

Vistancia Planned Community District

City of Peoria Zoning Case #Z01-10A.11

April 2013
Minor Amendment
Z01-10A.12

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INTRODUCTION & EXECUTIVE SUMMARY

Vistancia is a master planned community of over 7,100 acres, located in the northern region of Peoria, southwest of Lake Pleasant. The property is generally bounded by the Cloud Road alignment on the north, the Jomax Road alignment on the south, the 113th Avenue alignment on the east and the 163rd Avenue alignment on the west. The Vistancia Planned Community District Land Use Master Plan demonstrates conformance with the policy statements, land use, transportation and public facilities elements of the Peoria General Plan and Loop 303 Specific Area Plan.

The Vistancia Planned Community District represents the continued evolution of an extensive project visioning and community theming process conducted by Vistancia Land Holdings LLC, its subsidiaries, and its development partners (Vistancia LLC). The foundation of this extensive process is based on conducting a community survey of the potential target market and a thorough review of existing conditions, opportunities and constraints. It was through the visioning process that the projects, formally known as Lakeland Village and White Peak Ranch, were consolidated and renamed to Vistancia. Through the visioning process, the project team determined the goals for the community by setting standards for community open spaces, amenities, trails, streetscapes, and central community social spaces. The project team maintained support for the land use, transportation and public facilities promoted by the City of Peoria through the comprehensive evaluation of the general plan and zoning entitlements processes. This led to the preparation of the original master plan in 1998 and successive amendments to guide the appropriate development of the community over the past 13 years.

Vistancia has been designed to offer a broad range of housing types, extensive employment opportunities, as well as up to 72 holes of private and/or public golf. The planned community district has been separated into eight separate development units, Village A, F & G, Village B, Village C, Village D, Village H, Village I, Village J, and Village K, each with specific planning goals or focuses. The projected population of Vistancia, approximately 27,600 residents, will be served by three elementary schools, a high school, several neighborhood parks and two community parks. The land use master plan recognizes White Peak, Twin Buttes, Garambullo, Caterpillar Tank, Padelford, and East McMicken washes, as well as several ridgelines and peaks, as significant natural features and strives to preserve these areas in their natural state. Scenic corridors have also been created along arterial streets to convey the natural ambiance of the Sonoran Desert. On the other end of the residential spectrum, urban-oriented products (i.e. lofts, condominiums, etc.) will expand the housing choices in the region and provide the full spectrum of lifestyles for Vistancia residents.

The approval of the City of Peoria Loop 303 Specific Area Plan in December 2005 has presented the opportunity to develop a unique, high quality, mixed-use development for the region. The careful review of existing development, infrastructure, and traffic requirements have enabled the creation of a land use program within the south eastern limits of Vistancia which envisions the development of 4 million square feet of commercial and employment space and the opportunity to integrate over 1,000 dwelling units within Village D. Vistancia LLC understands the benefits that a community with a balance of residential, entertainment, and employment uses will have in Northwest Peoria to provide tax revenues and reduced commute distances for its employees and visitors. The ability to implement the regulatory provisions contained in this document will mesh both a high quality suburban and urban fabric in the City's growing northern region.

Existing vehicular ingress and egress to Vistancia has been constructed to the south via Vistancia Boulevard, which becomes Happy Valley Road, providing immediate access to the existing Loop 303. This roadway was initially constructed through a coordinated road development plan between the Maricopa County Department of Transportation and Vistancia LLC. The development program and phasing plan of Vistancia allows a mutually beneficial partnership with the City of Peoria for the development of additional offsite roadway improvements including El Mirage Road (northwest of Loop

303) and Lone Mountain Road (west of Loop 303). At build-out, it is anticipated that there will be three offsite roadway connections to the existing region, including 10 lanes of roadway capacity. Also unique to Vistancia is its proximity to Loop 303. Originally not considered a part of the calculations for offsite improvement requirements, the highway is located within one-quarter mile of the community at its closest point and will provide access via five interchanges. Lone Mountain Road, Vistancia Boulevard, El Mirage Road, Westland Road, and Jomax Road represent major throughways for the community and are designed as major arterial roadways. Ridgeline Road (Dixileta Parkway), Twin Buttes, and Vistancia Boulevard north of Twin Buttes represent the minor arterial roadways and will provide for construction of four lanes with landscaped medians.

Vistancia has been, and will continue to be, developed utilizing environmentally sensitive community building practices. The result has been the creation of an interconnected natural open space system with two existing golf courses (with the possibility of up to two remaining to be built in the northern villages of Vistancia) weaving throughout the community, allowing for unique residential enclaves and curvilinear street patterns. Many of the houses have been planned to be oriented along natural drainage features or golf course fairways and greens to maximize the open space vistas these amenities have created. By combining a variety of unit densities, compatible architectural types, elevations, and diversity of home designs, Vistancia has emerged in recent years as the premiere housing community in the Northwest Valley. A comprehensive set of design guidelines and codes, covenants and restrictions has been prepared and executed to ensure consistent levels of architectural quality throughout the community. An emphasis of the design guidelines has been placed on the preservation of the natural environment (by preserving the community drainage network and wildlife habitats), the establishment of an architectural theme to create community identity, and the promotion of housing diversity.

This PCD document is organized into four major sections, as well as supporting appendices. These sections include a review of the site location and regional context, site analysis, the proposed master plan elements, and regulatory development standards as described below:

- **Section I: Location and Regional Context** - Identifies the characteristics of the property and an overview of the regional improvements to serve Vistancia with adequate facilities and services.
- **Section II: Site Analysis** - Identifies the existing natural features and intended development to occur within Vistancia.
- **Section III: Master Plans** - Identifies the natural determinants, land use, circulation, drainage, streetscape, utilities and services, development schedule/phasing, and management and maintenance components of Vistancia.
- **Section IV: Regulatory Development Standards** - Identifies the applicable zoning and development parameters to ensure the creation of a high quality living environment for Vistancia residents.
- **Appendix** - Identifies and provides the background technical documentation that supports the design and development of a successful planned community district for Vistancia.

I. LOCATION AND REGIONAL CONTEXT

A. Property Description and Location

Vistancia is a master planned community of over 7,100 acres, within the northern planning area of the City of Peoria, southwest of Lake Pleasant Regional Park. A graphic representation of the Vistancia vicinity is provided on **Figure A-1, Area Vicinity/Regional Location Map**. The property is generally bounded by the Cloud Road alignment on the north, the Jomax Road alignment on the south, the 113th Avenue alignment on the east, and the 163rd Avenue alignment on the west.

The Current Vistancia Master Planned Community was previously made up of the two separate communities of Lakeland Village (Vistancia South) and White Peak Ranch (Vistancia North). This Planned Community District (PCD) is the first formal consolidation of these two communities into a single entitlement document. Vistancia South was originally zoned under Maricopa County jurisdiction in 1998 and amended in 2000. That property was annexed into the City of Peoria jurisdictional limits in 2001. Vistancia North was annexed into the city of Peoria jurisdictional limits in 1997, rezoned in 2001 as the White Peak Ranch Planned Community District, and last revised as the Vistancia North PCD in 2006.

B. Property Legal Description

The property lies in Township 5 North, Range 1 East and Township 5, North Range 1 West of the Gila and Salt River Base and Meridian. Its area includes portions of Sections 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 22, 23, 24, 25, 26, 30, and 35. The property is more specifically described in **Appendix A** via legal description.

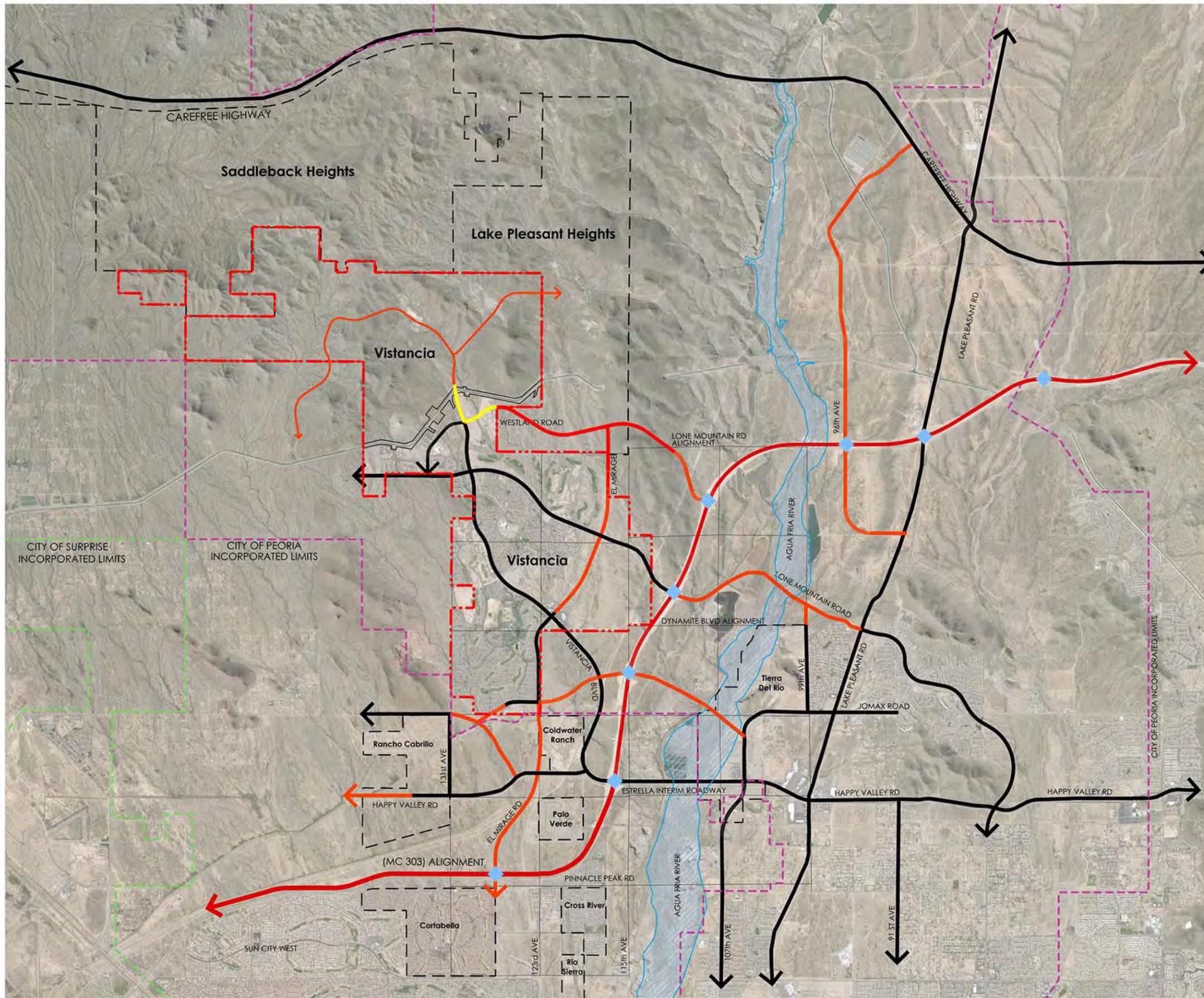
C. Property Ownership – Vicinity

The property ownership surrounding and adjacent to Vistancia is depicted in **Figure A-2, Surrounding Property Parcelization & Adjacent Property Ownership**. In general, the adjacent property to the north is owned by the Arizona State Land Department (ASLD) and Diamond Ventures. The adjacent property located to the east is generally held by the ASLD, Group Three, and Nordia Properties. The adjacent property located to the south is currently owned by the ASLD and a few miscellaneous property owners such as William Lyon Homes and Standard Pacific Homes. The adjacent property located to the west is currently held by ASLD and numerous other private property owners.

D. Regional Facilities

1. Municipal Boundaries

Vistancia was partially annexed into the City of Peoria in 1997, with the balance being annexed in 2001. Surrounding Vistancia, there are other areas of incorporated City of Peoria, as well as existing jurisdictional boundaries of Maricopa County and the City of Surprise. **Figure A-1** depicts the Vistancia property within the context of other proximate planned communities, residential subdivisions, municipalities, and the existing/planned regional roadway network in the Northwest Valley.



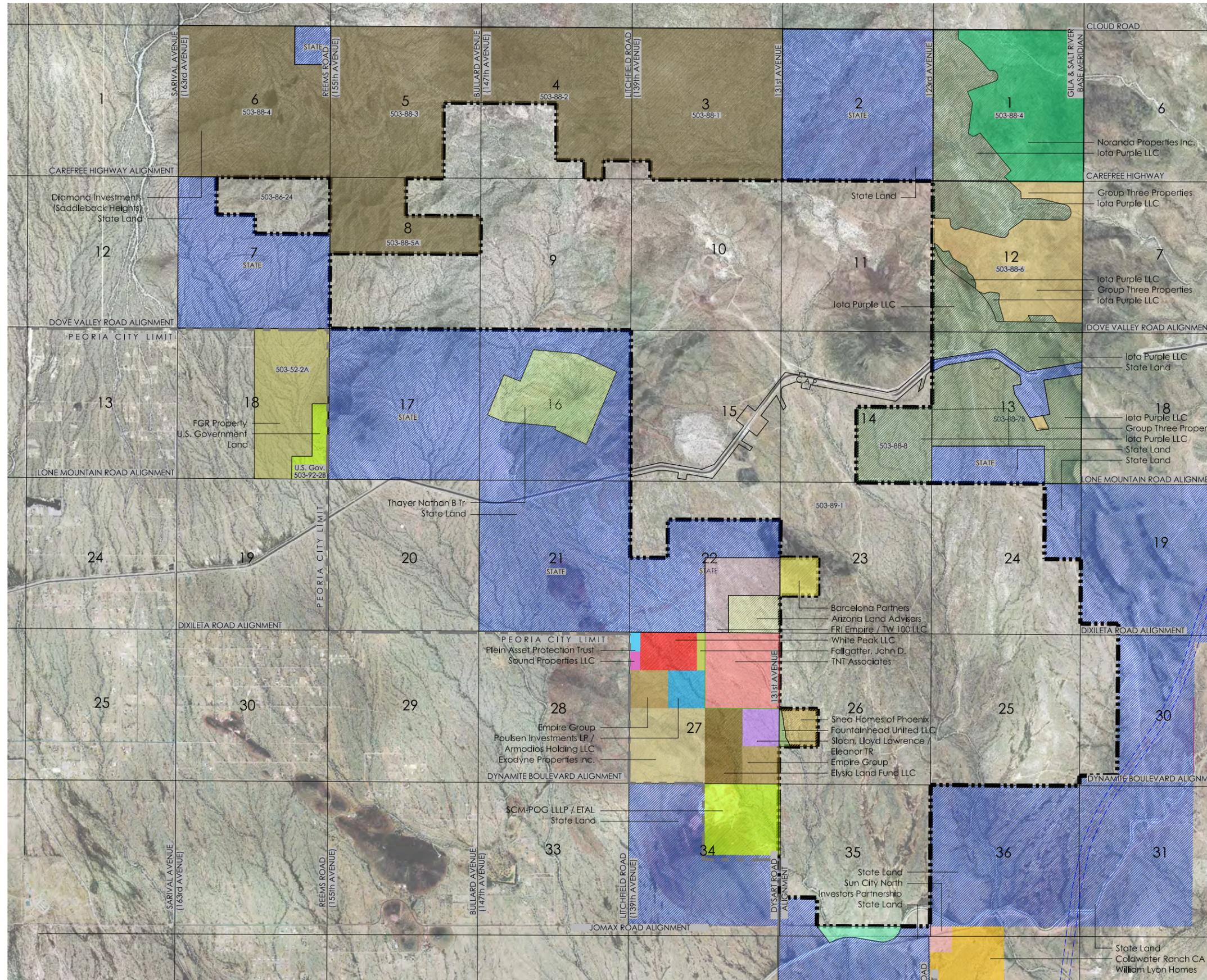
VISTANCIA™
 Planned Community District
 Area Vicinity / Regional Location

- LEGEND
- Agua Fria River
 - Existing Loop 303
 - Loop 303 Interchange/Access
 - Existing Roads
 - *Proposed Roads
 - Roads Currently Under Construction

* Future roadway alignments, parcel boundaries, and village entries are subject to change based on detailed land planning and engineering constraints.

Figure A-1

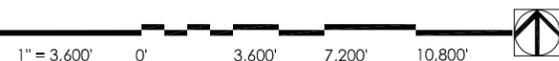
Planned Community District
 Surrounding Property Parcelization
 & Adjacent Property Ownership



LAND OWNERSHIP

	Barcelona Partners		Plein Asset Protection Trust
	Coldwater Ranch CA / William Lyon Homes *		Poulsen Investments LP / Armodios Holding LLC
	Elysia Land Fund LLC		Sloan, Lloyd Lawrence / Eleanor TR
	Empire Group		Sound Properties LLC
	Exodyne Properties Inc.		Sun City North Investors Partnership
	Fallgatter, John D.		TNT Associates
	Fountainhead United LLC		Vistancia LLC *
	Iota Purple LLC		White Peak LLC
	Group Three Properties		FGR Property
	SCM-POG LLLP / ETAL		U.S. Government Land
	Noranda Properties Inc.		State Land
	Group Three (Lake Pleasant Heights)		Thayer Nathan B Tr
	Shea/Sunbelt Pleasant Point LLC (Vistancia)		FRI Empire / TW 100 LLC
	Diamond Investments (Saddleback Heights)		Arizona Land Advisors
	Shea Homes of Phoenix		City of Peoria

* NOTE:
 Individual lot ownerships occur in these parcels.



2. Existing Land Use Plans

Vistancia is located entirely within the City of Peoria general planning area. In January 1996, the Peoria City Council approved a request to modify the City's planning area boundaries through amendments to the Peoria General Plan. Specifically, the land use, transportation, and public facilities elements were amended. On June 20, 2000, the Peoria City Council approved General Plan Amendment GPA 00-01 amending the City of Peoria General Plan for Vistancia North.

On September 19, 2000, the Peoria City Council approved GPA 00-02, thereby providing the policy necessary to create and support a Planned Community District to guide the development of Vistancia South. Subsequent to the initial approval of the Vistancia South PCD, the City has updated and adopted its General Plan (2001-Resolution 01-09) pursuant to Arizona Revised Statutes. In addition to their original PCD approvals, over the past decade, Vistancia Land Holdings LLC, its subsidiaries, and its development partners (Vistancia LLC) has proposed and received City approval for nine amendments to the originally approved Vistancia South PCD.

The Vistancia North property was approved as a Planned Community District (White Peak Ranch) by the Peoria City Council on October 2, 2001. Based on the success of the Vistancia South community, White Peak Ranch was updated to incorporate the successful elements of Vistancia South, and was renamed to Vistancia North through a major amendment dated May 25, 2006.

On December 13, 2005, the Peoria City Council adopted the Loop 303 Specific Area Plan (SP04-02). The study area for the plan included the corridor for the future Loop 303 which extends north and east of the existing interchange at El Mirage Road and Loop 303 on its route towards the proposed New River Freeway as shown on **Figure A-4, City of Peoria Loop 303 Specific Area Plan**. The study area included property within one mile and on both sides of the proposed freeway corridor. This one mile transition area allowed for the consideration of appropriate edge treatments and connectivity of transportation and utility infrastructure with the surrounding network. The eastern limits of Vistancia (Village D) fall within the boundary of the study area for Loop 303 Specific Area Plan, which plays an important role in the allowable uses in that area.

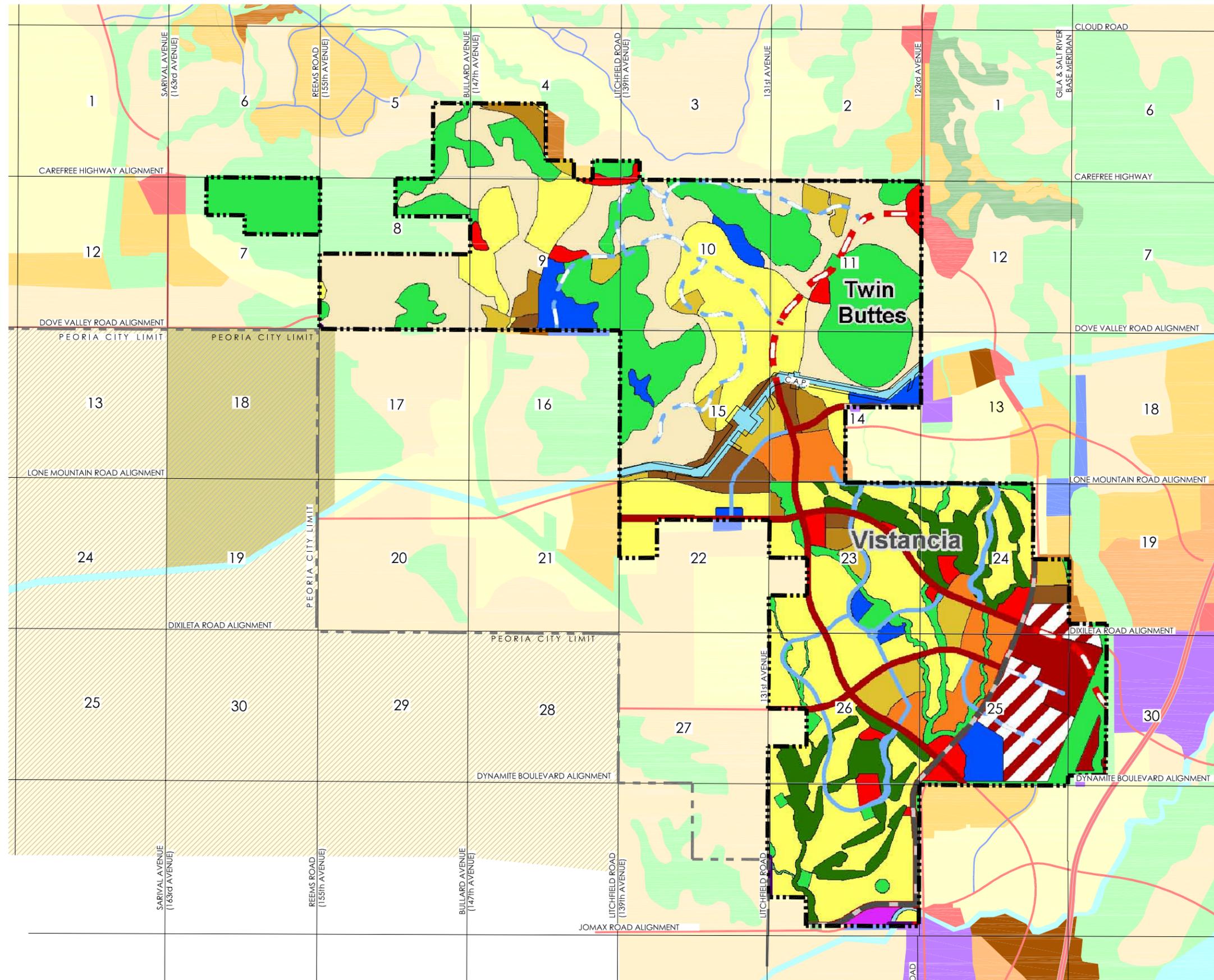
The major themes of the Loop 303 Specific Area Plan focus on:

- Employment Growth and Sales Tax Capture: Leverage visibility and accessibility to Loop 303.
- Vehicular and Pedestrian Connectivity: Minimize community bifurcation.
- Land Use Compatibility: Buffer freeway light and noise; blend existing and future uses.
- Environmental/Cultural Protection: Manage and protect sensitive resources.
- Housing Choices and Balance: Provide a range of options and properly locate with respect to employment and supportive uses.
- Cost Considerations: Facilitate fiscally balanced development and phased capital improvements.
- Consistent Quality Design: Contribute to a high quality of community life.



VISTANCIA

Planned Community District
City of Peoria
Municipal General Plan

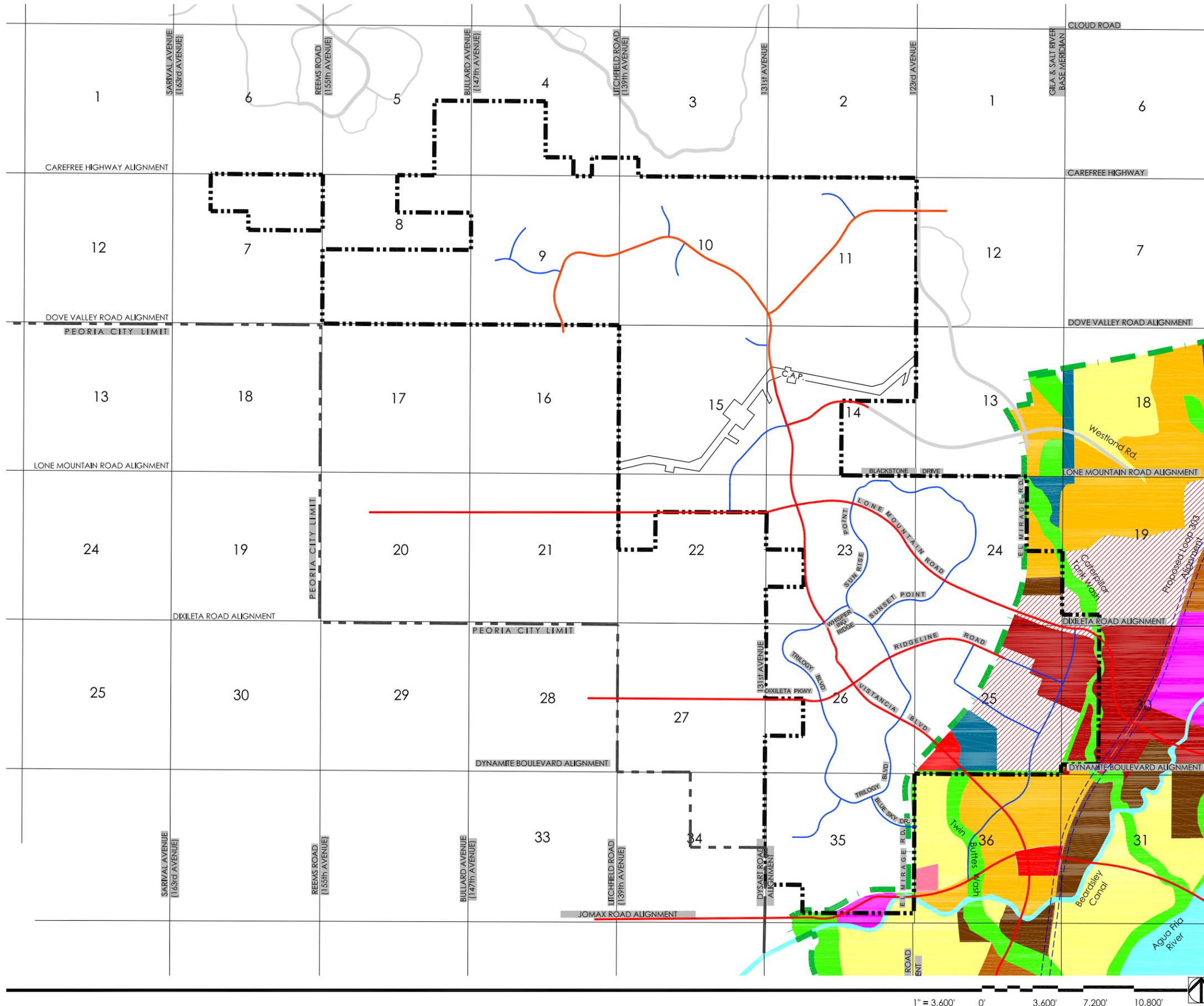


CITY OF PEORIA LAND USE	
RE	Residential/Estate 0 - 2.0 du/ac Target Density 1 - du/ac
LD	Residential/Low 2.0 - 5.0 du/ac Target Density 3 - du/ac
MD	Residential/Medium 5.0 - 8.0 du/ac Target Density 6 - du/ac
MH	Residential/Medium High 8.0 - 15.0 du/ac Target Density 12 - du/ac
HD	Residential/High 15+ du/ac Target Density 18 - du/ac
MU	Mixed Use
NC	Neighborhood Commercial
CC	Community Commercial
RC	Regional Commercial
MRC	Mixed Use - Regional Commercial
O	Office
BP	Business Park
BI	Business Park/Industrial
IND	Industrial
P/OS	Park/Open Space
G	Golf Course
P/QP	Public/Quasi-Public
W	Water
--- Vistancia Project Boundary	
--- Loop - 303	
--- Arterial	
--- Collector	
CITY OF SURPRISE LAND USE	
RR	Rural Residential 0 - 2.0 du/ac
AG	Agriculture

Figure A-3



Planned Community District
 City of Peoria
 Loop 303 Specific Area Plan



CITY OF PEORIA LAND USE

- LD Residential/Low 2.0 - 5.0 du/ac
Target Density 3 - du/ac
- MD Residential/Medium 5.0 - 8.0 du/ac
Target Density 6 - du/ac
- MH Residential/Medium High 8.0 - 15.0 du/ac
Target Density 12 - du/ac
- HD Residential/High 15+ du/ac
Target Density 18 - du/ac
- NC Neighborhood Commercial
- CC Community Commercial
- RC Regional Commercial
- MRC Mixed Use - Regional Commercial
- O Office
- BP Business Park
- P/OS Park / Open Space
- P/QP Public / Quasi-Public
- W Water
- Loop 303 Proposed Alignment
- Arterial
- Collector
- Loop 303 Interchanges
- Loop 303 Specific Area Plan Boundary
- Vistancia Project Boundary

GREY | PICKETT



April 2013

Figure A-4

While the Loop 303 Specific Area Plan largely focuses on the graphical representation of the recommended land use, the study narrative also describes a strategy to identify recommended uses along each interchange location of the proposed Loop 303. The four important interchanges that provide gateways for Vistancia along the proposed Loop 303 include:

- El Mirage Road – Designated for Business Park/Industrial uses.
- Happy Valley Parkway (Vistancia Boulevard) – Designated for a mixture of Medium-High Density Residential (8.0-15.0 du/ac) and Community Commercial uses.
- Jomax Road – Designated for a mixture of Medium Density Residential (5.0-8.0 du/ac) and Community Commercial uses.
- Lone Mountain Parkway – Designated for a mixture of Regional Commercial and Business Park uses. This interchange is recommended for the most urban development within the Loop 303 Corridor.

In January of 2010, the Peoria City Council adopted the 2010 Peoria General Plan. While this plan includes the entire municipal area, **Figure A-3, City of Peoria Municipal General Plan**, depicts the designated land uses within and surrounding the Vistancia community. The major themes of the General Plan focus on:

- Providing a balance of residential and employment opportunities.
- Protecting natural resources and community character.
- Developing quality access within the city.
- Provide a residential-oriented street system.
- Meeting the recreational needs of the community.
- Enhancing Peoria’s Old Town.
- Providing a diversity of housing options.
- Facilitating fiscally-balanced development.
- Celebrating the City’s heritage.

Vistancia has been an active shareholder in the City’s processes of creating and adopting both the Loop 303 Specific Area Plan and the 2010 Peoria General Plan. As time has passed, there has been an iterative process of the community conforming to the municipal plans and the evolving community shaping the City’s planning. Below are some of the ways that Vistancia has and will continue to adhere to the planning objectives listed above.

As a master planned community, proper attention has been given to the exposure and opportunity presented by the Loop 303 corridor as well as the limitations created by a major overhead power transmission corridor transecting the eastern limits of the property. With these factors in mind, Village D has been anticipated to include a mix of retail, office, lodging, education, and healthcare to serve the diverse needs of its residents and visitors. This village will create a landmark and demonstrable vista views from the Loop 303, where mixed use development is expected to represent an urban city center.

The vision for Village D is to develop a vertically integrated mixed use area within Vistancia. Commercial uses will capture sales tax for the City, while also

offering conveniences to residents and limiting vehicle trips out of the community. Employment opportunities will benefit not only the residents of Vistancia, but also draw from other areas of Peoria. Residential uses will appeal to a different buyer from the rest of the community as a more urban environment is offered. As you move north and west through the community, the land plan generally promotes a gradual transition from higher intensity uses (retail, employment, high density residential) near the 303 corridor with gradual rolling terrain to single family residential as you become buffered from the freeway activity and enter more significant terrain. Every type of residential opportunity is expected to be available between future mixed use and multifamily units to custom homes that currently exist in Village B and are planned north of the Central Arizona Project Canal (the CAP).

Connecting all of these various uses within the community is a natural open space system and well-connected trail system. This system takes advantage of the existing drainage channels of the natural landscape to protect and preserve natural resources, allow for wildlife passages, and allow pedestrian access to these invaluable resources. This multi-use connectivity between parcels and villages has been incorporated throughout to foster a healthy community and reduce automobile traffic.

To preserve the natural landforms and vistas north of the CAP, a minimum of 900 acres will be donated to the city for public enjoyment. When considering all recreational opportunities of open space, golf, trailheads and other public facilities, over 2,000 acres is being planned to benefit the residents of this community and city.

To promote a high level of environmental quality with a safe, healthy and enjoyable environment for Peoria residents. The Vistancia PCD has consciously identified major wildlife and natural drainage corridors and incorporated them into the natural open space plan and trail system. These wash corridors will not only provide the community with adequate storm water conveyance, but they will also foster migration movement for indigenous wildlife inhabiting the region. By utilizing these extensive natural corridors as pedestrian and bicycle trail corridors, residents are equally benefited through the experience of the pleasant natural surroundings as well as through the access to a well circulated trail system within community.

3. Regional Transportation Planning

The City of Peoria utilizes a streets master plan and a transportation element within its adopted General Plan to guide roadway corridor location and hierarchy. These documents recognize the primary roadway corridors and rights of way based on future traffic projections. The Loop 303 Specific Area Plan also identified the recommended vehicular and non-vehicular circulation system within the Northwest Peoria region as shown on **Figure A-4**. A review of the transportation related goals and their applicability to Vistancia are provided below:

To establish an interconnected hierarchical roadway network that provides for efficient traffic operations while encouraging walking, bicycling, and transit use. The Vistancia PCD has developed a functional roadway system to

determine appropriate street types and cross-section widths. A traffic analysis has been completed in support of this system.

To design streets and roadways with features that promote safe and convenient vehicular, pedestrian, bicycle, transit use while maintaining high levels of aesthetic amenities. The existing and continued development of Vistancia will include the provision of appropriate features such as distinctive crosswalks, bicycle lanes, and routes, and traffic calming techniques in high pedestrian/bicycle zones to promote safety for all circulation modes. Within Village D, the inclusion of streetscape and signage amenities will provide for an aesthetically pleasing mixed use environment.

To encourage site design that promotes multi-modal access to development. The Vistancia PCD has provided for the safe circulation of both pedestrians and bicyclists within the community. As development continues, the extensions of these trail and path systems will be completed. The flexibility for future public transit will also be considered to enhance the access to Village D and the community through local and regional routing.

Develop a comprehensive, coordinated and continuous on and off-street bicycle and multi-use trail system. The Vistancia PCD identifies a trail system that connects most parcels within the community. It will continue to be expanded as development continues within the area in an effort to provide regional connectivity to the West Valley Recreational Corridor along the Agua Fria River.

To coordinate the establishment of additional park land and recreational facilities with other governmental agencies and private, non-profit entities. The implementation of the Vistancia PCD has fostered the creation of four neighborhood parks comprising approximately 36 acres. In addition, a community park is slated for design and construction in Village D, which will add approximately 40 acres to the park system in Vistancia, and a large community park is planned in Village H as part of the expansive open space system. In total, Vistancia will feature over 130 acres of public Neighborhood and Community Parks.

4. Airports and other Land Use Impacts

The Vistancia property is not within a zone of influence from any of the significant airports within the Phoenix Metropolitan area. The Pleasant Valley Airport (Turf Soaring School) however, provides small propeller aircraft service for the Lake Pleasant region, and is located at the intersection of State Route 74 (Carefree Highway) and Lake Pleasant Road. The orientation of the runway, northeast to southwest, may impact the Vistancia community with small craft over flights. The property may also occasionally experience high altitude over-flights from air traffic based out of Luke Air Force Base. However, the property is not located within the vicinity of a military airport according to Arizona Department of Real Estate guidelines.

The MWD Beardsley Canal is also within proximity to Vistancia and transports irrigation water from Lake Pleasant to agricultural properties, as well as any active and/or abandoned mineral mines along its path. The canal itself is located within the southern reaches of the property and is situated south of Jomax Road. Additional land use impacts include the Central Arizona Project Canal (CAP)

and scattered abandoned mineral mines. The elevated CAP canal not only provides trail opportunities, but also includes selective vehicular/fire access crossing opportunities. The Clementine Mine is located within Village H; its past activities have significantly scarred the surrounding area.

The existing land uses within Vistancia today include single family residential, commercial, public facility and park/recreation uses. The existing land use pattern on its periphery generally includes vacant lands at the present time. The proposed uses for the remainder of the community, including Village D, are intended to be sensitively integrated into the existing land uses that are present in the community at this time.

5. School Districts

Approximately 90% of Vistancia is located within the jurisdiction of the Peoria Unified School District #11 (PUSD), with the remaining 10% (west of 147th Avenue) being located within Nadaburg Elementary School District #81. There are two existing K-8 schools (Parcels A-35 and G-8) located within the community at the present time. A future high school is proposed in Village D (Parcel D-19/D-20) and additional K-8 school in Village H (Parcel H-25).

6. Water and Sewer Service Districts

Portions of Vistancia are currently served by water and wastewater infrastructure. The property is located within the incorporated limits of the City of Peoria; therefore, it will continue to utilize municipal water and wastewater services, funded through the City administered Development Impact Fee/Infrastructure Financing Program and implemented through the existing Vistancia Community Facilities District.

7. Solid Waste Collection and Disposal Service

Solid waste collection service is provided by the City of Peoria for its residential customers in Vistancia. Paradise Waste Service provides solid waste collection and disposal services for non-residential uses within the community. A City-wide recycling program has also been adopted by the City of Peoria.

8. Public Safety Service

Fire protection and law enforcement services are provided by the City of Peoria. A fire station (City of Peoria Fire Station #196) was opened in December 2005 through a partnership between Vistancia LLC and the City of Peoria in order to serve Vistancia. It is located at 28251 North El Mirage Road (Parcel D-10). A future fire station site will be dedicated at Parcel H-5 on the western portion of Twin Buttes Road, and will contribute to the overall emergency response time within Vistancia.

9. Electric Service

APS is the certificated provider for Vistancia and is currently serving the developed portions of the community. An existing substation (Calderwood Substation) is located within Village D adjacent to the existing overhead power transmission corridor.

10. Natural Gas Service

Southwest Gas is the certificated provider for Vistancia, and is currently serving the developed portions of the community.

11. Telephone/Cable

Cox Communications and Zona Communications (formerly Accipiter Communications) are the existing telephone and cable providers serving the developed portions of the community. However, deregulation requirements enable any telecommunications provider to service the site.

II. Site Analysis

A. Existing Land Use

Initially, Vistancia and the surrounding area consisted of vacant Sonoran desert land with previous uses associated with mining and cattle grazing. **Figure B-1, Existing Land Use** depicts the pattern of existing land use within and adjacent to Vistancia. Approximately 50 percent of the community has now been developed. With the exception of selected mineral extraction and overhead/receiving substation electrical service facilities, the area surrounding Vistancia is primarily vacant. Sun City West, a long-standing active adult residential community, exists approximately three miles south of the Vistancia property. Other adjacent and proximate master planned communities include Lake Pleasant Heights to the north, and both Rancho Cabrillo and Coldwater Ranch to the South.

B. Existing Zoning

The Current Vistancia Master Planned Community was previously made up of two separate communities of Lakeland Village (Vistancia South) and White Peak Ranch (Vistancia North). This Planned Community District (PCD) is the first formal consolidation of these two communities into a single entitlement document.

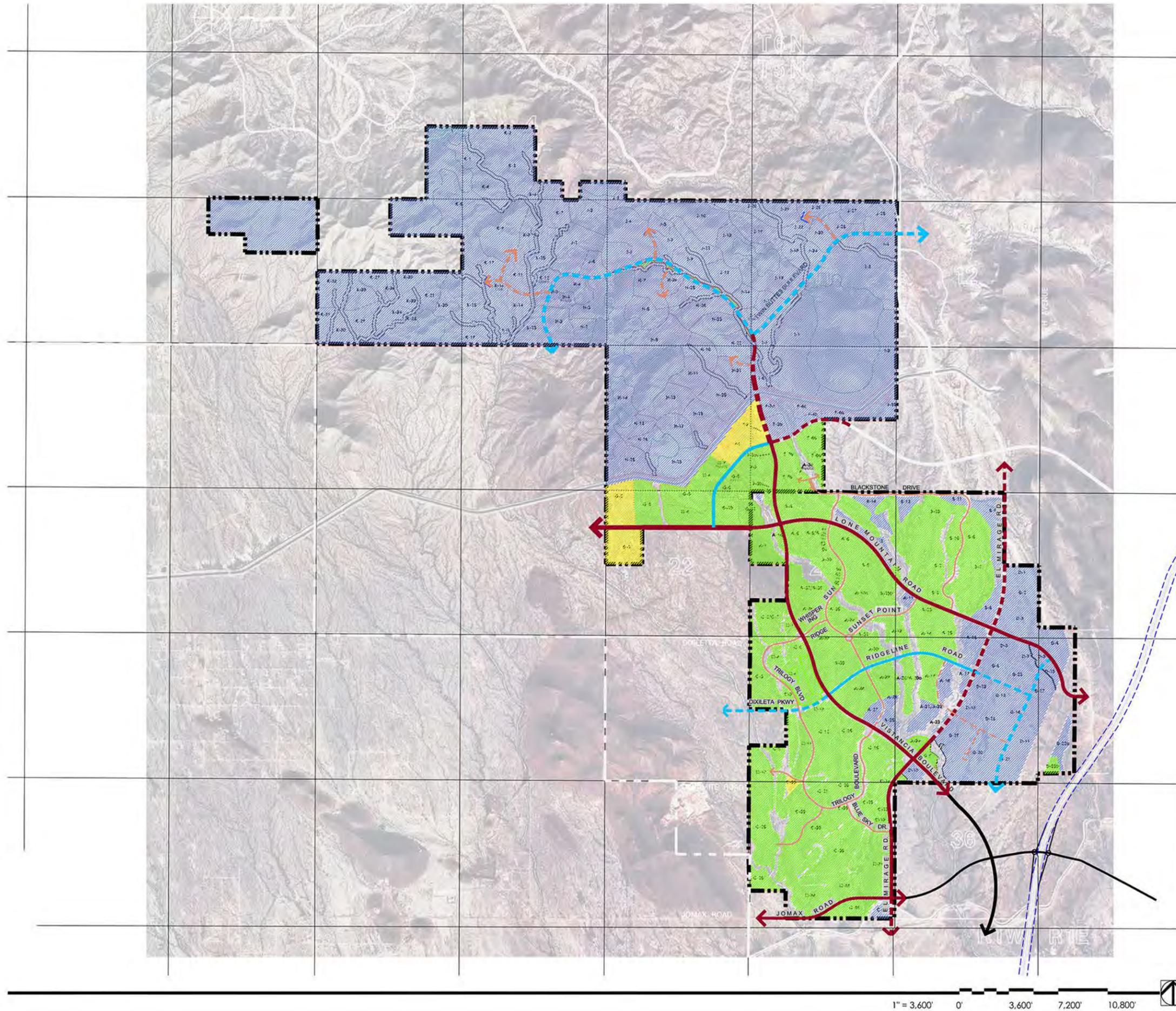
Vistancia South was initially zoned as a planned community under Zoning Application 98-96, approved by the Maricopa County Board of Supervisors on August 4, 1999. This zoning established Vistancia South (formerly known as Lakeland Village) as a Development Master Plan (DMP) in Maricopa County. On June 20, 2001, the Maricopa County Board of Supervisors approved a major amendment to Development Master Plan DMP200009 and Zoning Application Z2000110 to address the introduction of a major employment/commercial center within the proposed planned community. Following approval of the major amendment by the Maricopa County Board of Supervisors on October 2, 2001, the Vistancia South property was annexed into the City of Peoria. This Community was then provided with equivalent zoning of PCD in 2001 under Ordinance 01-159 (Case Z 01-10). The entitlement has subsequently been amended nine times since the original entitlement, most as Minor PCD Amendments.

