A planned northern area library near Lake Pleasant Parkway and Deer Valley Road will provide excellent library services for this area. A City of Peoria community pool is located on the Sunrise Mountain High School Campus at 83<sup>rd</sup> Avenue and Lone Cactus Road.



The Community Services Department offers a variety of community based recreation programs for our residents of all ages which include a before and after school program at all Peoria Unified School District schools; preschool programs; Summer Recreation Programs; Summer Camp program; Aquatics programs like swim lessons, swim team and open swim; Special Interest Classes; youth and adult sports; teen programs; senior programs and programs for disabled individuals. The recreation programs that are available to our citizens can be viewed at <http://recreation.peoriaaz.gov>.

## **ARTICLE 14-19D PINNACLE PEAK - 43 (PP-43)**

### **CONTENTS**

14-19D-1	Intent
14-19D-2	Permitted Principal Uses
14-19D-3	Permitted Conditional Uses
14-19D-4	Permitted Accessory Uses
14-19D-5	Property Development Standards for Permitted Principal Uses
14-19D-6	Property Development Standards for Permitted Conditional Uses
14-19D-7	Property Development Standards for Permitted Accessory Uses

### **14-19D-1 INTENT**

The principal purpose of this zoning district is to conserve and protect farms and other open land uses, foster orderly growth in rural and agricultural areas, and prevent urban and agricultural land use conflicts; but when governmental facilities and services, public utilities and street access are available, or can reasonably be made available, applications for change of this zoning district to any single-family residential zoning district will be given favorable consideration. Principal uses permitted in this zoning district include both farm and non-farm residential uses, farms and recreational and institutional uses.

### **14-19D-2 PERMITTED PRINCIPAL USES**

- A. One single-family dwelling per lot of record.
- B. One multi-sectional manufactured home per lot of record with the following standards:

**Appendix 1: Pinnacle Peak - 43 Zoning District**

1. If a permanent foundation wall is not installed, all sides of the multi-sectional manufactured home shall extend to meet the surrounding ground, or a facade shall be used on all sides of the manufactured home that would appear to have a foundation wall similar in appearance and kind to those used in conventional site built homes.
  2. Re-roofing, re-siding and structural additions shall conform to the City of Peoria Building Codes.
- C. Religious Institutions, such as churches, synagogues, temples, chapels or similar places of worship, and related facilities. The institution shall have direct vehicular access to an arterial or collector street and shall be subject to review and approval of vehicular access by the City Engineer.
- D. Farms, defined as follows: An area of not less than two contiguous acres which is used for the commercial production of farm crops such as vegetables, fruit trees, cotton, grain and other crops and their storage on the area, as well as the raising thereon of farm poultry and farm animals, such as horses, cattle, sheep and swine for commercial purposes. The term "farm" includes the operating of such an area for one or more of the above uses, including dairy farms, with the necessary accessory uses for treating or storing the produce, provided that the operation of any such accessory use is secondary to that of the farm activities, and provided further that the farm activities do not include commercial pen feeding or commercial feed lots or the commercial feeding of garbage or offal to swine or other animals.
- E. Group homes, in accordance with Article 14-3, General Provisions, Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (A), Group Homes
- F. Public/Charter Schools and Private Schools, subject to the following:
1. The lot shall be a minimum of five acres in size or larger.
  2. All structures must setback a minimum of 100 feet from all property lines and shall be screened from adjacent rural and residential zoned properties by a six foot high fence.
  3. The facility shall have direct vehicular access to an arterial or collector street. Facilities for the repair and storage of vehicles and equipment shall be prohibited.
- G. Public and private forests and wildlife reservations.
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- H. Public utility buildings, uses, structures, equipment and storm water retention areas; provided that repair or storage facilities in connection therewith are expressly prohibited.
- I. Golf courses including clubhouses located thereon, but not including miniature courses or practice driving tees operated for commercial purposes.
- J. Libraries, museums, parks, playgrounds and community buildings, provided such uses are conducted on a nonprofit basis.
- K. Roadside stands offering for sale only farm products produced on the premises.

