

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATIONS**

CC: 5R  
Amend No. \_\_\_\_\_

Date Prepared: December 7, 2007 Council Meeting Date: December 18, 2007

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**TO:** Honorable Mayor and Council  
**FROM:** Steve Kemp, City Attorney  
**SUBJECT:** Proposed Ordinance amending Truck Routes

**RECOMMENDATION:**

Discussion and possible action to adopt an ordinance amending Chapter 14 pertaining to Truck Routes

**SUMMARY:**

Since 1990, the City has developed a comprehensive strategy to mitigate the impacts of Truck Traffic in the City of Peoria. This strategy has been based on the following principles:

1. Compliance with State and Federal Laws prohibiting local legislation that unreasonably interferes with truck traffic between a highway in the National Highway System and a trucking operation location.<sup>1</sup>
2. Move Truck Traffic to the most heavily traveled arterial roadways and minimize conflicts with residential communities.
3. Develop designated truck routes with adequate setbacks and noise mitigation measures.

These principles have been implemented in a number of steps:

1. Adopt an initial truck route ordinance designating certain major arterial streets as Truck Routes. 1991.
2. Move Southbound Truck Traffic via Lake Pleasant Road to Union Hills Road and Union Hills Road West to State Route 101. 1992.
3. Construct Rose Garden Lane from 107<sup>th</sup> to 99<sup>th</sup> Avenue to move Northbound

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<sup>1</sup> S.R. Loop 101; S.R. Loop 303, S.R. 74 and U.S. 60 are all highways that Arizona has incorporated into the National Highway System.

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**CITY CLERK USE ONLY:**

- Consent Agenda  
 Carry Over to Date: \_\_\_\_\_  
 Approved  
 Unfinished Business (Date heard previous: \_\_\_\_\_)  
 New Business  
 Public Hearing: No Action Taken

ORD. # 07-42 RES. # \_\_\_\_\_  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

- Truck Traffic to Lake Pleasant Road. 1995.
4. Open Beardsley Road West from Lake Pleasant Road to the Agua Fria River in both directions for truck traffic and close 107<sup>th</sup> Avenue Northbound between Beardsley Road and Rose Garden to Trucks. Limit 91<sup>st</sup> Avenue and Beardsley to Westbound only truck traffic. 1996.
  5. Remove Rose Garden Lane between Lake Pleasant Road and 107<sup>th</sup> Avenue as a Truck Route. Implement a Truck Route on 107<sup>th</sup> Avenue between Rose Garden Lane and Beardsley Road. Implement a Truck Route on 107<sup>th</sup> Avenue North of Rose Garden Lane to Jomax Road and East on Jomax Road to Lake Pleasant Road. 2000.
  6. Modify the 107<sup>th</sup> Avenue Truck Route to North on 107<sup>th</sup> Avenue to Happy Valley Parkway (Interim S.R. 303L) and East on Happy Valley Parkway to Lake Pleasant Road. 2004.
  7. Remove 107<sup>th</sup> Avenue from Rose Garden Lane to Beardsley Road as a truck route and add 112<sup>th</sup> Avenue from Rose Garden Lane to Beardsley Road as a Truck Route.
  8. From 1994 forward, all plats adjacent to Lake Pleasant Parkway have indicated its status as a truck route. This insured that it would be disclosed in all mandatory disclosures to purchasers of future homes.
  9. The City's original 1987 General Plan and each update since 1994 has continued to identify the Lake Pleasant Parkway as a truck route.

The final step in implementing these principles is the construction of Lake Pleasant Parkway between 95<sup>th</sup> Avenue and Deer Valley Road. With the opening of this connector, Truck Traffic from Beardsley and the Agua Fria will proceed Eastbound on Beardsley to Lake Pleasant Road and North to Lake Pleasant Parkway. Truck Traffic from 107<sup>th</sup> Avenue will proceed North to Happy Valley Road and East to Lake Pleasant Parkway.

The proposed ordinance implements this final step. The ordinance has been a cooperative effort of the City Attorney's Office and the Engineering Department. Therefore it is my recommendation that the Mayor and Council adopt the ordinance amending Chapter 14 of the Peoria City Code pertaining to Truck Traffic.

**ATTACHMENT:**

1. Proposed Ordinance

ORDINANCE NO. 07-42

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, ARIZONA AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1992) BY AMENDING SECTION 14-67 PERTAINING TO MAJOR STREETS; LOCAL STREETS; DEFINITION AND PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

THEREFORE, it is ordained by the Mayor and Council of the City of Peoria as follows:

SECTION 1. Chapter 14 of the Peoria City Code (1992) is amended by amending Section 14-67 pertaining to Major streets, local streets; definition and which shall read as follows:

Sec. 14-67. Major streets, local streets; definition.

