

ORDINANCE NO. 2015-12

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", OF THE PEORIA ZONING ORDINANCE; 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 May 21, 2015 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 May 1, 2015; and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Arizona at its regularly convened meeting of May 21, 2015 voted to recommend to the Mayor and Council of the City of Peoria, Arizona, that an amendment be made to the Peoria City Code (1977 edition) and Chapter 14 of the Peoria City Code; 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 Chapter 14 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. of Chapter 14 of the Peoria City Code (1977 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 16th day of June, 2015.

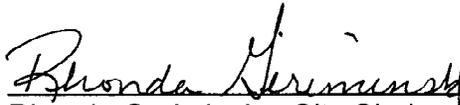


Cathy Carlat, Mayor

June 22, 2015

Date Signed

ATTEST:



Rhonda Geriminsky, City Clerk



APPROVED AS TO FORM:



Stephen M. Kemp, City Attorney

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ARTICLE 14-9 NON-RESIDENTIAL DISTRICTS

(Ord. No. 02-68, 2015-12)

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14-9-3 LAND USE MATRIX

The following land use matrix (Table 14-9-3) indicates uses which are permitted outright, conditionally permitted, or prohibited in specific non-residential zoning districts in the City of Peoria. The land use matrix is intended to serve as a guide for the convenience of the user of this zoning ordinance. Where the text of this zoning ordinance differs from the land use matrix, the text shall prevail. In the event of a specific use not being identified on the matrix, the Community Development Director or designee(s) shall determine the closest associated use based on the provisions of this ordinance. The City will permit any accessory use customarily incidental to a permitted principal use in the same zoning district.

Table 14-9-3 Land Use Matrix

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
GENERAL INDUSTRIAL & MANUFACTURING - CONTINUED												
Manufacturing of chemical & allied products, petroleum & coal products, leather & tanning, wool pulling/scouring, explosives, fertilizers, detergents, soaps & animal fat by-products, sugar, starches, serums, toxins & viruses, oils & fats, animal & vegetable	-	-	-	-	-	-	-	-	-	-	-	C
Manufacturing of lumber & wood products, primary metal industries, fabricating metal products, machinery, & transportation equipment excluding ore reduction & smelting, production or refining of petroleum, gas or hydrocarbons	-	-	-	-	-	-	-	-	-	-	-	P
Medical Marijuana Manufacturing or Cultivation # (Ord. No. 2011-05A)	-	-	-	-	-	-	-	-	C	C	C	C
Mini-Storage Warehouses, RV, Boat, & Trailer Storage indoor, and/or screened only (Ord. No. 05-58A)#	-	-	-	C	C	-	C	C	P	P	P	P
Moving Company Storage & Transfer Facility (Ord. No. 05-58A)	-	-	-	-	-	-	P*	-	-	P*	P*	P*
Moving Truck, Trailer & Equipment Rental (Ord. No. 05-58A, 2015-12) #	-	-	-	A-	-A	-	P*	P*	-	P*	P*	P*
Outdoor Storage, including Automobile, RV, Boat, and Trailer Storage.	-	-	-	-	-	-	C	C	-	P	P	P
Parcel Delivery Service (Ord. No. 05-58A)	-	-	-	-	-	-	-	-	P	P	P	P
Printing and Publishing Facilities	-	-	-	-	-	-	-	P	P	P	P	P
Processing & Compounding to reform recyclable materials into a useable state	-	-	-	-	-	-	-	-	-	-	-	C
Railroad Shops & similar heavy service facilities	-	-	-	-	-	-	-	-	-	-	-	P
Recycling Collection Facility #	-	-	-	-	-	-	-	-	-	-	C	C
Recycling Collection Point	A	A	A	A	A	A	A	A	A	A	A	A
Research Laboratories #	-	-	-	-	-	-	-	-	P	P	P	P
Storage, Processing & Sale of scrap metal & junk	-	-	-	-	-	-	-	-	-	-	-	P
Wholesaling, Warehousing, Distributing, Repair, Rental & Servicing of any commodity excluding live animals, explosives & storage of flammable liquids & gases.	-	-	-	-	-	-	-	-	P	P	P	P
GENERAL RETAIL												
Antiques, Crafts, and Collectibles Sales	-	-	P	P	P	P	P	P	-	-	-	-
Bait and Tackle Shops	-	-	P	P	P	P	P	-	-	-	-	-
Book, Stationery & Greeting Card Store	P	P	P	P	P	P	P	P	-	-	-	-

