

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 3C  
Amend No. \_\_\_\_\_

Date prepared: March 3, 2008

Council Meeting Date: March 18, 2008

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**TO:** Terry Ellis, City Manager

**FROM:** Glen Van Nimwegen, AICP, Community Development Director *GM*

**THROUGH:** Chad Daines, AICP, Planning Manager *CRD*

**PREPARED BY:** Cody Gleason, Planning Technician

**SUBJECT:** TA 08-01: Amend Section 14-9-3, Non-Residential Districts Land Use Matrix, of the Peoria Zoning Ordinance as follows:

- Add Wedding and Reception Center as a permitted conditional use in the Office Commercial (C-1) zoning district

**Recommendation:**

The Mayor and City Council concur with the recommendation of the Planning and Zoning Commission to approve and adopt the attached ordinance amending Section 14-9-3, Non-Residential Districts Land Use Matrix, of the Peoria Zoning Ordinance, to add wedding and reception center as a permitted conditional use permit within the Office Commercial Zoning District O-1 (TA08-01).

**Summary:**

Luke Lewis on behalf of Luke Land Realty initiated the proposed amendment to Section 14-9-3, Non-Residential Districts Land Use Matrix, of the Peoria Zoning Ordinance to allow Wedding and Reception Centers in the Office Commercial zoning district pending the approval of a conditional use permit. The proposed use will conform to the special limitations already in place for Wedding and Reception Centers under Section 14-9-5, Limitations on Uses, of the Peoria Zoning Ordinance.

The proposed amendment allows for special limitations to be placed on sites where staff feels that there will be certain conflicts with the surrounding area.

On February 21, 2008 the Planning and Zoning Commission voted unanimously to

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**CITY CLERK USE ONLY:**

Consent Agenda  
 Carry Over to Date: \_\_\_\_\_  
 Approved  
 Unfinished Business (Date heard previous: \_\_\_\_\_)  
 New Business

ORD. # 08-06 RES. # \_\_\_\_\_  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

recommend approval of the proposed amendment.

Attached to this memo, please find the Planning & Zoning Commission staff report and associated exhibits.

ATTACHMENTS:

- Planning & Zoning Commission Staff Report (2/21/08)
- Ordinance

# REPORT TO THE PLANNING AND ZONING COMMISSION- ZONING CODE TEXT AMENDMENT

**CASE NO.:** TA 08-01

**DATE:** February 21, 2008

**AGENDA ITEM NO.:** 5R

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**Applicant:** Luke Lewis

**Request:** Amend Section 14-9-3, Non-Residential Districts, of the Peoria Zoning Ordinance as follows:

- Add Wedding and Reception Center as a permitted conditional use in the Office Commercial (O-1) zoning district.

**Support /Opposition:** None as of this writing

**Recommendation:** Approve proposal as requested

## Background / Project Description:

1. Luke Lewis is requesting an amendment to Section 14-9-3 (Non-Residential Districts) to allow Wedding and Reception Center as a permitted conditional use within the Office Commercial (O-1) zoning district.

## Analysis and Discussion:

2. The Office Commercial (O-1) district is designed to provide for an environment conducive to the establishment of professional offices, medical and legal services, and ancillary retail uses. Certain other types of uses are permitted under conditions and standards that ensure their compatibility with surrounding uses as well as nearby residential districts. The O-1 Districts provide for land use transition between more intensive commercial developments and the less intensive residential neighborhoods.
3. Wedding and Reception Centers are only permitted with conditional use permits in Convenience Commercial District (C-1), Planned Community Commercial District (PC-2), Intermediate Commercial (C-2), Central Commercial (C-3), General Commercial (C-4), and Regional Commercial (C-5) zoning districts. The



Staff Report TA 08-01  
January 7, 2008  
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Prepared by: **Cody Gleason,  
Planning Technician**

**Exhibit A**  
Item to be amended

**Article 14-9-3**

LAND USE	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2
<b>ENTERTAINMENT AND RECREATION - CONTINUED</b>												
Recreation and Social Clubs <sup>#</sup>	-	-	P	P	P	P	P	P	P	-	-	-
Resorts	-	-	-	-	P	P	P	P	-	-	-	-
Outdoor Recreation including Tennis, Racquet Clubs, Miniature Golf & similar uses (Ord. No. 03-171)	-	-	-	-	C	-	P	P	-	-	-	-
Theater, indoor	-	-	P	P	P	P	P	P	-	-	-	-
Wedding and Reception Center <sup>#</sup> (Ord. 02-21)	<u>C</u>	C	-	C	C	C	C	C	-	-	-	-

- P = Permitted Use
- C = Permitted Conditional Use. Conditional Use Permit required. See Article 14-39-10.
- A = Accessory use
- \* = Any uses located within 200 feet of a residential district shall be subject to a Conditional Use Permit (Ord. No. 05-58A)
- # = Subject to special limitations (see the following section 14-9-5)
- = Not Permitted

ORDINANCE NO. 08-06

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 14 OF THE PEORIA CITY CODE (1977 EDITION), BY AMENDING ARTICLE 14-9 NON-RESIDENTIAL DISTRICTS, 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 February 21, 2008, to consider a proposed amendment 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 February 1, 2008; and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Arizona at its regularly convened meeting of February 21, 2008, voted to recommend to the Mayor and Council of the City of Peoria, Arizona, that amendments be made to the Peoria City Code (1977 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 Article 14-9, Non-Residential Districts, of the Peoria City Code (1977 edition):

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

SECTION 1. Article 14-9, Non-Residential Districts, of Chapter 14 of the Peoria City Code (1977 edition) shall be amended to read as shown in 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 18<sup>th</sup> day of March, 2008.

\_\_\_\_\_  
Bob Barrett, Mayor

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

ATTEST:

\_\_\_\_\_  
Mary Jo Kief, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Stephen M. Kemp, City Attorney

Published in: Peoria Times      Publication Dates: March 21 and March 28, 2008

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

**Exhibit A**

**Article 14-9-3**

LAND USE	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2
<b>ENTERTAINMENT AND RECREATION - CONTINUED</b>												
Recreation and Social Clubs *	-	-	P	P	P	P	P	P	P	-	-	-
Resorts	-	-	-	-	P	P	P	P	-	-	-	-
Outdoor Recreation including Tennis, Racquet Clubs, Miniature Golf & similar uses (Ord. No. 03-171)	-	-	-	-	C	-	P	P	-	-	-	-
Theater, indoor	-	-	P	P	P	P	P	P	-	-	-	-
Wedding and Reception Center * (Ord. 02-21)	<u>C</u>	C	-	C	C	C	C	C	-	-	-	-

**P** = Permitted Use

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\* = Any uses located within 200 feet of a residential district shall be subject to a Conditional Use Permit (Ord. No. 05-58A)

# = Subject to special limitations (see the following section 14-9-5)

- = Not Permitted