#### **14-19D-3 PERMITTED CONDITIONAL USES**

- A. Cemeteries.
  - B. Day Care Group Homes with five (5) or more children, in accordance with Article 14-3, General Provisions, Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (B) Day Care Group Homes" and provided that the residence is a single-family detached dwelling.
  - C. Kennels, for the boarding and breeding of dogs and cats. The term Kennel means an enclosed, controlled area, inaccessible to other animals, in which a person keeps, harbors or maintains five (5) or more dogs or cats under controlled conditions.
  - D. Mobile Homes, for purposes provided in Sections 14-3-20B and 14-3-20C.
  - E. Colleges or University Facilities, such facilities shall have direct vehicular access to an arterial or collector street. Facilities for repair or storage of vehicles and equipment shall be prohibited.
  - F. Group Care Facility or Community Residential Setting Facility in accordance with Article 14-3, General Provisions, Section 14-3-12, "Group Homes, Day Care Group Homes, Group Care Facilities, and Community Residential Setting Facilities," subsection 14-3-12 (C), Group Care Facilities and Community Residential Setting Facilities."
  - I. Bed and Breakfast Inn, subject to the following:
    - 1. Maximum building height shall be thirty (30) feet or two (2) stories, whichever is greater.
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2. Paved areas shall be reduced to the smallest area commensurate with efficient operation and function of the site. All unpaved areas shall be maintained in lawns or landscaping.
  3. Short-term lodging, for the purposes of a Bed and Breakfast Inn, shall be for a period not exceeding fourteen (14) consecutive days in any calendar year.
  4. Meals shall be restricted to registered guests.
- J. Plant Nurseries, including on-site retail sales, for the propagation, cultivation, sales and distribution of plants, subject to the following:
1. Development of the plant nursery area shall require a site plan review in accordance with Article 14-32 of this chapter.
  2. A six (6) foot high solid (opaque) fence or wall shall be provided between all plant nursery areas and adjacent properties.
  3. Development of the plant nursery shall be subject to completion of all improvements as recommended by the Traffic Impact Analysis approved by the City Engineer.
  4. Retail Sales shall be limited to plants grown in the ground or pots on the premises.
- K. Licensed Day Care and Pre-School Facilities on the premises of religious institutions or other like uses. These facilities may be in addition to accessory day care and preschool facilities which may be operated during service/worship times or regular business hours and must meet the following requirements:
1. The use shall be in conjunction with a non-residential principal or conditional use.
  2. All vehicular access shall be from an existing arterial or collector street.
  3. No on street parking or drop-off shall be permitted.
  4. Playgrounds or other outdoor activity area shall be separated from adjacent residential land uses by no less than twenty-five (25) feet.
  5. All playgrounds or outdoor activity areas shall be properly fenced using the following methods:
-

- a. Solid masonry wall no shorter than four feet six inches (4'-6") or
  - b. Wrought-iron view fence no shorter than four feet six inches (4'-6") with vertical members no greater than four inches (4") apart; or
  - c. Other fencing method approved by the Planning and Zoning Commission.
6. Hours of operation shall be between 6:00 a.m. and 7:00 p.m., or as otherwise established by the Planning and Zoning Commission.
  7. Hours of outdoor activity shall be limited to between 8:00 a.m. and 6:00 p.m.
- L. Preschool centers or day care centers in accordance with State Department of Health Care Services regulations.
- M. Home occupations, cottage industry defined as an accessory use of a dwelling that involves limited manufacture, provision or sale of goods and/or services. Garage/yard sales or home parties that are held for the sale of goods or services are not considered a home occupation provided these sales do not exceed six in a year. A cottage industry is a more intense use than a residential home occupation and is only permitted in accordance with the following standards:
1. The entrepreneur of the cottage industry shall reside in the dwelling unit in which the business operates.
  2. The number of persons who are employed in connections with the occupants, but who are non-residents of the dwelling, shall not exceed three.
  3. The cottage industry may be conducted either within the dwelling or an accessory structure, or both. Not more than 50% of the combined floor area of the dwelling and any accessory structure(s) shall be used in the conduct of the cottage industry. The square footage of the cottage industry shall not exceed the square footage of the dwelling.
  4. Only one sign for the cottage industry may be permitted. Such sign shall not exceed 16 square feet in area. Such sign shall be non-illuminated. Such sign may be placed flat against the wall of a building or such sign may be a freestanding monument sign, but the height of such sign shall not exceed 12 feet for a wall sign and six feet for a monument sign.
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5. The business shall be conducted in an enclosed building, and any commercial vehicle used in conjunction with the cottage industry conducted on the lot shall be limited to one and shall be parked within an enclosed building when not in use.
  6. The maximum number of parking spaces permitted shall be six. Off-street parking shall be constructed in accordance with the standards of Article 14-23 herein (including design and paving of parking areas).
  7. The outdoor storage of materials shall be limited to a maximum of 25% of total lot area and shall not be located within any required front or street side yard. Any outdoor storage shall be completely fenced with a solid masonry wall to obstruct the view to a height equal to the elevation of the tallest materials to be stored with a maximum height of stored materials of eight feet.
  8. Any property for which a Conditional Use Permit for a cottage industry is approved shall front on and have direct access to a paved road accepted for maintenance by the City of Peoria or other governmental agency.
  9. Any outdoor lighting on a property approved for a cottage industry use shall be directed on site and shall conform to the Dark Sky Ordinance.
  10. Direct sales of products from display shelves or racks is allowed provided such sales are specifically approved as part of the Conditional Use Permit. However, a customer may pick up an order previously made by telephone or at a sales meeting.
  11. The cottage industry shall not interfere with the delivery of utilities or other services to the area.
  12. The business shall not generate any noise, vibration, smoke, dust, odors, heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a zoning district used solely for residential purposes.
  13. The Planning and Zoning Commission may establish additional reasonable requirements including but not limited to the following:
    - a. The number of customers or students visiting the site.
    - b. The hours of operation.
    - c. Deliveries to the site.
-