- 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

14-9-5 LIMITATIONS ON USES

D. General Industrial & Manufacturing

1. Mini-storage warehouses, RV, Boat, and Trailer Storage, indoor and/or screened, shall be subject to the following additional requirements:
 - a. For the purposes of this section, an outdoor RV, Boat and Trailer Storage use shall be visibly screened from a public street by an architecturally integrated wall or structure consisting of a minimum height of ten (10) feet, or as otherwise approved by the Planning and Zoning Commission. Additional screening from elevated roadways may be required, such as canopies, berming, or other design solutions.
 - b. Doors of the storage areas shall not front on any public street.
 - c. Only storage shall be permitted. No sale of goods, materials or other tangible or intangible property from the facility or any part thereof shall be permitted. No activities conducted on the premises, whether related to the stored items or otherwise. The sale of insurance by the operator on goods stored therein or the sale by the operator of items used in connection with the storage of goods at the site shall not be prohibited.
 - d. No hazardous or flammable materials, as defined in the Peoria City Building Code, shall be stored in such facility.
 - e. The City may exempt any structure from side and rear yard setbacks, except in circumstances where the site devoted to such use abuts a residential use or residentially-zoned vacant property. In such cases, the setback for the site boundary abutting the residential district shall be no less than thirty (30) feet.
 - f. All direct vehicular access shall be from an abutting arterial street.
 - g. The locations of the driveways, wall, landscaping, and buildings shall be so arranged as to minimize traffic disruptions.
 - h. A wall with a minimum height of six (6) feet and a landscaping buffer in accordance with Section 14-35-4.A.3, or as approved by the Planning and Zoning Commission, shall be constructed along the site boundary devoted to such use where abutting a residential use or residentially-zoned vacant property.
 - i. All vehicle storage shall be limited to hard surfaced areas.
 - j. Lighting shall be directed toward the site and shall not cause undesirable glare to nearby residential properties.
2. Recycling Collection Facility and similar establishments shall not be engaged in any processing or compounding to reform materials into a useable state. The Planning and

Zoning Commission may require screening, landscaping, and the restriction of use/materials to enclosed structures.

3. Research Laboratories whose principal function is basic research, design and pilot or experimental product development shall have all activities conducted within a completely enclosed building.

4. Moving Truck, Trailer, & Equipment Rental shall be subject to the following additional requirements:

a. In the C-2 and PC-2 Zoning Districts, Moving Truck, Trailer, and Equipment Rental shall be allowed as an Accessory Use to Mini-Storage Warehouses-, RV, Boat, & Trailer Storage indoor, and/or screened only, Hardware & Home Improvement Store, and Hardware & Home Improvement Store with outdoor storage and/or garden center.

- 1) No more than six (6) vehicles shall be stored on site in association with the Moving Truck, Trailer, and Equipment Use.
- 2) Outdoor storage of vehicles and equipment associated with the Moving Truck, Trailer, and Equipment rental shall be fully screened from public view or located a minimum of 200 feet from the right of way.
- 3) Outdoor storage of vehicles and equipment associated with the Moving Truck, Trailer, and Equipment rental shall not occupy required parking spaces or access lanes.
- 4) Moving trucks, trailers, and equipment shall be stored in a designated area of the site. For multi-tenant sites, or sites with multiple uses, the designated area shall be proximate to the associated principal use.
- 5) No fueling shall occur on-site in conjunction with this use.
- 6) Moving trucks and trailers which require a Commercial Drivers License for their operation shall be prohibited.
- 7) A Site Plan application (or Site Plan Amendment application for sites with a previously approved Site Plan) shall be required.