Vistancia North was acquired through a 1997 land exchange with the Federal Bureau of Land Management (BLM) and was subsequently annexed into the City of Peoria in the same year. The property was rezoned in October 2, 2001 as the White Peak Ranch Planned Community District (Ordinance 01-161, Case Z 00-12). The White Peak Ranch PCD included a mix of residential densities with an overall gross density of 2.16 dwelling units per acre, retail/commercial services, two golf courses, and an extensive network of natural open space areas throughout the property.

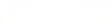


VISTANCIA™

Planned Community District
Existing Land Use



ROADS / PARCELS

-  *Future Major Arterial ***
-  Constructed Major Arterial
-  *Future Minor Arterial ***
-  *Constructed Minor Arterial
-  *Future Major Collector ***
-  *Future Minor Collector ***
-  *Constructed Minor Collector
-  **Completed Parcel
-  Parcel Under Construction
-  Parcel in Design***
-  Vistancia Project Boundary

NOTES:

- * The classification of roadways may change from a minor arterial to a major arterial based on periodic traffic impact analysis study updates.
- ** Parcel completion based on degree of completion and/or receipt of City of Peoria final letter of acceptance.
- *** Future roadway alignments, parcel boundaries, and village entries are subject to change based on detailed land planning and engineering constraints.

The Vistancia North PCD was amended in 2006 under zoning case number Z 00-12A.3 (Ordinance 06-13). Under the 2006 amendment, the overall gross density was decreased from 2.2 to 1.6 dwelling units per acre, the amount of retail/commercial space decreased from 231 to 23 acres and parks/open space was also decreased (1,599 to 1,456 acres). The major change had been the reconfiguration of lot and product type within each of the four villages north of the Central Arizona Project Canal (CAP), allowing for a more open community for residents and visitors. That revised plan includes one 18-hole golf course (Village K), yet Vistancia LLC has respectfully retained the option of including an additional 18-hole golf course (Village J) along the northern portion of the community.

Figure B-2, Existing Zoning provides the existing zoning pattern within and proximate to Vistancia. As established, the existing zoning within Vistancia is designated as Planned Community District (PCD). The adjacent area to the north is also designated as Planned Community District (Saddleback Heights). The adjacent area to the south and east includes a mix of properties reflected as Suburban Ranch (SR-43) with one dwelling unit per acre. The area to the west is represented as Rural-43 (R-43) also including one dwelling unit per acre.

C. Existing Conditions

1. Topography and Physical Features

Vistancia is located within, and extending south of, the Hieroglyphic Mountain Range, approximately five miles south of Lake Pleasant Regional Park. Existing topographical features for undeveloped areas are depicted by **Figure B-3, Primary Drainage Corridors, Topography & Land Forms**. This exhibit illustrates the significant elevation changes that exist on the property between its high and low points.

The physical condition of the remaining parcels can be characterized as gentle to steep sloped terrain with significant drainage ways flowing southeast from the White Peak, Twin Buttes, and Prince Peak, ultimately to the Agua Fria River. Numerous small washes and several significant drainage corridors transect Vistancia, which have been principally accommodated through the provision of the open space land use designation.

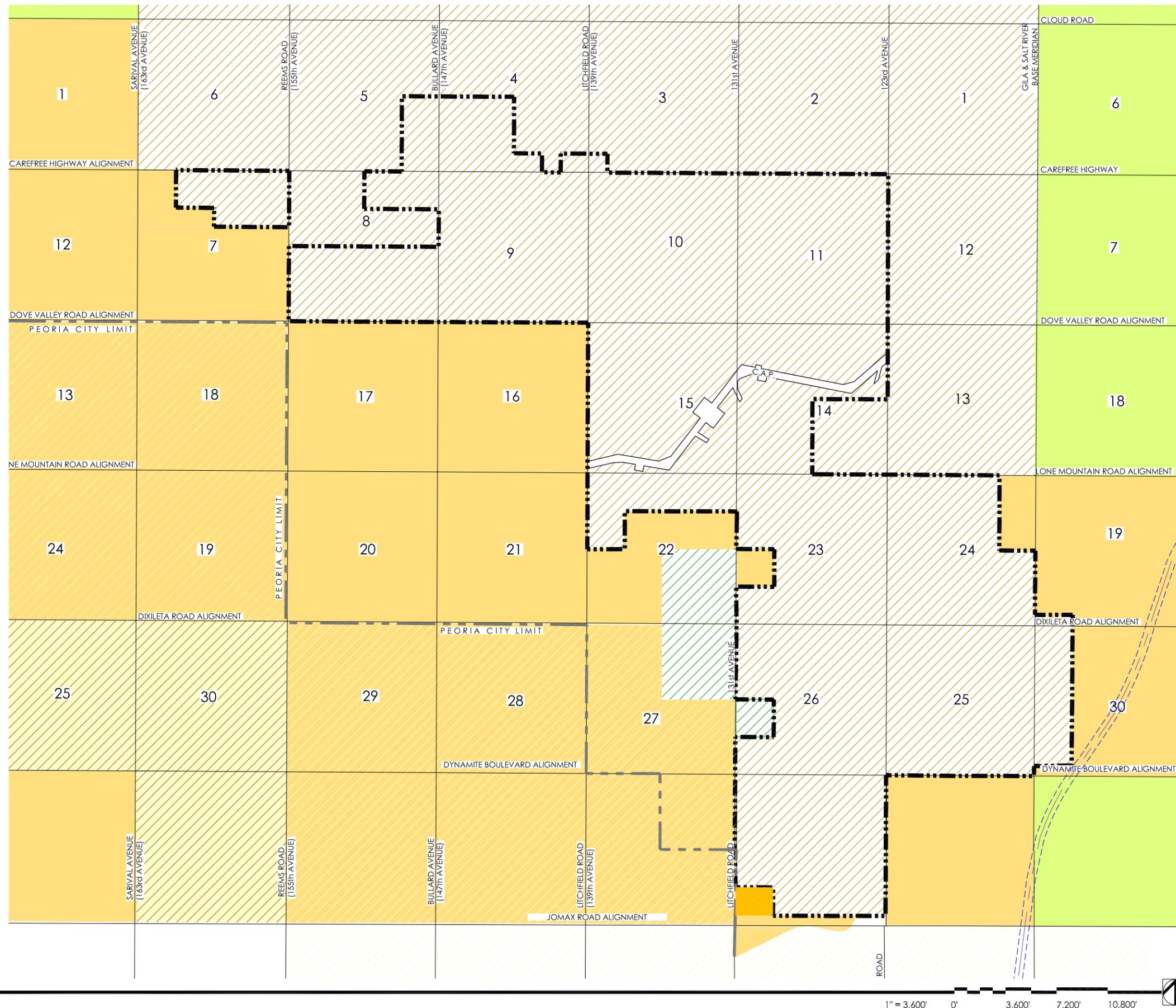
Existing ground elevations within the subject site range between approximately 1,350 feet to 2,300 feet above sea level. This represents a topographic differential of approximately 950 feet. The land south of the CAP canal is predominantly flat while the land north of the CAP contains slopes varying from less than 10% to over 45%. The majority of the existing topography north of the CAP qualifies as hillside slope conditions (i.e. above 10% slope). Provisions for Hillside Development are defined in a modified version of **Article 14-22A, "Vistancia Hillside Development Overlay District"** which can be found under **Appendix F (zoning excerpts)** of this document.



VISTANCIA

Planned Community District Existing Zoning

Vistancia North: Z01-10
Vistancia South: Z 01-10A.10



CITY OF PEORIA ZONING DISTRICTS

-  SR - 43
-  AG
-  PCD
-  PAD

CITY OF SURPRISE ZONING DISTRICT

-  RI - 43

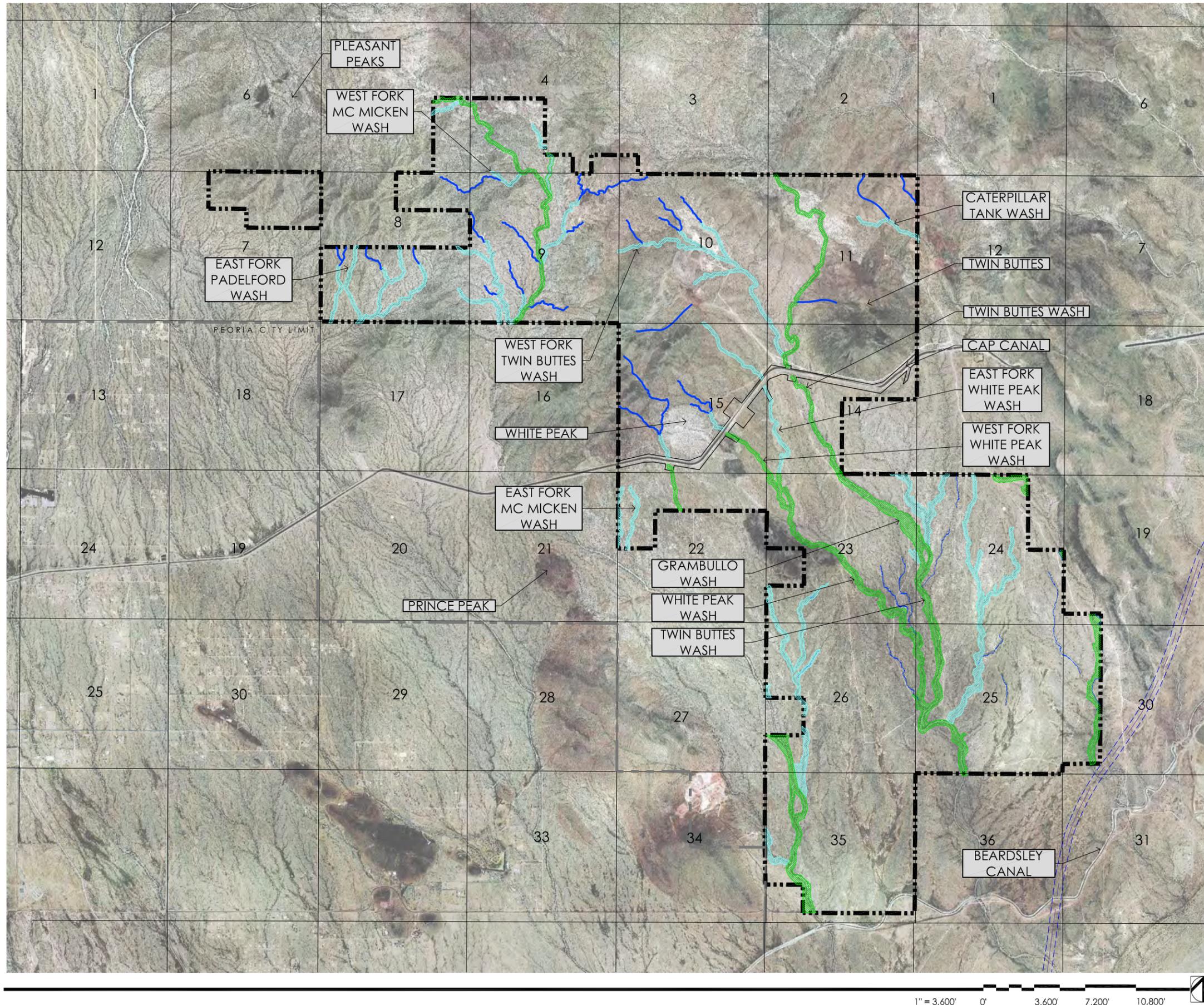
MARICOPA COUNTY ZONING DISTRICT

-  R - 43
-  R1 - 8

Figure B-2

Planned Community District
**Primary Drainage Corridors,
 Topography & Land Forms**

- DRAINAGE CORRIDORS
-  404 Habitat Mitigation & Preservation Corridors
 -  404 Jurisdictional Corridors
 -  Significant Washes



2. Drainage

Natural on-site drainage through Vistancia generally flows from north to south as depicted by **Figure B-3, Primary Drainage Corridors, Topography & Land Forms**. The Agua Fria River, and its associated floodplain, is located approximately two miles to the east and serve as a major surface water drainage conduit for the northwest region of the Phoenix Metropolitan Area, including this project. Areas that do not drain southeast to the Agua Fria run to the southwest with storm water collection at McMicken Dam.

The East McMicken Wash and the Padelford Wash flow in a southerly direction within the western portion of the subject property. The United States Army Corps of Engineers has designated several washes as Section 404 Habitat Mitigation & Preservation Corridors within Vistancia. These corridors are listed below:

- Twin Buttes Wash
- White Peak Wash
- McMicken Wash
- Caterpillar Tank Wash
- Garambullo Wash
- Padelford Wash

Additional unnamed washes are also designated as 404 Jurisdictional Preservation Corridors and illustrated on **Figure B-3**. Significant on-site washes not governed by the Army Corps of Engineers are those delineated by the Federal Emergency Management Agency (FEMA) Flood Maps. **Figure B-3** illustrates those additional drainage areas. Additional development setbacks will be provided along these washes per the modified version of **Article 14-22B “Vistancia Desert Lands Conservation Overlay”** which is found under **Appendix F** of this document. In addition to drainage, these washes provide migration corridors for wildlife and increased open space connectivity throughout Vistancia.

Vistancia is traversed by three major delineated Federal Emergency Management Agency (FEMA) floodplain zones. In addition, the Agua Fria River floodplain is located approximately 1 mile east of the site and two of the major washes through the site outfall to the Agua Fria downstream (south) of the site. Caterpillar Tank Wash generally flows from north to south within the eastern portion of the subject site. Twin Buttes Wash flows through the center of the site and the confluence of two other significant washes occurs within the central portion of Vistancia. White Peak Wash outfalls into Twin Buttes Wash near the south central portion of the site, and both the east and west forks of Garambullo Wash join Twin Buttes Wash approximately 1/2 mile south of its northern boundary. The Flood Control District of Maricopa County (MCFCD) identifies these washes within an Area Drainage Master Study (ADMS) prepared for the Northwest Peoria region. The East McMicken Wash crosses the Beardsley Canal just south of the southerly boundary of Vistancia. This wash is a portion of the active MCFCD ADMS for the Wittmann area. Floodplains have been identified for the six major washes within Vistancia. Additional details on the pre/post development conditions are located in the “Master Drainage, Phase I, Phase II, Proposed Phase III Report for Vistancia (Wood, Patel & Associates, Inc., September 22, 2006) and the “Vistancia North Master Drainage Report” prepared by Stanley Consultants, Inc. dated March 2007.

The existing 100-year flood plains north of the CAP canal, mapped within the Vistancia property, are limited to small areas along the north side of the canal structure, where the structure creates a ponding condition. The canal construction has facilitated partial storm water flows through culvert structures. Portions of the Twin Buttes and White Peak Washes immediately adjacent to the CAP have been identified as Zone AH. Areas designated as Zone AH are subject to inundation by 100-Year shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base flood elevations derived from detailed hydraulic analyses are shown in this zone. A portion of the East McMicken Wash has been identified as being Zone A. Areas designated as Zone A are Special Flood Hazard Areas subject to inundation from 100-Year flood. Because detailed hydraulic analyses have not been performed, base flood elevations or depths are not shown. On-site wash characteristics vary, from deeply incised and constricted wash corridors in the north to generally wide and shallow floodplains to the south.

3. Soils/Geology

Vistancia is located within the Lower Agua Fria watershed that drains into the Agua Fria River, approximately one-mile southeast of the development. The Agua Fria River conveys flows approximately 24 miles to the south, where it outfalls into the Gila River. The existing topography of Vistancia generally slopes towards the south and southeast, between a 1.0 and 1.5 % grade. However, a small portion of its surface drainage flows to the west.

The surface soil profile of Vistancia has been identified utilizing the *Soil Survey of Aguila-Carefree Area, parts of Maricopa and Pinal Counties, Arizona* prepared by the U.S. Soil Conservation Service. The soil types have been identified by their common hydrologic groups. The soils classified for the site are dominated by Groups A, B and D. Soil Group A is defined as having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission. Soil Group B is defined as soils exhibiting moderate infiltration rates when thoroughly wetted, consisting chiefly of moderately deep to deep, moderately well to well drained soils, with moderately fine to moderately coarse textures. These soils have a moderate rate of water transmission. Soils for Group D are characterized with very slow infiltration rates when thoroughly wetted, consisting chiefly of clay soils with a high swelling potential, soils with clay pan or clay layer at or near the surface, and shallow soils over nearly impervious materials. These soils have a very slow rate of water transmission.

4. Groundwater

Vistancia LLC has identified and proven a 100-year ground and surface water supply consisting of 4,200 acre-feet. This volume has been approved by the Arizona Department of Water Resources (ADWR) and has subsequently been conveyed to the City of Peoria. A total of eight production wells (PW1, PW2, PW3, PW5, PW6, PW7, PW8, and PW10) are drilled and operational to date in Vistancia. Two additional wells (PW4 and PW9) have been drilled and both will be operational with the City of Peoria by early 2012. Production rates for these new wells are 900 gallons per minute (gpm) from well PW4, and 650 gpm for well PW9.

5. Vegetation and Wildlife

The property is characterized as “high” Arizona desert with slight topographical relief. Vegetation is typical of an Upper Sonoran environment, characterized by the Palo Verde, Bursage, Barrel, Cholla, and Saguaro cactus vegetation types within the Central Arizona Basin and Range province. Species distribution and plant density varies with slope, aspect, moisture retention, and underlying soil type. Wildlife, as cataloged by the Bureau of Land Management (BLM), consists of a Category II Desert Tortoise and Gila Monster Habitat within the known wildlife movement corridors. Riparian corridors exist along the White Peak, Twin Buttes, McMicken, Caterpillar Tank, and Padelford washes, which attract native wildlife for their forage, habitat, and travel paths.

6. Archaeology

An archaeological study was prepared specifically for the Vistancia South (previously Lakeland Land) property by Aztlan Archaeology¹ in September of 2001. The report was prepared to identify cultural resources on site and to comply with the permitting requirements of the United States Clean Water Act. The survey found fifteen potential archaeological sites within the 3,144-acre survey site. Of the 15 sites, all of the prehistoric sites and one of the historic sites (nine total sites) required evaluation to determine eligibility to the National Register of Historic Places (NRHP). Six historic sites were not considered to be eligible as the findings consisted of small, single-episode trash dumps.

The nine sites (eight prehistoric sites and one historic site) were evaluated during three phases of fieldwork which was conducted between September 25, 2000 and October 18, 2000, between November 27, 2000 and December 1, 2000, and between August 23, 2001 and September 27, 2001. A follow-up report published in 2002 and revised in March 2003, presented the results of the archaeological investigations and clearance activities of the nine sites. The United States Army Corps of Engineers (USACE) and the State Historic Preservation Office (SHPO) have approved the Vistancia South archaeological tasks via the issuance of the 404 permit.

Archaeological studies were prepared specifically for the Vistancia North (previously White Peak Ranch) property by SWCA Cultural Resources on March 28, 2003 to identify cultural resources on site. The surveys found 18 potential archaeological sites within the 3,985-acres surveyed, two of which are located within section 7, which is not planned for development. Of the remaining 16 sites, three required further evaluation to determine eligibility to the NRHP. Additionally, an isolated feature (IF 90 a petroglyph panel) was identified.

The three sites were evaluated as described in follow-up by SWCA Cultural Resources in May of 2007. Testing of the sites failed to identify any significant prehistoric cultural deposit or features, with no further archaeological work being recommended. In addition to the NRHP eligibility testing of the three sites, three Native American tribes were consulted on IF 90. The Salt River Pima-Maricopa Indian Community requested repatriation of the petroglyph boulder, which will occur as future development makes the artifact more accessible.

¹Aztlan Archaeology, Inc.; Preliminary Report on the National Register of Historic Places Evaluation of Nine Sites in the Proposed Lakeland Village Development Northwest of Phoenix, Arizona; September 28, 2001.

7. Roads, Rights-of-Way, and Utilities

A portion of the property has been developed and largely includes standard rights of way for necessary roadways and utility improvements. Pre-development conditions on the remaining undeveloped parcels range from service via adjacent roadways, indirect service via proximate roadways, and no service via adjacent or proximate roads. A large portion of the Vistancia community south of the CAP canal is also served by public and private utilities. A 630-foot power transmission corridor transects Vistancia in the far eastern portion of the project.

III. Master Plans

A. Project Overview

Vistancia is a master planned community of over 7,100 acres, located in Northwest Peoria. The Vistancia Planned Community District is designed to offer a broad range of housing types, retail and commercial services, as well as up to 72 holes of golf and a substantial park and open space network. The projected population will be served by three elementary schools, a high school, four neighborhood parks, two community parks, and two fire stations, which are also illustrated on the Land Use Master Plan. The proposed plan recognizes White Peak, Twin Buttes, Garambullo, Caterpillar Tank, Padelford, and the East McMicken Washes as significant natural open space features and continues to strive to preserve these areas in their natural state. Scenic corridors have been and will continue to be created along major drainage ways and along arterial streets to convey the carefully integrated desert ambiance of this project.

Vistancia has been, and will continue to be, developed with a high level of environmentally sensitive, community building practices. The result has exhibited a series of natural open space areas and golf courses weaving through the community, creating residential enclaves and curvilinear street patterns, reflecting the existing diverse topography, landforms, and vegetation of the Sonoran desert. Many of the houses have been designed and constructed to abut, or capture the views to natural mountain formations, drainage features, or golf course areas. By combining a variety of unit densities, architectural types, and exterior facade treatments, the overall community of Vistancia has been acknowledged by the industry as an example of excellence in planned community development. In early 2005, Vistancia was named America's Best Master Planned Community by the National Association of Home Builders (NAHB) and Best Master Planned Community by the Pacific Coast Builders Conference (PCBC). Today, Vistancia still remains recognized as a highly awarded community, recently receiving back-to-back annual awards as Best Master Planned Community in one of the nation's fastest growing counties. Contributing to this success is a comprehensive set of design guidelines and codes, covenants and restrictions which have been prepared and executed to ensure consistent levels of quality design and development throughout the community. The design guidelines focus on the respect of the natural environment through preservation of the community drainage network, establishment of an architectural theme, creation of a community identity, and the promotion of housing diversity to foster many housing choices for residents.

Within the project, Vistancia has been separated into eight (8) development units, or villages, each with its own distinct character. Each development unit represents a planning unit which assists in breaking down the project geographically and/or on a planning and use basis. Village A, F, & G (Vistancia Village) exhibits a mountain village

theme and represents the main residential production village located centrally within the project. Village B (Blackstone at Vistancia) offers a country club golf experience, with all development parcels interacting, either directly or indirectly with an award-winning private golf course designed by Jim Engh. Village C (Trilogy at Vistancia) is an active adult community with outstanding residential amenities and a public golf course designed by Gary Panks. Village D (Commercial/Mixed Use Village) includes a 500-acre commercial campus and is destined to create a vibrant core to serve as the employment and entertainment base for Vistancia residents and visitors. Villages H through K are located north of the CAP canal, where considerable planning efforts have been completed, but infrastructure improvements have not yet begun. Village H is expected to contain a variety of housing choices along with an elementary school, public parks, and direct access to an adjacent 200 acre preservation area, creating Peoria's first mountainside trail system. Homes in Village I will be surrounding and nestled within the Twin Buttes landform, creating significant opportunity for creative design and ample views of the Phoenix valley. Village J has the potential to contain up to 18 holes of golf while also affording residents the opportunity to enjoy plentiful open space in the surrounds of hillside terrain. Village K contains some of the highest terrain within the community and is planned to contain 18 holes of golf along with a variety of housing products. **Figure C-1, Development Units/Villages** graphically illustrates the community and the boundaries of these eight (8) development units. Layouts for future golf are conceptual in nature and will be later formalized with further study of the natural topography.

Vehicular access to the community is currently available only along Vistancia Boulevard. The developer will be responsible for constructing additional offsite connections from Lone Mountain to the 303 Freeway and El Mirage to Happy Valley Parkway. Currently, Lone Mountain Ranch is under construction with completion expected in early 2012. As neighboring communities develop in the future, there will ultimately be additional offsite access points from Jomax Road, Dixileta Parkway, and Lone Mountain to the west, Westland Road to the east, Bullard Avenue, and Vistancia Boulevard where it exits the northeast of the property. These roadways are depicted on **Figure C-7, Roadway Master Plan**.

B. Natural Planning Determinants

The analysis of the subject property recognized that it exhibits three distinct natural biotic zones: Upper Sonoran, Lower Sonoran, and Riparian Corridor. These characteristics are summarized below:

- **Upper Sonoran:** Generally characterized by steep terrain and mountain peaks; a diversity of trees, shrubs, and cacti including Foothills Palo Verde, Ironwood, Saguaro, Teddy Bear Cholla, Staghorn Cholla, Barrel Cacti, Bursage, and Hedgehog.
- **Lower Sonoran:** Generally characterized by flat terrain, characterized by sparse vegetation, consisting predominately of Creosote, Jumping Cholla and Bursage; the vegetative cover is dispersed at distances approaching 50 feet. Groundcover is comprised of medium sized cobbles generally two inches in diameter. The unit is also influenced by the limited distribution of mature saguaro cactus.
- **Riparian Corridor:** Habitat defined as vegetated corridors along the Garambullo, Twin Buttes, White Peak, Caterpillar Tank, McMicken, and Padelford Washes. The corridors are characterized by sand and silt and cobble watercourses (generally six to twenty feet in width), with the inclusion of Palo



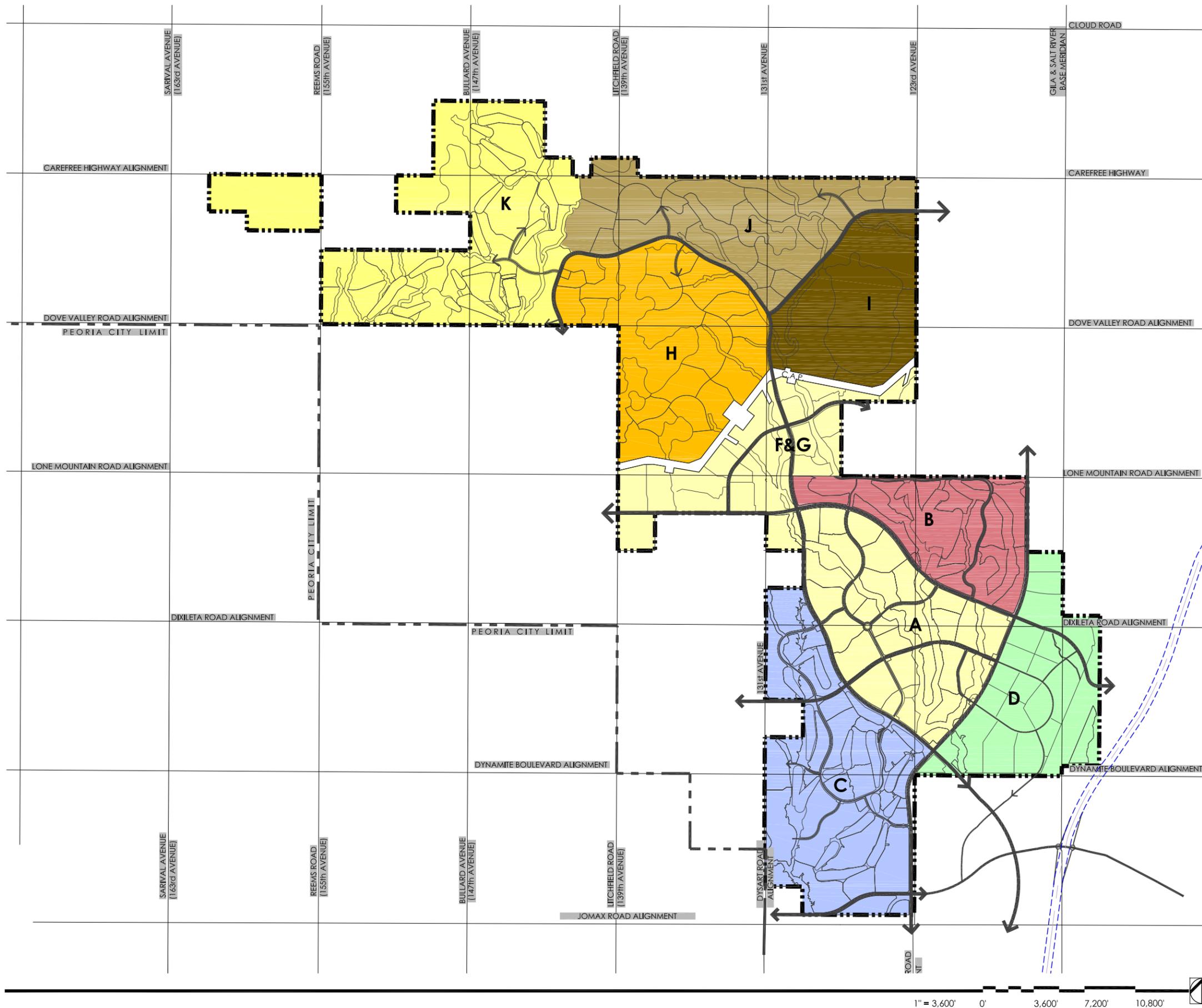
Planned Community District Development Units / Villages

VILLAGES

- Village A, F & G - Mountain Vista
- Village B - Blackstone
- Village C - Trilogy
- Village D - Urban Village
- Village H
- Village I
- Village J
- Village K

NOTES:

- * Villages are based on planned development units of the PCD document. Boundaries are shown schematic for graphic clarity.
- ** Future roadway alignments, parcel boundaries, and village entries are subject to change based on detailed land planning and engineering constraints.



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April 2013

Figure C-1

Verde, Bursage, and Chuparosa plant species. It is generally accepted that these corridors attract and are utilized by wildlife for feeding, habitat, and circulation within their environment. The majority of these corridors is designated as open space in the land use master plan and utilizes box culverts (i.e. 10' x 10') to allow for unimpeded wildlife movement across arterial and collector roadways. To illustrate the connectivity of the riparian corridors with the use of the land, **Figure C-2, Anticipated Wildlife Corridors** was prepared. It demonstrates the sensitivity to the native wildlife in the area through its designation of open space and preserve within a majority of the natural drainage ways and 404 designated washes which traverse Vistancia.

The northern reaches of the Vistancia community exhibit significant landforms. These natural features translate to a wide range of topographic slopes with dramatic vertical relief generally sited around Twin Buttes and Pleasant Peaks. The southern portions of the property are characterized by gently sloped topography with vertical relief generally only occurring within the drainage corridors. Wash depths here generally range from two to five feet. With sensitive planning, development near riparian drainage ways and upper slopes will benefit the residents of Vistancia by providing the following opportunities:

- Preserve the natural conditions of the drainage ways;
- Promote opportunities for multi-user mobility through a community trails system; and
- Include opportunities for interaction with wildlife habitats by the preservation of the riparian corridors.
- Preserve upper elevation and steep sloped areas as well as peaks and ridgelines.

The presence of the CAP Canal, bisecting the community, represents a defined edge, potentially limiting the connectivity of adjacent neighborhoods. However, the presence of trails and selected location for bridge crossings and streetscape treatments will minimize community-wide bifurcation of this area. The MWD Beardsley Canal at the southern edge of the property represents another “edge”, providing potential constraints to access and land use relationships, although a much lesser obstacle given its peripheral location.

C. Land Use Plan

A large portion of Vistancia’s success can be attributed to its flexible and environmentally sensitive planning of community land uses. Specific land use determinations and their location within Vistancia are the result of several factors:

- Responding to the Peoria Desert Lands Conservation Overlay (DLCO) for property north of the CAP canal;
- Maximizing land use compatibility with development suitability to maximize property enhancement;
- Leveraging existing drainage constraints created by major washes into open space linkages;
- Maximizing residential adjacency and connectivity to natural and developed open spaces;
- Sensitively sighting arterial street alignments as determined by topography and drainage constraints matched with projected traffic demands;
- Providing the appropriate distribution, sizing, and location of park and school facilities;



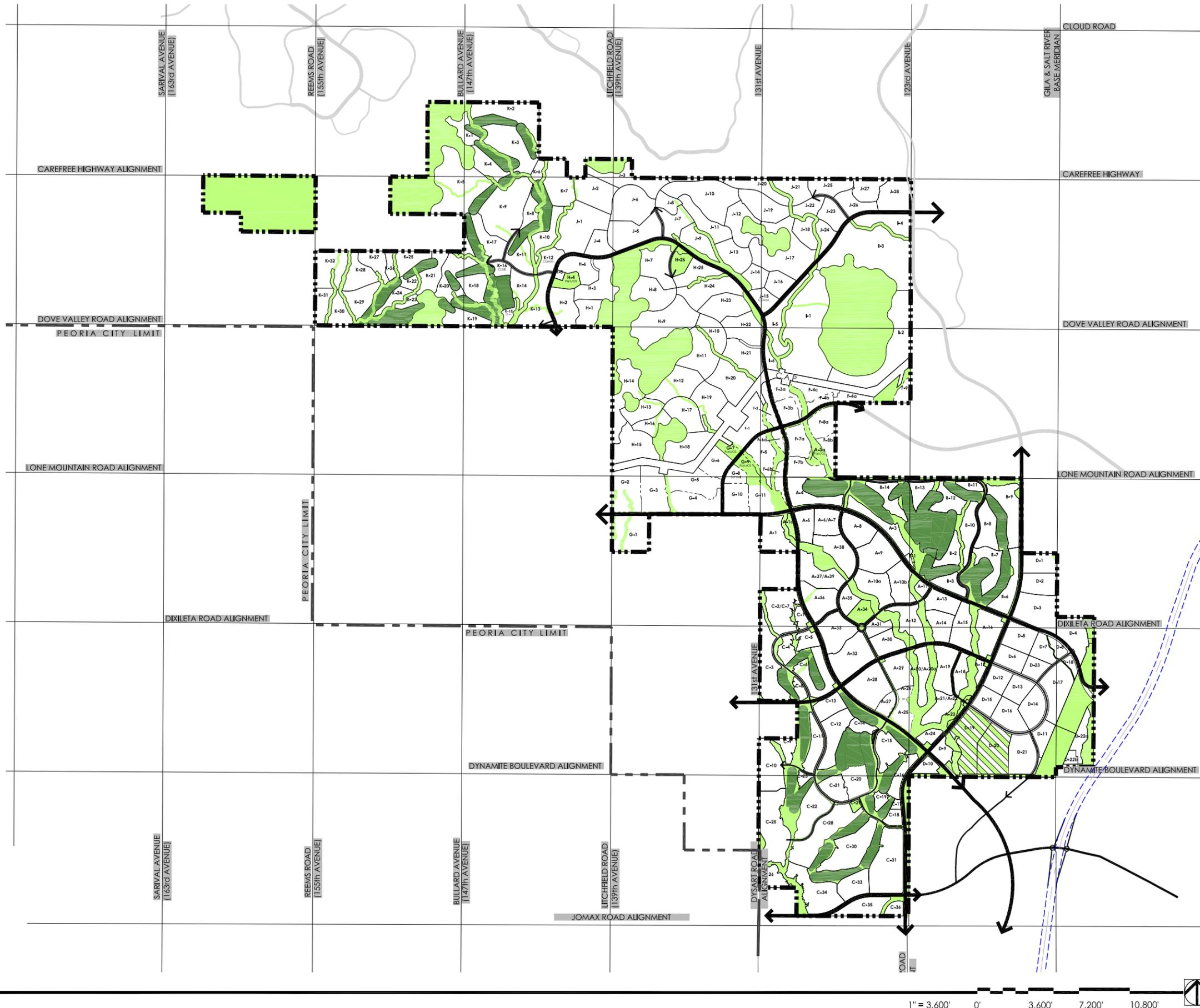
Planned Community District
Anticipated Wildlife Corridors

FACILITIES & USE

- Open Space / Park
- Golf Open Space
- Major Wash & Habitat Corridors (404 Jurisdictional Waters)

NOTES:

- *Open space location and acreage is subject to further refinement.
- ** Future roadway alignments, parcel boundaries, and village entries are subject to change based on detailed land planning and engineering constraints.



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April 2013

Figure C-2

- Appropriately diversifying, distributing, and transitioning residential densities;
- Creating employment nodes and opportunities that balance residential and employment land uses; and
- Creating appropriate land use buffers between lower and higher density/intensity land uses.

Evaluation of these site plan determinants has resulted in the creation of versatile and well planned land use master plan for Vistancia. The creation of flexible zoning designations and zoning districts specific to the community has allowed for more compatible land uses and development standards which are unique to the Vistancia area. The land use zoning designations identified for Vistancia are as follows:

<u>Land Use Designation</u>	<u>Description</u>	<u>Residential Density</u>
V-RE	Vistancia Estate Residential	0.5-2.0 du/ac
V-LD	Vistancia Low Density Residential	2.0-5.0 du/ac
V-MD	Vistancia Medium Density Residential	5.0-8.0 du/ac
V-MH	Vistancia Medium-High Density Residential	8.0-15.0 du/ac
V-HD	Vistancia High Density Residential	15+ du/ac
V-NC	Vistancia Neighborhood Commercial	N/A
V-CC	Vistancia Community Commercial	N/A
V-MU	Vistancia Mixed Use	15.0+ du/ac
VCC-BP	Vistancia Commercial Core Business Park	N/A
VCC-RC	Vistancia Commercial Core Regional Commercial	15.0+ du/ac
VCC-MU	Vistancia Commercial Core Mixed Use	15.0+ du/ac
V-SU	Vistancia Special Use	N/A
P/QP	Public / Quasi-Public	N/A
P/OS	Parks / Open Space	N/A

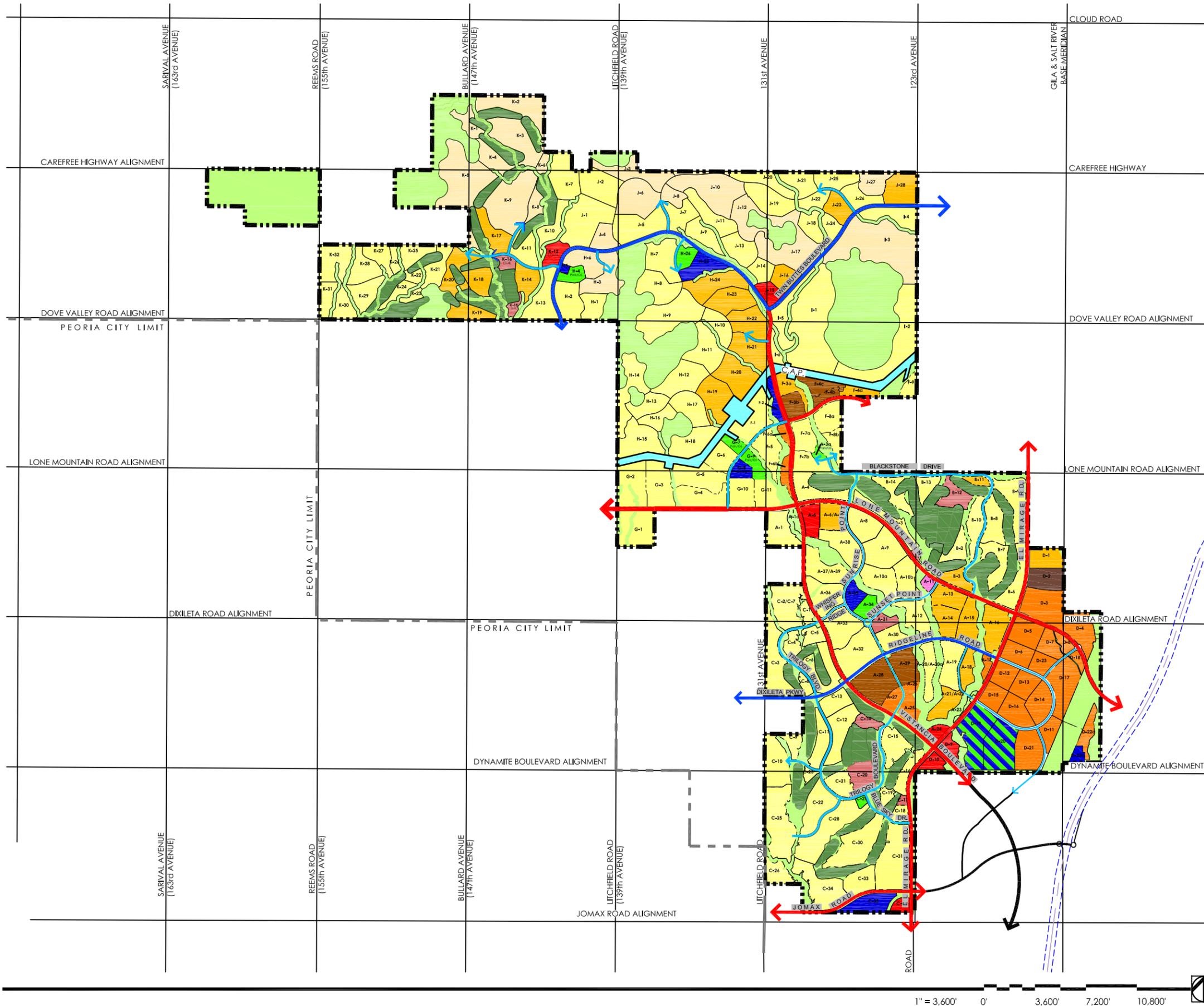
Table C.1, Master Land Use Plan and Zoning Data, details the proposed land use (flexible zoning categories), parcel gross acreage, and projected (or actual) residential unit count for each development parcel within Vistancia. Parcels are categorized by one of eight development units or villages based on product theme or general location within the community. These development units include Village A, F & G (Vistancia Village), Village B (Blackstone at Vistancia), Village C (Trilogy at Vistancia), and Village D (Commercial/Mixed Use Village). Residential Villages H through K are located north of the CAP Canal and have not yet received specific marketing names as those listed above. Appropriate zoning districts have also been identified for each parcel land use and listed within **Table C.1**. Zoning districts and development standards are discussed in more detail within Section D. **Figure C-3, Land Use Master Plan**, graphically depicts the proposed mix of residential, employment, and supportive land uses as defined in **Table C.1**. Although all of the proposed Vistancia PCD land use designations listed above may not be utilized at this time, a complete listing of the designations is presented as a reference and establishes flexibility for any future zoning amendments.