- d. The types of materials used in the business.
  - e. The types and amounts of materials, products and services sold by the business.
  - f. The types and amounts of materials manufactured by the business.
  - g. The types, amounts and locations of materials stored for use by the business.
  - h. The types and sizes of vehicles used in the business.
- N. Plant nurseries and greenhouses for the propagation, cultivation and wholesale distribution of plants produced on the premises, provided such uses do not include retail sales. Open storage is limited to plants or packaged fertilizer, and the buildings and structures used in connection therewith setback from all lot lines a distance of not less than 50 feet.
- O. Large animal (horse, cattle and other farm animal) medical clinics and surgical referral hospitals, subject to the following standards:
- 1. Animals shall not be boarded or lodged except for short periods of observation incidental to care or treatment.
  - 2. Any building or corral for the keeping of animals shall maintain a minimum setback of 40 feet from any property line.
  - 3. All refuse and animal wastes shall be stored within an enclosed building or within odor-proof closed containers.
- P. Public riding and boarding stables, subject to the following requirement:
- 1. Buildings housing animals shall be setback from all property lines a distance of not less than 100 feet.

#### **14-19D-4. PERMITTED ACCESSORY USES**

- A. Day care for 4 or less children.
  - B. Greenhouse.
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- C. Livestock and Mammals kept on the premises in accordance with Chapter 4 of the Peoria City Code (1992 Edition), provided however that Section 4-9 (b) and Section 4-9 (c) of Chapter 4 of the Peoria City Code (1992 Edition) shall not be applicable. The term Livestock means asses, cattle, mules, sheep, goats and swine, except wild pigs. The term Mammal means any animal except fowl or reptiles.
- D. Poultry kept on the premises in accordance with Chapter 4 of the Peoria City Code (1992 Edition). The term Poultry means chickens, turkeys, domesticated birds, game birds, fowl, waterfowl and exotic birds, including but not limited to ostriches.
- E. Home occupations, Residential, defined as an accessory use of a dwelling that involves very limited manufacture, provision, or sale of goods and/or services. Garage/yard sales or home parties, that are held for the sale of goods or services, are not considered a home occupation provided these sales do not exceed six in one year. A residential home occupation is subject to the following:
1. The entrepreneur of a home occupation shall reside in the dwelling in which the business operates.
  2. No one other than the residents of the dwelling shall be employed in the conduct of the home occupation.
  3. The business shall be conducted entirely within a completely enclosed dwelling.
  4. The total area used in the conduct of the business shall not exceed 15% or 250 square feet of the habitable dwelling area, whichever is less.
  5. There shall be no signs, advertising, display or other indications of the home occupation on the premises.
  6. The residential address of the business shall not be listed in any business directory or in any advertising.
  7. Direct sales of products, from display shelves or racks, is prohibited. However, a customer may pick up an order previously made by telephone or at a sales meeting.
  8. The home occupation shall not interfere with the delivery of utilities or other services to the area.
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9. The business shall not generate any noise, vibration, smoke, dust, odors, heat, glare, or electrical interference with radio or television transmission in the area that would exceed that normally produced by a dwelling unit in a zoning district used solely for residential purposes.
  10. No mechanical equipment or power tools shall be used, except that used for normal household purposes.
  11. No toxic, explosive, flammable, radioactive, or other similar material shall be used, sold, or stored on the site.
  12. There shall be no change to the residential appearance of the premises, including the creation of separate or exclusive business entrance(s).
  13. No more than one vehicle used in commerce shall be permitted in connection with the home occupation. Said vehicle shall be stored in an enclosed garage at all times and shall have no more than two axles.
  14. The number of clients or students on the premises shall not exceed one at any time.
  15. No clients or students shall be permitted on the premises for business purposes between the hours of 10:00 p.m. and 7:00 a.m.
  16. Deliveries from commercial suppliers shall not occur more than once a month, shall not restrict traffic circulation and shall occur between 8:00 a.m. and 5:00 p.m., Monday through Friday.
  17. Any outdoor display or storage of materials, goods, supplies, or equipment shall be prohibited.
  18. If the home occupation requires that any clients or students visit the property, one parking space shall be provided. For the purpose of providing said parking space, tandem parking is permissible.
- F. Non-commercial aviaries and apiaries
- G. Non-commercial breeding, raising, training and feeding principally by grazing of horses, cattle, sheep, goats and similar livestock and mammals.
- H. Non-commercial poultry, bird and egg farms, provided that pens, buildings and enclosures are not closer than twenty (20) feet to any side or rear property line.
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**Appendix 1: Pinnacle Peak - 43 Zoning District**