(a) Whenever any words or phrases used in this chapter are not defined, but are defined in Title 28, Arizona Revised Statutes, as amended, such definitions shall apply. The following terms are defined:

(1) Local Streets - All those streets designated as local streets on the street classification map, on file in the office of the city clerk. Local streets provide for access to those properties that are adjacent to the collector street network and serve travel needs over relatively short distances and connections to higher classification streets. Such streets are not designated on the circulation element of the City's general plan.

(2) Collector Streets - All those streets designated as collector streets on the street classification map, on file in the office of the city clerk. Collector streets provide for both land access, service, and traffic circulation within residential neighborhoods and commercial and industrial areas and collect traffic from residential neighborhoods and channel it into the arterial street system. Such streets are not designated on the circulation element of the City's general plan.

(3) Minor Arterial Streets - All those streets designated as minor

arterial streets on the street classification map, on file in the office of the city clerk, unless otherwise designated in this code. Minor arterial streets accommodate through traffic; while balancing the need to develop adjacent land uses in accordance with arterial access guidelines contained in the city's comprehensive plan.

(4) Major Arterial Streets - All those streets designated as major arterial streets on the street classification map, on file in the office of the city clerk. Major arterial streets provide for traffic movement from one area of the city to another, and are primarily designed to accommodate through traffic; provision of access to abutting property is a secondary consideration. Major Arterial Streets are designated on the transportation element of the City's general plan. The following additional roads shall be designated as major arterial streets for the purpose of this chapter.

a. That portion of 91st Avenue commencing at the southern boundary of the City of Peoria north to Cactus Road shall be designated as a major arterial street for purpose of this chapter. 91<sup>st</sup> Avenue North from its intersection with Cactus Road to its interchange with State Route 101L (Agua-Fria Freeway) shall be designated as a major arterial street for purposes of this chapter.

b. That portion of Cactus Road commencing at 91st Avenue east to the eastern boundary of the City of Peoria shall be designated as a major arterial street for the purpose of this chapter

c. That portion of Peoria Avenue commencing at the western boundary of the City of Peoria east to the eastern boundary of the City of Peoria shall be designated as a major arterial for the purpose of this chapter.

d. That portion of Beardsley Road commencing at Lake Pleasant Road west to the Peoria City Limit boundary is designated as a major arterial street for purposes of this chapter.

e. That portion of Rose Garden Lane from 112<sup>th</sup> Avenue West to the Peoria City Limit boundary is designated as a major arterial street for purposes of this chapter.

f. That portion of Jomax Road West of Lake Pleasant Parkway to the Peoria City Limit boundary is designated as a Major Arterial Street for purposes of this chapter.

g. That portion of 107<sup>th</sup> Avenue North from Pinnacle Peak Road to Happy Valley Parkway, which is currently designated as Interim S.R. 303L is designated as a Major Arterial Street for purposes of

this chapter.

h. That portion of 112th Avenue from Rose Garden Lane to Beardsley Road.

i. That portion of Happy Valley Parkway which is currently designated as Interim S.R. 303L from 107<sup>th</sup> Avenue East to Lake Pleasant Parkway is designated as a Major Arterial Street for purposes of this chapter.

j. That portion of Lake Pleasant Road commencing at Beardsley Road North to the intersection with Lake Pleasant Parkway is designated as a Major Arterial Street for purposes of this chapter.

(5) Parkway Principal Arterial Roadway— Those streets designated on the City's ~~street classification map~~ circulation element as a Principal Arterial Roadway, or which may be shown on the City's street classification map as a parkway and proposed to have a right of way not less than that for an ~~major~~-arterial street or collector street and that shall have controlled points of access. These streets are designated on the transportation element of the City's general plan. Such streets shall be treated as Major Arterial Streets for the purpose of regulating truck traffic under this code.

(b) Truck routes and through truck routes are established for major arterial streets.

**SECTION 2.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3.** This Ordinance shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Arizona, this 18<sup>th</sup> day of December, 2007

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Bob Barrett, Mayor

Date Signed: \_\_\_\_\_

ATTEST:

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Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

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Stephen M. Kemp, City Attorney

Published in Peoria Times

Publication Dates: December 21 and 28, 2007

Effective Date: \_\_\_\_\_