It is important to note that the Vistancia land use plan reflects the longstanding coordination with the City of Peoria and the respective General Plan amendment processes which have taken place since the conception of the community. In 2000, the City of Peoria City Council added the Vistancia property into the municipal planning area through a Peoria General Plan Amendment, establishing the intended land use for the area through modifications to the land use, transportation, and public facilities elements



VISTANCIA™

Planned Community District Land Use Master Plan



LAND USES	
	V-RE Residential/Estate 0-2.0 du/ac (VRD-40, VRD-35, VRD-30, VRD-24)
	V-LD Residential/Low 2.0-5.0 du/ac (VRD-18, VRD-12, VRD-10, VRD-8, VRD-7, VRD-6)
	V-MD Residential/Medium 5.0-8.0 du/ac (VRD-4, VRA-4, VRD-3, VRA-3)
	V-MH Residential/Medium High 8.0 - 15.0 du/ac (VRD-3, VRA-3)
	V-HD Residential/High 15.0+ du/ac (VRA-4, VRD-3, VRA-3, VRA-2)
	V-MU Mixed Use (V-MU)
	V-SU Special Use (V-SU)
	V-NC Neighborhood Commercial (V-NC)
	V-CC Community Commercial (V-CC)
	V-OS/P Open Space/Park
	V-G Golf Course
	V-P/QP Public/Quasi-Public
	V-W Water (C.A.P.)
	Major Arterial
	Minor Arterial
	Minor Collector

* Routing at Village K Golf is Conceptual.

* Future roadway alignments, parcel boundaries, and village entries are subject to change based on detailed land planning and engineering constraints.

Vistancia PCD Land Use

Table C1: Land Use Master Plan and Zoning Data
Updated 1/16/13

Parcel Description					Residential Dwelling Unit Allowance				Zoning Classification / District		Parcel Status
Parcel Number	Land Use Designation	Approx. Gross Acres	Land Use Density Range Min. Max.		Minimum (Baseline) Dwelling Units	Maximum (Ceiling) Dwelling Units	Projected Dwelling Units	Actual Dwelling Units	Zoning (3)		
Village A											
A-1	V-LD	31.0	2.0	5.0	62	155		55	VRD-10 (5)		Platted and Built
A-1a	V-P/OS	8.8	-	-	-	-		-			Dedicated as Open Space
A-5	V-CC	11.6	-	-	-	-		-	V-CC		
A-6 / A-7	V-MD	28.5	5.0	8.0	143	228		76	VRD-6		Platted and Built
A-8	V-LD	29.3	2.0	5.0	59	147		81	VRD-6 (5)		Platted and Built
A-9	V-LD	35.4	2.0	5.0	71	177		97	VRD-6 (5)		Platted and Built
A-10a	V-LD	29.9	2.0	5.0	60	150		68	VRD-8 (5)		Platted and Built
A-10b	V-LD	25.6	2.0	5.0	51	128		65	VRD-8 (5)		Platted and Built
A-11	V-NC	3.5	-	-	-	-		-	V-NC		
A-12	V-LD	32.1	2.0	5.0	64	161		71	VRD-8 (5)		Platted and Built
A-13	V-MD	18.0	5.0	8.0	90	144		85	VRD-6 (5)		Platted and Built
A-14	V-MD	22.2	5.0	8.0	111	178		92	VRD-8 (5)		Platted and Built
A-15	V-MD	27.1	5.0	8.0	136	217		99	VRD-6		Platted and Built
A-16	V-MD	31.5	5.0	8.0	158	252	99		VRA-3 or less-dense districts		
A-17	V-MU	5.7	8.0	15.0+	34	85	-		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
A-18	V-MD	12.8	5.0	8.0	64	102	34		VRA-3 or less-dense districts		
A-19	V-LD	29.4	2.0	5.0	59	147		56	VRD-8 (5)		Platted and Built
A-20/A-20a	V-LD	31.3	2.0	5.0	63	157		51	VRD-8 (5)		Platted and Built
A-21/A-22	V-MD	18.8	5.0	8.0	94	150	83		VRA-3 or less-dense districts		
A-23	V-P/OS	4.6	-	-	-	-		-			Dedicated as Open Space
A-24	V-CC	7.9	-	-	-	-		-	V-NC		Partially Built
A-25	V-MU	13.1	8.0	15.0+	79	197	60		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
A-26	V-MU	4.6	8.0	15.0+	28	69	20		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
A-27	V-MU	8.1	8.0	15.0+	49	122	40		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
A-28	V-MH	43.7	8.0	15.0	350	656		340	VRA-3		Platted and Built
A-29	V-MH	26.5	8.0	15.0	212	398		158	VRA-3		Platted and Built
A-30	V-LD	21.5	2.0	5.0	43	108		47	VRD-6 (5)		Platted and Built
A-31	V-SU - Rec	13.8	-	-	-	-		-	All Districts		Built Amenity Center
A-32	V-LD	43.8	2.0	5.0	88	219		136	VRD-7 (5)		Platted and Built
A-33	V-LD	33.5	2.0	5.0	67	168		122	VRD-6 (5)		Platted and Built
A-34	V-P/OS	11.8	-	-	-	-		-			Built Public Park
A-35	V-P/QP	10.9	-	-	-	-		-			Built Elementary School
A-36	V-LD	32.2	2.0	5.0	64	161		88	VRD-7 (5)		Platted and Built
A-37/A-39	V-LD	44.8	2.0	5.0	90	224		108	VRD-6 (5)		Platted and Built
A-38	V-LD	19.6	2.0	5.0	39	98		60	VRD-6		Platted and Built
Village A Total	Totals	772.9			2,424	4,993	336	1,955			
Total Projected and Actual: 2,291											
The combined Projected and Actual DU's within Village A shall be 2,291 units with an allowable unit count range of 2,291 - 4,993											

Vistancia PCD Land Use

Table C1: Land Use Master Plan and Zoning Data
Updated 1/16/13

Parcel Description					Residential Dwelling Unit Allowance				Zoning Classification / District	Parcel Status
Parcel Number	Land Use Designation	Approx. Gross Acres	Land Use Density Range Min. Max.		Minimum (Baseline) Dwelling Units	Maximum (Ceiling) Dwelling Units	Projected Dwelling Units	Actual Dwelling Units	Zoning (3)	
Village B										
A-3	V-LD	44.9	2.0	5.0	90	225	31	-	VRD-5 or less-dense districts	
A-3a	V-P/OS (Private)	3.5	-	-	-	-	-	-		Built Private Park
A-4	V-LD	24.8	2.0	5.0	50	124	-	33	VRD-18	Platted
B-1	V-SU - Maint	5.5	-	-	-	-	-	-	All Districts	Built Maintenance Facility
B-2	V-LD	59.2	2.0	5.0	118	296	-	19	VRD-10	Platted and Built
B-3	V-MD	21.8	5.0	8.0	109	174	-	64	VRA-3	Platted and Built
B-6	V-LD	37.8	2.0	5.0	76	189	52	-	VRD-10	Pre-Plat
B-7	V-LD	58.0	2.0	5.0	116	290	-	21	VRD-18	Platted and Built
B-8	V-LD	29.5	2.0	5.0	59	148	-	22	VRD-10	Platted and Built
B-9	V-LD	52.3	2.0	5.0	105	262	50	-	VRD-5 or less-dense districts	
B-10	V-LD	28.1	2.0	5.0	56	141	-	34	VRD-10	Platted and Built
B-11	V-MD	15.5	5.0	8.0	78	124	78	-	VRA-3 or less-dense districts	
B-12	V-SU - Club	34.7	-	-	-	-	-	-	All Districts	Built Clubhouse / Amenity
B-13	V-LD	33.8	2.0	5.0	68	169	11	-	VRD-5 or less-dense districts	
B-14	V-LD	61.8	2.0	5.0	124	309	15	-	VRD-5 or less-dense districts	
F-7a	V-LD	18.2	2.0	5.0	36	91	-	52	WPD-10	Platted and Built
F-7b	V-LD	17.4	2.0	5.0	35	87	-	50	WPD-10	Platted and Built
F-8a	V-LD	19.9	2.0	5.0	40	99	-	45	WPD-10	Platted and Built
F-8b	V-LD	11.4	2.0	5.0	23	57	-	22	WPD-10	Platted and Built
Village B Total	Totals	578.1			1,181	2,784	237	362		
Total Projected and Actual: 599										
The combined Projected and Actual DU's within Village B shall be 599 units with an allowable unit count range of 1,181 - 2,784										
Village C										
C-1	V-LD	7.6	2.0	5.0	15	38	-	19	VRD-5 / VRD-6	Platted and Built
C-2/C-7	V-LD	39.5	2.0	5.0	79	198	-	132	VRD-6	Platted and Built
C-3	V-LD	48.4	2.0	5.0	97	242	-	128	VRD-8	Platted and Built
C-4	V-LD	12.5	2.0	5.0	25	63	-	39	VRD-6	Platted and Built
C-5	V-LD	32.0	2.0	5.0	64	160	-	85	VRD-6	Platted and Built
C-6	V-LD	20.2	2.0	5.0	40	101	-	45	VRD-6	Platted and Built
C-8	V-LD	10.3	2.0	5.0	21	52	-	22	VRD-6	Platted and Built
C-9	V-LD	25.3	2.0	5.0	51	127	-	41	VRD-8	Platted and Built
C-10	V-LD	46.1	2.0	5.0	92	231	-	138	VRD-6	Platted and Built
C-11	V-LD	32.5	2.0	5.0	65	162	-	62	VRD-6	Platted and Built
C-12	V-LD	33.8	2.0	5.0	68	169	-	100	VRD-6	Platted
C-13	V-LD	29.5	2.0	5.0	59	148	-	91	VRD-6	Platted and Built
C-14	V-SU - Club	16.7	-	-	-	-	-	-	V-CC	Built Amenity Center
C-15	V-LD	37.3	2.0	5.0	75	187	-	81	VRD-6	Platted and Built
C-16	V-LD	32.6	2.0	5.0	65	163	-	49	VRD-6	Platted and Built
C-17	V-SU - Maint	3.3	-	-	-	-	-	-	All Districts	Built Maintenance Facility
C-18	V-LD	9.8	2.0	5.0	20	49	-	26	VRD-6	Platted and Built
C-19	V-LD	15.8	2.0	5.0	32	79	-	20	VRD-6	Platted and Built
C-20	V-SU - Rec	29.4	-	-	-	-	-	-	All Districts	Built Amenity Center
C-21	V-LD	19.2	2.0	5.0	38	96	-	52	VRD-6	Platted and Built
C-22	V-LD	38.5	2.0	5.0	77	192	-	119	VRD-6	Platted and Built
C-23	V-LD	6.7	2.0	5.0	13	34	-	13	VRD-8	Platted and Built
C-25	V-LD	55.7	2.0	5.0	111	279	-	154	VRD-6	Platted and Built
C-26	V-LD	18.4	2.0	5.0	37	92	-	53	VRD-6	Platted and Built
C-28	V-LD	80.2	2.0	5.0	160	401	-	223	VRD-6	Platted and Built
C-29	V-P/OS - Park	3.6	-	-	-	-	-	-		Built Private Park
C-30	V-LD	67.9	2.0	5.0	136	340	-	176	VRD-6	Platted and Built
C-31	V-LD	59.2	2.0	5.0	118	296	-	209	VRD-6	Platted and Built
C-33	V-LD	21.8	2.0	5.0	44	109	-	75	VRD-6	Platted and Built
C-34	V-LD	43.3	2.0	5.0	87	217	-	135	VRD-6	Platted and Built
C-35	V-P/QP - WTP	23.3	-	-	-	-	-	-	V-P/QP	Built WTP
C-36	V-CC	8.5	-	-	-	-	-	-	V-CC	
Village C Total	Totals	928.9			1,688	4,221	0	2,287		
Total Projected and Actual: 2,287										
The combined Actual DU's within Village C is 2,287.										

Vistancia PCD Land Use

Table C1: Land Use Master Plan and Zoning Data
Updated 1/16/13

Parcel Description					Residential Dwelling Unit Allowance				Zoning Classification / District		Parcel Status
Parcel Number	Land Use Designation	Approx. Gross Acres	Land Use Density Range		Minimum (Baseline) Dwelling Units	Maximum (Ceiling) Dwelling Units	Projected Dwelling Units	Actual Dwelling Units	Zoning (3)		
Village D											
D-1	V-MD	18.9	15.0	15.0+	284	284	100		VRA-3 or less-dense districts		
D-2	V-HD	21.2	15.0	15.0+	318	318	150		VRA-4, VRD-3, VRA-3, VRA-2		
D-3	V-MU	37.7	15.0	15.0+	566	566	70		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-4	V-MU	27.2	15.0	15.0+	408	408	50		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-5	V-MU	21.9	15.0	15.0+	329	329	-		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-6	V-MU	17.0	15.0	15.0+	255	255	30		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-7	V-MU	14.1	15.0	15.0+	212	212	-		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-8	V-MU	6.4	15.0	15.0+	96	96	-		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-9	V-CC	9.9	-	-	-	-	-		V-CC		Built Commercial
D-10	V-CC	8.7	-	-	-	-	-		V-CC		
D-11	V-MU	12.4	15.0	15.0+	186	186	30		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-12	V-MU	15.1	15.0	15.0+	227	227	20		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-13	V-MU	16.5	15.0	15.0+	248	248	30		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-14	V-MU	22.1	15.0	15.0+	332	332	40		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-15	V-MU	15.1	15.0	15.0+	227	227	40		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-16	V-MU	22.3	15.0	15.0+	335	335	50		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-17	V-MU	34.8	15.0	15.0+	522	522	119		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-18	V-MU	4.6	15.0	15.0+	69	69	0		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-19	V-P/OS/H.S.	41.0	-	-	-	-	-		V-MU (Underlying Zoning)		
D-20	V-P/OS/H.S.	40.0	-	-	-	-	-		V-MU (Underlying Zoning)		
D-21	V-MU	29.2	15.0	15.0+	438	438	-		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-22a	V-MU	13.2	15.0	15.0+	198	198	-		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
D-22b	V-P/QP	5.7	-	-	-	-	-		V-P/QP		Built Utility Campus
D-23	V-MU	12.0	15.0	15.0+	180	180	30		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
Village D Total	Totals	467.0			5,426	5,426	759				
Total Projected and Actual:								759			
The combined Projected and Actual DU's within Village D shall be 759 units with an allowable unit count up to 5,426+											
Village F											
F-1	V-LD	30.6	2.0	5.0	61	153		105	VRD-6 & VRD-7		Platted and Partially Built
F-2	V-P/QP	8.5	-	-	-	-	-	-	V-P/QP		Built Water Campus
F-3a	V-MD	12.8	5.0	8.0	64	102	83		VRA-3 or less-dense districts		F-3a & F-3b Planned Together
F-3b	V-MH	13.3	8.0	15.0	106	199			VRD-5, VRD-4, VRA-4, VRD-3, VRA-3		
F-4a	V-MD	9.9	5.0	8.0	49	79			VRA-3 or less-dense districts		F-4a, F-4b, & F-4c Planned Together
F-4b	V-MH	6.5	8.0	15.0	52	97	109		VRD-5, VRD-4, VRA-4, VRD-3, VRA-3		
F-4c	V-MH	13.3	8.0	15.0	107	200			VRD-5, VRD-4, VRA-4, VRD-3, VRA-3		
F-5	V-LD	21.4	2.0	5.0	43	107		74	VRD-7		Platted and Built
F-6a	V-MU	4.8	8.0	15.0+	38	72	25		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
F-6b	V-MU	3.3	8.0	15.0+	26	50	20		V-MU / VRA-4, VRD-3, VRA-3, VRA-2		
F-9	V-LD	8.6	2.0	5	17	43	20		VRD-5 or less-dense districts		
Village F Total	Totals	132.9			564	1,102	257	179			
Total Projected and Actual:								436			
The combined Projected and Actual DU's within Village F shall be 436 units with an allowable unit count range of 436 - 1,102											

Vistancia PCD Land Use

Table C1: Land Use Master Plan and Zoning Data
Updated 1/16/13

Parcel Description					Residential Dwelling Unit Allowance				Zoning Classification / District	Parcel Status
Parcel Number	Land Use Designation	Approx. Gross Acres	Land Use Density Range		Minimum (Baseline) Dwelling Units	Maximum (Ceiling) Dwelling Units	Projected Dwelling Units	Actual Dwelling Units	Zoning (3)	
			Min.	Max.						
Village G										
G-1	V-LD	38.6	2.0	5.0	77	193	130	-	VRD-5	Platted and Partially Built
G-2	V-LD	36.5	2.0	5.0	73	183		101	VRD-6	Platted and Partially Built
G-3	V-LD	32.8	2.0	5.0	66	164		141	VRD-4	Platted and Built
G-4	V-LD	26.2	2.0	5.0	52	131		72	VRD-6	Platted and Built
G-5	V-LD	31.6	2.0	5.0	63	158		76	WPD-6	Platted and Built
G-6	V-LD	18.2	2.0	5.0	36	91		53	WPD-6	Platted and Built
G-7	V-P/OS (Private)	6.9	-	-	-	-	-	0		Built Amenity Center
G-8	V-P/QP	16.1	-	-	-	-	-	0		Built Public K-8 School
G-9	V-P/OS(Public)	4.2	-	-	-	-	-	0		Built Public Park
G-10	V-LD	20.6	2.0	5.0	41	103		84	WPD-6	Platted and Built
G-11	V-LD	9.9	2.0	5.0	20	50		51	WPD-6	Platted and Built
Village G Total	Totals	241.5			429	1,072	130	578		
Total Projected and Actual: 708										
The combined Projected and Actual DU's within Village G shall be 708 units with an allowable unit count range of 429 - 1,072										
Village H										
H-1	V-LD	17.0	2.0	5	34	85	10		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-2	V-LD	26.4	2.0	5	53	132	47		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-3	V-RE	29.9	0.5	2	15	60	10		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-4	V-P/OS	9.8	-	-	-	-	-			
H-5	V-P/QP	2.1	-	-	-	-	-			
H-6	V-RE	20.6	0.5	2.0	10	41	33		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-7	V-LD	30.0	2.0	5.0	60	150	28		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-8	V-LD	28.6	2.0	5.0	57	143	50		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-9	V-LD	54.5	2.0	5.0	109	273	96		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-10	V-LD	18.1	2.0	5.0	36	91	-		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-11	V-LD	31.0	2.0	5.0	62	155	42		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-12	V-LD	33.7	2.0	5.0	67	168	43		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-13	V-LD	18.5	2.0	5.0	37	93	14		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-14	V-LD	34.7	2.0	5.0	69	173	24		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-15	V-LD	34.8	2.0	5.0	70	174	98		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-16	V-LD	14.1	2.0	5.0	28	70	23		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-17	V-LD	25.8	2.0	5.0	52	129	51		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-18	V-LD	29.0	2.0	5.0	58	145	65		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
H-19	V-MD	31.1	5.0	8.0	156	249	85		VRA-3 or less-dense districts	
H-20	V-MD	33.0	5.0	8.0	165	264	101		VRA-3 or less-dense districts	
H-21	V-MD	26.4	5.0	8.0	132	211	60		VRA-3 or less-dense districts	
H-22	V-MD	27.7	5.0	8.0	139	222	72		VRA-3 or less-dense districts	
H-23	V-MD	28.2	5.0	8.0	141	226	80		VRA-3 or less-dense districts	
H-24	V-MD	31.9	5.0	8.0	159	255	88		VRA-3 or less-dense districts	
H-25	V-P/QP	18.6	-	-	-	-	-		V-LD (Underlying Zoning)	
H-26	V-P/OS	10.5	-	-	-	-	-			
Village H Total	Totals	665.8			1,709	3,508	1,120	0		
Total Projected and Actual: 1,120										
The Projected DU's within Village H shall be 1,120 units with an allowable unit count range of 1,120 - 3,508										

Vistancia PCD Land Use

Table C1: Land Use Master Plan and Zoning Data
Updated 1/16/13

Parcel Description					Residential Dwelling Unit Allowance				Zoning Classification / District		Parcel Status
Parcel Number	Land Use Designation	Approx. Gross Acres	Land Use Density Range		Minimum (Baseline) Dwelling Units	Maximum (Ceiling) Dwelling Units	Projected Dwelling Units	Actual Dwelling Units	Zoning (3)		
			Min.	Max.							
Village I											
I-1	V-LD	102.5	2.0	5.0	205	512	209		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
I-2	V-LD	66.2	2.0	5.0	132	331	105		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
I-3	V-RE	95.6	0.5	2.0	48	191	50		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
I-4	V-LD	23.3	2.0	5.0	47	116	49		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
I-5	V-LD	21.5	2.0	5.0	43	108	40		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
I-6	V-LD	6.6	2.0	5.0	13	10	-		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
Village I Total	Totals	315.8			488	1,269	453	0			
Total Projected and Actual:								453			
The Projected DU's within Village I shall be 453 units with an allowable unit count range of 453 - 1,269											
Village J											
J-1	V-LD	51.2	2.0	5.0	102	256	107		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-2	V-LD	32.3	2.0	5.0	65	161	68		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-3	V-RE	29.6	0.5	2.0	15	59	15		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-4	V-RE	14.2	0.5	2.0	7	28	7		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-5	V-LD	35.5	2.0	5.0	71	178	19		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-6	V-RE	38.0	0.5	2.0	19	76	10		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-7	V-LD	19.4	2.0	5.0	39	97	51		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-8	V-RE	10.8	0.5	2.0	5	22	6		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-9	V-LD	18.6	2.0	5.0	37	93	19		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-10	V-RE	53.7	0.5	2.0	27	107	21		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-11	V-LD	24.4	2.0	5.0	49	122	51		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-12	V-RE	25.2	0.5	2.0	13	50	13		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-13	V-LD	23.0	2.0	5.0	46	115	60		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-14	V-LD	12.9	2.0	5.0	26	64	27		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-15	V-CC	11.7	-	-		-	-		V-CC		
J-16	V-MD	15.4	5.0	8.0	77	123	40		VRA-3 or less-dense districts		
J-17	V-RE	56.1	0.5	2.0	28	112	29		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-18	V-LD	15.2	2.0	5.0	30	76	32		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-19	V-LD	29.9	2.0	5.0	60	149	63		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-20	V-LD	20.1	2.0	5.0	40	101	42		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-21	V-LD	19.0	2.0	5.0	38	95	40		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-22	V-LD	11.7	2.0	5.0	23	58	24		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-23	V-MD	16.6	5.0	8.0	83	133	52		VRA-3 or less-dense districts		
J-24	V-LD	11.0	2.0	5.0	22	55	23		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-25	V-LD	18.8	2.0	5.0	38	94	40		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-26	V-LD	16.6	2.0	5.0	33	83	35		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-27	V-RE	17.6	0.5	2.0	9	35	9		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2		
J-28	V-MD	27.9	5.0	8.0	139	223	88		VRA-3 or less-dense districts		
Village J Total	Totals	676.3			1,141	2,767	991	0			
Total Projected and Actual:								991			
The Projected DU's within Village J shall be 991 units with an allowable unit count range of 991 - 2,767											

Vistancia PCD Land Use

Table C1: Land Use Master Plan and Zoning Data
Updated 1/16/13

Parcel Description					Residential Dwelling Unit Allowance				Zoning Classification / District	Parcel Status
Parcel Number	Land Use Designation	Approx. Gross Acres	Land Use Density Range Min. Max.		Minimum (Baseline) Dwelling Units	Maximum (Ceiling) Dwelling Units	Projected Dwelling Units	Actual Dwelling Units	Zoning (3)	
Village K										
K-1	V-RE	12.5	0.5	2.0	6	25	7		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-2	V-RE	38.0	0.5	2.0	19	76	60		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-3	V-RE	39.0	0.5	2.0	20	78	20		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-4	V-RE	16.8	0.5	2.0	8	34	9		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-5	V-RE	72.7	0.5	2.0	36	145	38		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-6	V-RE	5.4	0.5	2.0	3	11	3		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-7	V-LD	31.7	2.0	5.0	63	159	66		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-8	V-RE	10.3	0.5	2.0	5	21	22		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-9	V-RE	59.6	0.5	2.0	30	119	31		VRD-18 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-10	V-LD	15.8	2.0	5.0	32	79	33		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-11	V-LD	17.1	2.0	5.0	34	86	36		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-12	V-CC	10.9	-	-	-	-	-		V-CC	
K-13	V-LD	29.4	2.0	5.0	59	147	61		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-14	V-MD	17.5	5.0	8.0	88	140	37		VRD-6, VRD-5, VRD-4, VRA-4, VRD-3	
K-15	V-SU	4.7	-	-	-	-	10		V-SU	
K-16	V-SU	6.6	-	-	-	-	14		V-SU	
K-17	V-MD	21.1	5.0	8.0	106	169	11		VRA-3 or less-dense districts	
K-18	V-MD	17.9	5.0	8.0	89	143	9		VRA-3 or less-dense districts	
K-19	V-MD	13.3	5.0	8.0	67	107	28		VRA-3 or less-dense districts	
K-20	V-MD	23.6	5.0	8.0	118	189	12		VRA-3 or less-dense districts	
K-21	V-LD	18.2	2.0	5.0	36	91	38		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-22	V-LD	5.5	2.0	5.0	11	28	12		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-23	V-LD	5.0	2.0	5.0	10	25	16		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-24	V-LD	9.2	2.0	5.0	18	46	29		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-25	V-LD	15.8	2.0	5.0	32	79	33		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-26	V-LD	6.4	2.0	5.0	13	32	7		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-27	V-LD	15.7	2.0	5.0	31	79	16		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-28	V-LD	21.8	2.0	5.0	44	109	42		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-29	V-LD	20.4	2.0	5.0	41	102	43		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-30	V-LD	15.1	2.0	5.0	30	75	31		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-31	V-LD	14.4	2.0	5.0	29	72	30		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
K-32	V-LD	29.7	2.0	5.0	59	149	52		VRD-5 or less-dense districts, VRA-4, VRA-3, VRA-2	
Village K Total	Totals	641.1			1,137	2,612	856	0		
					Total Projected and Actual: 856					
The Projected DU's within Village K shall be 856 units with an allowable unit count range of 856 - 2,612										
Vistancia										
Total		5420.4					5,139	5,361		
Total Actual and Projected Units:								10,500	Total Projected and Actual Dwelling Units may not exceed 10,500	

Vistancia PCD Land Use

Table C1: Land Use Master Plan and Zoning Data
Updated 1/16/13

Parcel Description				Residential Dwelling Unit Allowance				Zoning Classification / District	Parcel Status
Parcel Number	Land Use Designation	Approx. Gross Acres	Land Use Density Range Min. Max.	Minimum (Baseline) Dwelling Units	Maximum (Ceiling) Dwelling Units	Projected Dwelling Units	Actual Dwelling Units	Zoning (3)	

NOTES

- (1) The maximum number of units per phase will be adjusted as the project progresses. The total number of units shall not exceed 10,500. To allow for density flexibility between parcels, parcels may be constructed below max.
- (2) Flexible zoning districts apply for all residential parcels as indicated in the proposed zoning column. The precise zoning district for each parcel will be determined at the time of preliminary plat.
- (3) To encourage cluster development and minimize land disturbance, attached products will be allowed north of the CAP in V-LD and V-RE Land Use Designations. Where Vistancia LLC no longer owns an adjacent parcel that has been platted as single family residential, a minimum buffer of 150' (roadway, landscape, open space, etc.) shall be provided as a transition between the proposed attached structures and adjacent detached lot boundaries.
- (4) Projected unit counts have been provided within the appropriate column to indicate current anticipated development projections. Final unit counts may vary. Parcel unit counts shall not exceed allowable unit counts prescribed within their applicable zoning designation.
- (5) In the event of a conflict between Table C.1 and any approved Final Plat, it should be noted that the Final Plat shall supersede Table C.1 for parcel zoning identification. Table D.1 shall supersede the development standards shown on any approved final plat for development standards within the parcel. Should a Final Plat show a zoning district other than a Vistancia or White Peak Ranch district, the approved Preliminary Plat for the parcel shall determine the zoning and table D.1 shall determine the development standards. In situations where a zoning district other than a Vistancia or White Peak Ranch district appears on a Final Plat, the City may require a Final Plat Amendment for new development within that parcel.

of the City master plan. In October 2001, the City of Peoria officially annexed the property into the incorporated city limits and established the property zoning and land use within a planned community district overlay. Subsequent to the property annexation, additional coordination with the City of Peoria through the planning amendment process has allowed continued refinement and modification of the land use master plan. The approval of the Loop 303 Specific Area Plan in December 2005 also represents a catalyst for additional land use modifications. This planning has allowed the creation of a well-planned corridor including diverse residential and commercial uses.

1. Residential

A variety of housing types are proposed for the Vistancia Planned Community District. Residential product types have varied in character and size to meet the diverse needs of the projected community population. An abundance of lower density residential subdivisions have been provided within easy access to community parks and trails. Future parcels exhibiting steep slope areas are also planned for lower density or cluster development to reduce the impact of infrastructure extensions and promote land use sensitivity to natural drainage ways and open space areas. Higher residential densities have been proposed within and adjacent to the Loop 303 corridor adjacent to Village D (Commercial/Mixed Use Village), as well as other appropriate locations within the community, in order to leverage direct access to primary transportation routes and to take advantage of commercial opportunity and services. Furthermore, each development unit or village demonstrates a general residential theme or economic segment with specific product types and availability levels to prospective residents. **Table C.1** and **Figure C-3** provide representations of the approved residential uses for Vistancia.

Net densities for detached single family residential parcels range from less than one to 5 units per acre. These detached single family residential uses are defined by the VRD-40, VRD-35, VRD-30, VRD-24, VRD-18, VRD-10, VRD-8, VRD-7, VRD-6, VRD-5, VRD-4, and VRD-3 zoning districts. Net densities for attached single family product range from 5 units to 15 units per acre and are accommodated under the VRA-4, VRA-3, and VRA-2 zoning districts. Multi-family residential housing of various forms can be provided under Medium-High and High Density Residential zoning designations. The accompanying zoning districts for multi-family housing includes the VRA-4, VRD-3, VRA-3, and VRA-2 districts. Each of the residential districts has been specifically tailored to respond to the vision and development intent of the Vistancia Planned Community District. The development standards for these districts are discussed in more detail within Section 3. Residential development will be required to adhere to the **City of Peoria Design Review Manual (Appendix E)** which promote community interaction, diversity of housing product, architectural embellishment, as well as high quality, connected open space planning.

Table C.1 details a unit range and projected unit count for each parcel that has yet to be platted and subdivided. Residential parcels which have already been developed and/or platted exhibit their final density and have been included to demonstrate the existing development condition of Vistancia. The unit range calculations are provided to show the potential lower and upper range of dwelling units which may be possible for the undeveloped parcels based upon the corresponding land use designation and gross parcel acreage. While the actual unit count for the individual parcel may not exceed the upper unit range

calculation indicated on the table, the parcel may be developed below the projected unit count and lower unit range of the associated zoning designation. As indicated in **Table C.1**, the total number of residential dwelling units within Vistancia will not exceed 10,500.

2. Commercial and Mixed Use

The Vistancia Land Use Master Plan proposes future employment sites, as well as various types of neighborhood, community, and regional commercial opportunities to serve its projected resident population and the anticipated population growth within the Northwest Peoria region. Neighborhood commercial centers will focus on providing residents with day to day goods and services including, but not limited to, grocery, drug, dry cleaning, and banking establishments. Community commercial centers will be planned to serve residents throughout Vistancia with goods and services beyond day to day needs including services such as home improvement, entertainment, office, and bulk goods. Community and Neighborhood Commercial sites have been dispersed throughout the community, and will be developed in line with the proposed phasing of the community. These commercial sites have been located to take full advantage of the adjacency of major arterial streets within the community in order to reduce trips, maximize sales tax revenue, and to minimize traffic impact on neighborhoods. Additionally, the commercial parcels are intended to be connected, either directly or indirectly, by a system of trails and open spaces, both natural and man-made, distributed throughout Vistancia. The zoning districts designed to accommodate these commercial uses include V-NC (Neighborhood Commercial) and V-CC (Community Commercial).

Mixed-use development is also planned within Vistancia. This designation allows the greatest amount of land use flexibility, including the capability to integrate employment, retail, and residential uses in a harmonious site plan. A specific design intent associated with this designation is the creation of unique lifestyle destination with the aim to attract regional employment and retail uses. Critical to the economic success of mixed-use development is the ability to integrate commercial building square-footage with various residential unit counts and configurations to create a viable and sustainable mix of uses. The zoning district of V-MU describes the zoning district for this land use designation. Residential development standards within mixed-use development parcels are discussed in Section D.

The proximity of Vistancia to the Loop 303 freeway (less than one quarter mile to the east) presents a unique opportunity to apply special planning for the proposed commercial sites within Village D. The Loop 303 promotes exceptional vehicular access to the region, as well as a high degree of visibility from the highway corridor. Although the Loop 303 will include restricted access points, there are approximately four interchanges which will ultimately serve Vistancia (one of these is existing and another currently under construction). With these favorable planning ingredients in mind, and in accordance to the approved Loop 303 Specific Area Plan, Village D has been planned to provide extensive regional commercial and employment opportunities for the area. Predominantly, land use designations for various types of mixed-use development and regional commercial uses have been planned for Village D. Permitted principal uses within the area include major retail, office, employment, medical, entertainment, hospitality, and high density residential. Regional commercial uses will focus on

entertainment, automobile sales, large-scale department store development, wholesale outlets, and home improvement sales. Mixed-use development will focus on intense retail, employment, and residential uses with a more vertical scale than the rest of the commercial within Vistancia.

3. Density Transfer

The target residential densities of the Vistancia North and Vistancia South communities had been established with their original zoning entitlements. As parcels have developed, they have generally built out at a lower yield than planned; therefore, this document reduces the cumulative entitled units over the two communities. While the final unit count of the project will be no higher than 10,500, it is noted that parcel specific densities may vary within the project in order to take into account varying product styles, site plans, and accompaniment of golf and open space within the community. Similarly, an overall sum of approximately four million commercial building square feet has been identified for Vistancia. It is intended that the commercial intensity may vary on a parcel to parcel basis to allow flexible with village development and site plan preparation. The concept of density transfer of residential and commercial intensities within zoning districts and development units is critical to ensure flexible programming and creative planning within the planned community district.

To assist in management of the overall project unit count of the community, **Table C.1** will be updated annually by Vistancia LLC as parcels are platted and built. Proposed subdivision plats must demonstrate a general conformity with underlying zoning district standards from parcel to parcel. A discussion on zoning districts and minimum lot coverage is provided within Section D. In all cases, proposed residential subdivision plats may reflect a total dwelling unit count below the indicated base density of the residential unit range provided by **Table C.1**. However, the total maximum residential unit count of 10,500 shall not be exceeded at full build out of Vistancia.

The flexibility of density transfer will also permit the designer of the residential and commercial plats the ability to work within the standards set by the United States Army Corps of Engineers and related to the enforcement of Section 404 of the Clean Water Act. With preservation of adjacent wash corridors either through optional open space dedication or deed restriction, potential residential or commercial density of adjoining land can be transferred onto the adjacent site. This methodology allows for a smart land use practice which is beneficial for both the maximization of open space preservation and the maximization of proposed residential and commercial uses. **Figure B-3** reflects the location of the McMicken East Wash, White Peak Wash, Garambullo Wash, Caterpillar Tank Wash, Padelford Wash, and Twin Buttes Wash (and projected affiliated riparian corridors) in their natural state and the proposed design intent to create open space land use within these areas.

4. Golf

Vistancia currently includes a total of 36 holes of golf contained on two courses, Trilogy and Blackstone. The Trilogy course is located in the southwestern portion of Vistancia (Village C), while the Blackstone golf course is located in the northeastern portion of the currently developed community (Village B). The two courses collectively comprise approximately 370 acres and have been designed and constructed to respond to a moderate skill level as predominantly

standard fairway courses. Vistancia is entitled to contain up to two additional 18-hole golf courses, one course is shown on the Land Use Master Plan to be an integral component of Village K. A second course is under consideration for Village J. The amount of turf provided on each golf course will be under the maximum standard (i.e. 90 acres) set by the Arizona Department of Water Resources (ADWR). State-of-the-art, computerized irrigation systems maintain healthy, high quality turf while at the same time accomplishing responsible water conservation practices. Ultimately, the majority of all irrigation water supplied to the golf courses will be reclaimed water supplied by the Jomax Wastewater Treatment Plant. The interim water supply is supplemented by non-groundwater resources such as surplus CAP water. Golf course open space systems have been designed and contoured to accommodate off-site flows and to accept storm water runoff from adjacent neighborhoods and commercial properties. Storm water runoff within basins and washes has been isolated from out falling in water reservoirs utilized to irrigate the golf courses.

In the event that additional golf courses are not built, the land will revert to its underlying zoning, or if there is no underlying zoning, revert to zoning of the adjacent development parcel. If the land is adjacent to a parcel or parcels with more than one type of zoning, the land will revert to the zoning of the highest and most intense use.

5. Schools

A total of four school sites have been planned within the Vistancia community (three K-8 and one high school). Because only a minimal portion of community is located within the Nadaburg district, these sites are reserved for use by the Peoria Unified School District (PUSD). The Elementary Schools are programmed for Parcels A-35, G-8, and H-25 and the future Vistancia High School will be located on Parcel D-19/D-20. These sites have been reviewed and acknowledged by PUSD staff and City of Peoria staff through multiple meetings and discussions in the past. The planned school sites have generally been located adjacent to park sites to maximize the potential for shared recreational space and facilities between the school district and the City of Peoria Community Services Department. Elementary schools have also been linked to the community trail system to foster pedestrian circulation between neighborhoods and activity areas. The high school site has been located adjacent to planned employment uses to reduce the impacts of traffic, light, and noise affiliated with the operation of the facility.

Based on the anticipated number of residential dwelling units located within Vistancia at completion, subtracted from Village C (age restricted) and Village D (demographic profile), approximately 2,500 K-8 students are expected to be generated. The existing Elementary Schools within Vistancia are each designed to accommodate a total of 1,200 students, including the third site planned north of the CAP, will adequately serve the community. In addition, the buildout of Vistancia is expected to generate approximately 1,300 high school students. The future high school planned in Village D will more than adequately accommodate the anticipated student demand.

In the event the PUSD decides not to exercise its right to build a school on the future sites, the City will have the first right to purchase the property, to be used as additional public park acreage, as described in the Development Agreement. Upon expiration of City's right, the parcel(s) will revert to the underlying zoning,

which is identified in Table C.1 and the developer shall have the right or option to move forward with the development of the parcel(s). If any of the parcels are acquired for additional public park acreage, in no case will playfield lighting be accommodated.

6. Public/Private Parks and Open Space

Vistancia includes a mix of public and private parks and open space facilities to serve the specific recreational needs of its diverse residents. The designation of public facilities is based on the achievement of City adopted standards pertaining to its minimum acreage requirements and land area requirements to provide intended facilities for neighborhood and community parks and public open spaces. Private park facilities have been strategically located and implemented to serve the internal recreational needs of Vistancia residents and their guests and typically do not adhere to the City’s minimum acreage standards. In addition, smaller urban parks are anticipated to be located within commercial and employment areas of Village D, but are not identified because specific site planning is premature at this time. However, the inclusion of both types of facilities also assists in satisfying the City’s acreage/1,000 resident requirement and should be credited as such. The designation of both public and private park facilities is summarized in **Table C.2, Public/Private Park and Open Space Acreage** and graphically illustrated in **Figure C-4, Parks/Open Space and Trails Master Plan**.

To further illustrate the intent for the parks yet to be located in Vistancia, a conceptual plan has been developed to define appropriate programmatic elements for the proposed community park on Parcel D-19/D-20. It is shown on **Figure C-5, Community Park Concept Plan**. The proposed park site will be located near the Twin Buttes Wash and will serve as a regional draw for community enjoyment while also providing additional recreational space for the adjacent future high school site.

Table C.2 Public / Private Park and Open Space Acreage

Park/Recreation Facilities				Open Space Facilities			
Public		Private		Public		Private	
Parcel	Acreage	Parcel	Acreage	Type	Acreage	Type	Acreage
A-34	11.8	G-7	6.9	Community Open Space	577.7	Golf	325.5
D-19/D-20	41.0	A-3a	3.5	DOS	900.0		
G-9	4.2	C-29	3.6	Golf	194.1		
H-26	10.5	C-20	29.4	Public/Quasi Public	47.7		
H-4	9.8	A-31	13.8				
*DOS	61.3						
Subtotal	77.3		57.2		1,719.5		325.5
Total			134.5				2,045.0
Grand Total							2,179.5

*Designated Open Space (DOS) is included in DOS Open Space Facilities



Planned Community District Parks / Open Space and Trails Master Plan

OPEN SPACE TYPES	Acres
Community Open Space	577.7
Designated Open Space (DOS)	900.0
Golf Open Space	519.6
*Community Park (Preserve / Trailhead)	*61.3
****Community Park	41.0
Neighborhood Park	36.3
Private Park / Recreation Center	57.2
Public/Quasi Public (School)	47.7

*****Total Acres** +/-2,179.5 Ac.

FACILITIES & USES

- 8' Wide Concrete Sidewalk
- 6' Wide Concrete Sidewalk, Public
- 6' Wide Decomposed Granite Trail
- 5' Sidewalk (Private)
- 5' Sidewalk (Public)
- Bike Lanes (Public)
- Bike Lanes (Private)
- **Public Multi-Use Trail
- **Regional Public Equestrian Trail
- Grade Separated Pedestrian Crossing
- ****Private Trail

*Preserve / Trailhead acreage is included in the Designated Open Space category; therefore, it is not counted twice for the overall total acreage.

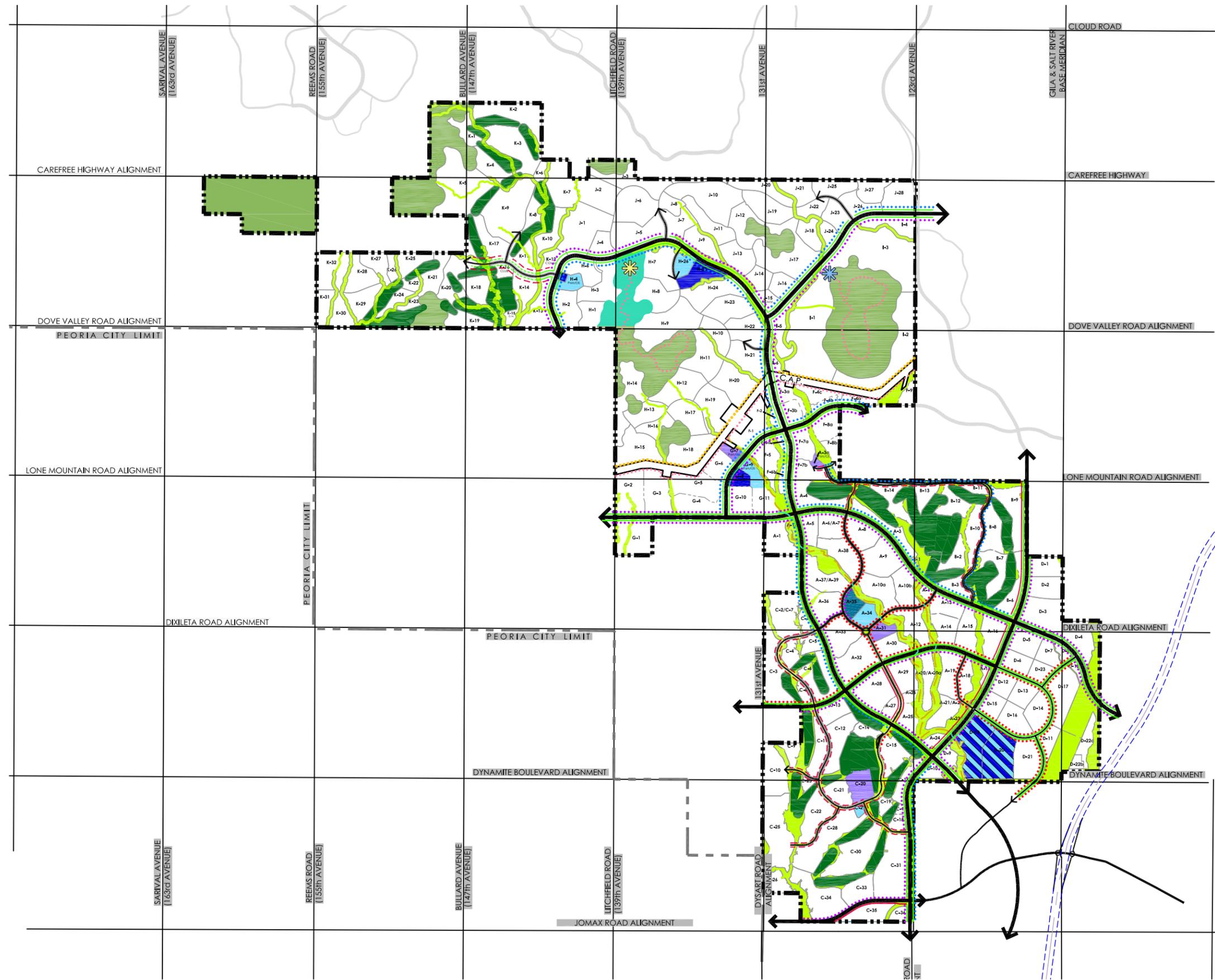
**Trail corridor dedicated at Final Plat. Improvements to be completed by others and is not the responsibility of Master Developer or Homebuilders.