- I. Private or jointly owned community center recreational facilities, pools, tennis courts, and spas.
  - J. Fences in accordance with Section 14-3-5 provided however that the height restriction to three (3) feet within or bounding the front yard shall not be applicable. Fences may be constructed of masonry, split rail, chain link and barbed wire and may be located on all property lines at a height of 8 feet.
  - K. Detached accessory garages, carports, shade structures, barns, tack sheds and tool sheds for storage and domestic supplies.
  - L. Other uses, buildings and structures customarily accessory to a principal or conditional use.
  - M. Storage or parking of recreational vehicles and utility trailers, in accordance with Chapter 14 Motor Vehicles and Traffic of the Peoria City Code (1992 Edition).
  - N. Buildings and corrals for the keeping of livestock and mammals.
  - O. Buildings and yards for the keeping of poultry.
  - P. Swimming Pools, subject to the provisions of Article 14-3 of the Peoria Zoning Ordinance and applicable Building Code requirements relative to safety barriers.
  - Q. Sport Courts in accordance with the provisions of Article 14-3 of the Peoria Zoning Ordinance.
  - R. Servant's quarters with kitchen facilities provided that the servant's quarters are integral to the primary dwelling unit and does not exceed 35% of its area
  - S. Accessory use lights provided that a permitted accessory use exists. The lights must be located on the property so as not to direct or reflect light upon adjoining land, shall not be constructed within 20 feet of any adjoining property under other ownership, and shall not exceed 20 feet in height.
  - T. Accessory dwelling unit (ADU), defined as a second dwelling unit either in or added to an existing single-family dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility, and used to house family or guests of the occupants of the main building without compensation, subject to the following:
    - 1. Only one ADU shall be permitted where at least one, but no more than one, single family residence exists on the property.
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2. Either the principal dwelling unit, or the ADU, shall be occupied by the owner of the property.
3. The total floor area of an ADU shall not exceed 1,000 square feet.
4. No more than two (2) bedrooms shall be permitted within an ADU.
5. An ADU may not be rented or leased separately from the primary structure.
6. The addition of an ADU shall not cause the property to exceed the allowed maximum lot coverage.
7. New construction of a detached ADU or conversion of an existing detached structure to an ADU shall not encroach into the approved front, side, or rear yard setback. An ADU shall not be allowed in the rear yard.
8. An ADU shall not have a separate address or mailbox from the principal dwelling.
9. One off-street parking space shall be required for an ADU or in addition to off-street parking required for the principal dwelling.

#### **14-19D-5 PROPERTY DEVELOPMENT STANDARDS FOR PERMITTED PRINCIPAL USES**

- A. Minimum Lot Area: 43,560 square feet or One (1) Acre.
  - B. Minimum Lot Width: 145 feet.
  - C. Minimum Setbacks and Yards:
    1. Front Yard: 40 feet.
    2. Side Yard: 30 feet.
    3. Street Side Yard: 20 feet.
    4. Rear Yard: 40 feet.
  - D. Maximum Building Height: 30 feet or Two Stories, whichever is greater.
  - E. Maximum Lot Coverage: Fifteen percent (15%).
  - F. Distance Between Buildings on the same lot: 15 feet.
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**14-19D-6 PROPERTY DEVELOPMENT STANDARDS FOR PERMITTED  
CONDITIONAL USES**

Permitted Conditional Uses shall conform to the property development standards for Permitted Principal Uses of Section 14-19D-5, except as otherwise specified in this Ordinance.

**14-19D-7 PROPERTY DEVELOPMENT STANDARDS FOR PERMITTED  
ACCESSORY BUILDINGS**

Permitted Accessory Uses shall conform to the property development standards for Permitted Accessory Uses as specified in Article 14-5 except as otherwise specified in this Ordinance.

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# Appendix 2: Rural Street Cross-Sections

