

ORDINANCE NO. 09-03

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 14-6 MULTI-FAMILY RESIDENTIAL DISTRICTS AND 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 January 15, 2009, 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 December 26, 2008; and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Arizona at its regularly convened meeting of January 15, 2009, 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 14-6 Multi-Family Residential Districts and 14-9 Non-Residential Districts, of the Peoria City Code (1977 edition):

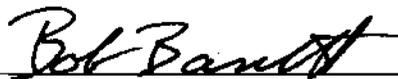
NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Peoria, Arizona as follows:

SECTION 1. Article 14-6 Multi-Family Residential Districts and 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 17th day of February, 2009.



Bob Barrett, Mayor

2/21/09

Date Signed

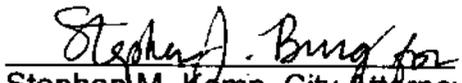
ATTEST



Mary Jo Kief, City Clerk



APPROVED AS TO FORM:



Stephen M. Kemp, City Attorney

Published in: Peoria Times Pub. Dates: February 20 and 27, 2009

Effective Date: March 24, 2009

Exhibit A

Article 14-6 (Multi-Family Residential Districts)

14-6-6 DEVELOPMENT STANDARDS

A. Development Standard for Permitted Residential Uses shall be as follows:

DEVELOPMENT STANDARDS	ATTACHED SINGLE-FAMILY BUILDINGS	TWO, THREE, FOUR-FAMILY AND MULTI-FAMILY BUILDINGS	MULTI-FAMILY BUILDINGS (FIVE-FAMILY DWELLING & ABOVE)
Maximum Lot Coverage by all structures (%)	60	50	50
Minimum Lot Width (feet)	30	n/r	n/r
Maximum Density (du/ac – as calculated by Peoria General Plan)	8 ¹	12 ¹	18 ²
Maximum Principal Building Height (feet)	30	30	48 ³
MINIMUM BUILDING SETBACKS (feet)			
Front Setback (Ord. No. 07-22)	10	20	20
Rear Setback	15	15	15
Side Setback (Ord. No. 05-58A)	5 ³⁴	20 ³⁴	20 ³⁴
Corner Side (Ord. No. 07-22)	10	15	15

¹ Maximum density may be increased up to two (2) additional units per acre based on finding that the project incorporates additional amount of open space, recreational amenities, enhanced landscaping, enhanced project amenities, and/or pedestrian corridors.

² Maximum density may be increased up to seven (7) additional units per acre based on a finding that the project incorporates additional amounts of open space, recreational amenities, enhanced landscaping, enhanced project amenities, and/or pedestrian corridors.

³ Building Height: Maximum thirty (30) feet high within thirty (30) feet of any Single-Family Residential District. The height may be increased by one (1) foot per each three (3) feet of additional setback to a maximum of 48-feet.

³⁴ For condominium and attached housing types, only building separation applies. No minimum building separation is required along common wall. (Ord. No. 07-22)

^{n/r} No minimum requirement

Article 14-9 (Non-Residential Districts)

14-9-3 LAND USE MATRIX

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
INSTITUTIONAL												
Art Gallery	P	P	P	P	P	P	P	P	-	-	-	-
Cultural Institutions	P	P	P	P	P	P	P	P	P	-	-	-
Day Care Centers or Pre-school Centers *	P	P	P	P	P	P	P	-	-	-	-	-
Group Care Facility or Community Residential Facility * (Ord. No. 05-58A)	-	-	-	-	C	-	P	P	-	-	-	-
Homeless Shelter & similar uses	-	-	-	-	-	-	-	-	-	-	P	P
Libraries and Museums	P	P	P	P	P	P	P	P	-	-	-	-
Non-profit Social services *	P	P	P	P	P	P	P	P	P	P	P	P
Nursing or Convalescent Home, Long term Care Facility *	<u>P</u>	<u>P</u>	-	-	C	-	P	P	-	-	-	-
Public Buildings *	P	P	P	P	P	P	P	P	P	P	P	P
Public/Private Schools, College and University Facilities excluding College & University Campuses* (Ord. No. 05-58A)	P	P	P	P	P	P	P	P	P	P	P	P
Public Utility Buildings, Structures, Uses, Facilities and Equipment *	P	P	P	P	P	P	P	P	P	P	P	P
Religious Institutions & similar places of worship *	P	P	P	P	P	P	P	-	-	-	-	-
Substance Abuse Detoxification & Treatment Centers	-	-	-	-	-	-	C	-	-	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

SECTION 14-9-6 PROPERTY DEVELOPMENT STANDARDS

- B. The following property development standards shall apply in zoning districts BPI, PI-1, I-1, and I-2:

Property Development Standards	BPI	PI-1	I-1	I-2
Minimum Size of Lot by Use				
Area (acreage)	n/r	n/r	n/r	n/r
Width (ft)	80	80	80	80
Minimum Setbacks for Principal Buildings				
Front Setback (ft)	30	40	20	60
Least Side (ft)	20	0	0	0
Total Sides (ft)	40	20	20	30
Interior Setback (ft) (Ord. No. 04-188)	n/r	n/r	n/r	n/r
Rear Setback (ft)	25	25	25	40
Corner Side (ft)	20	20	20	30
Residential Zone Boundary Setback from Residential Zoning Districts (ft)¹	30	50	50	50
Maximum Lot Coverage				
Percentage - by all Buildings	n/r	40%	n/r	n/r
Maximum Building Height				
Principal Building Height (ft)	48 ²	48 ²	48 ²	60 ²
Accessory Building Height & Setbacks (ft) (Ord No. 02-21)	(a)	(a)	(a)	(a)

n/r No minimum requirements

¹ The setback shall be applied to sides which abut or are adjacent to a residential zoning district, as established in Section 14-4-1.A or as designated residential on a PAD or PCD. Where a side is adjacent to a residential zoning district, said setback shall be applied when the abutting right-of-way is a collector or lower classification as identified on the Peoria General Plan and Street Classification Map.

² Building Height: Where a setback from residential zoning district applies, the building shall be limited to a maximum height of thirty (30) feet at the setback line. The building height may be increased by one (1) foot per each three (3) feet of additional setback to the maximum height as prescribed by the applicable district.

- (a) All regulations and development standards applicable to the principal building shall apply, except for covered parking canopies which shall comply with the standards established in Section 14-23-3 of the Zoning Ordinance. (Ord. No. 04-23)