***Open space location and acreage is subject to further refinement but will not vary by more than 10%.

****Additional private trails may be located in villages north of the C.A.P.

*****Approximately half of the designated area is to contain the Community Park. Orientation to be determined subject to future planning.

- Programmed Trail Heads
 - Asphalt Parking Area (±12 Spaces)
 - Natural Hiking Trail
 - Turf/Open Play Area
 - Picnic Ramada w/ Trailhead Kiosk ± 2.5 Acres
- Expanded Programmed Trail Head
 - Asphalt Parking Area (±25 Spaces)
 - Natural Hiking Trail
 - Turf/Open Play Area
 - Picnic Ramada w/ Trailhead Kiosk ± 8.0 Acres



1" = 3,600' 0' 3,600' 7,200' 10,800'



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Figure C-4

* Precise location, configuration, and amenity offerings are subject to change.



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a. Trails and Community Recreation

The presence of large amounts of preserved natural open space within drainage/riparian corridors (approximately 800 acres) and the acreage devoted to golf (approximately 520 acres), provide numerous opportunities for walking, jogging, hiking, bicycling, and wildlife viewing. **Figure C-4, Parks/Open Space and Trails Master Plan** illustrates the 95+ mile network of public and private, existing and proposed, community multi-use trails and bike lanes within Vistancia. These trails enhance recreational opportunities and promote alternative means of mobility, other than the automobile, throughout the community. The proposed trails have been and will continue to be designed to accommodate pedestrian and bicycle access among residential neighborhoods and commercial, school, and park uses. Where possible, trail crossings are planned to incorporate safe below-grade locations, especially when the trail system encounters an arterial roadway.

In addition to the preservation of the riparian corridors as natural area open space, approximately 100 acres are designated for public neighborhood and community park space. This area is intended to accommodate the recreational needs of the projected resident population of 27,626 and has been located to leverage joint use activities with adjacent schools or mixed use development. **Table C.3, Vistancia and Area-Wide Park Acreage Standards** below provides a summary of park space provided in relation to City of Peoria parks and open space standards.

Table C.3 Vistancia and Area-Wide Park Acreage Standards

Facility Type	Required Acres/1,000 Population	Vistancia	
		Projected Need ⁽²⁾ (Acres)	Acres Provided
Neighborhood Park	1.75 ⁽¹⁾	48.3	36.3. ⁽³⁾
Community Park	1.5 ⁽¹⁾	41.4	102.3
Regional Park	3.0 ⁽¹⁾	82.9	0 ⁽⁴⁾
Open Space	10.0 ⁽¹⁾	276.3	2,179.5

(1) City of Peoria Parks, Recreation and Open Space Master Plan (July 2002).

(2) Based on the build out population of 27,626.

(3) Urban park/recreation areas will be provided within Village D. While these facilities will be smaller than typical City Park Standards, they will assist in serving the needs of the proximate residents and visitors and should accrue full recreation credit. Vistancia is located within the service area of Lake Pleasant Regional Park.

(4) Vistancia South is located within the service area of Lake Pleasant Regional Park.

Vistancia has been planned to promote extensive amounts of connected public natural open space and improved recreational facilities for the benefit of both Vistancia and City residents. Vistancia has been specifically planned within the larger context of land use, transportation,

and public facilities reflected within its northern Peoria context (i.e. Saddleback Heights and Lake Pleasant Heights) planned communities. The designated natural open space within Vistancia significantly exceeds Peoria standards. In addition, the implementation of public or private pocket parks within Village D will increase open space measures more. The community trail network has been and will continue to be located within the wash preservation corridors pursuant to the guidelines within the Vistancia 404 permit filed with the United States Army Corps of Engineers.

The implementation of wash corridor preservation will be based on detailed hydrologic analysis conducted during the preliminary plat process. In general, these corridors have and will continue to conform to the configuration identified on the **Land Use Master Plan, Figure C-3**. However, modest refinements may occur during the platting process based on the characteristics of the wash within the immediate vicinity of the proposed plat and specific negotiations related to proposed density transfer. The Vistancia Community Codes Covenants and Restrictions will govern the maintenance and provide limitations of disturbance within the riparian corridors.

b. Conservation Land Donation

To assist the City of Peoria in implementing the Desert Lands Conservation Overlay and, Vistancia LLC has proposed a method of natural open space dedication (as shown in the Amended and Restated Development Agreement for Vistancia) to the City of Peoria, which would transfer title of a minimum of 900 acres within Vistancia. As shown in the Agreement, this donation will take place as infrastructure is available to provide public access to the adjacent open space, or within 180 days of written request by the City. (Please refer to the “Development Agreement for Vistancia” for specific procedures regarding donation of land) It is anticipated that additional natural open space will be added to the initial 900 acre transfer in the future, with the City’s approval of plats and/or site plans for individual development parcels. According to the Agreement, this could account for up to an additional 275 acres of open space. **Figure C-4, Parks/Open Space and Trails Master Plan**, graphically depicts the intent of Vistancia LLC in providing a visually and functionally useful open space network accessible to all existing and future residents of Peoria.

The initial transfer is expected to focus on the most prominent ridgelines and washes within the planned community and would be configured and legally described per the Parks / Open Space and Trails Master Plan as provided in this document. Additional open space dedications taking place in the future will be determined on a plat by plat basis through the subdivision process. Specifically, the establishment of tracts could be declared for City with the recordation of each plat. This process would allow for the expansion of open space areas beyond the initial transferred lands, with a determination of the expanded boundary made during the preliminary platting process.

7. Wastewater Reclamation

Vistancia LLC has identified a portion of Parcel C-35 for use as the Jomax Water Reclamation Facility (WRF). This location was approved under the Maricopa County Special Use Permit Application 98-97 in August 1999 and subsequently approved by the City of Peoria during the annexation of Vistancia. In addition, Vistancia LLC acquired the land located north of the Beardsley Canal within Section 2, Township 4 North, Range 1 West from the Arizona State Land Department for future expansion of the WRF (easterly 2/3) and for drainage management (westerly 1/3).

The WRF site has been designed to conservatively (MAG 208 Regional Update, 2002) treat up to 6 million gallons of wastewater per day (mgd) at full build out. It is anticipated that approximately 2.46 mgd will be generated by the Vistancia community at full build-out.

The remainder of flows will be generated from nearby properties within the City of Peoria's service area, including Lake Pleasant Heights and Saddleback Heights. The first and second phases of plant construction have an existing capacity of 2.25 mgd. Subsequent expansions are planned to increase plant capacity to 3.0 mgd, 4.5 mgd, and ultimately 6.0 mgd as the region develops. Wastewater from the Jomax WRF is treated to A+ quality for use in irrigation of golf courses, other turf managed facilities, and community lakes.

8. Fire/Emergency Response

City of Peoria Fire Station #196 opened in January 2006, and serves the existing development with an approximate four-minute response time. This fire station is located at 28251 El Mirage Road, which is situated south and east of the intersection of El Mirage Road and Vistancia Boulevard. To accommodate the need for fire safety north of the CAP canal, a second two-acre site has been planned for a location on the east side of the intersection of Twin Buttes Road and the major collector roadway. As illustrated on **Figure C-6, Emergency Response Plan**, these facilities will provide four-minute response time proximity to nearly all parcels within Vistancia.

The infrastructure improvements serving this second station will not be constructed for some time. Fire Station #196 will serve this development until such time that its population base surpasses thresholds that support construction of an additional fire facility within the community; at which time, a facility will be constructed by the City on the site dedicated by Vistancia.

Public safety is administrated by the City of Peoria Police Department whose nearest precinct office is located within the Pinnacle Peak Public Safety Facility, located on Lake Pleasant Parkway at Pinnacle Peak Road, approximately four miles from the Vistancia community. Although not staffed full time, the Police Department maintains additional space within the onsite Fire Station #196.

D. Circulation

The balance of land use, circulation, mobility, and access is important to the ultimate quality of life for Vistancia residents. The intent of the proposed circulation system is to balance opportunities for mobility within, and through, the community by incorporating vehicular, bicycle, and pedestrian facilities. These facilities are discussed below.

1. Vehicular

The Category III Traffic Impact Studies originally prepared for Vistancia South and Vistancia North have been consolidated into a single, updated report. This traffic study provides analysis of land use and the projected traffic generated through both residential dwelling units and commercial building space. The recommendations of the Traffic Impact Study, as reflected in a functional roadway classification, are illustrated on **Figure C-7, Roadway Master Plan**. This study also provides recommendations related to on-site transportation improvements, street capacity, and turning movements.

The roadway master plan includes one major arterial in the north/south direction (El Mirage Road), one diagonal from southeast to northwest (Vistancia Boulevard, to its intersection with Twin Buttes Road), and three in the east/west direction (Westland Road, Lone Mountain Road, and Jomax Road). The proposed section for major arterial streets within the community includes six through lanes, a raised median, bicycle lanes, and detached public sidewalks all within a 130-foot right of way. The minor arterial streets which provide service to the community include Ridgeline Road (Dixileta Parkway) and Vistancia Boulevard north of Twin Buttes Road. The proposed street cross section for minor arterial streets includes four through lanes, a raised median, bicycle lanes, and detached public sidewalks located within a 110-foot right of way.

Future roadways shown are conceptual at this time. Exact locations will strive to integrate the desired roadway cross section with the existing field conditions (i.e. slopes, washes, etc.) in an effort to minimize disturbance where possible. Due to some of the environmentally sensitive slope areas north of the CAP Canal, alternative roadway widths and design specifications may be proposed by Vistancia LLC in specific locations. The City of Peoria will examine these potential requests on a case by case basis and may grant variances where reasonable.

In addition to the provision of onsite roadways, Vistancia LLC is to coordinate the design and construction of specific offsite roadways with the City of Peoria, MCDOT, Arizona State Land Department, and Army Corps of Engineers to provide access to the site. According to Vistancia Development Agreement stipulations, three offsite access roadways have been identified to serve the community, including Vistancia Boulevard, El Mirage Road, and Lone Mountain Road. It is the goal of the development stipulations to provide connectivity and lane capacity from Vistancia to existing and future roadways and highways within the region. The timing of the constructed offsite roadways is dependent on the pace at which the Vistancia community develops.

Of the required offsite roadway lanes, there are currently four lanes constructed at Vistancia Boulevard. Construction of a two lane Lone Mountain connection to the 303 is in progress.

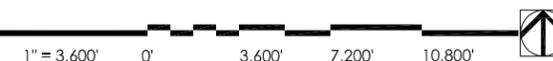
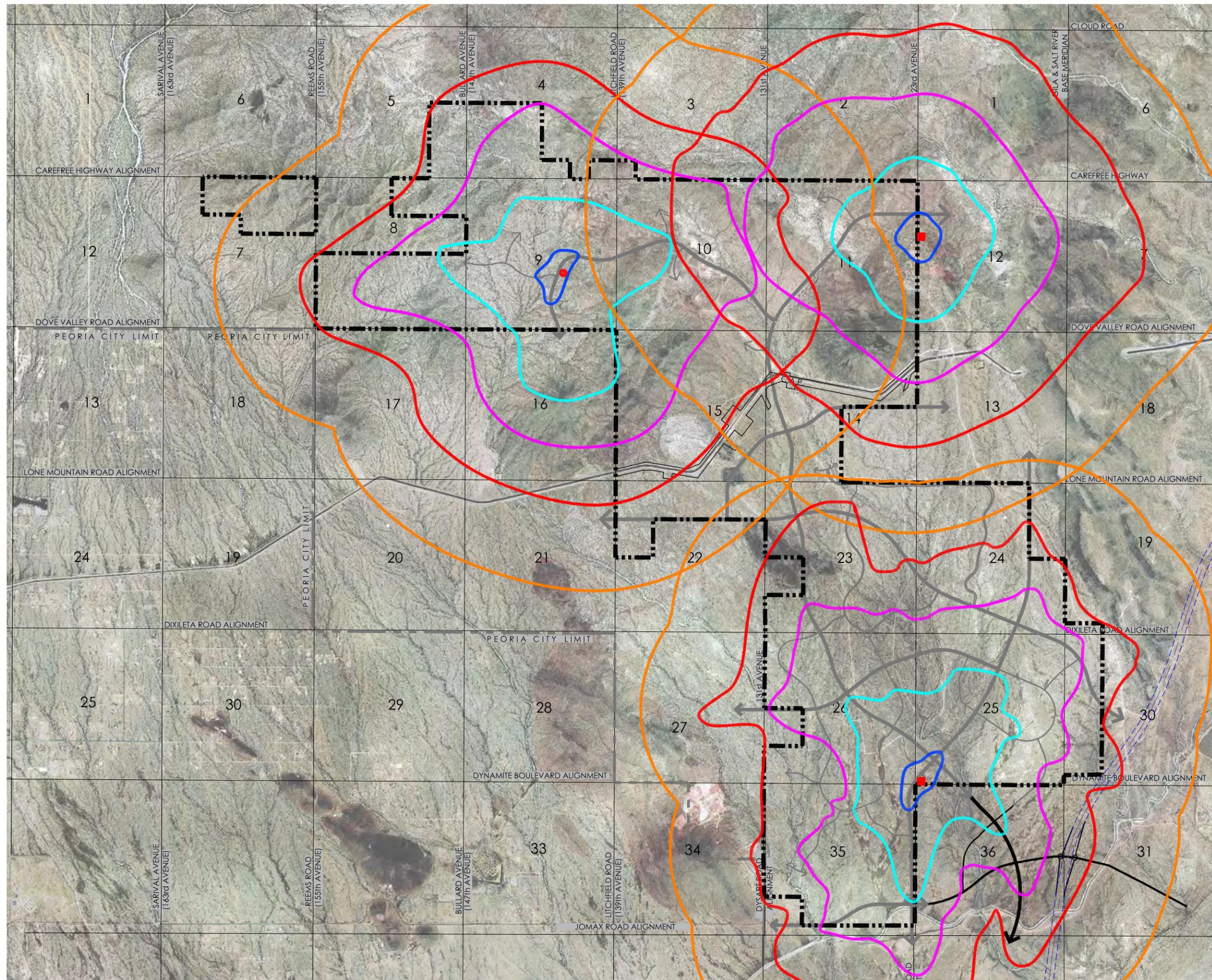


VISTANCIA

Planned Community District
Emergency Response Plan

RESPONSE TIME

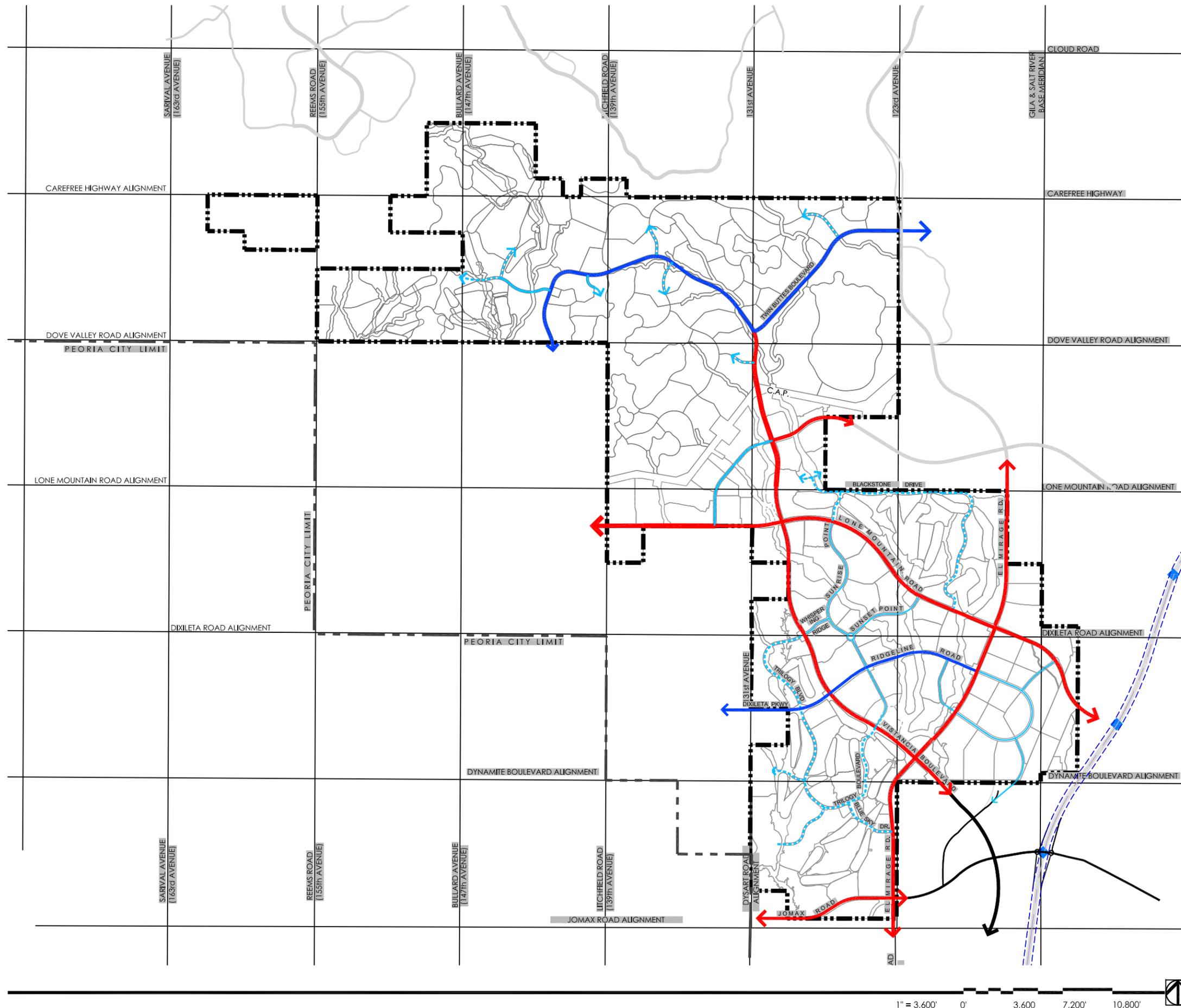
- 1 Minute Response
- 2 Minute Response
- 3 Minute Response
- 4 Minute Response
- 5 Minute Response
- Emergency Response Facility
- Emergency Response Facility (Outside Project Boundary)





VISTANCIA™

Planned Community District Roadway Master Plan



FUNCTIONAL CLASSIFICATION

- 6 Lane - Major Arterial (Public)
- 4 Lane - Minor Arterial (Public)
- 2 Lane - Minor Collector (Public)
- - - 2 Lane - Minor Collector (Private)
- Off Site/Adjacent Property Roadways
- ◆ Loop 303 Interchange/Access

NOTES:

*The classification of roadways may change from a minor arterial to a major arterial based on annual Traffic Impact Analysis Updates.
 **Future roadway alignments, parcel boundaries, and village entries are subject to change based on detailed land planning and engineering constraints.

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Figure C-7

2. Shared Parking Concept

Shared parking refers to the planning practice of utilizing any given parking area (and the associated parking credit derived from planning calculations) for more than one land use. Shared parking becomes extremely useful in areas where diverse land use existing, creating separate segments of parking users. By maximizing parking areas provided over the different land use segments and the various times of day that parking may be required, a more efficient and environmentally friendly site plan can be created. Within the mixed use development and more urban areas such as the commercial core, it is intended that Vistancia will utilize shared parking concepts to reduce pavement areas and minimize the requirement for costly parking structures. Section D provides an overview of the proposed shared parking development standards and example calculations to coincide with the projected use in the community.

3. Bicycle

Alternative modes of circulation within Vistancia have been accommodated through the provision of bicycle lanes. Bicycle lanes are accommodated on-street as part of the paved area of the arterial and minor arterial streets as shown on **Figure C-4**. The lane has been designated as a six-foot width to accommodate commuter bicycle demand. Additionally, an eight-foot concrete path will be provided along both sides of each arterial roadway, detached from the traffic lanes. Recreational bicycle circulation may utilize the commuter network, however, the recreational demand will be satisfied by a network of multi-use paths within the rights of way of the arterial streets as well as within the drainage corridors and along selected segments of the golf courses. These meandering paths have been constructed with eight foot widths and share the use of grade separated pedestrian crossings.

The tabulation of the multi-use paths and bike lanes is presented on **Table C.4, Public/Private Trail Mileage Standards**. As shown, the identified public trail system provides a total of 48 miles of multi-use trails and over 30 miles of bicycle lanes. In addition, nearly 16 miles of multi-use trails are provided in gated areas of the community. Collectively, the community provides more than 100 percent of the trails required by its projected population.

Table C.4 Public / Private Trail Mileage Standards

Trail Type	Miles of Trails				
	/1,000 Population	Projected Need ⁽²⁾	Provided ⁽³⁾	Public	Private
Multi-Use Trails	0.50 ⁽¹⁾	13.8	63.8	48.0	15.8
Bike Lanes	0.83 ⁽¹⁾	22.9	34.4	33.5	.9
Total	1.33	36.7	98.2	81.5	16.7

(1) City of Peoria Parks, Recreation and Open Space Master Plan (July 2002).

(2) Based on the projected buildout population of 27,626.

(3) Based on takeoffs from GreeylPickett and Parks/Open Space and Trails Master Plan.

Source: City of Peoria (July 2005) and GreeylPickett (May 2011).

4. Pedestrian

Figure C-4 also identifies existing and planned pedestrian circulation within Vistancia. The existing and proposed network identified above for bicycle circulation will also accommodate pedestrian circulation throughout the drainage corridors and along arterial and minor arterial roadways. Multi-use trails/paths have been and will continue to be designed to allow for the combined bicycle and pedestrian circulation on one side of the street (within an eight-foot wide sidewalk) and exclusively pedestrian circulation on the opposite side of the street (within a 5 or 6-foot wide path). The sidewalk alignment should maintain a minimum separation of five feet from the back of the street curb. The specific alignment of the multi-use trails and sidewalks will vary significantly to address the constraints related to topographic or drainage facilities/natural obstructions.

E. Drainage

The “Master Drainage, Phase I, Phase II, and Proposed Phase III Drainage Report for Vistancia” (Wood, Patel & Associates, Inc., September 22, 2006)”, are provided under different cover and define the existing and proposed post development drainage conditions for Vistancia.

1. Drainage Concept

Vistancia has been and continues to be planned as an environmentally sensitive community that will incorporate “best management practice” concepts for flooding and environmental impacts. The project will integrate ecological resources with transportation and open space amenities. The following concepts will be carried forward:

- Drainage outlets that convey storm water off- project are required to maintain post-development flows at or below pre-development flows. In addition, pre-development vs. post-development drainage volume management has been approved utilizing detention as the regulatory criteria. The additional volume of runoff generated between the post-development and pre-development scenarios will be managed via a detention basin network. Detention has been approved in lieu of retention due to lack of surface permeability exhibited by onsite soils. The pre-development vs. post-development regulatory criteria will be met for both the runoff and volume management.
- Off-site flows will enter and depart in substantially the same manner as pre-development conditions.
- A waiver from the normal 100-year, 2 hour retention volume will be utilized throughout the residential parcels. The 100-year – 2-hour storm volume will be used as the detention standard for commercial development. Off-site flows will, however, not exceed pre-development flow rates at the project outfall.
- The major channel floodplain systems will be maintained. Modifications will be made to enhance and add to the natural flora and fauna communities, as recommended through the Section 404 permit process. Minor systems within individual subdivisions will be maintained or supplemented by constructed open channel systems, designed to supply new communities of native species. Some channelization within the confines of Section 404 permit

stipulations is anticipated on several of the major washes within the property due to road and utility crossings.

- Basins and road/wash crossings will be designed as joint use facilities where possible. Basins will be deeper than the normal three foot standard and will be used as open space and recreational amenities. Special safety considerations will be evaluated where basin depths exceed three feet. It is recommended that the side slopes not exceed the ratio of four horizontal to one vertical foot on manmade slopes. Many channels will incorporate trail systems.
- Detention basins will be designed as a flow through system to sustain downstream habitat area, and maintain existing sediment discharge characteristics. Exceptions to this policy will occur in basins serving commercial, educational/recreational, multi-use, and golf course land uses, where first flush flows will be retained and filtered in constructed biological communities to remove potential contaminants prior to their release to the channel systems.
- Street drainage and detention along east-west arterial streets will incorporate re-vegetated linear basins and dikes, out falling into the existing wash system. A major underground storm drain is not anticipated. The project will create a constructed habitat supplied by water generated from upstream subdivision and off site high/overflow conditions.
- Channel hydraulic analysis will account for the maintenance of existing wildlife communities in channels, as opposed to providing for considerable trimming and clearing.

Channels will use natural wash alignments. The threads or low flow portions of the natural wash system will be preserved as low flow areas to maintain the existing vegetation. In selected cases, over-bank flows will be modified to expand existing capacity and be re-vegetated with native landscaping integrated with the golf courses, to serve as an open space amenity.

2. Drainage Plan

- A master drainage concept for each parcel is included in the master drainage plan. Phase or parcel specific Preliminary/Final Drainage Reports will include site specific applications of the drainage concepts.
- Detention basins which are intercepting off-site and natural channel flows have been and will continue to be designed to allow the low flows in the thread of the stream to bypass unimpeded through the basin, thereby minimally impacting the sediment balance in the existing stream system.
- The offline detention basins proposed for the project will have metered outlets to allow the incremental volume generated from post-development flows to drain within 36 hours.
- Channel cross-sections and culvert crossings are sized for the 100-year peak runoff.

- Basins may be formed by either, dikes, roadway fills, or excavation and those along roadways have been designed to minimize elevated roadways above housing areas on the lower side of the road. Commercial area roadways will be constructed at grade.
- Basins upstream and site facilities are phased to coincide with development benefiting adjacent areas. The existing drainage systems in undeveloped areas will remain in their natural state until development (i.e., mass grading will not take place on the whole site).
- Golf courses will be designed to intentionally drain into dead storage outfalls, with native plants used as biofilters. New native habitat areas adjacent to golf courses will be used as off-site flow areas and native wildlife enhancement areas.
- Wash/street crossings for 100-year all weather access crossings will be designed to pass the 100-year storm and, where possible, will be used as pedestrian/trail underpasses. The underpass will be designed with a low flow separation from the pathway for nuisance water flows. All weather access crossings will incorporate, where possible, box culverts or CMP arches with sufficient headroom for use as underpasses. All building sites will have a 100-year all weather access. The 100-year access route for the arterial streets is shown on the master drainage plan.
- The streets will be designed to carry runoff from the 10-year storm between curbs. Additionally, the 100-year flow should be carried within the right-of-way at 0.3 feet above the curb and the finished floor elevations should be one foot above the 100-year storm, in accordance with the *Uniform Drainage Policies and Standards for Maricopa County, Arizona*. When street capacities are exceeded, excess flow will be removed from the road and put in an open channel.
- Several crossings on the master drainage plan may be designed to convey flows less than the 100-year storm capacity. Wet sections will not be allowed on any arterial streets. The non-all weather access crossings are shown on the master plan.
- Preliminary arterial street culverts will be shown on the master drainage plan. These culverts are subject to revision with final road design plans. It is proposed that local flows will be accommodated in a local system and will be addressed at the detailed design phase of the project subdivision plans.
- A detailed fully developed hydrologic analysis, hydraulic analysis of channels, road crossings, street flows, detention facilities, and the final design of improvements around them, are beyond the scope of the Master Drainage Report. When evaluated for the final design, minor adjustments will be made and they will be based on generally accepted engineering practices and in accordance with drainage and floodplain regulations of the City of Peoria.
- NPDES standards will be adhered to for construction activities.

The purpose of this summary is to present a concept in conjunction with the submittal of the referenced Drainage Reports in support of the updated Planned Community District. In addition, the referenced Drainage Plans will establish drainage parameters for continued site planning of the Vistancia project as it builds out. The referenced Drainage Reports present a detailed hydrologic and conceptual hydraulic analysis of the project drainage system. This includes a preliminary plan showing general direction of storm water runoff and how the onsite and off-site drainage will be handled. The referenced Drainage Reports are intended to provide drainage information to satisfy the needs of all of the governmental agencies. The results of detailed hydrologic and hydraulic analysis of the major washes related to the existing conditions, is included in this report based on prior studies by Maricopa County. Future revisions to the floodplain will be submitted to the City of Peoria and Maricopa County for Conditional Letters of Map Revisions (CLOMR's) based on hydrology, more accurate topography, and revisions to the channels. A two-phase CLOMR has been approved by the City and FEMA for the White Peak and Twin Buttes Watershed within Villages A and B of Vistancia. The first phase of the CLOMR has been implemented during the initial phases of development. The second phase will be implemented dependent on commercial development within Vistancia. An additional CLOMR was prepared for the East McMicken Watershed in Village C of Vistancia and approved by FEMA/Peoria in 2004.

F. Architecture

The existing architecture of Vistancia is typically defined as “Desert Contemporary”, which has and will continue to create an identifiable sense of place. This style does not mandate a single typology or form, which will allow the buildings to develop their individual character within the broad visual framework embodying the Desert Contemporary style. The buildings are intended to utilize the same architectural forms and patterns to offer a sense of cohesiveness without monotonous repetition of facades and color palettes. This style lends itself well to the hot climate and bright light of the Sonoran Desert environment. The utilization of deep reviles, indirect lighting and thick insulating forms effectively mitigates these climatic factors.

The future design and development of Village D will consider the same characteristics that have successfully guided the other villages. While the character of Village D will differ substantially, its ability to define a sense of place and identity for Vistancia will be linked by the integrated system of open spaces and trails that connect all parcels in Vistancia. Unlike existing residential architecture within Vistancia, an extensive set of architectural guidelines for the future regional commercial uses and mixed-use development at Village D has yet to be created. However, the anticipated pattern of development and architectural character for Village D is represented via the architectural renderings shown in **Figure C-8a and C-8b Building Massing Character**.

G. Streetscape

1. Streetscape Concepts and Landscape Palette

The Vistancia Community has been and will continue to be designed and developed with the utilization of a consistent streetscape theme. This theme will set the standard for the treatment of the street environment both within the public as well as private right-of-way. Design guidelines for Vistancia have

COMMERCIAL CONCEPT



EDUCATION CAMPUS CONCEPT



MEDICAL CAMPUS CONCEPT



MIXED USE CONCEPT



URBAN RESIDENTIAL CONCEPT



OFFICE CONCEPT



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incorporated provisions for landscape treatments on private property as well as within the street rights-of-way. An understanding of the intimate flexibility of establishing a roadway cross section which adheres substantially to City policy, as well the architectural and marketing goals of the community is critical. Furthermore, as Vistancia leads the way with creative, new site plans and a reborn sense of commercial urbanism within Village D, coordination between the master developer and the City of Peoria will be important to generate the proper street scenes and scale.

The street environment will reflect the character of the Sonoran Desert. Plant material species and density will be selected and installed to reflect an enhanced natural condition within the existing Vistancia context. Desert plant materials primarily consisting of Palo Verde, Giant Bursage, Jumping Cholla, Chuparosa, Staghorn Cholla and Desert Creosote characterize the existing vegetative character of the area. **Table C.5 Proposed Thematic Plant Palette** reflects plant material intended to continue the existing vegetative theme throughout the Vistancia streetscape environment, as well as the plant material intended for use in the project entries and parks.

2. Entry Monuments and Signs

The intended locations for entry monuments have been strategically placed within the Vistancia Community are shown on **Figure C-9, Monument Options**. The referenced monuments include low profile signs that incorporate theme materials and forms established by the community design guidelines.

The main entry monument announcing arrival into Vistancia has been located along Vistancia Boulevard, southeast of El Mirage Road. Secondary entry monuments may be placed near the east property line at Lone Mountain Road and along Vistancia Boulevard north of the CAP. The next tier of entry features are those located adjacent to the core areas within the community, such as Trilogy, or the Commercial Core. There are also several secondary entry signs planned, as well as neighborhood entries.

Additional directional signs have been designed and placed within the community. There have been, and will continue to be, temporary marketing directional signs utilized to provide assistance in locating specific subdivisions, as well as permanent community directional signs that have been provided to direct residents to community features and amenities such as the Discovery Center, Trilogy at Vistancia, and Blackstone at Vistancia. Temporary subdivision directional signs have been and will continue to be used to locate specific subdivisions while those areas undergo site planning processes or are under construction.

There have also been pedestrian-oriented directional signs placed along the Discovery Trail system to direct the trail user along the various routes. Periodic signs have been placed along the community trails system to represent the entire system and provide orientation with user placement within the trail segment. Kiosks have been utilized at trail heads to identify the trail system and provide useful information such as distances between nodes, appropriate users, etc. Icons have been, and will continue to be, used to symbolize and bring attention to interesting aspects of trails, such as lookout point, desert garden area, etc.

In July 2007, a minor amendment (Z01-10A.9) was approved by the City of Peoria which amended the signage requirements for several commercial parcels within Vistancia South, including Parcel A-24 (V-CC), Parcel D-9 (V-CC), and Parcel D-10 (V-MU).

Table C.5 Proposed Thematic Plant Palette

Botanical Name	Common Name	Park	Entry	Streetscape/ Open Space
TREES				
Acacia aneura	Mulga	X	X	X
Acacia greggii	Catclaw Acacia			X
Acacia salicina	Willow Acacia	X		
Acacia smallii	Sweet Acacia	X	X	X
Acacia stenophylla	Shoestring Acacia	X		
Acacia willardiana	Palo Blanco	X		
Bauhinia blakeana	Hong Kong Orchid	X		X
Bauhinia congesta	Orchid Tree	X		X
Bauhinia congesta 'Lunariodes'	Pink Orchid Tree	X		X
Caesalpinia cacalaco	Cascalote	X		X
Celtis pallida	Desert Hackberry			X
Cercidium 'Desert Museum'	Hybrid Palo Verde	X	X	X
Cercidium praecox	Palo Brea	X	X	X
Cercidium floridum	Blue Palo Verde	X	X	X
Cercidium microphyllum	Foothills Palo Verde	X	X	X
Chilopsis linearis	Desert Willow	X		X
Chitalpa tashkentensis hybrid	Chitalpa	X		
Chorisia speciosa	Floss Silk Tree	X		
Dalbergia sissoo	Sissoo Tree	X		X
Jacaranda mimosifolia	Jacaranda	X		
Lysiloma microphylla v. thornberi	Desert Fern	X		X
Olea europea	Swan Hill Olive	X	X	X
Olneya tesota	Ironwood	X	X	X
Phoenix canariensis	Canary Island Palm	X	X	
Phoenix dactylifera	Date Palm	X	X	
Pithecellobium flexicaule	Texas Ebony	X	X	X
Pithecellobium mexicanum	Mexican Ebony	X		X
Pithecellobium pallens	Tenaza	X		X
Populus fremonti	Cottonwood	X		X
Prosopis alba	Argentine Mesquite			X
Prosopis chilensis	Chilean Mesquite	X		X
Prosopis glandulosa	Texas Honey Mesquite	X		X
Prosopis pubescens	Screwbean Mesquite	X		X
Prosopis velutina	Velvet Mesquite	X	X	X
Sophora secundiflora 'Silver Peso'	Texas Mountain Laurel	X		
Tipuana tipu	Tipu Tree	X		
Vitex angus-castus	Chaste Tree	X		X

Table C.5 Proposed Thematic Plant Palette

Botanical Name	Common Name	Park	Entry	Streetscape/ Open Space
2 STORY SCREEN TREES				
Cercidium 'Desert Museum'	Hybrid Palo Verde			
Cercidium praecox	Palo Brea			
Cercidium floridum	Blue Palo Verde			
Chilopsis linearis	Desert Willow			
Jacaranda mimosifolia	Jacaranda			
Olneya tesota	Ironwood			
Pithecellobium flexicaule	Texas Ebony			
Prosopis chilensis	Chilean Mesquite			
Prosopis glandulosa	Texas Honey Mesquite			
* Acceptable in park turf areas and Village D:				
*Chamaerops humilis	Mediterranean Fan Palm	X		X
*Fraxinus uhdei	Shamel Ash	X	X	X
*Fraxinus velutina	Arizona Ash	X	X	X
*Pistacia chinensis	Chinese Pistache	X	X	X
*Platanus wrightii	Sycamore	X	X	X
*Pyrus kawakamii	Evergreen Pear	X	X	X
*Quercus virginiana	Southern Live Oak	X	X	X
*Ulmus parvifolia 'Little Leaf'	Evergreen Elm	X	X	X
CACTI / ACCENTS				
Agave deserti	Desert Agave	X		X
Agave geminiflora	Twin-flowered Agave	X		X
Agave harvardiana	Harvard Agave			X
Agave murpheyi	Hohokam Agave			X
Agave parryi v. huachuensis	Parry's Agave	X		X
Agave species	Agave	X		X
Agave toumeyana	Toumey's Agave			X
Agave vilmoriana	Octopus Agave			X
Agave vistoriana	Victoria's Agave			X
Aloe barbedensis	Aloe			X
Asclepias subulata	Desert Milkweed	X		X
Carnegiea gigantea	Saguaro	X		X
Dasyilirion acrotiche	Green Desert Spoon	X		X
Dasyilirion longissimum	Mexican Grass Tree	X		X
Dasyilirion wheeleri	Desert Spoon	X		X
Euphorbia milii	Crown of Thorns			

Table C.5 Proposed Thematic Plant Palette

Botanical Name	Common Name	Park	Entry	Streetscape/ Open Space
Euphorbia rigida	Gopher Plant	X		X
Fouquieria splendens	Ocotillo	X		X
Hesperaloe funifera	Coahuilan Hesperaloe	X		X
Hesperaloe parviflora	Red Hesperaloe	X		X
Hesperaloe parviflora (yellow)	Yellow Hesperaloe	X	X	X
Hibiscus coulteri	Desert Rose Mallow	X		
Liriope muscari	Big Blue Lily Turf	X	X	
Malephora crocea	Redspike Ice Plant		X	X
Malephora latea	Yellow Ice Plant		X	X
Nolina bigelovii	Beargrass	X		X
Nolina microcarpa	Beargrass	X		X
Oenothera berlandieri	Mexican Evening Primrose	X	X	
Ophiopogon jaburan 'Dwarf Kyoto'	Dwarf Mondo Grass		X	
Pedilanthus macrocarpus	Lady's Slipper	X		
Strelitzia reginae	African Bird of Paradise	X	X	X
Yucca baccata	Banana Yucca			X
Yucca recurvifolia	Curveleaf Yucca	X		X
SHRUBS				
Abutilon palmeri	Indian Mallow	X		X
Acacia craspedocarpa	Leather Leaf Acacia	X		X
Acacia greggii	Catclaw Acacia			
Alyogyne huegelii	Blue Hibiscus	X		X
Ambrosia deltoidea	Bursage	X		X
Anisacanthus quadrifidus v. brevilobus	Mountain Flame	X	X	X
Anisacanthus quadrifidus v. wrightii 'Mexican Flame'	Flame Honeysuckle	X	X	X
Anisacanthus therberi	Desert Honeysuckle	X	X	X
Bougainvillea 'Barbara Karst'	Bougainvillea	X	X	X
Bougainvillea 'La Jolla'	Bush Bougainvillea	X	X	X
Bougainvillea 'San Diego Red'	Bougainvillea	X	X	X
Bougainvillea spectabilis	Bougainvillea	X	X	X
Buddleia marrubifolia	Wooly Butterfly Bush	X	X	X
Caesalpinia gilliesii	Desert Bird of Paradise	X		X
Caesalpinia mexicana	Mexican Bird of Paradise	X		X
Caesalpinia pulcherrima	Red Bird of Paradise	X		X
Calliandra californica	Baja Red Fairy Duster	X	X	X

Table C.5 Proposed Thematic Plant Palette

Botanical Name	Common Name	Park	Entry	Streetscape/ Open Space
<i>Calliandra eriophylla</i>	Fairy Duster	X	X	X
<i>Cassia artemisioides</i>	Feathery Cassia	X		X
<i>Cassia nemophila</i>	Desert Cassia	X		X
<i>Cassia oligophylla</i>	Outback Cassia	X		X
<i>Cassia phyllodenia</i>	Silver-leaf Cassia	X		X
<i>Celtis pallida</i>	Desert Hackberry	X		X
<i>Chrysactinia mexicana</i>	Damianita	X	X	
<i>Convolvulus cneorum</i>	Bush Morning Glory	X	X	X
<i>Cordia boissieri</i>	Anacahuite	X		X
<i>Cordia parvifolia</i>	Small Leaf Cordia	X	X	X
<i>Cotoneaster glaucophyllus</i>	Bright Bead Cotoneaster	X	X	
<i>Dalea frutescens</i> 'Sierra Negra'	Sierra Negra Dalea	X	X	X
<i>Dalea pulchra</i>	Indigo Bush	X		X
<i>Dicliptera suberecta</i>	Velvet Honeysuckle	X	X	X
<i>Dodonea viscosa</i>	Hopbush	X	X	X
<i>Dodonea viscosa</i> 'Purpurea'	Purple Hopbush	X	X	X
<i>Encelia farinosa</i>	Brittlebush	X		X
<i>Eremophila</i> 'Valentine'	Valentine Shrub	X	X	
<i>Ericameria laricifolia</i>	Turpentine Bush	X	X	X
<i>Eriogonum wrightii</i>	Wright Buckwheat	X		
<i>Feijoa sellowiana</i>	Pineapple Guava	X	X	
<i>Guara lindheimeri</i>	Guara	X		X
<i>Hymenoxis acaulis</i>	Angelita Daisy	X	X	X
<i>Hyptis emoryii</i>	Desert Lavender	X	X	
<i>Justicia californica</i>	Chuparosa	X		X
<i>Justicia ovata</i>	Red Justicia	X		X
<i>Justicia spicigera</i>	Mexican Honeysuckle	X	X	X
<i>Lantana camara</i>	Bush Lantana	X	X	X
<i>Larrea tridentata</i>	Creosote Bush	X		X
<i>Leucophyllum candidum</i> 'Thunder Cloud'	Thunder Cloud Sage	X	X	X
<i>Leucophyllum frutescens</i>	Texas Sage	X	X	X
<i>Leucophyllum frutescens</i> 'Compacta'	Compact Texas Sage	X	X	X
<i>Leucophyllum frutescens</i> 'Green Cloud'	Green Cloud Sage	X	X	X
<i>Leucophyllum frutescens</i> 'White Cloud'	White Cloud Sage	X	X	X
<i>Leucophyllum hybrid</i> 'Rain Cloud'	Rain Cloud Sage	X	X	X
<i>Leucophyllum laevigatum</i>	Chihuahuan Sage	X	X	X
<i>Leucophyllum langmaniae</i> 'Lynn's Legacy'	Lynn's Legacy Sage	X	X	X

Table C.5 Proposed Thematic Plant Palette

Botanical Name	Common Name	Park	Entry	Streetscape/ Open Space
Leucophyllum langmaniae 'Rio Bravo'	Rio Bravo Sage	X	X	X
Leucophyllum pruinatum 'Sierra Bouquet'	Sierra Bouquet Sage	X	X	X
Leucophyllum revolutum 'Sierra Magic'	Sierra Magic Sage	X	X	X
Leucophyllum zygophyllum	Blue Ranger	X	X	X
Lonicera japonica 'Halliana'	Hall's Honeysuckle	X		X
Lotus rigidus	Desert Rock Pea	X		X
Lycium fremontii	Fremont Lycium	X		X
Mimosa dysocarpa	Mimosa	X		
Osmanthus fragrans	Sweet Olive	X		X
Philodendron selloum	Split Leaf Philodendron	X	X	
Plumbago scandens 'Summer Snow'	Summer Snow Plumbago	X	X	X
Psoralea schottii	Indigo Bush	X	X	
Pyracantha koidzumii 'Red Elf'	Dwarf Pyracantha	X	X	X
Raphiolepis indica	Indian Hawthorn	X		X
Rosa banksiae 'Alba Plena'	White Lady Bank's Rose	X	X	X
Rosmarinus officinalis	Rosemary	X	X	X
Ruellia brittoniana	Ruellia	X	X	X
Ruellia peninsularis	Shrub Ruellia	X	X	X
Salvia chamaedryoides	Mexican Blue Sage	X		X
Salvia clevelandii	Chaparral Sage	X		X
Salvia leucantha	Mexican Bush Sage	X		X
Senna wislizenii	Shrubby Senna	X		X
Simmondsia chinensis	Jojoba	X		X
Sophora secundiflora	Texas Mountain Laurel	X		X
Sphaeralcea ambigua	Desert Globemallow	X	X	X
Tagetes lemmonii	Mt. Lemmon Marigold	X		X
Tecoma stans	Yellow Bells	X		X
Vauquelinia californica	Arizona Rosewood	X		
Viguiera deltoidea	Goldeneye	X	X	X
Zauschneria californica	California Fuchsia	X		X
Ziziphus obtusifolia	Greythorn	X		X
GROUNDCOVERS				
Acacia redolens	Prostrate Acacia	X	X	X
Antigonon leptopus	Queen's Wreath	X		X
Aizoaceae species	Ice Plant	X	X	X
Baccharis 'Centennial'	Centennial Baccharis	X	X	X

Table C.5 Proposed Thematic Plant Palette

Botanical Name	Common Name	Park	Entry	Streetscape/ Open Space
Baileya multiradiata	Desert Marigolde	X	X	X
Calylophus hartwegii 'Sierra Sundrop'	Calylophus	X	X	X
Convolvulus mauritanicus	Ground Morning Glory	X	X	X
Dalea capitata 'Sierra Gold'	Sierra Gold Dalea	X	X	X
Dalea greggii	Trailing Indigo Bush	X		X
Drosanthemum speciosum 'Rosa'	Ice Plant	X	X	X
Dyssodia pentachaeta	Dyssodia	X	X	X
Erigeron divergens	Spreading Fleabane	X		X
Erigeron 'Profusion'	Profusion Fleabane Daisy	X		X
Gazania rigens 'Sun Gold'	Gazania	X	X	X
Hardenbergia comptoniana	Lilac Vine	X	X	X
Lantana montevidensis	Trailing Purple/Yellow Lantana	X	X	X
Melampodium leucanthum	Blackfoot Daisy	X	X	X
Muhlenbergia capillaris 'Regal Mist'	Regal Mist Muhley	X	X	X
Muhlenbergia emersleyi 'El Toro'	Bull Grass	X	X	X
Muhlenbergia lindheimeri 'Autumn Glow'	Autumn Glow Muhley	X	X	X
Muhlenbergia rigens	Deer Grass	X	X	X
Muhlenbergia rigida 'Nashville'	Nashville Grass	X	X	X
Oenothera barlandieri	Mexican Evening Primrose	X		X
Oenothera caespitosa	Evening Primrose	X		X
Oenothera stubbii	Saltillo Primrose	X		X
Osteospermum fruticosum	Trailing Aftican Daisy	X	X	X
Penstemon baccharifolius	Rock Penstemon	X	X	X
Penstemon eatonii	Firecracker Penstemon	X	X	X
Penstemon grandiflorus	Penstemon	X	X	X
Penstemon palmeri	Palmer's Penstemon	X	X	X
Penstemon pseudospecitabilis	Parry's Penstemon	X	X	X
Penstemon superbus	Superb Penstemon	X	X	X
Penstemon wrightii	Penstemon	X	X	X
Plumbago auriculata	Cape Plumbago	X	X	X
Podranea ricasoliana	Pink Trumpet Vine	X	X	X
Psilostrophe cooperi	Paperflower	X	X	X
Salvia sp. 'Quicksilver'	Quicksilver Salvia	X	X	X
Santolina chamaecyparissus	Lavender Cotton	X	X	X
Santolina virens	Green Santolina	X	X	X
Trachelospermum jasminoides	Dwarf Star Jasmine	X	X	
Verbena gooddingii	Goodding's Verbena	X	X	X

Table C.5 Proposed Thematic Plant Palette

		Park	Entry	Streetscape/ Open Space
Botanical Name	Common Name			
Verbena pulchella	Moss Verbena	X	X	X
Verbena rigida	Sandpaper Verbena	X	X	X
Verbena tenera	Moss Verbena	X	X	X
Verbena tenuisecta 'Edith'	Edith Verbena	X	X	X
Wedelia trilobata	Wedelia	X	X	
Zephyranthes candida	Rain Lily		X	
Zinnia acerosa	Desert Zinnia	X	X	X
Zinnia grandiflora	Little Golden Zinnia	X	X	X
VINES				
Antigonon leptopus	Queen's Wreath	X		X
Bougainvillea 'Barbara Karst'	Bougainvillea	X	X	X
Bougainvillea 'California Gold'	Orange Bougainvillea	X	X	X
Bougainvillea 'Jamaica White'	White Bougainvillea	X	X	X
Bougainvillea 'San Diego Red'	Bougainvillea	X	X	X
Bougainvillea spectabilis	Bougainvillea	X	X	X
Clytostoma callistegioides	Violet Trumpet Vine	X		X
Gelsemium sempervirens	Yellow Flowering Jessamine	X	X	X
Hardenbergia comptoniana	Lilac Vine	X	X	X
Mascagnia lilacina	Lilac Orchid Vine	X		X
Mascagnia macroptera	Yellow Orchid Vine	X		X
Maurandya antirrhiniflora	Snapdragon Vine	X		X
Rosa banksiae	Lady Bank's Rose	X	X	X
Solanum jasminoides	Potato Vine	X		X
Vigna caracalla	Snail Vine	X		X



Planned Community District Monument Options

LEGEND

- Major monument to indicate entrance into community with Vistancia signage
 - Significant landscape feature (i.e., water feature)
 - Common veneer consistent with parcel & site walls throughout
 - Native planting indicative of the community
 - Vertical elements
- Low wall (3'-4' tall) with finish to match Vistancia community themes or parcel architecture
 - Sign walls (5'-6' tall) with finish materials to match community theme or parcel architecture
 - Planting hierarchy for proper signage background & content
 - Vertical & visual breaks in walls (i.e., stone pilaster)
- Terraced walls (3'-4' tall) with surfaces to match village theme
 - Planting to frame view of golf course
 - Signage to match Vistancia theme sign plans
- Rambling stone-faced walls (2'-5' tall)
 - Materials consistent with main entry & neighborhoods
 - Landscape berming and enhanced planting consistent with adjacent roadways
 - Optional signage by developer but consistent with community monumentation signage
- Monument to indicate portal into village
 - Enhanced planting consistent with adjacent roadways
 - Walls (single or terraced) to 10' in height with finish to match village theme & architecture
- Gated entry to village with pedestrian and vehicular access
 - ±6' tall gates with ±8' tall columns, proportional
 - Surfaces and materials to reflect the theme of the village & architectural finishes
- 8' tall battered monument wall to 20' length
 - Frontier stone veneer, or other approved material, to match Vistancia community theme
 - Vistancia concrete 'wing' cap
 - Signage to match Vistancia sign specifications
 - Typical at every parcel entry

NOTES:
 *Locations and designs of monuments & signs are conceptual and subject to change at final design.
 **Future roadway alignments, parcel boundaries, and village entries are subject to change based on detailed land planning and engineering constraints.

GREY PICKETT



April 2013

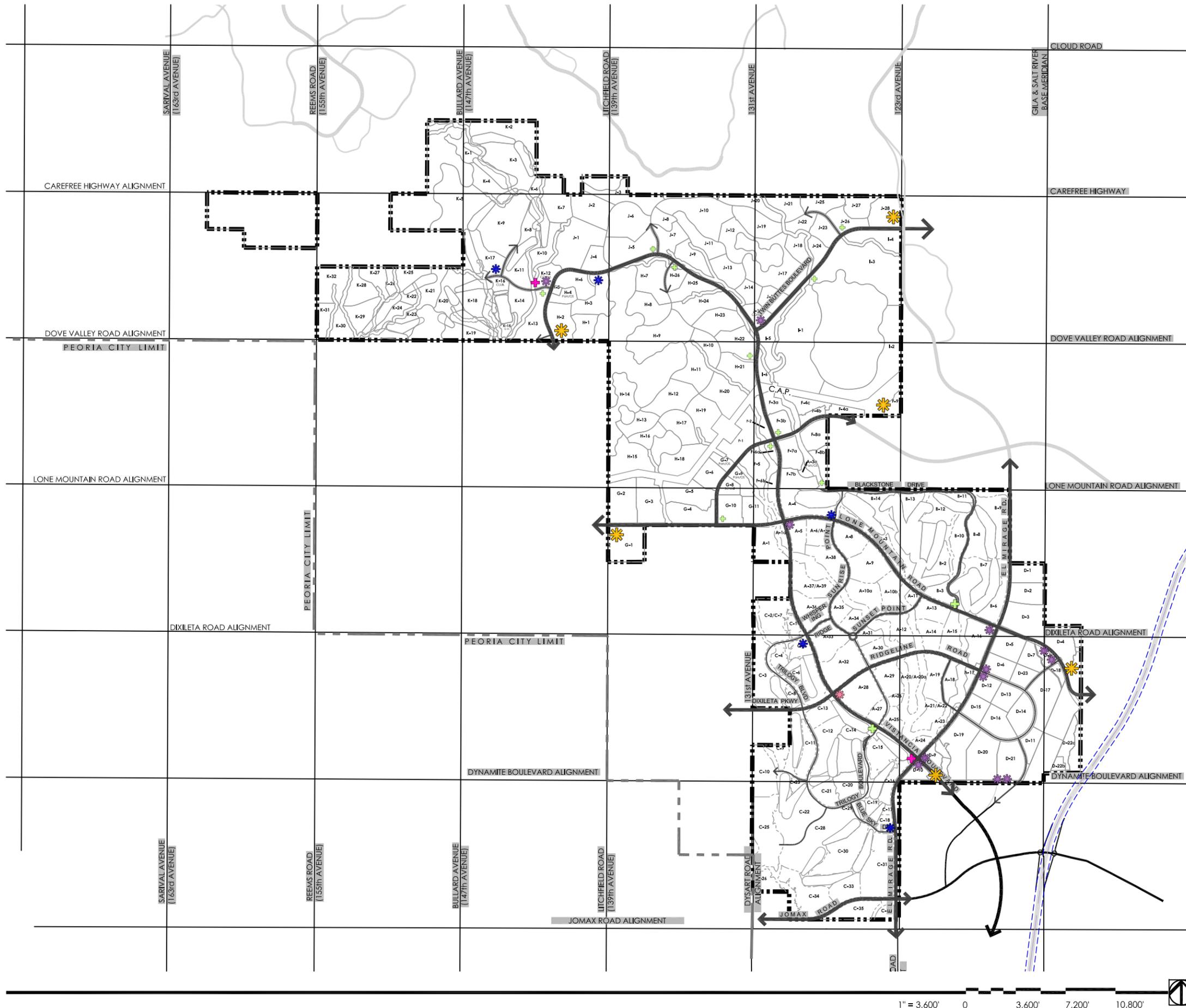


Figure C-9

H. Utilities and Services

1. Water

The City of Peoria is the potable water service provider for Vistancia. Vistancia LLC has secured and developed groundwater resources within the limits of the property in an amount adequate to service a substantial portion of the project. The City has allocated CAP water to complete the water needs for the community. The Water and Wastewater Master Plans outline the necessary steps to complete service to the community.

2. Wastewater

The City of Peoria currently provides wastewater collection and treatment service for the Vistancia community. A 2.25 million gallon per day (mgd) wastewater reclamation plant (expandable to 6.0 mgd) is located in the southern portion of Vistancia. This facility (the Jomax Wastewater Reclamation Plant) will not only serve Vistancia but also other planned communities and miscellaneous properties to the north, east, and west as an integral part of a regional system. Vistancia LLC is working with the City of Peoria and the Arizona State Land Department to create an additional collection route through Section 36. The Wastewater Master Plan provides further detail on the necessary phasing of improvements and primary collection routes.

Wastewater from the Jomax Wastewater Reclamation Plant is treated to A+ quality for use in the irrigation of golf courses, other turf managed facilities, and community lakes. Groundwater recharge will be accomplished during the winter months when reclaimed water supply is anticipated to exceed demand.

3. Electric

Vistancia is located within the Arizona Public Service Company (APS) project service area. Arizona Public Service Company has expanded the existing facilities in order to service Vistancia. Initial APS facilities located onsite include a 230 kV transmission line and a 12kV distribution line along Jomax Road, respectively located in the easterly portion and southwesterly portions of Vistancia. The 12 kV distribution line has been utilized to provide electric service to the initial phase of Vistancia development. The 230 kV transmission line has been utilized to provide power to the Calderwood Substation, which was constructed on Parcel D-13 in 2004.

4. Telephone

Vistancia is located within Zona Communications (Accipiter) service area. However, deregulation requirements enable any telecommunications provider to service the site, including Cox Communications. Telecommunications services will be provided by a licensed service provider.

5. Cable Television

In addition to telephone service, Accipiter and Cox Communications also provide cable and high speed internet services to Vistancia. However, deregulation requirements enable any telecommunications provider to service the site.

6. Natural Gas

Vistancia is located within the Southwest Gas certificated service area. Even though predevelopment conditions provided limited access to existing gas facilities, Southwest Gas has provided enhanced service via the construction of a 16” line that will also serve other developments in the vicinity. Vistancia LLC continues to work with Southwest Gas to provide a local and regional master plan and the expansion of future natural gas facilities for the area.

I. Development Schedule

The Vistancia community has been developing for nearly a decade, and it is expected to take at least a decade longer for the community to reach full build out. Improvement will continue expanding from the south to the north, with commercial development lagging residential. More detailed phasing requirements are outlined through the zoning of the utility master plans of the community, which are updated annually.

The continued development of Vistancia will respond to the economic conditions and demands relating to the housing market, retail market, and job growth. The development will also consider the impacts of access and provision of regional transportation facilities. Subsequent master plan updates for utilities and transportation may provide a more accurate depiction of the project phasing based on required infrastructure.

J. Management and Maintenance

1. Community Association (VMC) Responsibility

A master community association, Vistancia Maintenance Corporation (VMC), has been created to manage all common open space facilities with the master planned community and govern the affairs of the community through a formal governance structure established in bylaws. The common facilities include the Discovery Trail, entry monuments, and community-wide amenities. In addition to common tracts owned by VMC, this association also assumes the maintenance responsibility for median landscaping and landscaping within the public and private rights-of-way adjacent to all major arterial and minor arterial roadways throughout the community. Future property owners within Vistancia will be required to remit dues to one of the eight village associations which in turn will pay the expenses of VMC for the operation and maintenance of community facilities. All common private facilities constructed by Vistancia LLC have been, and will continue to be, dedicated to the VMC for acceptance upon completion. The dedication and acceptance process will coincide with the public approval of the facilities through the City’s regulatory development review process. Once accepted, it will become the VMC Board of Directors responsibility to manage and maintain the facilities under the purview of the bylaws.

2. Village Association Responsibility

Village Associations have been formed for each of the residential villages (Village A, F & G, Village B, Village C) to manage and maintain tracts, common open spaces and amenities within the respective village. Similar associations will be formed for the residential villages north of the CAP (Village H, Village I, Village J, and Village K). Special assessments may be established under the Village Associations for local neighborhoods which incorporate private street networks, gated entries and/or unique amenities not envisioned by the Vistancia master plan. Village Associations, however, will not have the responsibility to

maintain regional or community facilities that are immediately adjacent to the subdivision. Individual home and property owners remit one fee to their respective village association. The Village Association will, in turn, have the responsibility for paying its applicable share to the VMC under a structure which provides representation to the VMC.

3. Design Guidelines and Architectural Review Committee

Residential and commercial design guidelines have been created to provide an overall framework and comprehensive set of standards and procedures that will continue to guide the Vistancia Planned Community District in an orderly and comprehensive manner. Each village may operate under its own set of Design Guidelines in an effort to differentiate the villages with a unique identity. In addition, specific guidelines may be prepared to distinguish the desired character of production and custom housing products. Guiding principles and objectives embodied in the guidelines include:

- Recognize the Sonoran Desert setting through the use of contextual plant and building materials.
 - Maintain a consistent Sonoran Desert plant palette throughout the multiple phases of development.
 - Encourage the use of local (Southwest) building materials and desert hues.
- Strive to achieve a distinctive sense of place in Vistancia, while promoting diversity in design and development.
 - Foster a unique community identity through the use of consistent materials, a community logo, custom design of informational signs for way finding along public streets and the community trails system.
 - Develop standards for the site planning and architectural treatment of the community; emphasize the treatment of the intersection of El Mirage and Lone Mountain Roads as a significant commercial center as well as the alignment of Vistancia Boulevard north of the CAP as the gateway to northern Vistancia villages.
 - Encourage form, material and color diversity in building design.
- Recognize climatic conditions in the Sonoran Desert through attention to solar orientation and other appropriate climatic responses within the built and vegetative environment.
 - Promote the consideration of solar angles with the placement of structures and plant materials to reduce the impacts of summer solar heat gain.
 - Encourage the use of energy efficient design and building materials.
- Maximize opportunities for public exposure and connectivity to common community spaces and visual access to view corridors and physical features.
 - Promote subdivision design that maximizes public exposure to natural open space.
 - Encourage subdivision and commercial center design that provides view corridors, which terminate on open space or topographic features.

- Promote opportunities for mobility throughout the community for residents of all ages.
 - Provide a community trails system that considers the movement of community residents between neighborhoods, community commercial uses and the community open spaces.
 - Provide opportunities for school age children to commute as pedestrians or bicyclists between schools, parks, and neighborhoods.
 - Encourage resident’s use of the trails network through comprehensive trails directional markers and maps.
- Promote opportunities for community and neighbor social interaction.
 - Locate common open spaces within neighborhoods in a central location to promote accessibility to residents.
 - Promote subdivision and housing design which recognizes the public street as having a potential for social interaction in addition to traffic movement by providing opportunities for residents to interact with this space through visual or physical contact.
 - Promote the use of open fencing along natural open spaces, golf courses, and community parks, where possible.

To achieve the design principles stated above, a design review committee (DRC) has been created to review, implement, and enforce the design guidelines within Vistancia. Additionally, all residential and non-residential land uses will be subject to the City of Peoria Design Review Program and comply with all standards set forth in the City of Peoria Design Review Manual as amended herein, which can be found in **Appendix E** of this document.. The Vistancia Community CCR’s will establish the review authority of the DRC. DRC approval of each development proposal will occur prior to the review and issuance of development approval by the City of Peoria. The City of Peoria will require an approval letter from such entity prior to the issuance of any building permit within Vistancia.

Because the DRC process is entirely independent of the City of Peoria development review process, **DRC approval in no way indicates conformance with City regulations nor indicates a building permit will be issued.** Membership on the DRC shall be established by the CCR’s and may include representatives from the Master Developer, homebuilders, design consultants and/or community residents. Participation on the DRC has evolved over time as property ownership continues to transition from the Master Developer to the community homeowner associations.

4. Amendment Procedures

While this section does not represent a regulatory element of the Vistancia Planned Community District Overlay, it is intended to represent Vistancia LLC’s understanding of amendment procedures within the City of Peoria.

Formal Amendments (Planned Community District)

Formal amendments to the PCD shall follow the procedures of Article 14-36-8 of the Peoria Zoning Ordinance. This section defines the amendments as major or minor based on a set of criteria.

Administrative Amendments and Interpretations

On occasion, it may be necessary to request formal or informal interpretation from the Peoria Zoning Administrator with respect to the implementation of the PCD or Zoning Ordinance related to the Vistancia Planned Community District. These circumstances may relate to, but are not limited to, interpretation of project intent, use, zoning districts, or development standards contained in this PCD overlay district. It is anticipated that interpretation of these provisions may be made in oral or written form upon the request of the property owner.

IV. Regulatory Development Standards

A. Purpose and Intent

This section contains the land use and regulatory development provisions necessary to implement the vision for the Vistancia Planned Community District and to comply with provisions of the Planned Community District, Section 14-36-2 and 14-36-3 of the Peoria Zoning Ordinance. To that end, these provisions constitute the primary tools for use by the City of Peoria, Vistancia LLC, and subordinate developers to ensure that Vistancia develops in conformance with the vision presented by this document as adopted by the Peoria City Council.

The development regulations govern land use densities, intensities, and location criteria within the Vistancia Planned Community District. Furthermore, this section includes development standards related to base zoning districts, property use, building and landscape setbacks, building height, lot coverage, infrastructure design standards, drainage design standards, general development provisions, hillside development provisions, parking and loading provisions, sign provisions, and landscape development standards. Unless otherwise specified herein, all development within Vistancia shall conform to the adopted Ordinances, Codes, Policies and Regulations of the City of Peoria.

B. Base Zoning Districts

The Vistancia Planned Community District (PCD) has established specific zoning districts drafted for the community, which supplement and supersede the base zoning described in the Peoria Zoning Ordinance and under PC District (Article 14-36, Section 14-36-2D). These districts are defined as follows:

Vistancia Planned Community District – Base Zoning Districts

VRD-40	Vistancia Residential Detached Housing
VRD-35	Vistancia Residential Detached Housing
VRD-30	Vistancia Residential Detached Housing
VRD-24	Vistancia Residential Detached Housing
VRD-18	Vistancia Residential Detached Housing
VRD-12	Vistancia Residential Detached Housing
VRD-10	Vistancia Residential Detached Housing
VRD-8	Vistancia Residential Detached Housing
VRD-7	Vistancia Residential Detached Housing
VRD-6	Vistancia Residential Detached Housing
VRD-5	Vistancia Residential Detached Housing
VRD-4	Vistancia Residential Detached Housing
VRA-4	Vistancia Residential Attached Housing

VRD-3	Vistancia Residential Detached Housing
VRA-3	Vistancia Residential Attached Housing
VRA-2	Vistancia Residential Attached Housing
V-NC	Vistancia Neighborhood Commercial
V-CC	Vistancia Community Commercial
V-MU	Vistancia Mixed-Use

Figure C-3, Land Use Plan graphically depicts the proposed land use designations of the community and applicable zoning districts for each of the approximate two hundred and twenty two (222) development parcels within the eight development units of Vistancia.

1. Residential Districts

The residential districts listed above are designed to respond to opportunities and constraints discussed within the Site Analysis (Section B) related to the Vistancia Planned Community District. The wide range of single family residential districts, ranging from large lots with detached residences in suburban settings to stacked loft and condominium products in other more urban environments, provide a full spectrum of housing options intended to support a wide range of resident lifestyles, maximizing housing choices. District standards are intended to promote stable, functional, and diverse neighborhoods that meet the housing needs of each resident. However, single family residential subdivisions shall be exempt from the provision of useable open space as defined in the City’s adopted Detached Single Family Design Guidelines (20-70-12 C.1.a.).

Table D.1, Residential Development Standards provides proposed development standards for the residential zoning districts within the parameters of the Planned Community District Overlay. These standards are intended to introduce an element of design flexibility to address the potential transition of density from community open space areas, such as natural drainage ways, steep sloped areas, and other open space areas. Within the single family residential zoning districts, the residential standards will serve to permit design flexibility for lot sizes, while maintaining minimum lot areas within each development parcel, therefore allowing partial density transfer from adjacent open spaces. As indicated in **Table C.1**, the total number of residential units within each of the development units will have a defined dwelling unit cap based on underlying zoning, in addition to the overall project cap of 10,500 units.

Under each of the residential land use designations (V-RE, V-LD, V-MD, V-MH, and V-HD), any of the flexible zoning districts as listed on **Table C.1** may be utilized during the preliminary or final plat process to address open space goals. The flexible zoning districts are intended to provide and promote the use of lot sizes, as necessary and appropriate, to transfer residential density among development parcels during the implementation of the Land Use Master Plan. To that end, the following land use and zoning relationships are established:

Table D.1 Residential Development Standards

District	Minimum Lot Size		Building Height	Minimum Yard Setbacks					Distance Between Buildings (2)	Maximum Coverage (4)
	Area	Width		Stories / Feet	Front (1)	Side Yard	Total	Street Side		
VRD-40										
Standards	40,000	120	2 / 30_	25	10	30	15	30	---	35%
VRD-35										
Standards	35,000	110	2 / 30_	25	10	30	15	25	---	35%
VRD-30										
Standards	30,000	100	2 / 30_	25	8	25	15	25	---	35%
VRD-24										
Standards	24,000	85	2 / 30_	25	8	25	15	25	---	35%
VRD-18										
Standards	18,000	75	2 / 30_	25	10	20	15	25	---	40%
VRD-12										
Standards	12,000	70	2 / 30_	20	7	14	10	20	---	45%
VRD-10										
Standards	10,000	60	2 / 30_	20	7	14	10	20	---	50%
VRD-8 & WPD-8										
Standards	8,000	50	2 / 30_	20	5	12	10	15	---	50%
VRD-7										
Standards	7,000	45	2 / 30_	20	5	10	10	15	---	50%
VRD-6 & WPD-6										
Standards	6,000	45	2 / 30_	20	5	10	10	15	---	55%
VRD-5										
Standards	5,000	40	2 / 30_	15	5	10	10	10	---	55%
VRD-4										
Standards	3,400	40	2 / 30_	10	0	10	10	10	---	55%
VRA-4*										
Standards	3,000	35	2 / 36_	10	0	6	10	10	6	55%
(3)	3,000	NA	2 / 36_	20	10	20	20	5	10	80%
VRD-3										
Standards	2,000	26	2 / 36_	10	3	6	10	10	---	55%
(3)	2,000	NA	3 / 42_	20	10	20	20	5	10	80%
VRA-3*										
Standards	2,000	30	3 / 42_	10	0	0	10	5	6	70%
VRA-2*										
Standards	1,000	25	54	5	0	0	10	0	6	70%
(3)	1,000	NA	54	20	10	20	20	5	10	80%

- (1) To allow for a diverse streetscape, the front yard setback may be set at 10' from the front property line for a maximum total of 50% of the total building frontage in any residential zoning district accommodating such features as side entry garages, bonus rooms, or corridors, etc. In no case shall a front-facing garage set back measure less than 18' from curb.
 - (2) Minimum distance permitted between buildings on the same lot or as required by the IBC.
 - (3) Standards for multifamily attached residential use when property is un-subdivided. Residential units are intended to be rented, leased or sold under a horizontal regime.
 - (4) If a lot exceeds the minimum lot size of a zoning district two or more designations less dense than its approved zoning, then that lot shall adhere to the maximum lot coverage of such less dense district.
- * Residential land uses for V-MU district, are allowable under Table D.2 and Table D.3 and are subject to residential development standards under VRA-2, VRA-3, and VRA-4 districts.

<u>Residential Land Use</u>	<u>Flexible Residential Zoning Districts</u>
V-RE	VRD-18 or less-dense districts, VRA-4*, VRA-3*, VRA-2*
V-LD	VRD-5 or less-dense districts, VRA-4*, VRA-3*, VRA-2*
V-MD	VRA-3 or less-dense districts
V-MH	VRD-5, VRD-4, VRA-4, VRD-3, VRA-3
V-HD**	VRA-4, VRD-3, VRA-3, VRA-2

* To encourage cluster development and minimize land disturbance, attached products will be allowed north of the CAP. Where Vistancia LLC no longer owns an adjacent parcel that has been platted as single family residential, a minimum buffer of 150' (roadway, landscape, open space, etc.) shall be provided as a transition between the proposed attached structures and adjacent detached lot boundaries.

** Also applies to Mixed Use Designated Parcels

The actual zoning district will be specified and formalized with the approval of each preliminary plat as proposed by Vistancia LLC or the appropriate property owner, recommended by City staff, and granted by the City of Peoria City Council in an approved final plat.

Some of the commercial and mixed use zoning designations allow for residential land uses within the prescribed districts as noted in **Table D.1** and discussed in Section V.I.2. Guidelines for allowable residential uses and actual development standards of these commercial and mixed use districts are provided in **Table D.2, Commercial and Mixed Use Districts Permitted Uses** and **Table D.3, Commercial and Mixed Use Development Standards**.

The Vistancia Planned Community District shall conform to the standards provided by Section 14-5-3 of the Peoria Zoning Code, except as provided by the general principal permitted use listed below:

- Single family detached housing;
- Single family attached housing (see Table D.1);
- Multi-family attached housing (see Table D.1);
- Churches, synagogues, temples, chapels, or similar places of worship related facilities;
- Educational institutions, if access is provided directly to an arterial or collector street for public institutions, and directly to an arterial street for parochial institutions;
- Golf courses and maintenance facilities, including golf clubs and temporary golf clubs;
- Homeowners Association meeting facilities;
- Public utility, municipal facility buildings, and related facilities provided that the facilities are adequately screened from public view as determined by the Vistancia Design Review Committee;
- Seasonal rental or time-share units in the VRA-4, VRA-3, VRA-2;
- Private recreation centers;
- Parks, public and private;

- Temporary residential start-up uses, including sales/marketing facilities, model home complexes, and related accessory uses; and
- Water production and storage facilities.

The Vistancia Planned Community District shall also conform to the standards provided by Section 14-5-4 and 14-5-8 of the Peoria Zoning Code. However, the following additional uses are also permitted as Accessory Uses in all residential districts:

- Casita accessory units if:
 - Units do not exceed 20% of the area of the primary structure;
 - Units limit cooking and bathing facility areas to 30% of the total area;
 - Units may be attached or detached;
 - Electrical service provided to the unit shall be limited to 110 volt service, unless otherwise authorized by the City of Peoria Building Official;
 - Units may not be rented or leased separately from the principal structure.
- Home occupations, according to the standards within Section 14-3-9 of the Peoria Zoning Ordinance.

The Vistancia Planned Community District will recognize the development standards provided within **Table D.1, Residential Development Standards**. These standards are intended to supersede the standards provided by Section 14-5-5 of the Peoria Zoning Ordinance, as authorized by 14-36-7E of the Peoria Zoning Ordinance. The residential district standards are intended to provide minimum development criteria related to average lot area, minimum lot width, building height, minimum yard setbacks, distance between structures and maximum lot coverage for each residential lot.

2. Commercial and Mixed Use Districts

The commercial districts planned for Vistancia have been designed to respond to opportunities and constraints of the site while maximizing the ability to provide quality goods and services for the region and community and to capture sales tax for the City of Peoria. For example, at the intersection of El Mirage Road and Vistancia Boulevard, community-oriented retail provides local grocery goods and services that accommodate the neighborhood needs of the Vistancia residents. Similarly, other sites within the community are orientated to provide residents with access to convenience goods, gas stations, pharmacies, and local dining convenient to their homes.

Several commercial sites within the community have been identified to allow for more integrated development utilizing a mix of land uses. These mixed use development areas will enable the blend of retail, employment, and residential uses over one site. For example, one of these sites may be able to provide multi-family dwelling units with surrounding land use support of light retail uses such as a dry cleaning shop and coffee bistro.

Along the Loop 303 corridor, it is understood that freeway access will provide the ability to incorporate large scale commercial goods and services on a regional

scale. A majority of Village D is planned to attract large scale shopping employment entertainment uses. Conversely, some of the sites may be able to provide residential lofts with ground level retail. This realization has prompted the envisioning process for a true mixed use district within Village D often referred to as the Vistancia Commercial Core.

The regulatory commercial districts within Vistancia are described as follows:

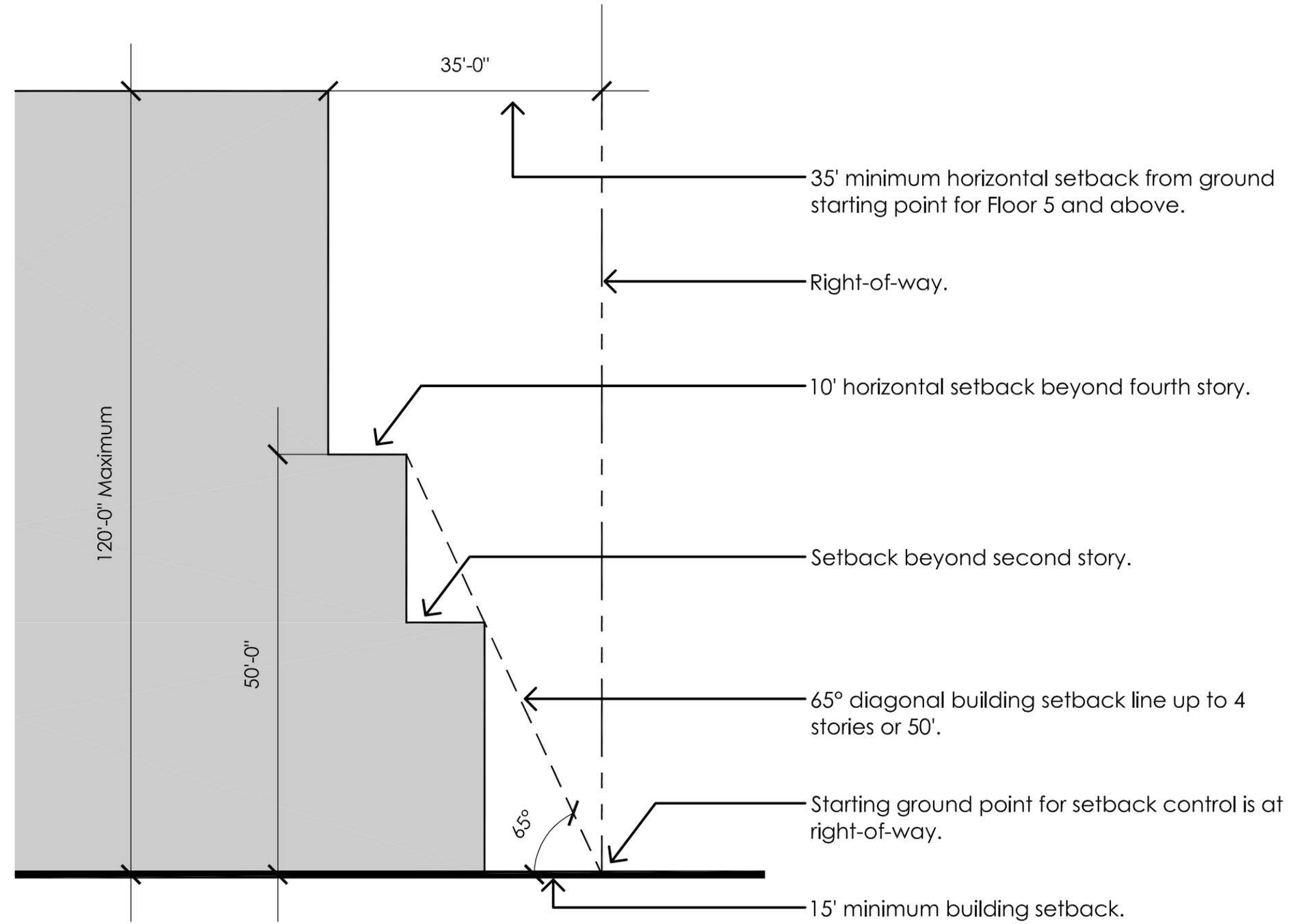
- **V-NC (Neighborhood Commercial District)** - intended to provide neighborhood-level goods and services within a Development Unit (Character Village) (typically intended to serve a local market area within a one-mile radius and contain less than 100,000 sq. ft. of Gross Leasable Area (GLA))
- **V-CC (Community Commercial District)** - intended to provide community level goods and services as necessary to serve the entire Vistancia Planned Community (typically intended to serve an intermediate market within a three-mile radius and contain less than 500,000 sq. ft. of GLA)
- **V-MU (Mixed Use District)** - intended to accommodate higher intensity commercial, employment, industrial, as well as high density residential uses (typically intended to serve a regional market area within a ten-mile radius).

Commercial and mixed-use developments are governed by a set of development standards which help define setbacks, lot coverage restrictions, and building heights. The standards for V-NC, V-CC, and V-MU can be found in **Table D.3, Commercial and Mixed Use Development Standards**. When standards are referenced from the City of Peoria Zoning Ordinance, the standards shall be referenced from the most current City of Peoria Zoning Ordinance.

A specific height overlay study has been conducted to analyze the impacts of increased height within Village D. Using the objective assessment methodology of the Bureau of Land Management to evaluate quality and impact of the surrounding environment and viewsheds, the study concluded that an increase of height to 165' would not adversely affect the quality of life within Vistancia. Quality planning for transition of heights from single family uses to more dense residential and commercial uses is essential. To that effect, while the maximum height for MU parcels East of El Mirage Road and North of Vistancia Boulevard is 120', a relationship between building height and proximity to El Mirage ROW is established. This height/setback relationship is described and depicted graphically in **Figure D.1, Village D Building Height Setback Requirements**, and further explained in **Table D.3**.

Table D.2. Commercial and Mixed Use Permitted Uses provides a list of the permitted uses for the commercial districts within Vistancia Planned Community District. This table provides regulatory provisions affiliated with permitted principal uses (P), permitted conditional uses (C), permitted accessory uses (A) or uses not permitted (-) for each of the non-residential zoning districts (V-NC, V-CC, and V-MU). The uses noted within **Table D.2** are further subject to the regulatory provisions of Section 14-9-5 of the Peoria Zoning Ordinance - Limitations on Uses.

Village D Building Height
Setback Requirements



Within Village D, maximum building heights for MU parcels East of El Mirage Road and North of Vistancia Boulevard is 120'.

However, building height setbacks are included to gradually increase the height of a building as it moves further from El Mirage Road and Vistancia Boulevard.

The diagram illustrates how this is established. Minimum Building Setback is 15'. Between a 15' setback and 35' setback, the maximum building height is determined by extending a line inward to the parcel at a 65 degree angle up to 50' in height. Beyond the 35' setback, maximum building height is 120'.

Table D.2 Commercial and Mixed Use Districts Permitted Use

<u>LAND USE DESCRIPTION</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
<u>Administrative & Financial</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Automatic Teller Machine (ATM)	P	P	P
Banks and Financial Institutions	P	P	P
Bonding Companies & Non-chartered Financial# (see Section 14-9-5.1)	-	-	C
Medical, Dental or Health Offices	P	P	P
Professional, Administrative or Business Offices	P	P	P
<u>Automobile Related</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Auto Auction	-	-	C
Auto dismantling, Scrap Dealers, Recycling Centers	-	-	-
Auto Parts and Accessory Store	P	P	P
Auto Sound System Installation, Auto Glass Tinting & Repair, & similar uses#	-	C	P
Auto Body Repair & Painting Facilities#	-	-	P
Automobile, Boat, RV, or Motorcycle, Outdoor Sales and Rental	-	-	P
Automobile Diagnostic and/or Service Establishment#	-	C	P
Auto Parking Lot or Parking Structure as Principal Use	-	C	P
Automobile Rental Facility, limit to six (6) vehicles#	-	C	P
Automobile, RV, & Boat Storage Facility	-	-	P
Automobile Towing & Impound Facilities	-	-	P
Automotive Repair Facilities	-	P	P
Boat & RV Repair	-	-	C
Car Wash, Automated	P	P	P
Car Wash, Self Service	P	P	P
Emissions Testing Facility	-	-	P
Gas Service Station	P	P	C
Tire Sales, Repair and Mounting#	-	P	P
Truck Stop, including wash	-	-	-
<u>Eating & Drinking Establishments</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Coffee Shop	P	P	P
Delicatessen and Catering Establishment	P	P	P
Food & Beverage Vendor Cart#	A	A	A
Outdoor Dining Areas	P	P	P
Restaurant, fast-food (drive-thru)	P	P	P
Restaurant, fast-food (w/o drive thru)	P	P	P
Restaurants and Cafeterias	P	P	P
Tavern, Bar, Lounge or Establishment that sells alcoholic beverages for consumption on premise, excluding restaurants#	C	C	C
<u>Entertainment and Recreation</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Adult Uses#	-	-	-
Convention Centers and Exhibition Halls	-	-	C

<i>LAND USE DESCRIPTION</i>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Dancing, Theatrical or Music Studio	-	P	P
Golf Courses, incl. golf clubs and maintenance	P	P	P
Health and Exercise Center	P	P	P
Indoor Recreation/Entertainment including Bowling Alleys, Game Rooms, Video Arcades, Ice & Roller Skating Rinks, Shooting Ranges, Pool & Dance Halls, Bingo Halls, & similar uses, excluding Adult Uses & Taverns, Bars & Lounges	-	P	P
Recreation and Social Clubs#	P	P	P
Resorts	-	P	P
Tennis, Racquet Clubs, Miniature Golf & similar uses	-	C	P
Theater, indoor	-	P	P
Wedding and Reception Center# (Ord. 02-21)	C	C	P
<u>General Industrial & Manufacturing*</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Bulk Fuel Sales and Storage	-	-	-
Call or data center	-	-	P
Cement & Asphaltic Concrete Batch Plants	-	-	-
Commercial Laundry & Dying Plant	-	-	-
Commercial Livestock Feeding, Hog Ranches, Poultry Hatcheries, Dairy Farms, Cattle Sales & Livestock Auctions	-	-	-
Commercial Slaughtering, Lard & Tallow Rendering, Meat Packing, Poultry & Game Dressing & Packing	-	-	-
Contractors Storage Yard, including outdoor storage of construction equipment & materials	-	-	-
Cotton Ginning & Baling, Wood Preserving by pressure impregnation, Rubber or Oil Reclaiming	-	-	-
Day Labor Hiring Centers	-	-	-
Data Center (Ord.02-21)	-	-	P
Drilling, Production, Refining of Petrol, Gas or Hydrocarbons	-	-	-
Electric Power Generating Plants, Solar Panel Energy Production, Transformer Stations & Sub-stations, Gas Pumping Plants	-	-	P
Environmental Remediation Facility	-	-	-
Essential Public Service or Utility Installation	P	P	P
Incineration or Reduction of offal, garbage or refuse when conducted entirely within an approved enclosed facility	-	-	-
Machine Shops	-	-	C
Manufacturing, Fabrication & Processing of Goods#	-	-	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	-	-	-
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	-	-	-
Mini-storage warehouses, excluding RV, Boat and Trailer storage (Ord.02-21)#	-	C	P
Mini-storage warehouses, RV, Boat & trailer storage	-	C	P

<i>LAND USE DESCRIPTION</i>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Moving truck, trailer & equipment rental	-	-	P
Moving company storage & transfer facility	-	-	P
Outdoor storage	-	-	C
Parcel delivery service	-	C	P
Printing and publishing facilities	-	C	P
Processing & compounding to reform recyclable materials into a useable state	-	-	-
Railroad shops & similar heavy service facilities	-	-	-
Recycling collection facility#	-	-	C
Recycling Collection Point	A	A	A
Remote Mail Service	P	P	P
Research laboratories#	-	-	P
Storage, processing & sale of scrap metal & junk	-	-	-
Wholesaling, warehousing, distributing, repair, rental & servicing of any commodity excluding live animals, explosives & storage of flammable liquids & gases	-	-	P
<u>General Retail</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Antiques, Crafts, and Collectibles Sales	P	P	P
Bait and Tackle Shops	P	P	P
Book, Stationery & Greeting Card Store	P	P	P
Candy and Ice Cream Store	P	P	P
Carpet and Floor Covering Store	-	P	P
Copy Center	P	P	P
Florist	P	P	P
Gift, Novelty and Souvenir Shop	P	P	P
<u>General Retail - Continued</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Hobby, Stamp and Coin Shop	P	P	P
Newsstand	P	P	P
Pawn Shop# (see Section 14-9-5.I)	-	-	P
Pet Shop	P	P	P
Plumbing, Heating & Air-conditioning Sales and Service	-	C	P
Retail Decorative Rock Sales	-	C	P
Retail Sales of Merchandise, Indoor	P	P	P
Retail Liquor Store# (see Section 14-9-5.I)	-	C	C
Surplus Store	-	-	P
Thrift Store	-	-	P
Video Rental Store	P	P	P
Water and Ice Store	P	P	P
<u>Institutional</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Art Gallery	P	P	P
College or University#	-	-	P
Cultural Institutions	P	P	P
Day Care Centers or Pre-school Centers#	P	P	P
Group Care Facility or Community Residential Facility#	-	-	P
Homeless Shelter & similar uses	-	-	-
Libraries and Museums	P	P	P

<i>LAND USE DESCRIPTION</i>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Non-profit Social services#	P	P	P
Nursing or Convalescent Home, Long term Care Facility#	-	C	P
Public Buildings#	P	P	P
Public & Public Utility Buildings, Structures, Uses, Facilities and Equipment#	P	P	P
Religious Institutions & similar places of worship#	P	P	P
Public/Private Schools, Educational Institutions, Business, Technical or Vocational excluding Colleges Universities#	-	P	P
Substance Abuse Detoxification & Treatment Centers	-	-	C
Water Production and Storage	P	P	P
Water Reclamation Facility	-	-	P
Wireless Communication Facilities (regulated per Section 14-3-13 of the Peoria Zoning Ordinance)	C	C	C
<u>Intense Retail</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Appliance, Furniture, & Household Equipment Sales and Rentals	P	P	P
Office Supply & Machine Sales & Service	P	P	P
Department Store	P	P	P
Equipment Sales, Rental and Storage Yard	-	-	P
Farmers Markets	-	C	P
Hardware Store with outdoor storage	C	C	P
Home Improvement Store	-	P	P
Mobile Home Sales	-	-	-
Monument Sales and Engraving Shop	-	P	P
Outdoor Sales and Display Area (Ord. 02-21) #	-	-	P
Plant Nursery, Retail**	-	P	P
Plant Nursery, Wholesale	-	-	P
Retail Sales of Lumber & Building Materials#	-	-	P
Sales & Storage of grain, feed, seed, fertilizer, farm & garden supplies	-	-	-
Swap Meet, indoor	-	-	P
Swap Meet, outdoor & similar outdoor sales	-	-	C
Upholstery Shop	-	P	P
Wholesale Produce Storage or Market	-	-	P
Wholesale sales of finished goods	-	-	P
<u>Lodging</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Bed and Breakfast Inn#	P	P	P
Hotel or Motel#	-	P	P
Living quarter for night guards	-	A	A
<u>Medical</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Ambulance Service Facility	-	C	P
Emergency Medical Care Facility#	-	C	P
Hospitals	-	-	P
Medical, Dental, Optician or Health, Clinics and Laboratories	P	P	P
Veterinary Hospital#	-	C	P

<i>LAND USE DESCRIPTION</i>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Veterinary Offices and Clinics, excluding animal boarding#	P	P	P
<u>Personal Services</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Animal Shelter	-	-	C
Appliance Repair	-	-	P
Auction Houses and Estate Sales	-	-	P
Boarding Kennels	-	-	C
Blueprint Shop	-	P	P
Cabinet and Carpentry Shop	-	P	P
Custom Dressmaking, Furrier, Millinery or Tailor Shop#	-	P	P
Dry Cleaning and Laundry Establishment	P	P	P
Employment Agencies, not including Day Labor Hiring Centers	-	P	P
Laundromat, self-service	P	P	P
Locksmith	P	P	P
Messenger Delivery Service	P	P	P
Plasma Center, Massage Establishment, Tattoo & Body Piercing Studio#	-	-	-
Palm Readers, Phrenologists, Fortune Tellers and Astrologers	-	-	-
Tanning salon, Nail Salon, Barber Shop, Beauty parlor & similar uses	P	P	P
Pest Control Service	-	-	P
Pet Grooming Shop	P	P	P
Photographic Developing and Printing	P	P	P
Photographic Studio	P	P	P
Radio and Television Sales and Service	P	P	P
Recording Studio	-	P	P
Shoe Sales and Service, Clothing Alteration	P	P	P
Sightseeing Tour Companies	P	P	P
Ticket and Travel Agency	P	P	P
Watch and Clock Repair Shop	P	P	P
<u>Residential</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Multi-family Residential***	-	-	P
Single-Family Residential	-	-	P
<u>Transportation</u>	<u>V-NC</u>	<u>V-CC</u>	<u>V-MU</u>
Aviation uses such as Aircraft Repair, Aircraft Sales & Air Charter Services	-	-	C
Bus Terminals/Park and Ride Facility	-	C	P
Marine Fuel Facility	-	-	-
Rail and Motor Freight Terminals & Facilities	-	-	-
School Bus Parking and Maintenance	-	-	C

P = Permitted Use.

C = Permitted Conditional Use. Condition Use Permit required. Refer to Peoria Zoning Ordinance Article 14-39-10.

A = Permitted Accessory Use.

- = Use Not Permitted.

= Subject to special limitations per Article 14-9-5 of the Peoria Zoning Ordinance, if permitted or conditional use.

* = No industrial or manufacturing uses will be allowed within Vistancia, except as indicated in table above.

** = Outdoor sales of nursery stock, lawn furniture, and home garden supplies when developed in integral relation to the planned complex and screened from view of any street.

*** = Residential use shall conform to the maximum density and development standards established for the VRA-2 district. Single family residential within commercial parcels shall only be allowed in parcels zoned V-MU and located west of El Mirage Road.

Table D.3 Commercial and Mixed Use Development Standards

DEVELOPMENT STANDARD	V-NC	V-CC	V-MU⁽¹⁾
Maximum Intensity (floor area ratio)	Commercial 0.25 Office 0.25	Commercial 0.25 Office 0.25	Commercial 1.0 Office 1.7 Mixed Use 1.5
Maximum Density	NA	25 du/ac	Villages A, B, C, and Village D parcels East of El Mirage Road: 65 du/ac Village D West of El Mirage Road: Pursuant to the allowable dwelling units identified in Table C.1
Maximum Lot Coverage	None	None	None
Minimum Building Setback⁽²⁾ (from any arterial street)	15 feet ⁽²⁾	15 feet ⁽²⁾	15 feet ⁽²⁾
Minimum Side Yard Setback (defined from perimeter of designated combined commercial area under same ownership or platted on same map – not individual parcels or buildings)	15 feet adjacent to non-residential use and multi-family (including attached housing) uses; 30 feet adjacent to traditional single family residential uses.	15 feet adjacent to non-residential use and multi-family (including attached housing) uses; 30 feet adjacent to traditional single family residential uses.	20 feet adjacent to non-residential use and multi-family (including attached housing) uses; 50 feet adjacent to traditional single family residential uses.
Minimum Rear Yard Setback (defined from perimeter of designated combined commercial area under same ownership or platted on same map – not individual parcels or buildings)	15 feet adjacent to non-residential and multi-family (including attached housing) uses; 30 feet adjacent to traditional single family residential uses.	15 feet adjacent to non-residential and multi-family (including attached housing) uses; 30 feet adjacent to traditional single family residential uses.	25 feet adjacent to non-residential use and multi-family (including attached housing) uses; 50 feet adjacent to traditional single family residential uses.

DEVELOPMENT STANDARD	V-NC	V-CC	V-MU ⁽¹⁾												
Maximum Building Height⁽³⁾ (defined from perimeter of designated combined commercial area under same ownership or platted on same map – not individual parcels or buildings)	Maximum height of 2 stories or 36 feet.	Maximum height of 3 stories or 42 feet.	West of El Mirage Road: Maximum height of 6 stories or 74 feet Height setback subject to the limitation of 2 stories or 36 feet within the first 50 feet measured from the gross parcel boundary with a permissible 1 foot incremental increase in height for every 5 feet in horizontal setback from the first 50 feet. East of El Mirage Road: (see Figure D-1, Village D Building Height Setback Requirements) Maximum Height of 120', subject to the following. Minimum Building Setback is 15'. Between a 15' setback and 35' setback, the maximum building height is determined by extending a line inward to the parcel at a 65 degree angle up to 50' in height. Beyond the 35' setback, maximum building height is 120'. See Figure D-1												
Land Use Composition⁽⁴⁾ (Village D only)	NA	NA	<table border="0"> <tr> <td></td> <td>Min/Max</td> </tr> <tr> <td>Residential</td> <td>10% 80%</td> </tr> <tr> <td>Office/Medical</td> <td>10% 80%</td> </tr> <tr> <td>Retail</td> <td>10% 80%</td> </tr> <tr> <td>Hotel/Lodging</td> <td>0% 20%</td> </tr> <tr> <td>Public/Quasi-Public</td> <td>0% 30%</td> </tr> </table>		Min/Max	Residential	10% 80%	Office/Medical	10% 80%	Retail	10% 80%	Hotel/Lodging	0% 20%	Public/Quasi-Public	0% 30%
	Min/Max														
Residential	10% 80%														
Office/Medical	10% 80%														
Retail	10% 80%														
Hotel/Lodging	0% 20%														
Public/Quasi-Public	0% 30%														
Block Length (Village D only)	NA	NA	Minimum: 200 feet Maximum (exterior blocks): 1,320 feet All other blocks: 700 feet												
Minimum Street Landscape Area	Per City of Peoria Zoning Ordinance found in Appendix F of this document	Per City of Peoria Zoning Ordinance found in Appendix F of this document	Per City of Peoria Zoning Ordinance found in Appendix F of this document												

DEVELOPMENT STANDARD	V-NC	V-CC	V-MU ⁽¹⁾
Minimum Perimeter Landscape Area	Per City of Peoria Zoning Ordinance found in Appendix F of this document	Per City of Peoria Zoning Ordinance found in Appendix F of this document	Per City of Peoria Zoning Ordinance found in Appendix F of this document

- (1) Residential land use within the V-MU district shall conform to the development standards provided by Section D.2.a, except as noted herein.
- (2) Retail window, showcase, and architectural enhancements may extend two (2) feet within the building setback. Porches and stoops may encroach into the building setback up to a maximum distance of six (6) feet. Architectural arcades may penetrate the adjacent roadway right of way, but shall not break the imaginary vertical plane measured at two (2) feet from the back of curb.
- (3) Building heights may be exceeded to fulfill the provisions of architectural embellishments and mechanical/electrical equipment.
- (4) Target percentages are based on Village total rather than individual parcels. Developer to submit an annual report to City, identifying quantities of each use type constructed to date.

3. Shared Parking Concept

The concept of shared parking is the use of parking space to serve two or more individual land uses without conflict or encroachment. The goal of shared parking methodology is to find the balance between providing adequate parking to support a development from a commercial viewpoint and minimizing the negative aspects of excessive land use area or resources devoted to parking lots or structures. Shared parking calculations recognize that different uses experience their individual peak parking at potentially different times of day, or days of the week as shown in **Table D.5**. When land uses share a common parking footprint, the total number of spaces needed to support the collective uses is determined by adding parking profiles (by time of day or day of week) rather than individual peak ratios as represented in typical zoning requirements.

When specifying how many parking spaces must be provided to meet the demands of a given land use, regulations often mandate the use of a simple formula. For example, one parking space may be required for every 200 square feet of retail space. This method simplifies the calculation process and generally provides enough parking to meet the land use's peak demand. However, some fraction of this parking is typically vacant for at least part of each day. In the case of a church or sports stadium, a parking lot may be nearly empty for a good portion of the week but filled to capacity for relatively short periods. Office parking lots, on the other hand, are busy during the week but largely vacant on weekends. If land uses with different peak demand times are located near one another, it is possible to provide fewer total spaces. This is because each land use can use spaces which the other does not currently need. This strategy, termed "shared parking," provides a number of benefits:

- Land that would otherwise be used for parking is available for revenue-generating uses or for open space.
- Having less land dedicated to parking generally means a more attractive development, lower capital and operating costs, and fewer negative environmental impacts.
- Traffic circulation is more efficient, because there are fewer intersections associated with parking areas and because mixed-use developments generate fewer trips. For example, office workers may walk to a nearby restaurant at lunch rather than drive.

- Mixed-use development tends to have activity over a greater portion of the day, improving security and creating a more lively environment.

Although shared parking provides many benefits, it is not without its weaknesses. Many of these stem from the variability of parking demand as well as the cooperation necessary to share a finite resource. Among these weaknesses are the following:

- If land uses change, the amount of parking provided may end up being insufficient or excessive.
- Opportunities for reserved or time-restricted parking are limited.
- Implementing a shared parking program requires more initial work and more subsequent monitoring and enforcement than do standard parking strategies.
- Creating a mixed-use development is more complicated than creating a single-use development.
- Design and operation of parking can be more difficult, as shared parking areas need a uniform structure.

However, the size and complexity of the proposed mixed use development within Village D, necessitates additional restrictions:

- Uses which are assumed to be able to share parking are 1) uses located on the same block or 2) uses located on adjacent blocks that will be parking in the same lot or structure. This restriction limits the walking distance between parking locations and destinations to 300 feet in many cases.
- Residential development will not be included in shared parking calculations, if it is reasonable to assume that these parking spaces will be reserved and/or will have controlled access.

The shared parking software used is only designed and configured to provide a rough shared parking analysis. The calculations do not take into account seasonal, local travel patterns, or other factors which could affect their accuracy. More detailed calculations can be undertaken as development plans become more specific and as more detailed information on local parking use become available.

Table D.4, Shared Parking Example – Project Data, Table D.5, Shared Parking Example - Parking Demand Over Time, and Table D.6, Shared Parking Example – Parking Supplied provide an example of basic shared parking calculations for a typical mixed-use development. As indicated in **Table D.4**, the example development consists of 7,000 square feet of street-level destination retail space and three upper floors (21,000 s.f.) of office space. If typical parking standards were applied, the retail space would require 35 parking spaces (one space per 200 s.f.) and the office space would require 84 parking spaces (one space per 250 s.f.), for a total of 119 spaces.

Table D.4: Shared Parking Example – Project Data

Uses	Total Area		Use %	# of Spaces	Factors
Destination Retail	7,000	s.f.	54%	19	1 per 200
Convenience Retail	0	s.f.	65%	0	1 per 200
Office	21,000	s.f.	100%	84	1 per 250
Restaurant	0	s.f.	20%	0	1 per 83.3
In-Line Restaurant	0	s.f.	20%	0	1 per 66.6
Medical	0	s.f.	100%	0	1 per 250
Fitness	0	s.f.	51%	0	1 per 154
Ice Skating	0	s.f.	0%	0	1 per 156
Cinemas	0	Seats	0%	0	Seats / 3
Residential	0	Units	100%	0	Units x 2.41
Guest Rooms	0	Rooms	45%	0	Rooms x 1
Hotel Restaurant	0	s.f.	20%	0	1 per 200
Conference Center	0	s.f.	100%	0	1 per 54.5
Total s.f.					
	28,000				
Total Seats	0		Sub-Total		103
Total Chairs	0		Plus	5%	5
Total Rooms	0				
Total Units	0		Total		108
Peak Time of Day: 10:00a.m. Weekday					
Total Parking:					
					0
Percent of Required Parking:					
					0%

Table D.5 shows how the shared parking model has calculated variations in parking demand for each of the uses throughout a typical weekday. As the line showing total demand indicates, the expected peak demand for parking occurs around 10:00 A.M. The total amount of parking required at this time is calculated to be only 103 spaces.

Table D.6 provides a comparison between the requirements calculated using typical parking ratios (119 spaces) and the shared parking model (103 spaces plus a 5% contingency factor, for a total of 108 spaces). For this particular example, the shared parking model suggests that parking can be reduced by 9% while still meeting all of the expected parking demand.

Table D.5:

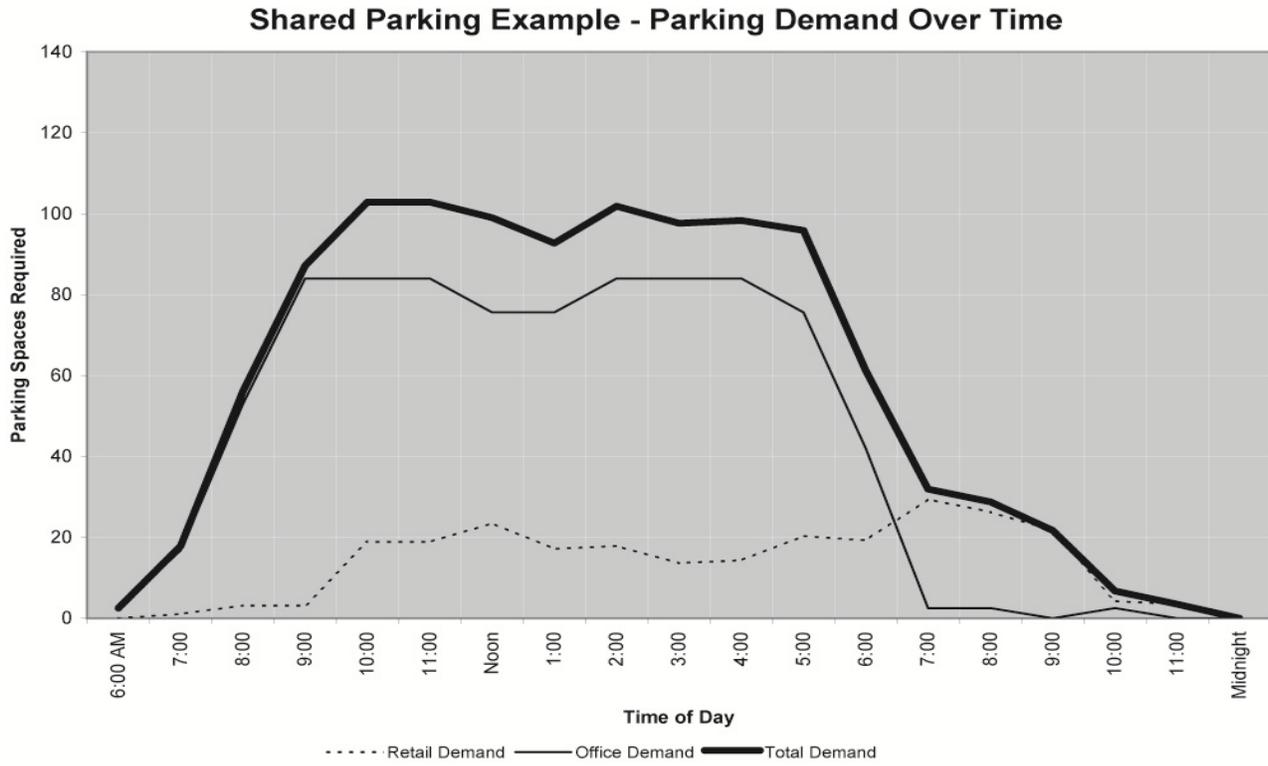
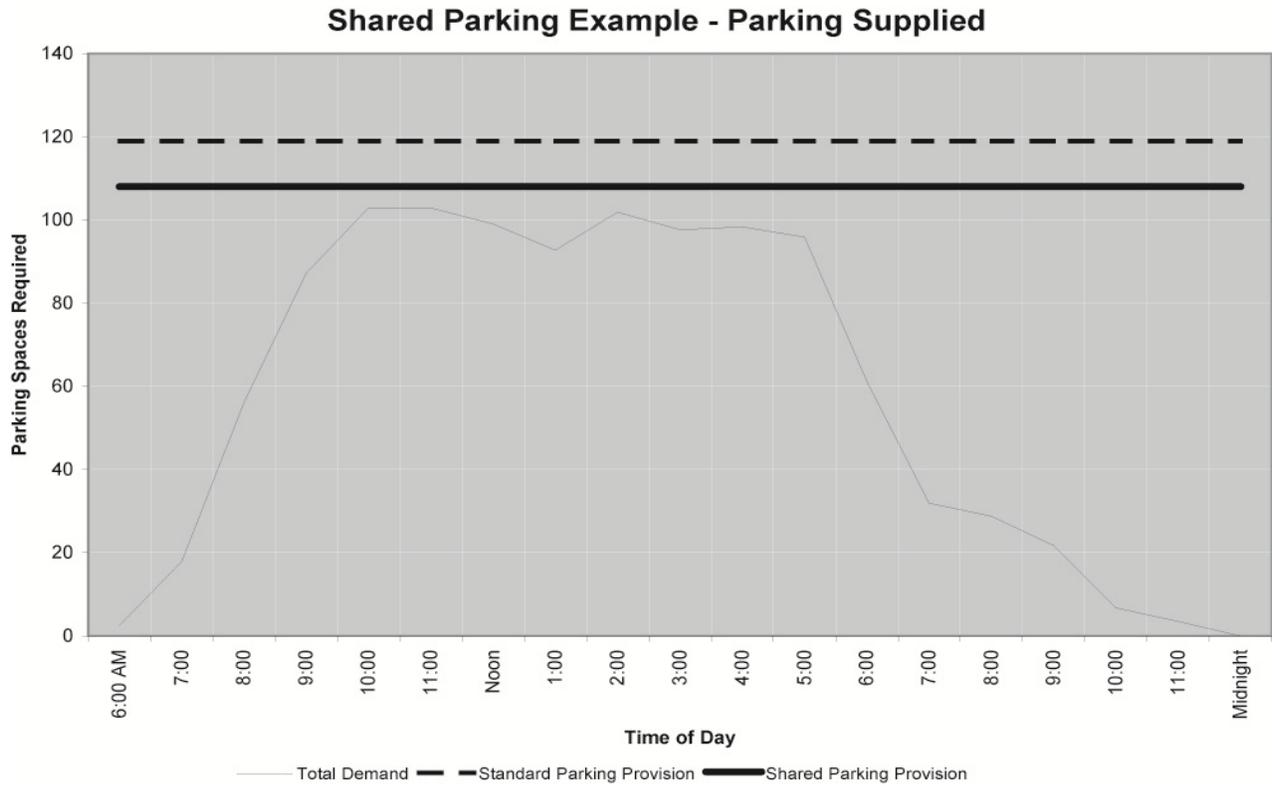


Table D.6:



C. Development Standards

1. Vistancia General Development Standards

Provisions of this PCD are intended to supplement and supersede standards of general applicability provided by Peoria Zoning Ordinance Sections 14-2 (Definitions), 14-3 (General Provisions), 14-22A (Hillside Development Overlay District), 14-22B (Desert Land Conservation Overlay), 14-23 (Parking and Loading Requirements), 14-34 (Signs), 14-35 (Landscape Requirements), and 14-41 (Special Use Permits) as well as addressing provisions of the City of Peoria Design Review Manual. Each of these ordinances, as amended specifically for the Vistancia community, is provided in **Appendix F** of this Document. Additional Special Use Development Standards are provided below:

2. Special Uses Development Standards

There are several potential uses within the Vistancia Master Planned Community that will require specific, tailored development standards unique to those uses. While each of these uses will be located in a parcel with underlying Vistancia zoning as determined, the development standards for each of the defined special uses located anywhere within Vistancia will be as noted in **Table D.8 Special Use Development Standards**. The standards proposed within **Table D.8** are intended to address the anticipated impacts from these uses, as well as to provide development flexibility to accommodate them. The uses will only be permitted in those districts that specifically list the use as permitted or conditional.

In addition to particular development standards for special uses, there are also several restrictions regarding the uses. Those restrictions, by specific use, are as follows:

a. Recreation Center

- Access required from an arterial or collector street as defined by the Vistancia Traffic Impact Analysis as amended.
- Special events staged as exterior functions shall maintain noise levels at 65 decibels or less at the perimeter property line of any single family residence.
- Parking accommodations for special events shall be reviewed and approved by the respective Village Association prior to commencement of the event to ensure adequate parking facilities as necessary to protect adjacent neighborhoods and businesses from the potential encroachment of off-site parking. Such parking accommodations may also be reviewed and authorized, at the administrative discretion of the Planning Manager, through Application of a Temporary Use Permit in accordance with provisions provided with Section 14-39-11 (Temporary Use Permits) of the Zoning Ordinance of the City of Peoria.

Table D.8 Special Use Development Standards

Special Uses	Applicable Zoning Districts (c)	Building Height	Perimeter Landscape Standards		Yard Regulations / Building Setbacks (in feet)					Lot Coverage	Parking				
					Stories/Feet	In Feet		Front	Side		Street Side	Rear	Standard	Accessible	
						Street	Side/Rear		Min						Total
Recreation Center	All Districts	2 / 36	20	10	20	10	20	10	10	60%	Per Article 14-23 of Peoria Zoning Ordinance	Per Article 14-23 of Peoria Zoning Ordinance			
Golf Club	All Districts	2 / 36	20	10	20	10	20	10	10	60%	Per Article 14-23 of Peoria Zoning Ordinance	Per Article 14-23 of Peoria Zoning Ordinance			
Golf Maintenance Facility	All Districts	1 / 25	20	10	20	10	20	10	20	50%	1 per employee	(a)			
Water Reclamation Facility	V-MU	1 / 36	20	0	20	30	30	NA	30	50%	1 per employee	(a)			
Water Production and Storage	All Districts	1 / 25	20	0	10	10	20	15	20	25%	1 per employee	(a)			
Power Substation	All Districts	1 / 15	20	0	10	10	20	15	20	25%	1 per employee	(a)			
Solar Panel Energy Production	All Districts	1 / 15	20	0	10	10	20	15	20	25%	1 per employee	(a)			
Emergency Response Facilities	All Districts	2 / 40	20	10	25	10	20	20	10	50%	1 per 2 employees	(a)			
Churches or similar places of worship	All Districts	2 / 36, except as otherwise noted in Peoria Zoning Ordinance	20	10	30	15	30	20	25	40%	Per Article 14-23 of Peoria Zoning Ordinance	Per Article 14-23 of Peoria Zoning Ordinance			

- (a) Reasonable accommodation to be made, as needed, to serve physically challenged employees.
- (b) If a development standard is not specifically addressed within Table D.8, the standards of the underlying zoning district shall apply.
- (c) Special uses may be located in any of the Applicable Zoning Districts as identified adjacent to each described use. The development standards listed in this table will supersede those of the underlying zoning district for these uses. Parcels zoned as V-SU may incorporate any of the uses described in Table D.10.
- (d) Perimeter landscaping may be administratively modified or waived by the Planning Manager.

b. Golf Club

- Access required from an arterial or collector street as defined by the Vistancia Traffic Impact Analysis as amended.
- Special events staged as exterior functions shall maintain noise levels at 65 decibels or less at the perimeter property line of any single family residence.
- Parking accommodations for special events shall be reviewed and approved by the respective Village Association prior to commencement of the event to ensure adequate parking facilities as necessary to protect adjacent neighborhoods and businesses from the potential encroachment of off-site parking. Such parking accommodations may also be reviewed and authorized, at the administrative discretion of the Planning Director, through Application of a Temporary Use Permit in accordance with provisions provided with Section 14-39-11 (Temporary Use Permits) of the Zoning Ordinance of the City of Peoria.

c. Golf Maintenance Facility

- Exterior storage of golf maintenance equipment and materials shall be screened by a masonry wall. The wall shall be constructed to a height necessary to screen equipment and materials from public view and be finished with materials designed to reflect the predominant wall treatment within the immediate vicinity as approved by the Vistancia DRC.
- Hours of operation of the golf maintenance function shall be limited to the hours of 5 AM to 8 PM.
- All vehicular circulation areas shall be improved with an asphaltic concrete or concrete surface.
- Exterior lighting shall be screened or shielded as necessary to avoid the direct visibility of the source of the light from adjacent residential uses or lots.

d. Water Reclamation Facility

- Access required from an arterial or collector street as defined by the Vistancia Traffic Impact Analysis as amended.

e. Water Production and Storage

- Access required from an arterial or collector street as defined by the Vistancia Traffic Impact Analysis as amended.
- Exterior storage of facility equipment and materials shall be screened by a masonry wall. The wall shall be constructed to a height necessary to screen equipment and materials from public view and be finished with materials designed to reflect the predominant wall treatment within the immediate vicinity as approved by the Vistancia DRC.

f. Power Substation

- Transformers and other ground mounted equipment shall be screened by an eight (8) foot high masonry wall. The wall shall be finished with materials designed to reflect the predominant wall treatment within the immediate vicinity as approved by the Vistancia DRC.

g. Emergency Response Facilities

- Access required from an arterial or collector street as defined by the Vistancia Traffic Impact Analysis as amended.

h. Churches

- Access required from an arterial or collector street as defined by the Vistancia Traffic Impact Analysis as amended.

Appendix A

Vistancia Property Legal Description

LEGAL DESCRIPTION FOR VISTANCIA SOUTH

PARCEL NO. 1:

THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA

PARCEL NO. 2:

THE WEST HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA

PARCEL NO. 3:

THE NORTH HALF OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA

PARCEL NO. 4:

THE EAST HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 5:

THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 6:

THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 7:

THE NORTH 1/3RD OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 8:

THE NORTH 1/3RD OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 9:

THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 10:

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 11:

THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 12:

THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 44:

LOTS 3 AND 4 OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

PARCEL NO. 45A:

LOTS 3 AND 4 OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

PARCEL NO. 45B:

LOTS 1 AND 2 OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA;

PARCEL NO. 46:

LOTS 1, 2, 3, AND 4 OF SECTION 30, TOWNSHIP 5 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

PARCEL NO 47A:

THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 47B:

THE WEST HALF; AND THE WEST HALF OF THE EAST HALF OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTHWEST QUARTER OF SAID SECTION 24;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 48A:

THE WEST HALF; AND THE WEST HALF OF THE EAST HALF OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST 71.68 FEET OF THE NORTHWEST QUARTER OF SAID SECTION; AND EXCEPT THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 48B:

THE EAST 71.68 FEET OF THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

AND

THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT LOTS 1 & 2 OF SAID SECTION 25;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 49:

THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 50:

THE NORTHEAST QUARTER; THE NORTH HALF OF THE SOUTHEAST QUARTER; LOT 4; AND THE EAST HALF OF LOT 3 OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 51A:

THE NORTH HALF OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF; AND THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL 51B:

THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH HALF OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF; AND THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF SAID SECTION 23;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 52:

THE EAST HALF OF SECTION 23, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF SAID SECTION; AND

EXCEPT THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; AND

EXCEPT THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER; AND

EXCEPT THE NORTH 1/3RD OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; AND

EXCEPT THE NORTH 1/3RD OF THE WEST HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 53:

THE EAST HALF OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE EAST HALF OF THE EAST HALF OF THE EAST HALF OF SAID SECTION;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 54:

THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 55:

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 56:

THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 57:

LOT 2 AND THE WEST HALF OF LOT 3 OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT ALL MINERALS AS RESERVED IN PATENT FROM THE UNITED STATES OF AMERICA.

PARCEL NO. 58:

THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER; AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 26, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

LEGAL DESCRIPTION FOR VISTANCIA NORTH

PARCEL 1:

THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, SECTION 3, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 2:

THE SOUTHWEST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 3:

THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 4:

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PARCEL 5:

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PARCEL 6:

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PARCEL 7:

ALL OF SECTION 10, TOWNSHIP 5 NORTH RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 8:

ALL OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 9:

LOTS 1 - 10 INCLUSIVE; THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THE NORTH HALF OF THE NORTHWEST QUARTER; THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; AND THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 10:

LOTS 1 - 10 INCLUSIVE; THE NORTH HALF OF THE NORTHEAST QUARTER; THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THE NORTHWEST QUARTER; AND THE NORTH HALF OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 11:

THE NORTH HALF OF THE NORTH HALF; AND THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 5 NORTH RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL 12:

THE SOUTHWEST QUARTER; THE NORTH HALF OF THE SOUTHEAST QUARTER; THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE WEST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; AND THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

Appendix B

Traffic Impact Study

The *Vistancia PCD Traffic Impact Analysis* (Task Engineering) date December 14 , 2011 is intended to supersede the previous analyses.

Appendix C

Master Drainage Report

Submitted under separate cover are the “Master Drainage Phase I, Phase II, and proposed Phase III Drainage Report for Vistancia” prepared by Wood/Patel & Associates, Inc. on September 22, 2006, and the “Vistancia North Drainage Report” prepared by Stanley Consultants, Inc. dated March 2007.

Appendix D

Water and Wastewater Facilities Master Plan

The Vistancia 2010 Master Utility Plan (Wilson Engineers) has been submitted under separate cover and supersedes previous analyses.

Appendix E

City of Peoria Design Manual

The built development within Vistancia includes numerous thematic features relating to walls, signage, architecture, landscape, etc. which have been used consistently within the community since inception. These concepts and elements will be allowed to continue throughout the community as on-going development occurs even if they are in conflict with the attached City of Peoria Design Manual. The Developer or builder will bear the burden of demonstrating to the City of Peoria that a given element has been grandfathered under this clause in an instance where it differs from the attached City of Peoria Design Manual.

The Vistancia Master Planned Community is subject to design review approvals from the subject Home Owner's Association or Design Review Committee. The City of Peoria will require an approval letter from such entity prior to the issuance of any building permit within Vistancia.

The following document is the City of Peoria's Design Manual. All development within Vistancia must comply with the standards set forth within this manual, except as modified below.

Chapter 2: Non Residential Development

Page NR-10, Section II – Site Design, Topic I: Walls and Fences, Item #2., regarding walls adjacent to retention areas shall be modified as follows:

Walls adjacent to retention areas, trails, parks, or other useable open space areas shall incorporate regular undulation or variation in materials. Where appropriate, view fencing is strongly encouraged. Parking screen walls shall undulate a minimum of three (3) feet for every two hundred (200) linear feet.

Page NR-14, Section III – Architectural Form, Topic C: Fenestration / Wall Penetrations, Item #2., regarding primary entry façade shall be modified as follows:

A minimum of twenty-five percent (25%) of the primary entry façade shall be windows. Commercial developments in excess of 70,000 square feet shall provide a minimum of fifteen percent (15%) of the primary entry façade in windows. Industrial developments shall provide ten percent (10%) of the entire entry façade in windows. Faux windows may be counted toward this requirement. (Figure 2.36)

Page NR-19, Section IV – Supplemental Development Criteria (20-78-2.IV.), Topic B: Large Scale Retail Item #1b., regarding Primary Themed Entry shall be modified as follows:

The Primary Themed Entry should contain an adequate landscape area on each side. The landscaped area should be defined by a) a minimum of one-hundred (100) feet along the property line adjacent to the arterial right-of-way and b) a minimum of one-hundred (100) feet along the face-of-curb along the entrance drive, and c) with both one-hundred (100) – foot or greater lines measured from the intersection of said property line and said face-of-curb as noted above.

Landscape area should embrace the architecture of the development.

Page NR-20, Section IV – Supplemental Development Criteria (20-78-2.IV.), Topic B: Large Scale Retail Item #1f., regarding Principal Pedestrian Walkways shall be modified as follows:

Principal pedestrian walkway, consisting of (at minimum), a fourteen (14) foot landscaped aisle, incorporating six (6) to eight (8) foot walkway, defined with trees and shrubs, shaded with softscape or hardscape materials, and extending from the adjacent arterials to principal building entrances. A minimum of one such walkway will be provided per every three-hundred (300) feet of primary or business front footage, or as otherwise deemed to meet the intent of this ordinance. A minimum of one such walkway will connect the main entrance of a principal building/tenant; other walkways will connect to other principal buildings/tenants or principal pedestrian areas (such as an outdoor plaza). (Figure 2.53)

Chapter 3: Single-Family Residential

Page SF-3, Section II – Single Family Design Standards (20-78-3.II.), Topic A: Applicability item #1e., regarding Through Lots shall be modified as follows:

Through Lots/double frontage lots are permitted provided that vehicular access is limited to one end of the lot.

Page SF-3, Section II – Single Family Design Standards (20-78-3.II.), Topic A: Applicability item #1f-3., regarding flag lots shall be modified as follows:

For flag lots, the Developer shall determine which property line shall constitute the front and rear lot lines for the purposes of compliance with yard and setback provisions of this ordinance.

Page SF-3, Section II – Single Family Design Standards (20-78-3.II.), Topic A: Subdivision Design #1f-4., regarding driveway access to flag lots shall be removed in its entirety.

Page SF-3, Section II – Single Family Design Standards (20-78-3.II.), Topic A: Subdivision Design #1f-5., regarding contiguous flag lots shall be modified as follows:

No more than two (2) flag lots may be contiguous, but up to three (3) units max per one flag utilizing a shared driveway.

Page SF-6, Section II – Single-family Residential Design Standards (20-78-3.II), Topic A: Subdivision Design, Item #5.a., regarding useable open space, shall be modified as follows:

*The Vistancia community has created significant open space throughout the master planned community; therefore, individual parcels within the community are not required to provide additional Usable Open Space beyond the master planned amenities (See **Figure C-4**).*

Page SF-8, Section II – Single-family Residential Design Standards (20-78-3.II), Topic B: Thematic Form, Item #1.c., regarding walls and fences, shall be modified as follows:

Perimeter walls shall be constructed of decorative masonry block intended to be utilized without additional finish. Such walls adjacent to streets with a classification of arterial or higher shall meet at least two (2) of the following requirements; perimeter walls adjacent to local or collector streets shall provide at least one (1) of the following mitigations; perimeter walls are not required on parcels if adjacent to a retention, open space, multi-use trail, golf, or a parcel boundary that is backing up to these features or on an adjacent parcel or other residential lots:

Page SF-12, Section II – Single-family Residential Design Standards (20-78-3.II.), Topic C: Architectural Form item #3a., regarding driveways shall be modified as follows:

Driveways shall be less than five (5) feet in length (inclusive of sidewalk) or no less than eighteen (18) feet in length (exclusive of curb and sidewalk) for forward facing garages

Page SF-17, Table 1: Useable Open Space.

Table and associated notes do not apply south of the CAP, as community level private amenities and open spaces area available for the use of all residents. If Vistancia LLC demonstrates in the future that community level, useable open space and recreational amenities will be provided north of the CAP, these requirements may be waived on a per village basis there as well. (See **Figure C-4**).

Chapter 4: Multi-Family Residential

Page MF-8, Section II – Multi-family Residential Design Standards (20-78-4.II.), Topic A: Site Design item #6c., regarding common useable open space shall be modified as follows:

Common useable open space and recreation areas shall be provided at a prescription of one-hundred (100) square feet per bedroom. All such areas shall be unencumbered and be a minimum width of (20) feet.

Page MF-8, Section II – Multi-family Residential Design Standards (20-78-4.II.), Topic A: Site Design item #6f., regarding minimum amount of project amenities shall be modified as follows:

The minimum amount of project amenities shall be provided per the following schedule:

<u>Total Units</u>	<u>Amenities Required</u>
0-99 Units	One (1) amenity
100-179 Units	Two (2) amenities
180-259 Units	Three (3) amenities
260 Units +	four (4) amenities including a pool

Page MF-13, Section II – Multi-family Residential Design Standards (20-78-4.II.), Topic B: Architectural Form #1d., regarding multi-story building setbacks shall be removed in its entirety.

Page SS-37, – Utility Cabinet Screening (20-78-5.IV.B), Topic B: Standards #1a-2., regarding utility cabinet height. 3rd sentence shall be modified as follows:

“Cabinets less than thirty (30) inches in height may be located within the first one hundred and fifty (150) feet of the site, but may not be located in a 75’ x 75’ triangle at the intersection of two (2) arterials.



DESIGN REVIEW MANUAL

August 2008

DESIGN PRINCIPLES AND GUIDELINES



Includes Design Principles and Guidelines for:

- Non-Residential
- Single-Family Residential
- Multi-Family Residential
- Supplementary Standards
 - Old Town
 - Lake Pleasant Parkway
 - Utility Cabinets

CITY COUNCIL

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Joan Evans

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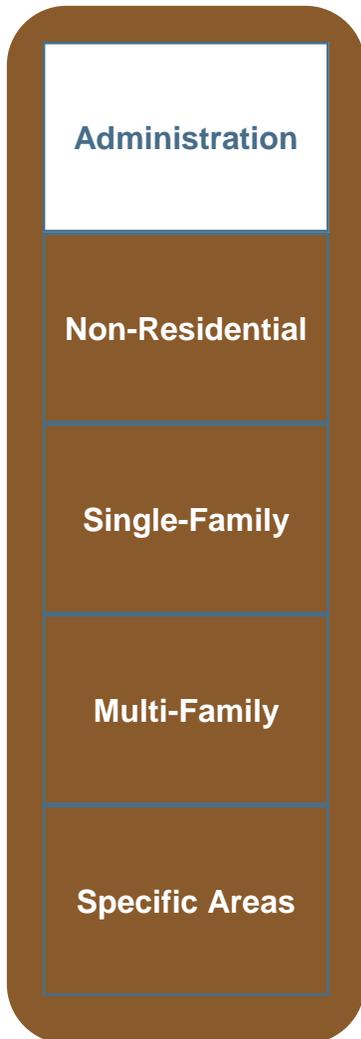
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Chapter 1: Administration



I. Introduction (20-78-1.I)

A. Intent and Use of the Design Manual (20-78-1.I.A)

The goal of this document is to provide clear and instructive principles and guidelines for the design and review of commercial, industrial, and residential development in Peoria. The principles and guidelines are intended as a baseline for the minimum qualitative design expectations in Peoria. In addition to forging a distinct community identity, the Peoria Design Review process is intended to promote:

- Diversity in development;
- Distinctive and safe development templates;
- Increased pedestrian and multi-modal connectivity;
- Preservation and retention of environmentally sensitive areas;
- Sustainable natural and built environments;
- Enhancement of the value of property; and
- Protection of the overall health, safety, and welfare of the community.

The development community is urged to consult and apply these principles and guidelines at the onset of the process to assure that the review and permitting processes are as efficient as possible. It should also be noted that these guidelines are a minimum starting point for approaching design consensus. Furthermore, it should be recognized that these principles and guidelines do not encompass every possible technique for achieving a high level of design quality. The development team is

encouraged to use its own creativity and experience to improve upon the means for realizing the design goals and expectations.

The Design Principles and Guidelines may be interpreted with some flexibility in the application to specific projects as not all design criteria may be appropriate for each project. In some circumstances, one guideline may be relaxed in order to accomplish another, more important, guideline. The overall objective is to ensure that the intent and spirit of the Design Principles and Guidelines are followed and to attain the best possible design within reason.

B. Interpretation (20-78-1.I.B)

Guidelines which employ the word 'should' are intended to be applied as stated. However, an alternative measure may be considered if it meets or exceeds the intent of the guideline.

Guidelines using the words 'shall' or 'must' are mandatory and must be included in the project's design.

Guidelines using the words 'encouraged' or 'discouraged' or 'promote' are desirable but not mandatory.

C. Use of Illustrations and Photos (20-78-1.I.C)

The images used to illustrate the compliance (or non-compliance) with the standards should be reviewed in context to the specific guideline with which the image is associated and not necessarily with all of the principles within the document. For example, an image used to highlight an encouraged form of building articulation may also contain a site condition that is not encouraged. The intent is for the reader to focus on the operable portions of the photo highlighted with the caption or reference in the guideline. In addition, although an image may illustrate a portion of the guideline with which it is associated, the intent of the entire guideline should be met. The illustrations and photos depict examples of implementation options. In any event, please consult the context and description supplied with each image.

D. Organization and Content (20-78-1.I.D)

The Peoria Design Principles and Guidelines identify critical components of a comprehensive and integrative design policy which provide a framework within which each development project must operate. The Design Guidelines are organized into five chapters. The following is a brief synopsis of each chapter.

1. Chapter 1: Introduction

This Chapter explains the overarching goals of the Design Principles and Guidelines. Additionally, this chapter outlines the process and administration of the guidelines and follows with a Glossary of operable terminology used frequently throughout the document.

2. Chapter 2: Non-Residential

This Chapter addresses elements of site and architectural design in relation to commercial, industrial, and other non-residential types of development. This chapter includes specific provisions for large scale retail, drive-through establishments and other use types.

3. Chapter 3: Single-Family Residential

This Chapter addresses elements of lot layout, subdivision design, and architectural character in relation to detached and attached Single-Family Residential development.

4. Chapter 4: Multi-Family Residential

This Chapter addresses elements of site design and architectural character in relation to all types of multi-family residential development, regardless of lease or ownership structure.

5. Chapter 5: Special Standards

This Chapter addresses overlay standards for specific study areas such as Old Town and the Lake Pleasant Parkway Corridor. It is intended that this section work in conjunction with the specific type of development that is being proposed in the study area. For example, a commercial development along Lake Pleasant Parkway would consult this section for specific guidance and Chapter 2 pertaining to Non-Residential Development. In the event of a conflict between Chapter 5 and any other section, Chapter 5 would prevail.

E. Administration of Design Manual (20-78-1.I.E)

1. Establishing the Design Standards Advisory Board

Board Structure and Purview

- a. The Design Standards Advisory Board is established pursuant to City Code, Chapter 14, Section 20-76 and further referenced in Section 14-37-6 of the Peoria Zoning Ordinance.
- b. The Board shall consist of a total of five (5) members appointed by the Mayor with the approval by the City Council.

- c. All meetings shall be noticed as required and set forth in the City of Peoria City Code.
- d. The Board functions as an advisory body concerning updates and amendments to the Peoria Design Principles and Guidelines and other duties as described therein (Section 20-77 of the City Code). All amendments to the Design Review Principles and Guidelines will be drafted by staff and presented to the Design Standards Advisory Board. The Board will then recommend to the City Council approval, approval with changes or denial of the proposed amendment.

2. Establishing the Design Review Appeals Board

Board Structure and Purview

- a. The Design Review Appeals Board is established pursuant to City Code, Chapter 14, Section 20-75 and further referenced in Section 14-37-7 of the Peoria Zoning Ordinance.
- b. The Board shall consist of a total of five (5) members plus one (1) alternate appointed by the Mayor with the approval by the City Council. The Design Review Appeals Board shall serve as the primacy body on design review matters and appeals and shall include the following composition:
 - 1. One (1) member shall be a registered Architect;
 - 2. One (1) member shall be a registered Landscape Architect;
 - 3. One (1) member shall be a registered Professional Engineer;
 - 4. One (1) member shall have a background or experience in planning or urban design;
 - 5. One (1) private citizen who is a resident of the City; and
 - 6. One alternate member meeting any of the qualifications contained above.
- c. All Design Review Appeals Board members shall reside or maintain an office in the City of Peoria.
- d. All meetings shall be noticed as required and set forth in the City of Peoria City Code.

- e. The Design Review Appeals Board is authorized to hear and render final decisions on any appeals to a final staff decision on a design review submittal or cases experiencing limited progression and/or a design impasse.

3. Development Review Process

Each Chapter in the Peoria Design Principles and Guidelines will open with a section on the thresholds and applicability. The design principles are in turn administered through staff review of various case types including Preliminary Plats, Site Plan Review, Conditional Use Permits, Design Review, and others.

a. Non-Residential

1. Refer to Chapter 2 and 5 applicability.
2. Chapter 2 site design and architectural design principles administered through review of Site Plan (Administrative).
3. In those cases where the 3rd submittal of the Site Plan has been provided and substantial progression has not been demonstrated or a design impasse has been reached as determined by the Planning Manager, such cases shall be forwarded to the Peoria Design Review Appeals Board for final action. The scope of the Design Review Appeals Board will be limited to final action on the site and architectural design components of the case as affected by the Peoria Design Principles and Guidelines. Such actions consist of recommendations (requiring a follow up meeting), conditions of acceptance, or continuance for further information. The Community Development Department shall provide notice at least fifteen (15) days prior to the Design Review Appeals Board hearing by publishing in a newspaper of general circulation within the City.
4. Continued compliance with approved Site Plan and Design Review verified through review of construction documents (Administrative).

b. Single-Family Residential

1. Refer to Chapter 3 and 5 applicability.
2. Chapter 3 subdivision design principles are administered through review of Preliminary Plat (Administrative).

3. A Single-Family Design Review application must be approved prior to the issuance of any one building permit within a subdivision. The review shifts to the architectural composition of the subdivision standard plans and options (Administrative).

c. Multi-Family Residential

1. Refer to Chapter 4 and 5 applicability.
2. Chapter 4 site design and architectural design principles are administered through review of Site Plan (Administrative).
3. In those cases where the 3rd submittal of the Site Plan has been provided and substantial progression has not been demonstrated or a design impasse has been reached as determined by the Planning Manager, such cases shall be forwarded to the Peoria Design Review Appeals Board for final action. The scope of the Design Review Board will be limited to final action on the site and architectural design components of the case as affected by the Peoria Design Principles and Guidelines. Such actions consist of recommendations (requiring a follow up meeting), conditions of acceptance, or continuance for further information. The Community Development Department shall provide notice at least fifteen (15) days prior to the Design Review Appeals Board hearing by publishing in a newspaper of general circulation within the City.
4. Continued compliance with approved Site Plan and Design Review verified through review of construction documents (Administrative).

d. Changes to existing structures

1. For non-residential or multi-family, if the addition or modification requires an amendment to the approved Site Plan, the site and architectural design standards will be administered through the review of the Amended Site Plan (Administrative). If no Site Plan exists, an amendment will trigger a Site Plan application and hence Design Review compliance.
2. Changes to non-residential or multi-family residential facades will be reviewed through a Design Review application (Administrative).
3. Qualifying additions or structures in existing Single-Family Residential subdivisions will be reviewed in conjunction with the applicable permit.

4. Duration of Approval

All Design Review approvals shall be congruent with the timeframes specified for Site Plan Review (18 months), Preliminary Plat (1 year) or the applicable permit (single-family residential addition/structure). For façade renovations to an existing structure a permit must be obtained within 18 months of the Design Review approval.

5. Appeal Process

a. Design Review Waivers (Planning Manager)

Any requests for a waiver from an applicable provision shall be submitted in writing to the Planning Manager along with all necessary exhibits and fees. The Planning Manager may deny, approve, modify, or approve with conditions any waiver request.

b. Appeal from an Administrative Decision (Design Review Appeals Board)

Any recommendation made by staff on any design review item or any action on a design review waiver may be appealed to the Design Review Appeals Board. The appeal shall be filed in writing with the City within ten (10) calendar days of the final determination. The Community Development Department shall provide notice at least fifteen (15) days prior to the Design Review Appeals Board hearing by publishing in a newspaper of general circulation within the City.

F. Glossary (20-78-1.I.F)

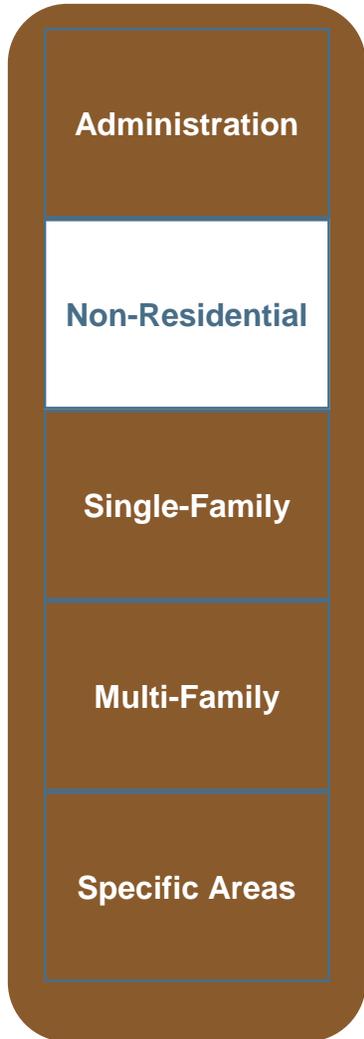
1. Arcade: A series of arches supported on piers or columns or an arched or covered passageway, usually with shops on each side.
2. Arch: A curved structure supporting its weight over an open space such as a door or window.
3. Articulation: Describes the degree or manner in which a building wall or roofline is made up of distinct parts or elements. A highly articulated wall will appear to be composed of a number of different planes, usually made distinct by their change in direction (projections and recesses) and/or changes in materials, colors or textures.
4. Building Mass: The height, width, and depth of a structure.
5. Cantilever: A projecting beam or other structure supported only at one end.
6. Chicane: Planoconvex, off-set curb extensions at an intersection or mid-block for the purpose of narrowing a street.
7. Choker: Planoconvex, matching curb extensions at an intersection or mid-block for the purpose of narrowing a street.
8. Colonnade: A row of evenly spaced columns usually supporting the base of a roof structure.
9. Corbeling: A projection from the face of a wall used to support a cornice or an arch.
10. Cornice: The horizontal projection at the top of a wall; the top course or molding of a wall when it serves as a crowning member.
11. Cupola: A small, usually domed, structure surmounting a roof.
12. Dentils: A series of small rectangular blocks projecting from a molding or beneath a cornice.
13. Dormer: A projection from a sloping roof that contains a window.

14. Facade Articulation: Stepping back or moving forward a portion of a building's facade for the purpose of breaking up the building's mass.
15. Facade Articulation Exhibit: An exhibit provided with Single Family design review applications that demonstrates sufficient facade articulation (per Chapter 3) of all standard plans in a Plat.
16. Flag Lot: A lot type by which access is provided via a narrow private access way.
17. Fenestration: The arrangement, proportioning and design of buildings, windows, and other exterior openings.
18. Hardscape: The use of hardened surfacing materials such as colored concrete, stamped concrete, pavers, Streetprint pavement texturing, and the like to create unique patterns of color, design, and texture in order to create visual interest. Exposed aggregate is not considered an acceptable hardscape option.
19. Human Scale: A term used to refer to the use of human proportioned architectural features and site design elements clearly oriented to human activity.
20. Keystone: The central wedge-shaped stone of an arch that locks its parts together.
21. Marquee: Any hood, canopy, awning, or permanent construction that projects from a wall of a building, usually above an entrance.
22. Monolithic: A single large flat surface (façade) without relief; a massive unyielding structure.
23. Mullions: The divisional pieces in a multi-paned window.
24. Ornamentation: Details added to a structure solely for decorative reasons (i.e. to add shape, texture, or color to an architectural composition).
25. Parapet: A low wall generally running around the perimeter of a flat roof.
26. Pedestrian Refuge Area: An area of retreat primarily for pedestrian usage.

27. Pedestrian Walkway/Path: An improved circulation path of varying materials for primarily pedestrian usage that is separate and distinct from traffic circulation. Such connections provide linkages between open spaces and/or outlying uses and are distinct from sidewalks as required by the City Engineer.
28. Perimeter Wall: A subdivision wall adjacent to a collector or higher street classification, retention area, open space area, multi-use trail area, and/or a wall on the perimeter boundary of the subject development.
29. Pilaster: A column attached to a wall or pier.
30. Pitch: The slope of a roof expressed in terms of ratio of height to span.
31. Pop-out: Variation in the plane of an exterior wall. Pop-outs create shadow and depth on the wall surfaces. (See *façade articulation*)
32. Portico: A porch or vestibule (lobby or passage between entrance and lobby) roofed and partly opened on at least one side.
33. Precast: Concrete that is cast in the form of a structural element before being placed in final position.
34. Primary Themed Entry: The principal or highest hierarchical access into a subdivision.
35. Projection: Any component, member, or part that juts or is set forward from the general wall surface.
36. Recess: Any surface set inward from the general wall.
37. Return: A surface turned back from a principal surface, such as the side of a pilaster or the jamb of a window or door opening.
38. Rhythm of façade elements: The pattern of fenestration, projections, recesses, and color and material changes on the face of an elevation.
39. Roof, Gable: A ridged roof forming a gable at both ends of the building.

40. Roof, Gambrel: A gabled roof with two slopes on each side, the lower steeper than the upper.
41. Roof, Hip: A roof with four uniformly pitched sides.
42. Roof, Mansard: A roof with two slopes on each of four sides, the lower steeper than the upper.
43. Ridge: The highest line of a roof where sloping planes intersect.
44. Rustication: A method of forming stonework with recessed joints and smooth or roughly textured block faces.
45. Sash: The framework into which window panes are set.
46. Soffit: The underside of a structure, such as the underside of a staircase and archway, or colonnade.
47. Symmetry: In architecture and landscape architecture, the balance of part by part which may be precise repetition, or repetition in counterpart of one element of a building or landscape in relation to another.
48. Texture: Texture refers to variations in the exterior facade and may be described in terms of roughness of the surface material, the patterns inherent in the material, or the patterns in which the material is placed.
49. Through Lots (a.k.a. Double Frontage): A lot which fronts upon two parallel streets, or which fronts upon two streets which do not intersect at the boundaries of the lot.
50. Traffic Calming: Mitigative traffic measures for the purpose of reducing the speed of traffic, reducing neighborhood cut-through traffic, and increasing traffic and pedestrian safety.
51. Useable Open Space: Areas containing active or passive amenities for the purposes of providing area to recreate or congregate.
52. Utility Cabinets: Any utility box, transformer, switching cabinet, capacitor bank, pedestal, or other accessories, which are owned or operated by a utility company, cable television company, or telecommunications provider. Traffic signals and utility cabinets associated with the functionality of the signal may be exempt from certain placement and screening standards.

Chapter 2: Non Residential Development



I. Intent (20.78-2.I)

The purpose of this Chapter is to ensure the successful integration of safe, well-designed, and attractive non-residential development into the community. Such development should be designed in context with adjacent uses and sensitive to environmental resources. Such areas typically enjoy high visibility or serve as employment destinations. The community image is further enhanced by designs that exhibit exceptional quality, identity, and interest.

A. Applicability (20-78-2.I.A)

1. Non-residential development for new construction, excluding interior Tenant Improvements.
2. Alterations to the exterior façade of an existing building and/or suite/storefront including significant color or material changes or the use of exposed neon lighting.

B. Exemptions (20-78-2.I.B)

1. Interior alterations that combine one or more suite/storefront shall not be considered new construction or a new construction addition.
2. Cabinet or pan channel sign changes shall not constitute alterations under this section.
3. The following uses shall be held exempt from Design Review but are subject to evaluation of walls, colors, screening and context:
 - a. Monopoles or other wireless communication



Figure 2.1—A sculpted building corner adds visual interest.



Figure 2.2—Strong corner orientation minimizes view of parking fields.



Figure 2.3—The buildings and public spaces are complementary and foster community interaction.

facilities.

- b. Utility substations.
- c. Accessory fabric canopy structures (i.e. car wash canopies).
- d. Mini-storage facilities, excluding accessory offices and any visible facades.

II. Site Design (20-78-2.II)

A. Site Layout and Orientation (20-78-2.II.A)

1. The site should integrate natural features into the development template such as topography, prominent view corridors, washes, and significant vegetative stands to enhance the character of the development.
2. Building placement and orientation along the street shall be staggered, angled, or curved to provide modulation and interest. Angled or sculpted building corners and/or an open plaza are encouraged at corner locations. (Figure 2.1)
3. Dated “L” shaped suburban shopping centers should be avoided. Clusters of smaller buildings with pad buildings at the street edge are strongly encouraged. (Figure 2.2)
4. Where appropriate, buildings and uses should be integrated with public spaces and planned active recreational amenities. (Figure 2.3)
5. Driveway access points and internal circulation should be located as far away as possible from residential properties, schools, parks, and other sensitive uses.

6. The development shall be designed to facilitate the efficient use of energy through building orientation, window and door placement, landscaping, awnings, canopies, window treatment (i.e. glazing), and other appropriate design solutions.
7. Drainage basins should not be located within the front setback unless designed as an attractive landscaped element. Stormwater retention areas shall be designed as landscape features rather than large, unadorned depressions in the site.

B. Access and Circulation (20-78-2.II.B)

1. Parking lots should be designed with a clear hierarchy of circulation, major access drives with no parking, secondary circulation drives with little or no parking, and then parking aisles for direct access to parking spaces.
2. All non-residential developments shall provide at least one contiguous pedestrian walkway from the right-of-way to the building entrance walkway or sidewalk adjacent to the building. This walkway shall be separated from all vehicular movements except where drive aisle crossings are necessary. An on-site pedestrian circulation system shall link the various pads, buildings, and public spaces throughout the site. (Fig. 2.4)
3. All walkways that traverse vehicle drive aisles shall be distinguished with various hardscape materials such as specialty pavers, Streetprint™, or stamped colored concrete. Decorative materials should be used to clearly delineate pedestrian travel areas from drive aisles. Specialty paving material for walkways shall be developed in accordance with ADA requirements. Exposed aggregate is not viewed as an acceptable material. (Figure 2.5)
4. The use of landscaped pedestrian walkways, separated from vehicular movements in parking



Figure 2.4—A Break in the screen wall allows pedestrian access from the right-of-way to the building entrance.



Figure 2.5—Well-defined pedestrian crossing using stamped colored concrete.



Figure 2.6—Thematic pedestrian entry feature provides access from commercial to residential.



Figure 2.7—Transit stop in close proximity to development offers alternative modes of transportation.



Figure 2.8—Parking canopy and CMU columns reinforce the architectural design of the complex.



Figure 2.9—Parking structure is integrated into the building's architectural character.

areas, should be maximized. When appropriate, walkways should provide shaded pedestrian refuge areas, which may consist of trees, benches, tables, shade structures, or other appropriate elements. Such areas shall be functional and integrated into the site.

5. When appropriate, allow access from adjacent residential areas by incorporating fence and landscape penetrations into the pedestrian circulation element. (Figure 2.6)
6. To encourage alternative modes of transportation, site design should include, as appropriate, connections to existing and planned off-site trails/paths and existing and future/proposed commercial developments; and bikeways, bicycle parking and storage areas; and designs facilitating the use of mass transit. (Figure 2.7)

C. Parking Areas (20-78-2.II.C)

1. To reduce the visual impact, large parking fields should be “interrupted” through design solutions such as building placement, orientation and landscaping.
2. Utilize compact spaces to the maximum extent possible.
3. Parking canopies shall incorporate a design similar to the principle structure on the site or other existing structures in the area. (Figure 2.8)
4. The architectural style of adjacent buildings shall be incorporated into the design of parking structures.
5. The ground level of all parking structures shall be screened from view by one or more of the following: (Figure 2.9)

- a. Walls containing architectural details and embellishments.
- b. Trees and shrubs.
- c. Grillwork and/or greenscreens incorporating decorative metal artwork or panels.
- d. An alternative design that meets the intent of the screening requirements.

- 6. Substantial massing should occur at the corners of parking structures to anchor the building and keep the structure proportions more inline with a regular commercial building.
- 7. Horizontal openings of parking structures should be broken up with vertical columns, creating a sense of rhythm reflecting the contextual proportions of the center or area.

D. Project Entry and Character (20-78-2.II.D)

- 1. To foster a strong “sense of entry”, the primary vehicular entrance should be aligned with the most prominent building on-site. (Figure 2.10)
- 2. Elements such as project icons, thematic arches, special paving treatments, and mature, full-sized landscaping shall be integrated as a means to unify the project and accentuate the entry. (Figure 2.11)
- 3. The entry throat into the development shall be distinguished with hardscape materials such as pavers, Streetprint™; or patterned, stamped or colored concrete. Exposed aggregate is not viewed as an acceptable material.

E. CPTED — Crime Prevention Through Environmental Design (20-78-2.II.E)



Figure 2.10— Trees and vertical design elements define the primary vehicular entrance to the project.



Figure 2.11— Thematic arch coupled with specialty paving accentuates primary entrance.



Figure 2.12—Public space is visible from the many windows and doors of the surrounding buildings.



Figure 2.13—Covered walkway/colonnade and a richness of materials enhance the pedestrian experience.



Figure 2.14—Covered customer entrances provide shelter from the elements.

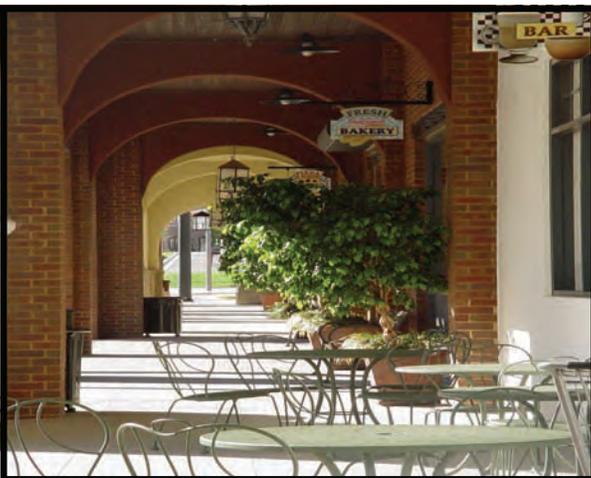


Figure 2.15—Arcaded walkway with pedestrian lighting and arched architectural elements.

1. Entrances into parking lots should be defined by landscaping, architectural design, or monitored by a guard.
2. All doors that open to the outside should be well lit and visible from the street, parking area, or neighboring uses.
3. Parking areas, pedestrian walkways, elevators, stairwells, and recreation areas should be visible from windows and doors. (Figure 2.12)
4. Trash enclosures shall be sited in a safe manner that avoids blind spots and/or hiding areas.
5. Buildings should be sited so that the windows and doors of one unit are visible from another.
6. The building design should incorporate visual access (i.e. windows, peepholes, security cameras) on rear facades or facades oriented to loading docks or other less visible and trafficked areas.
7. Building entrances should be accentuated by architectural elements, lighting, and/or landscaping.
8. Landscape design should not preclude visibility or surveillance capabilities to common areas and units.
9. For safety purposes, exterior doors should be designed with a solid core, peep holes, deadbolt locks, and reinforced with strike plates.
10. "Hostile Vegetation" such as Ocotillo, Cacti, or other plant types that discourage pedestrian movement or vandalism should be placed under windows or adjacent to long, remote expanses of

perimeter walls, which are not otherwise designed as an amenity.

F. Pedestrian Amenities / Public Space (20-78-2.II.F)

1. Site design shall incorporate elements that enhance the pedestrian environment, such as features that reflect human scale, the use of covered walkways for the shelter and shade of the pedestrian, and richness of materials at the pedestrian level. (Figures 2.13 and 2.15)
2. Customer entrances shall provide weather protection features such as awnings, arcades, or colonnades. (Figure 2.14)
3. Walkways shall be enhanced by special design features such as towers, arcades, porticos, pedestrian light features, bollards, planter walls, and other architectural elements that define circulation ways and outdoor spaces. (Figure 2.15)
4. On commercial sites exceeding five (5) acres, multiple buildings should be clustered to augment pedestrian activity and/or public spaces. Public spaces should integrate amenities such as seatwalls, landscaping, hardscaping, and bicycle parking. When clustering of buildings is impractical, a visual and physical link should be established between buildings. These links can be accomplished through architecture, expanded walkways and landscaping. (Figure 2.16)
5. All pedestrian refuge areas shall provide pedestrian scale lighting and concentrated landscaping where appropriate.
6. Outdoor furniture and fixtures should be compatible with the project architecture and should be considered as integral elements of the project.



Figure 2.16—Landscaped and lighted pedestrian area also includes integrated bicycle parking.



Figure 2.17—Well defined spaces between buildings create places for congregation.

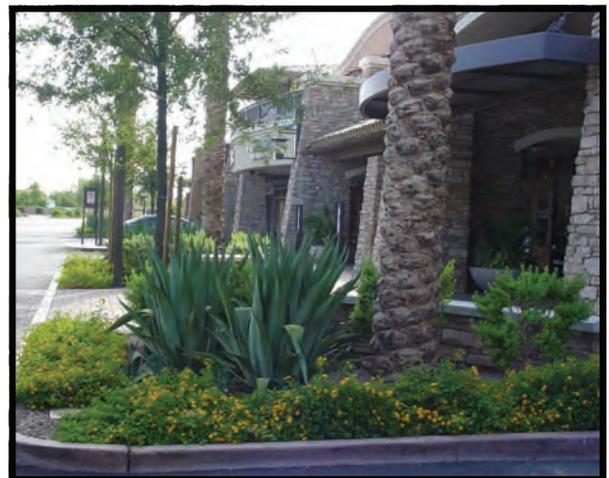


Figure 2.18—Abundant landscaping accents architecture and defines pedestrian areas.



Figure 2.19—Generous landscaping creates a transition between the building’s facade and walkway.



Figure 2.20—Tree grates and guards protect trees while contributing to the design of a streetscape.



Figure 2.21—The design of wall-mounted and freestanding light fixtures correlates with the center’s architecture.

7. The area between buildings should be consciously designed and not an incidental remnant space without a definable function. (Figure 2.17)

G. Landscaping (20-78-2.II.G)

1. Landscaping shall be used to: (Figure 2.18)
 - a. Define areas such as building entrances, key activity hubs, focal points, and the street edge;
 - b. Provide screening for unattractive/unsightly service areas;
 - c. Serve as buffers between neighboring uses;
 - d. Screen drive-through/drive-up lanes;
 - e. Provide shade for pedestrian-vehicular uses.
2. Landscaping shall be provided at the foot of buildings to soften the transition between paved areas on the ground plane and building materials on the vertical plane. (Figure 2.19)
3. Potted plants and other ornamental landscaping should enhance courtyards, plazas, and other gathering areas. Trees should drain directly into the subsoil and should be protected by grating in hardscape areas.
4. Flowering trees should be used to provide color and accentuate entrances.
5. Canopy trees should be used in parking areas to reduce the impact of large expanses of paving and to provide shade, as well as to reduce glare and heat build-up.
6. Tree grates should occur along street edges and plazas where a continuous walking surface is needed. Grate sizes should be a minimum of four feet in diameter. Knockouts must be provided to enlarge the inside diameter for supporting a larger tree trunk as the tree grows. (Figure 2.20)

7. Tree guards should extend vertically from tree grates, and serve to protect trees in highly active areas. Tree guards should be narrow and painted in a similar color and relate to other site furnishings. (Fig 2.20)
8. Use of native vegetation and low water plants shall conform to the Phoenix Active Management Areas Low Water Using Plant List, and be planted in conjunction with an efficient water system.

H. Lighting (20-78-2.II.H)

1. Lighting design shall be compatible with the building architecture, with fixtures of a consistent type, and size within the development. (Figure 2.21)
2. Lighting shall be provided within public spaces to provide visual interest as well as to serve a security function.
3. Light fixtures shall be sited, directed, and/or shielded to prevent spot lighting, glare, or light spillage beyond property lines.
4. Decorative theme lighting, accent lighting or lighted bollards shall be placed along access routes and pedestrian pathways to define areas of visual interest, improve visibility, and enhance safety. (Figure 2.22)

I. Walls and Fences (20-78-2.II.I)

1. Entry signage, parking, perimeter screen walls, and other site elements shall be consistent with the established thematic character of the development through the use of common architectural attributes such as colors, materials, and architectural style. (Figures 2.23, 2.24, and 2.25)



Figure 2.22— Architecturally integrated light fixtures define an entrance gateway.



Figure 2.23—Consistent entry signage reinforces a centers design theme.



Figure 2.24—Parking screen wall is consistent with established architectural character of the development.



Figure 2.25—Design elements from a façade are echoed in the building’s perimeter wall.



Figure 2.26—Trash enclosure utilizing colors and materials from the primary building.



Figure 2.27—Loading dock is artfully concealed with trellis feature.

2. Walls adjacent to retention areas, trails, parks, or other useable open space areas shall incorporate regular undulation or variation in materials. Where appropriate, view fencing is strongly encouraged. Parking screen walls shall undulate a minimum of three (3) feet for every one hundred (100) linear feet.
3. All non-transparent perimeter walls and/or fences shall incorporate landscaping whenever possible.
4. Where security fencing is required, it shall be a combination of solid columns or short wall segments and wrought iron grillwork.
5. Chain-link or similar metal wire fencing with slats is not considered appropriate for screening purposes.
6. Fences and walls should be constructed as low as possible while still performing screening, noise attenuation, and security functions.
7. To bring continuity to the overall streetscape, similar elements, such as columns, materials, and cap details, should be incorporated on perimeter walls that transition from one development to another.

J. Loading Areas and Trash Enclosures (20-78-2.II.J)

1. Loading areas and trash enclosures shall be oriented away from arterial streets and abutting residential areas to minimize visual clutter and avoid nuisances.
2. Trash enclosures shall be designed with similar finishes, materials, and details as incorporated with the primary buildings of the project. (Figure 2.26)

3. Trash enclosure locations shall be placed in proximate locations for tenant convenience and pickup service.
4. Trash enclosure locations shall not hinder internal traffic circulation visibility.
5. Loading docks shall be screened from view utilizing design solutions including, but not limited to, decorative walls, trellis/greenscreens, berming, dense landscaping, or a combination thereof. (Figure 2.27)
6. Public circulation should not route through loading and service areas.
7. If visible from public-view, roll-up doors are discouraged; however, where such doors occur, the doors should be recessed a minimum of twelve (12) inches into the building to provide a shadow line.
8. Service and roll-up doors shall be painted to match the building or trim colors.

K. Utilities and Mechanical Equipment (20-78-2.II.K)

1. Noise generating equipment should be located away from residential units, public spaces, and pedestrian areas.
2. Backflow preventers for landscape irrigation and domestic water shall not be located at visually prominent locations and shall be well-screened with shrubs, berming, or low-screen walls.
3. Roof access ladders and roof drains/downspouts shall be internalized within the building.



Figure 2.28—A fountain distinguishes the entrance to a retail center.



Figure 2.29—Bicycle racks are incorporated into overall thematic site design.



Figure 2.30—Congregation areas are defined by the use of bollards.



Figure 2.31—A cohesive and consistent design is threaded evenly through the commercial center.



Figure 2.32—Design elements from entry façade are continued on all sides of the building.



Figure 2.33—Building mass is reduced through a well-defined wainscot, middle, and cornice treatment.

4. Ground and roof mounted mechanical equipment shall be screened from public view (street-level).
5. Utility screening requirements, including Service Entrance Sections, are located in Chapter 5 Supplementary Standards.

L. Other Thematic Elements (20-78-2.II.L)

1. Visual features, such as fountains, should be incorporated into commercial developments to attract pedestrians. Where a large number of children may be present, pop-jet fountains should be considered. (Figure 2.28)
2. Drainage crossings shall utilize decorative railings consistent with the thematic character of the complex. The determination whether a railing is warranted for a specific crossing shall be made by the City Engineer or designee.
3. The design of any outdoor storage or garden facilities shall complement the architecture of the primary building as well as the overall site design.
4. Bicycle racks should be selected that are durable and visually appealing. (Figure 2.29)
5. In the event that bollards are warranted to separate pedestrian and/or public spaces from circulation routes, said bollards shall complement the architectural style of the center. Corporate colors applied to the bollards are expressly discouraged. (Figure 2.30)

III. Architectural Form (20-78-2.III)

A. Design Theme (20-78-2.III.A)

1. In an effort to encourage diversity in design, corporate templates should be contextual and tempered with localized treatments and design alternatives.
2. Multi-tenant commercial centers shall have a consistent architectural and thematic palette throughout the development.
3. A commercial complex shall establish and maintain a consistent architectural style with individual buildings designed with complementary forms and materials. (Figure 2.31)
4. All sides of the buildings shall receive proportionate design consideration and treatment (360 degree architecture). (Figure 2.32)

B. Building Mass (20-78-2.III.B)

1. Perceived building mass shall be reduced by dividing the building mass into small scale components by providing a well-defined base, middle and top to the building. (Figures 2.33, 2.34)
 - a. A solid building base may be achieved by elements such as low planters and walls, base planting, a base architectural veneer banding (wainscot) and treatments defined by a different material, texture or color.
 - b. A distinct building middle may be achieved by the addition of covered walkways, trellises, colonnades, or architectural awnings that provide deep shadow.
 - c. A well defined building top may be achieved by utilizing features such as distinct and multiple architectural roof forms, clearly pronounced eaves, and distinct parapet designs and cornice treatments.
2. Building mass should be broken by dividing the building into smaller components and creating



Figure 2.34—Perceived building scale is minimized by an architecturally distinct building middle and cornice.



Figure 2.35— Building mass is reduced by creating a functional public gathering area between the buildings.



Figure 2.36—Front façade utilizes varying window styles and sizes.



Figure 2.37—Windows are accented by mullions, metal canopies, and building recesses and projections.



Figure 2.38—A well articulated façade exhibits an off-set wall plane, color change, and columns.



Figure 2.39—Awnings create shadowing that augments existing façade articulation.

functional public space and pedestrian oriented areas between buildings. (Figure 2.35)

3. The use of colonnades along street fronting façades should be considered to reduce the massing of tall buildings and add pedestrian scale and interest.
4. Non-entry facades that face roads or views from public spaces should incorporate additional architectural treatments, such as pilasters, recessed areas, and windows with spandrel glass that give the appearance of windows facing the street.
5. Surface detailing, such as score lines or heavy stucco, should not serve as a substitute for distinctive massing.

C. Fenestration / Wall Penetrations (20-78-2.III.C)

1. Windows and doors should include visually prominent framing and accent elements. Materials, shape, and proportions shall complement the architectural style of the building.
2. Twenty-five percent (25%) of the primary entry façade shall be windows. Commercial developments in excess of 70,000 square feet shall provide fifteen percent (15%) of the primary entry façade in windows. Industrial developments shall provide ten percent (10%) of the entry façade in windows. Faux windows may be counted toward this requirement. (Figure 2.36)
3. Windows shall employ design details appropriate to the architecture, such as mullions, arched windows, shutters/faux shutters, window surrounds, awnings, and canopies to break the scale of the façade into smaller components. (Figure 2.37)

D. Façade Articulation (20-78-2.III.D)

1. To ensure minimal amount of horizontal articulation/undulation, no building wall on the primary building façade shall run more than fifty (50) feet without employing one (1) or more of the following: (Figure 2.38)
 - a. A twelve (12) inch offset in wall plane;
 - b. A column or pier at least one (1) foot wide and eight (8) inches deep;
 - c. A building corner or projection;
 - d. Or significant texture change.
2. Architectural elements, such as overhangs, trellises, projections, awnings, insets, material, texture, and color, shall be used to create shadow patterns that contribute to the building's character. (Figure 2.39)
3. Alternative designs will be reviewed for consistency with the intent of this section.

E. Roof Planes (20-78-2.III.E)

1. Rooflines shall be varied in height, form, and materials. Parapet rooflines shall be varied by stepping up and down or incorporating pitched roof elements. (Figure 2.40)
2. Parapet walls shall be designed and constructed in a manner to appear as a solid, three-dimensional form rather than a veneer. Parapets should include one (1) or more of the following detail treatments: (Figure 2.41)
 - a. Pre-cast elements;
 - b. Continuous banding or projecting cornices;
 - c. Dentils;
 - d. Caps;



Figure 2.40 –Undulating parapet rooflines are composed of multiple materials and arched elements.



Figure 2.41 –Parapet wall exhibits substantial projecting cornice treatment.



Figure 2.42—Storefront entrance is defined by decorative arched framing and covered walkways.



Figure 2.43—Store entries are emphasized through the use of porticos and changes in roofline.



Figure 2.44—Stone, masonry, and stucco add character to the building exterior.



Figure 2.45—Multiple material and color changes occur at intersecting planes.

- e. Variety in pitch (sculpted);
 - f. Clean edges without unfinished flashing.
3. Deep overhangs should be integrated to create shadow and add depth to facades.
 4. All roof-mounted mechanical equipment shall be screened from view. A line of sight exhibit shall be provided showing the effectiveness of the proposed screening methods from the public right-of-way. For projects abutting single-family residential homes, mechanical equipment shall be screened from all adjacent second story windows.
 5. All screening materials shall be compatible with the colors, materials, and design of the building.

F. Storefront Proportion (20-78-2.III.F)

1. The main entry into a store should be emphasized to announce a point of arrival in one or more of the following ways: (Figure 2.42 and 2.43)
 - a. Flanked by columns, decorative fixtures, or other details;
 - b. Recessed within a larger arched or cased decorative opening;
 - c. Covered by means of a portico (formal porch) projecting from or set into the building face;
 - d. Punctuated by means of a change in roofline, tower, or a break in the surface of the subject wall.
2. Commercial storefront entries should be recessed and/or sheltered by a covered arcade structure, colonnade, canopy, or awning.

G. Colors and Materials (20-78-2.III.G)

1. All developments shall employ the integrative use of multiple exterior accent materials including, but not limited to, veneers, brick, stone, and masonry in appropriate quantities with the proposed elevations.
2. Material changes shall occur at intersecting planes, preferably at the inside corners of changing wall planes or where architectural elements intersect, such as pilaster, projection, or fence line. (Figure 2.44 and 2.45)
3. When stucco is utilized a light to smooth finish is required and shall be blended with other finish materials, such as stone, brick, wood, and/or iron.
4. Material and colors shall be used to enhance different parts of the building's façade.
5. As the context dictates, a rich and/or distinctive color palette shall be employed to create a sense of variety and interest to exterior elevations. (Figure 2.46)
6. Bright primary colors shall be limited to trim and accent features only.

IV. Supplemental Development Criteria (20-78-2.IV.)

All of the following items shall be achieved in addition to the other required Design Review elements:

A. Shopping Centers, Office Complexes and Other Commercial Centers Exceeding 50,000 square feet (GFA) or 5 acres (NET) Overall (20-78-2.IV.A)

1. A minimum of four (4) of the following items shall



Figure 2.46—Rich, distinctive colors accent the building's architectural features.



Figure 2.47—Clock tower creates a visual focal point for the retail center.



Figure 2.48—Freestanding artwork creates unique design element.



Figure 2.49—Artfully designed fountain creates respite for the community.



Figure 2.50—Integrated freestanding iconography help establish center identity.

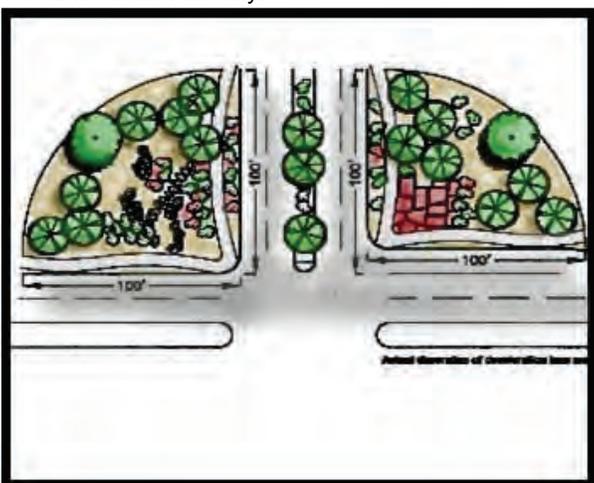


Figure 2.51—Triangular landscape areas are located at the entrance to a Primary Themed Entry.

be achieved in addition to the other required Design Review elements:

- a. Provide freestanding architectural features that are thematically consistent. Such features may include, but are not limited to, entry arches, fountains, formal entry aisles, obelisks, trellises, integrated artwork, clock towers, and other similar features. (Figure 2.47, 2.48, 2.49 & 2.50)
- b. Provide angled or staggered building orientation to achieve varied alignment of building fronts and site design features that in turn create functional outdoor spaces and/or enhanced intersection feature.
- c. Provide tree-lined “Boulevard” at median break (s), with detached sidewalks and landscaping.
- d. Where appropriate, locate artistic elements in open public locations. Artistic elements must be consistent with the overall theme of the center/facility. Artistic elements may include sculptures and murals, gates, fences, walls, benches, fountains, walkways, etc. (Figure 2.49)
- e. Stagger parking setback by at least five (5) feet or vary orientation of parking lot along arterial streetscape, while maintaining the minimum required setback from the right-of-way.
- f. Incorporate planter and seating features in pedestrian areas throughout the site, including areas along the front of the buildings.
- g. On-site landscaping exceeds 25% of the net site area.
- h. One or more buildings are pushed to the street such that there is no intervening parking between the building and streetline.
- i. Any other design amenity, which is otherwise not required but which meets the general intent for design innovation, may be substituted for any of the above additional quality standards.

B. Large Scale Retail (20-78-2.IV.B)

1. Any developments involving a Large-Scale Retail establishment as defined in the Peoria Zoning

Ordinance shall provide the following, in addition to the other required Design Review elements:

- a. Building mass shall be divided into smaller components, thereby creating functional public space and pedestrian friendly areas.
- b. *Primary Themed Entry*

The Primary Themed Entry should contain a triangular landscaped area on each side. The triangular landscaped area should be defined by a) a minimum of one-hundred (100) feet along the property line adjacent to the arterial right-of-way and b) a minimum of one-hundred (100) feet along the face-of-curb along the entrance drive, and c) with both one-hundred (100) - foot or greater lines measured from the intersection of said property line and said face-of-curb as noted above.

Landscape triangle should include thematic elements such as water features, clock towers, public art, or other architectural features. (Figure 2.51)

- c. *Main Circulation Aisle*

The main drive aisle connecting major public roadways to drive aisles interior to the site shall be considered the Main Circulation Aisle(s). Main Circulation Aisle(s) shall be delineated and distinguished from the surrounding parking area through the use of substantial hardscape treatment of entry throat, landscaping, decorative lighting, and other design elements, and shall provide no direct access to any parking spaces within one-hundred (100) feet of the entry. (Figure 2.51)

- d. *Intersection Nodes*

Intersection nodes formed by the intersection of drive aisles shall be designed with decorative pavers or other architectural elements, intended to enhance awareness of the potential for conflicts between crossing vehicles.

- e. *Shading*

Pedestrian routes located adjacent to building walls shall include functional shade; said shade will be provided by roof overhangs, landscaping, or other architectural materials, and will provide shade for the entire width of the sidewalk along at least fifty percent (50%) of the building wall. (Figure 2.52)

- f. *Principal Pedestrian Walkways*

Principal pedestrian walkways, consisting of (at minimum),



Figure 2.52—Pedestrian walkways alongside the building are shaded for comfort.



Figure 2.53—A covered principal pedestrian walkway leads from parking to a shopping center entrance.



Figure 2.54—Colored concrete and future shade trees define the pathway from parking area to building front.



Figure 2.55—A courtyard inside a Large-Scale Retail center provides seating and tables, as well as shade.



Figure 2.56—Building front landscaping creates a functional space utilizing seat walls and shade trees.



Figure 2.57—Cart storage is integrated into the building design.

a fourteen (14) foot landscaped aisle, incorporating an eight (8) foot walkway, defined with trees and shrubs, shaded with softscape or hardscape materials, and extending from the adjacent arterials to principal building entrances. A minimum of one such walkway will be provided per every three-hundred (300) feet of primary or business front footage, or as otherwise deemed to meet the intent of this ordinance. A minimum of one such walkway will connect to the main entrance of a principal building/tenant; other walkways will connect to other principal buildings/tenants or principal pedestrian areas (such as an outdoor plaza). (Figure 2.53)

g. Interior Pedestrian Walkways

Clearly defined pedestrian circulation systems shall be provided throughout the project site. Interior pedestrian walkways connecting parking areas to other pedestrian walkways or buildings, shall consist of (at minimum) a six (6) foot walkway clearly delineated with decorative pavers or other architectural elements. Such walkways shall be designed to provide shade through landscaping and/or other materials. (Figure 2.54)

h. Public Space

Public spaces shall be provided in the form of plazas, courtyards, and/or outdoor eating areas, located adjacent to large-scale retail establishments and/or to other buildings on the site, at a ratio of a minimum of nine-hundred (900) square feet for each one-hundred thousand (100,000) square feet (G.F.A.) of Large-Scale Retail, as defined in the Peoria Zoning Ordinance. (Figure 2.55)

Public space shall contain benches, decorative pavers, trash receptacles, and other thematic elements to provide a distinct identity and sense of place. Seating areas and walkways connecting the refuge area to buildings or other walkways shall be shaded using trees, roof overhangs, canopies and/or similar. An arbor may be used in place of a tree. (Figure 2.56)

i. Transit Facility

When located on the site or in the right-of-way adjacent to the site, public transit facilities shall be architecturally integrated into the design of the site through use of materials, color, and other architectural elements.

j. Bicycle Facilities

Facilities for bicycle parking shall be shaded and

integrated into the site at the main entrance of the principal building.

k. *Cart Storage*

The design of shopping cart storage facilities shall complement the established architectural theme of center. (Figure 2.57)

C. Industrial (20-78-2.IV.C)

1. Wall forms shall be articulated with changes in massing, colors, and material. Such a change in horizontal walls shall occur every fifty (50) feet or less. (Figures 2.58 and 2.59)
2. Where appropriate, colonnades should be utilized along the street frontage façade to reduce the massing of tall buildings and add pedestrian scale.
3. Structures two-stories or higher should incorporate a step in the vertical plane to reduce the scale of the building. This step can be accomplished by stepping back the floors above the first or by projecting first floor elements or wall surfaces.
4. A full pitched roof over an entire industrial building is not realistic. However, where feasible and appropriate to the architectural style for the building, a pitched roof element should be provided over the entry and/or office portion of the structure. (Figure 2.60)
5. Pre-cast walls/tilt-up shall incorporate reveals, recessed panels, recessed windows, and/or molding to articulate the building exterior. (Figure 2.61)
6. All concrete pre-cast/tilt-up buildings shall be designed to have an exterior appearance of conventional built structures utilizing surface treatments such as stucco, plaster, glass, stone, brick, or decorative masonry.



Figure 2.58—Curved wall and tile pattern interrupt the horizontal wall plane to create visual interest.



Figure 2.59—Prominent entry is defined by variation in materials.



Figure 2.60—Multi-planar components introduce depth and direction.



Figure 2.61—Tilt-up panels incorporating protections with varying materials increases façade articulation.



Figure 2.62—Carwash exhibits characteristics of main building through the use of roof pitch and façade.



Figure 2.63—Reverse orientation of canopy minimizes its visual impact to the street and intersection.

7. Expansive paved areas located between the street and the building should be avoided in favor of multiple small lots separated by landscaping and buildings.
8. To soften the transition between industrial and residential uses, elevations facing residential uses shall be substantially consistent with the architecture exhibited on the front elevation.

D. Gasoline Stations & Car Washes (20-78-2.IV.D)

1. All structures on-site (including canopies, kiosks, car wash facilities, gas pump columns, bollards protecting the gas pumps, gas pumps (excluding sign toppers), etc.) shall be consistent with and complement the architectural design of the primary building and overall project site. (Figure 2.62)
2. Bay door and car wash openings should be oriented to reduce visibility of these areas from public streets and should not face residential properties. Reverse orientation for canopy and service areas is encouraged. (Figure 2.63)
3. Column supports shall be of sufficient thickness to portray a visual sense of strength, balance, and traditional masonry proportions.
4. Light fixtures mounted under canopies shall be completely recessed into the canopy with flat lenses that are translucent and completely flush with the bottom surface (ceiling) of the canopy. The fascias of the canopy shall extend below the lens of the light fixtures twelve (12) inches. Unless overlapping a portion of the principal building, gasoline canopies shall not exceed the height of the principal building.
5. Lighted bands, tubes, or corporate colors shall be limited to accent elements and not be primary design features.

6. All gas tank vent piping shall be screened from arterial streets and public view.
7. Car wash facilities should incorporate small plazas or other areas for patrons to comfortably wait while their vehicles are being washed.

E. Drive-Through / Drive-Up Facilities (20-78-2.IV.E)

1. The primary visual presence along major street frontage should be the building front, not the drive-through aisle or parking lots.
2. Drive-through menu boards shall be screened from street view, and architecturally integrated with building design through the use of common materials and colors.
3. All drive-through facilities, including drive-up lanes and stacking areas shall be adequately screened from street view by building orientation, landscaped berm or a screen wall measuring three (3) feet from grade of the driving lane, and situated so not to disrupt safe traffic flow. (Figure 2.64)
4. Drive-through lane, including entry and exit points, shall be separated from vehicular parking areas and access aisles through curbing, landscaping, etc. (Figure 2.65)
5. Drive-through windows and canopies shall be architecturally integrated into the building. (Figure 2.66)
6. To the extent possible, drive-through lanes should not be located at intersections and/or on corner lots.



Figure 2.64—Heavy landscaping screens the drive-through from street view.



Figure 2.65—Sidewalk and wrought iron fence divide the center's access aisle and drive-through lane.



Figure 2.66—The main building architecture is carried through to the drive-through canopy design.

Chapter 3: Single-Family Residential



I. Intent (20-78-3.I)

The purpose of this Chapter is to guide the integration of new neighborhoods and housing types into the community fabric and safeguard and enhance the character of established neighborhoods. The design principles attempt to promote a deviation from the standard “cookie-cutter” format of garage dominant building lines and repetitiveness through a diverse palette of standard plans, articulation, color and material choices and neighborhood identity. Neighborhoods should contain safe and practical open space areas with context and connectivity to adjacent land uses and circulation modes.

A. Applicability (20-78-3.I.A)

1. New single-family detached or attached (up to two (2) units per building) residential developments exceeding ten (10) lots.
2. New additions to existing residential units, including patio covers, carports, and RV covers, as specifically addressed herein.
3. New accessory structures exceeding nine (9) feet in height or three hundred (300) square feet in area, including RV covers, as specifically addressed herein.
4. New gazebos, ramadas, or similar structures as specifically addressed herein.



Figure 3.1—Detached single-family residential neighborhood.



Figure 3.2—Example of attached single-family residential type.



Figure 3.3—Example of Custom Single-Family Residential type.

B. Exemptions (20-78-3.I.B)

1. Custom-home developments are exempt from the Façade Articulation Exhibit provision per 20-78-3.II.C.1.f; However, each elevation shall demonstrate the minimum building plane articulation per 20-78-3.II.C.1.e.
2. Play structures, sport courts, private water features, and similar minor structural elements as identified by the Planning Manager.
3. Arizona Rooms

II. Single-family Residential Design Standards (20-78-3.II)

A. Subdivision Design (20-78-3.II.A)

1. **LOT AND TRACT DESIGN (20-78-3.II.A.1)**
 - a. In an effort to promote safety, connectivity, and maintenance, tracts less than fifty (50) feet in width between lots (lot “fingers” or “wedges”) shall be avoided unless mitigation is provided. Such mitigation may include pedestrian connections, low level accent lighting, view fencing, or combinations thereof on adjacent lots or other design solutions that provide function and attention to narrow, dead spaces. (Figure 3.4)
 - b. In an effort to enhance lot functionality, pie-shaped lots should be designed to avoid acute angles less than forty-five (45) degrees. (Figure 3.5)
 - c. Lot frontages shall be located a minimum of one hundred fifty (150) feet from arterial street intersections.

- d. To minimize glare from automobile lights and promote safe traffic maneuverability, lots should not be designed to center on a T-intersection unless adjustments or mitigation can be demonstrated. (Figure 3.6)
- e. Through lots/double frontage lots are prohibited. (Figure 3.7)
- f. Flag lots shall be permitted provided the following criterion are met:
 1. Each flag lot shall have at least twenty (20) feet of street frontage and at least twenty (20) feet of width for the entire length of the flagpole.
 2. The area of the flag pole portion of the flag lot shall not be included in the calculation of minimum lot area.
 3. For flag lots, the Planning Manager or designee shall determine which property line shall constitute the front and rear lot lines for the purposes of compliance with yard and setback provisions of this ordinance.
 4. The driveway providing access to the flag lot shall be placed as close as possible to an existing driveway on adjacent property.
 5. No more than two (2) flag lots may be contiguous. (Figure 3.8)

2. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (20-78-3.II.A.2)

- a. To the extent feasible, windows, doors, or other openings should be provided on all sides of a façade to create visual interest and prevent dead spaces. (figure 3.9)



Figure 3.4—A pedestrian path and two-story homes provide activity and “eyes” on this narrow tract.

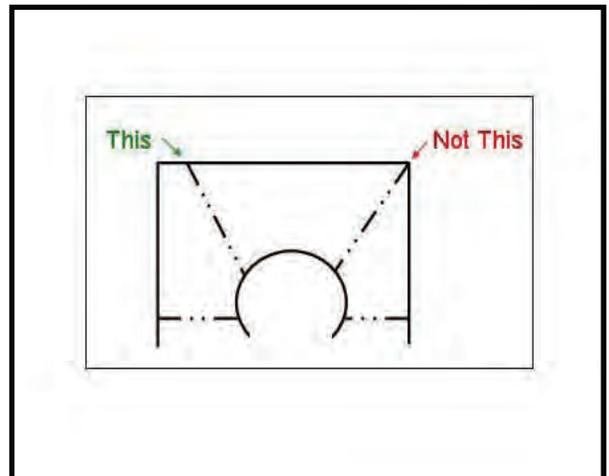


Figure 3.5—Avoid angles less than 45 degrees.

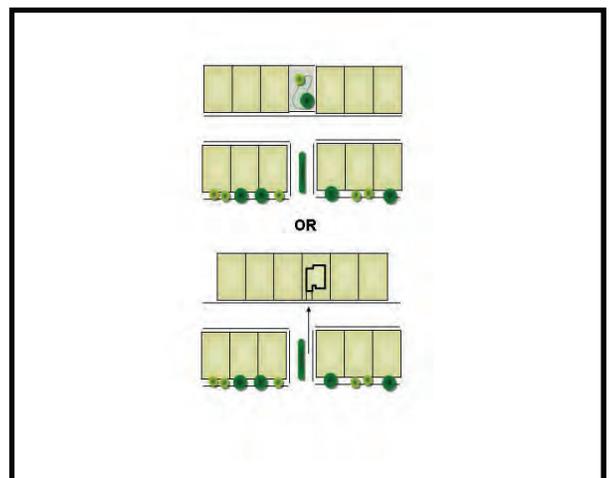


Figure 3.6—Lot adjustments and layout prevent alignment on T-intersections.

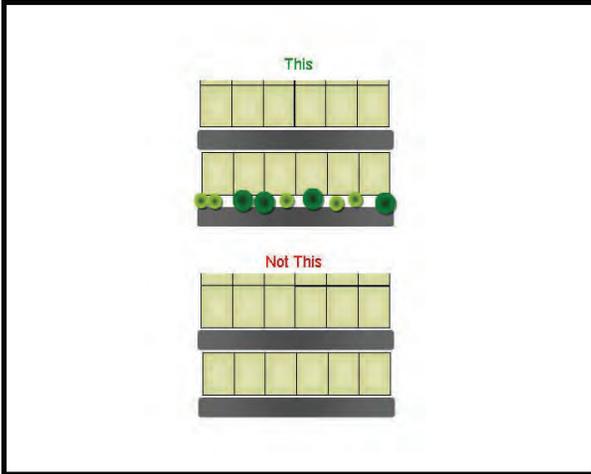


Figure 3.7—Avoid Through/Double Frontage Lots.



Figure 3.8—Lots 12 and 13 illustrate flag lots, as well as limitation against more than 2 contiguous flag lots.



Figure 3.9—Multiple “perspectives” on the street provide interest and reinforce neighborhood ownership.

- b. Streets should be designed to discourage cut-through traffic.
- c. Access (to the subdivision) should be limited without completely disconnecting the subdivision from adjacent subdivisions.
- d. Landscaping should not create blind spots or hiding spots.
- e. Open spaces and recreational areas should be located so that they can be observed from nearby homes. (Figure 3.10)

3. CIRCULATION (20-78-3.II.A.3)

- a. All local residential streets exceeding one thousand (1000) feet in length shall be curvilinear in design unless traffic calming measures are proactively utilized.
- b. All collector and non-residential collector streets exceeding 1000 feet in length shall proactively incorporate traffic calming measures. Examples of traffic calming measures suitable for local streets include, but are not limited to; roundabouts, traffic circles, landscape islands, or medians, chicanes, chokers, raised intersections, and/or crosswalks, or other approved measures. (Figure 3.11)
- c. To minimize potential conflict points, four-way street intersections at local/local intersections are discouraged.
- d. Pedestrian connections should be established throughout the community to provide connectivity and to reduce walking distances, especially at the ends of cul-de-sacs and along routes to destinations such as parks, schools, and services. (Figure 3.12)

4. STREETScape (20-78-3.1.A.4)

- a. Developments shall provide a sense of arrival at all primary themed entries into a subdivision. To achieve this objective, one or more of the following elements shall be incorporated into each primary themed entry:
 1. Hardscaped accented entry, including but not limited to, stamped or colored concrete and pavers as approved by the City Engineer or designee.
 2. Landscaped medians along the entry throat. (Figure 3.13)
 3. Entry monument, or monument sculpture, water feature, or other identifying element as approved by the Planning Manager. (Figure 3.14)
- b. The Development shall provide triangular landscaped entry areas at all primary themed entries into a subdivision. The size of the entry area should be no less than the visibility triangle required for the intersection plus the prescribed street frontage landscape buffer. For example, a 30' x 30' view triangle at an arterial or collector intersection would include a ten (10) foot landscape buffer (hence 40' x 40' triangle). This allows for trees or structures outside of the visibility triangle.
- c. Cul-de-sacs shall not terminate on blank walls or narrow landscape tracts less than ten (10) feet in width. (Figure 3.15)
- d. Detached sidewalks shall be provided adjacent to all arterial roadways and some collector roadways in accordance with the Infrastructure Guidelines. Detached sidewalks should be separated from the roadway by a minimum of four (4) feet. (Figure 3.16)



Figure 3.10—Recreation areas are within view from several nearby homes.



Figure 3.11—Landscaped traffic circle is one type of traffic calming measure.



Figure 3.12—Pedestrian path provides connection from cul-de-sac to collector roadway.



Figure 3.13—Landscaped median leading into the community.



Figure 3.14—Primary themed entry into a subdivision.



Figure 3.15—Non-enclosed cul-de-sac spills onto open space and recreation areas rather than walls.

- e. The sidewalks along arterial roadways should provide for a gentle meander to elevate the aesthetic and pedestrian quality. The sidewalk shall return to the back of the curb or right-of-way line no less than twenty (20) feet from any intersection to minimize the potential for pedestrian—automobile conflicts. (Figure 3.17)
- f. To the extent practical, all utilities and ground mounted mechanical equipment shall be vaulted or fully screened from view through landscaping placement and/or color treatment.
- g. Use of native vegetation and low water plants shall conform to the Phoenix Active Management Areas Low Water Using Plant List, and be planted in conjunction with an efficient water system.

5. USEABLE OPEN SPACE (20-78-3.II.A.5)

- a. All developments shall provide a minimum area of Useable Open Space in accordance with the schedule outlined in Table 1. (Figure 3.18)
- b. Useable Open Space areas shall be clearly designated on the Preliminary and Final Landscape Plans. Useable Open Spaces include, but are not limited to the following:
 1. Park or recreation areas (private or dedicated).
 2. Designated or reserved equestrian, hiking, local connectors, and multi-use trails. For the purposes of computation, a twenty (20) foot corridor width may be calculated, provided the corridor is improved with landscaping and pedestrian amenities such as benches (where appropriate) and pedestrian scale lighting. (Figure 3.19)

3. Reserved or dedicated hillside preserves.
4. Golf courses (area not to count more than fifty (50) percent toward minimum requirement).
5. Active amenities including, but not limited to, racquet and sport courts or fields (i.e. basketball, volleyball, baseball, etc.), and substantial turfed areas.
6. Common pools, spas, and recreation centers. (Figure 3.20)
7. Passive amenities including, but not limited to, substantial turfed areas, ramadas, barbecue areas, bench seating areas, and specified interpretive or demonstration facilities. (Figure 3.21)
8. Retention basins and floodway areas when improved with active or passive amenities as described above.

c. In an effort to create a seamless network of open spaces and pedestrian connections, subdivisions shall be designed to integrate and/or continue existing or approved open space areas, pedestrian walkways, and multi-use trails from adjacent developed and undeveloped areas.

d. Shaded pedestrian refuge areas should be provided along pedestrian and multi-use walkways, paths, and trails.

B. Thematic Form (20-78-3.II.B)

The intent of this section is to promote distinctive neighborhood identity and discourage bland, ubiquitous communities.



Figure 3.16—Detached meandering sidewalk provides refuge and separation from the arterial roadway.



Figure 3.17—An offset sidewalk “softens” the street-scene and enhances visual interest and safety.



Figure 3.18—Open space area in the subdivision has been reserved for recreation.



Figure 3.19—A well signed and demarcated hiking trail provides an alternative type of open space amenity.



Figure 3.20—A common HOA pool serves as an additional type of useable open space amenity.



Figure 3.21—Ramada and green belt provides a passive open space amenity.

1. WALLS AND FENCES (20-78-3.II.B.1)

- a. Developments should provide pedestrian access to adjacent non-residential areas, including schools and churches, by incorporating wall and landscape penetrations into the pedestrian circulation element.
- b. Entry signage, perimeter walls, and other appurtenances in community owned areas shall be consistent with the thematic character of the development through the use of common integrative elements such as colors, materials, and architectural style.
- c. Perimeter walls shall be constructed of decorative masonry block intended to be utilized without additional finish. Such walls adjacent to streets with a classification of arterial or higher shall meet at least two (2) of the following requirements; perimeter walls adjacent to local or collector streets shall provide at least one (1) of the following mitigations:
 1. Integration with one (1) or more of the following: inlays, materials, or color accents, capping, decorative pilasters, wrought iron, planters or other approved feature that adds visual interest. Strong geometric patterns are strongly discouraged. (Figures 3.22, 3.23 and 3.24)
 2. Incorporation of raised planters containing hostile vegetation or minimal heights to discourage unwanted access to private yards. (Figure 3.23 and 3.24)
 3. Incorporation of decorative stone or masonry pillars with caps. (Figure 3.23 and 3.24)
 4. Incorporation of decorative wrought iron trellises or artistic features in context with the area.

5. Other alternative design as approved during the Preliminary Plat Review Process.

d. Walls adjacent to retention areas, trails, parks, or useable open space areas shall incorporate regular undulation or variation in materials. View fencing is strongly encouraged. (Figure 3.25)

e. Chain link (cyclone) fences shall be prohibited, except in the AG, SR-35 and SR-43 Zoning Districts. Wood or metal fences may be considered if integrated into an identifiable theme. Such theme may include rural/agrarian with the use of wooden picket fencing or a metal pole corral style open fencing. All perimeter subdivision walls in AG, SR-35 and SR-43 Districts shall be masonry.

2. LIGHTING (20-78-3.II.B.2)

a. Primary-Themed Entry features should use back-lit decorative lighting to enhance walls and signage.

b. All street lighting along arterials shall be screened or shielded to minimize glare and illumination onto residences.

c. Decorative theme lighting, accent lighting or lighted bollards shall be placed along pedestrian connections and in useable open space areas to improve visibility and safety.

3. OTHER THEMATIC ELEMENTS (20-78-3.II.B.3)

a. Drainage crossings shall utilize decorative railings consistent with the thematic character of the development. The determination whether a railing is warranted for a specific crossing shall be made by the City Engineer or designee.



Figure 3.22—Theme wall integrates color accents, multiple textures, decorative pilasters and capping.



Figure 3.23—Integrated raised planters provide further visual interest and reduces perceived wall massing.



Figure 3.24—Integration of multiple textures and planter box.



Figure 3.25—View fencing opens views to open spaces.



Figure 3.26—Clustered mailboxes containing similar thematic character to the development.



Figure 3.27—This streetscape features varied housing styles.

4. CLUSTERED MAILBOXES (20-78-3.II.B.4)

- a. Clustered mailboxes should be consistent with the thematic character of the development through the use of common integrative elements such as color palette, building materials, and roof pitch. (Figure 3.26)
- b. Clustered mailboxes should be placed along side lot lines or open space tracts and located a minimum of one hundred (100) feet from a collector or arterial street intersection. The intention is to provide adequate separation between mailbox queuing and subdivision entry.

C. Architectural Form (20-78-3.II.C)

The intent of this section is to promote substantial design elements in housing to foster diverse, attractive and integrative neighborhoods.

1. DESIGN PROFILE (20-78-3.II.C.1)

- a. To promote architectural diversity, all developments shall implement the applicable prescriptions outlined in Table 2. In the implementation of Table 2, each standard plan shall be provided with a minimum of three (3) elevations.
- b. No more than two (2) consecutive lots (adjacent side lot lines) shall share the same standard plan and elevation. (Figure 3.27)
- c. To mitigate the impact from monotonous building elevations, design solutions integrating facade articulation, variable building angles, eaves, parapets, and the strategic placement of windows and doors shall be employed in each elevation.

d. Each elevation shall integrate architectural embellishments including, but not limited to, recessed windows or window projections, articulated facades and decorative moldings, or pilasters for the purpose of creating shadow lines. (Figure 3.28)

e. Not more than sixty (60) percent of any front elevation shall occur on the same plane. Plans with two planes in the front elevation shall provide a minimum undulation of four (4) feet between said planes; plans with three (3) or more planes in the front elevation shall provide a minimum undulation of two (2) feet between said planes. To demonstrate compliance with this section, a Façade Articulation Exhibit shall be provided with the Design Review submittal. (Figure 3.29 and 3.30)

f. Roof mounted HVAC & evaporative cooler equipment shall be prohibited. (Figure 3.31)

2. MATERIALS AND COLORS (20-78-3.II.C.2)

a. All developments should integrate multiple exterior materials including brick, stone, and masonry as appropriate with the architectural style of the home. (Figure 3.32)

b. All developments shall provide a diversity of roof colors, materials, and styles within the subdivision in accordance with the schedule outlined in Table 2. (Figure 3.33)

c. Hillside lots as defined in Article 14-22A (“Hillside Development Overlay District”) are subject to the color and reflectivity restrictions contained therein.

d. With the exception of windows and similar features, the use of reflective surfaces is prohibited.



Figure 3.28—This elevation features rounded corners, stone, and various decorative elements.

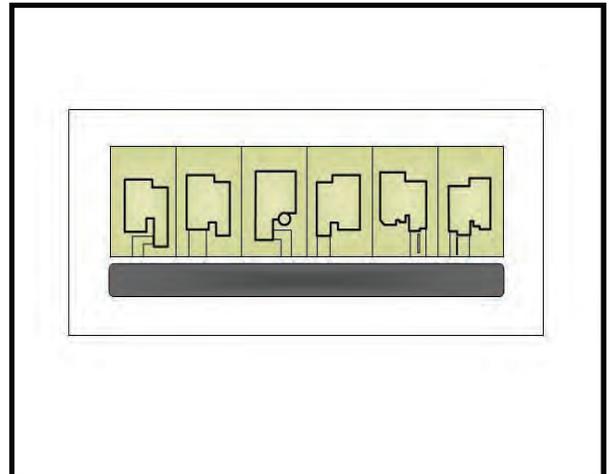


Figure 3.29—Façade Articulation Exhibit demonstrates a “staggered” street profile.



Figure 3.30—Structure exhibits “staggered” façade.



Figure 3.31—Residences without roof-mounted HVAC provides for a cleaner, more visually appealing look.



Figure 3.32—Home provides interest through orientation, use of stone, corbels, rich base color, & framing.



Figure 3.33—A diversity of roof types, materials and styles are in evidence.

- e. Exposed metal chimney flues inconsistent with the architectural character are prohibited. Exposed flues (B-vent) are acceptable only with fireplaces without a chimney.

3. GARAGES AND DRIVEWAYS (20-78-3.II.C.3)

- a. Driveways shall be no less than eighteen (18) feet in length (exclusive of curb and sidewalk) for forward-facing garages.
- b. Driveways for three-car or larger forward-facing garages shall incorporate alternative paving design elements including, but not limited to, rock salt finishes, broom, float and trowel finishes, stamped concrete, concrete engraving, concrete stains, intricately sawed / grooved patterns, concrete pavers, and colored concrete to soften the appearance of large impervious surfaces. (Figure 3.34)
- c. The forward facing (from street view) elevations of a side entry garage shall appear as livable area by utilizing windows, wainscot, or other design elements compatible with the design of the structure. (Figures 3.32 and 3.35)
- d. Front-facing garages shall be offset no less than four (4) feet from the plane of a living area or other principal structure (porches) and the third or fourth car garage shall be setback a minimum of two (2) feet behind the main garage plane. The intent here is to soften garage dominance and provide for horizontal articulation. (Figure 3.36)
- e. Grouped driveways shall be separated by no less than twelve (12) inches. The use of decorative hardscape or colored paving may be used to provide the minimum prescribed separation. (Figure 3.37)

- f. When grouped driveways cannot be utilized, the Developer should consider the use of alternative garage types such as, single-bay tandem, side entry, or rear loaded (Figure 3.38)

D. Existing Development (20-78-3.II.D)

The intent of this section is to preserve or improve the integrity and character of existing communities by promoting consistency for proposed additions or alterations to existing buildings.

1. ACCESSORY BUILDINGS (20-78-3.II.D.1)

- a. Accessory buildings exceeding nine (9) feet in height or three hundred (300) square feet in area shall generally conform to the principal building in terms of colors, exterior building materials/finishes, and architectural style.

2. ROOM ADDITIONS AND BUILDING MODIFICATIONS (20-78-3.II.D.2)

- a. Additions to principal buildings shall utilize like colors, materials, and architectural style.

3. COVERED PATIOS (20-78-3.II.D.3)

- a. Covered Patios shall be compatible to the principal building in terms of color and building materials. Roofing materials are not required to match that of the principal building. (Figure 3.39)
- b. Covered Patios shall be constructed on an approved concrete or similar foundation or slab.
- c. Patio/porch enclosures shall be reviewed by the Building Safety Division to determine whether or not it is considered a room addition or an “Arizona Room”. For the purposes of this Ordinance, “Arizona Rooms” are not required to



Figure 3.34—Alternative driveway paving softens the appearance of large impervious surfaces.



Figure 3.35—Side-entry garage appears as livable area from street view.



Figure 3.36—Recessed third car garage softens perceived “garage dominance” from the street view.



Figure 3.37—Brick inlay reduces perceived massing for a grouped driveway.



Figure 3.38—Rear-loaded garages enhance the streetscape by reducing garage dominance.



Figure 3.39—This lattice patio cover provides an artful alternative.

match the existing structure in color, materials, or architectural style.

4. ATTACHED CARPORTS AND RV COVERS (20-78-3.II.D.4)

- a. Attached carports and RV covers shall generally conform to the principal building in terms of color and building materials. Roofing materials are not required to match that of the principal building. (Figure 3.40)
- b. Attached carports and RV covers shall be used only for the storage and protection of automobiles and recreational vehicles and shall not be used for 'outdoor' workshops or storage of miscellaneous household products.
- c. Attached carports and RV covers shall be constructed on a dust-free surface. However, all vertical members shall be secured to an approved base/foundation.

5. DETACHED RV COVERS (20-78-3.II.D.5)

- a. Detached Recreational Vehicle Covers are permitted, provided that:
- b. Lot size shall be eighteen thousand (18,000) square feet or larger.
- c. Limit of one (1) RV canopy per qualifying residential lot.
- d. Structure shall be painted to match the dominant color of the principal structure. Wood structures shall not be permitted. Alternative building materials, or combinations thereof, may be considered provided the intent of this section is met.
- e. Fabric or mesh sidewalls may be permitted

provided they are securely attached to the structure. Materials shall be maintained through the life of the structure.

6. GAZEBOS, RAMADAS, AND SIMILAR STRUCTURES (20-78-3.II.D.5)

- a. Structure shall not be for storage purposes.
- b. Roof is constructed of lattice material or shall match roof material on principal building.
- c. Play structures, barbecues, chimneys (not attached to principal building), sport courts, and other like structures are exempt from Design Review.



Figure 3.40—This attached carport conforms to the principal building design and roofline.

TABLE 1: USEABLE OPEN SPACE

Lot Size	Minimum Amount of Useable Open Space Required
Lots less than 10,000 square feet	9% of gross project area
Lots 10,000 to 18,000 square feet	7% of gross project area
Lots in excess of 18,000 square feet	5% of gross project area

*If development includes a mixture of lot sizes, the percentage of Useable Open Space required shall be based on the percentage of lots in each lot size category.

Table 1

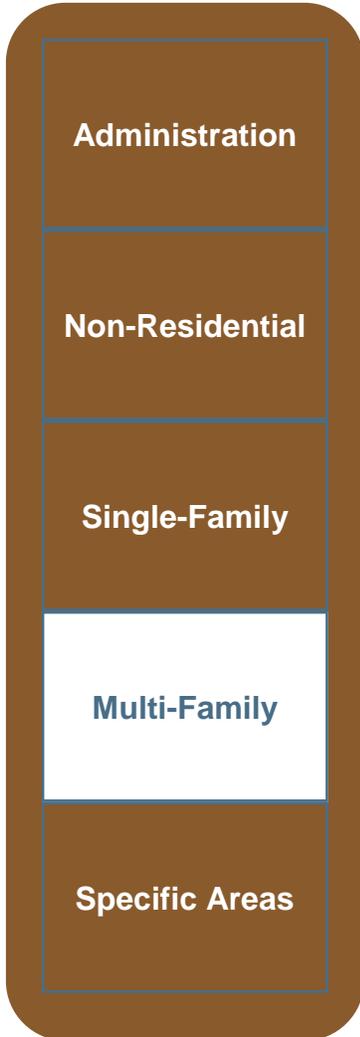
TABLE 2: STANDARD PLANS, MATERIALS AND COLORS

	Single-Family Units (Per Plat)			
	10 - 49	50 - 99	100 - 199	200+
Number of Roof Colors Required	Minimum of 3 different roof colors.	Minimum of 4 different roof colors.	Minimum of 4 different roof colors.	Minimum of 5 different roof colors.
Number of Roof Styles¹ Required	Minimum of 2 different roof styles.			
Number of Roof Material Types² Required	Minimum of 2 different roof material types.			
Number of Standard Plans Required	Minimum of 2 standard plans.	Minimum of 3 standard plans.	Minimum of 4 standard plans.	Minimum of 5 standard plans.

1. Roof styles include, but are not limited to, pitched, hip, flat, gambrel and mansard.
2. All asphaltic shingles shall be considered one material type. Clay and concrete tiles shall be considered one material type. However, alternating tile types (i.e. flat tile and mission tile) may be considered as different roof material types.
3. A minimum of three (3) elevations is required per standard plan (20-78-3.II.C.1.a)

Table 2

Chapter 4: Multi-Family Residential



I. INTENT

The purpose of this Chapter is to integrate safe and well-designed multi-family housing developments into the community. There are a diverse array of multi-family housing types including garden apartments, duplexes, large apartment, and condominium complexes. These housing types provide options for a growing segment in the community. Such areas typically serve as transitional land uses in close proximity to shopping, employment, and transit facilities. Such areas are also highly-visible, particularly along arterial roadways. The design guidelines attempt to deviate from a sea of repetitiveness through color and material options, strong architectural design and detailing, landscaping and site enhancements and the provision of safe and practical recreational opportunities.

A. APPLICABILITY (20-78-4.A)

The Multi-Family Residential Design Review Guidelines shall apply to the following multi-family residential development in all zoning districts:

1. All proposed multi-family residential development including attached single-family residential development (three (3) or more units per building), for new construction.
2. Alterations or additions to any existing building.



Figure 4.1—Staggered design elements provide interest along the street.



Figure 4.2—Building orientation, awnings and window and balcony placement promote energy efficiency.



Figure 4.3—Building orientation creates “parking nodes” as opposed to larger parking fields.

II. MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS (20-78-4.II)

A. SITE DESIGN (20-78-4.II.A)

1. SITE LAYOUT AND ORIENTATION (20-78-4.A.1)

- a. The site design should incorporate natural amenities and features into the development template such as topography, prominent view corridors, washes, and significant vegetative stands to enhance the character of the development.
- b. The building placement and orientation along the street line should be staggered, angled, or curved to provide modulation and interest. (Figure 4.1)
- c. The building design shall account for predominant sun and environmental factors through building orientation, window and door placement, landscaping, awnings, canopies, window treatment (i.e. glazing) and other appropriate design solutions. (Figure 4.2)
- d. On-site parking areas shall be broken into smaller “nodes” and separated by landscape buffers and/or building placement to reduce the visual and environmental impact of large, impervious parking fields. (Figure 4.3)
- e. The transition between multi-family residential and existing single-family residential areas shall be enhanced to achieve maximum compatibility through design solutions including but not limited to, building orientation, use of clerestory windows for upper stories, wall height, and landscape buffering.

2. ACCESS AND CIRCULATION (20-78-4.A.2)

- a. Vehicle circulation and parking should be internalized within the development. Circulation design (scale and location) should be compatible with the adjacent neighborhood.
- b. The development should provide pedestrian access to adjacent non-residential areas by incorporating wall and landscape penetrations into the pedestrian circulation element.
- c. The development shall provide a continuous walkway from each abutting right-of-way (ROW) to the leasing office. The walkway shall be separated from all vehicular traffic movements except where drive aisle crossings are necessary.
- d. The on-site pedestrian circulation system shall link the various site amenities and components (i.e. parking fields, play areas, clubhouse, pools, recreation center, refuse enclosures). (Figure 4.4)
- e. Decorative materials should be used to clearly delineate pedestrian walkways. The use of hardscaping for walkways is encouraged when it is not in conflict with ADA requirements.
- f. Pedestrian walkways/paths traversing on-site vehicle drive aisles shall be distinguished with an alternative hardscape material such as, pavers, Streetprint™ and patterned, stamped, or colored concrete. Exposed aggregate is not generally viewed as an acceptable material.
- g. On-site vehicular circulation should be designed to reduce pedestrian/vehicle conflicts through the incorporation of appropriate traffic calming measures.



Figure 4.4—Open spaces and site amenities are linked by a lighted pedestrian path.

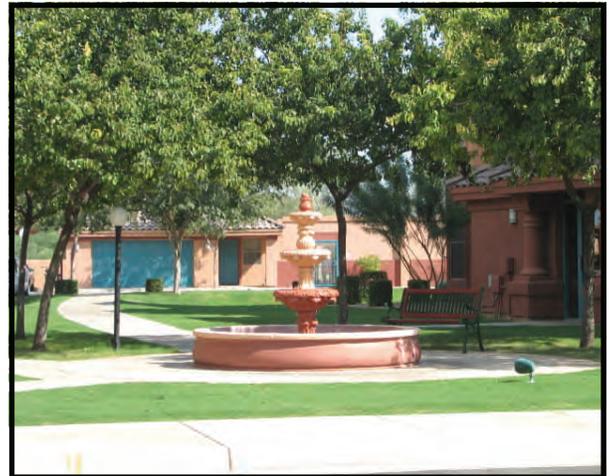


Figure 4.5—Shaded pedestrian refuge area provides respite and opportunities for gathering.



Figure 4.6—This alternative parking canopy continues the thematic character of the development.



Figure 4.7—Recessed garage doors provide additional façade articulation.



Figure 4.8—Palm-lined median provides a “splashy” entry into the development.



Figure 4.9—Handsome covered entry punctuates the thematic character of the development.

- h. Site design should encourage alternative modes of transportation. Such design considerations include connections to existing off-site trails/paths and bikeways, bicycle parking and storage areas, and designs facilitating the use of mass transit.
- i. The on-site pedestrian circulation system shall incorporate regular and evenly distributed placement of shaded, well-lit bench seating and other pedestrian refuge areas. (Figure 4.5)
- j. Dead end drive aisles are discouraged.

3. PARKING AREAS (20-78-4.A.3)

- a. Carports and detached garages shall incorporate curved and pitched roof elements of a design similar to the principal structure on the site. (Figure 4.6)
- b. Garage doors should appear to be set into the walls rather than flush with the exterior wall. (Figure 4.7)
- c. Ground-level parking structures should be screened from view by two (2) or more of the following:
 1. Walls containing architectural details, such as banding or similar architectural embellishments incorporated into the building design.
 2. Trees and shrubs.
 3. Grillwork and/or Greenscreens incorporating decorative metal artwork or panels.

- d. Raised planting areas, with a minimum interior dimension of five (5) feet should be used to separate double-loaded parking areas.

4. PROJECT ENTRY AND CHARACTER

(20-78-4.A.4)

- a. A combination of ornamental landscaping, landscaped medians, water features, architectural monuments, decorative walls, signs, and/or enhanced paving shall be incorporated into the primary themed entry as accent features. Three (3) or more of the following elements shall be incorporated into the Primary Themed Entry of the development:

1. Landscaped median. (Figure 4.8)
2. Identifying building form such as a covered entry. (Figure 4.9)
3. Unique pedestrian scale lighting or bollards.
4. Prominent architectural features or monuments, such as a trellis or arbor. (Figure 4.10)
5. Ornamental gates and/or decorative walls.
6. Water features. (Figure 4.11)
7. Other feature (s) as approved through Site Plan Review.

- b. Project entry features shall be reflective of the overall architectural identity and character of the project.

- c. The entry throat into the development shall be



Figure 4.10—Entry feature incorporates water feature, trellis, accent landscaping and a decorative gate.



Figure 4.11—This entry incorporates a decorative water feature into a landscaped roundabout.



Figure 4.12—The entry throat into the complex is distinguished with hardscaping.



Figure 4.13—Multiple sightlines provide “eyes” onto the parking area.



Figure 4.14—Pathways are well delineated, lighted and visible from units.



Figure 4.15—Enclosed passive open space areas are lighted and visible from balconies and windows.

distinguished with hardscape materials such as pavers, Streetprint, and patterned, stamped or colored concrete. Exposed aggregate is not generally viewed as an acceptable material. (Figure 4.12)

5. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (20-78-4.A.5)

- a. Entrances into parking lots should be defined by landscaping, architectural design, or monitored by a guard.
- b. All doors that open to the outside should be well lit and visible from the street, parking area, or neighboring units.
- c. Parking areas, pedestrian walkways, elevators, stairwells, and recreation areas should be visible from multiple perspectives. (Figure 4.13)
- d. Refuse enclosures should not create blind spots or hiding areas.
- e. Buildings should be sited so that the windows and doors of one unit are visible from another.
- f. All four (4) facades should have windows.
- g. Building entrances should be accentuated by architectural elements, lighting, and/or landscaping.
- h. Landscape design should not preclude visibility or surveillance capabilities to common areas and units.
- i. For safety purposes, exterior doors should be designed with a solid core, peep holes, deadbolt

locks, and reinforced with strike plates.

- j. “Hostile Vegetation” such as Ocotillo, Cacti or other plant types that discourage pedestrian movement or vandalism should be placed under windows or adjacent to long, remote expanses of perimeter walls.
- k. Pedestrian walkways should be safe, visually attractive, and well defined by landscaping and lighting. (Figure 4.14)
- l. All areas including pedestrian walkways/paths, active play areas, and open space shall be adequately lighted and designed to assure safety and security. All lighting shall be properly shielded from adjacent properties. (Figure 4.15)
- m. Common open spaces should be conveniently located for the majority of units. Children’s play areas should be visible from as many units as possible. (Figure 4.16)

6. OPEN SPACE (20-78-4.A.6)

- a. The development shall provide both passive and active recreation areas such as barbeque grills, swimming pools, tennis courts, and exercise courses. (Figure 4.17)
- b. Active play areas should be located in centralized locations. Care should be taken to mitigate noise generation when locating adjacent to lower density uses and on-site residential units.
- c. Common useable open space and recreation areas shall be provided at a prescription of one hundred fifty (150) square feet per bedroom. All such areas shall be unencumbered and be a minimum width of twenty (20) feet.



Figure 4.16—Common pool is visible from units and through wrought iron fence.



Figure 4.17—This exercise course provides an alternative active recreational amenity.



Figure 4.18—Private balconies are provided for each unit.



Figure 4.19—Clubhouse promotes social interaction and fitness.



Figure 4.20—Pool with cool decking and shaded areas.



Figure 4.21—Highly visible tennis court.

- d. Private balconies shall be provided for each unit. Such space shall have an unencumbered area of at least twelve (12) feet in diameter for ground floor units and eight (8) feet in diameter when provided by a balcony for upper floors. (Figure 4.18)
- e. Useable open space areas and on-site amenities should be distributed equitably throughout the development. (Figure 4.19)
- f. The minimum amount of project amenities shall be provided per the following schedule:

<u>Total Units</u>	<u>Amenities Required</u>
Less than twenty (20) units	One (1) amenity
20-99 units	Three (3) amenities
100-179 units	Four (4) amenities
180-259 units	Five (5) amenities
260 units +	Six (6) amenities plus second pool

The following amenity options are representative of the size, type and scale of amenities acceptable to meet the schedule above. The listing is not intended to represent all amenity options. Alternative amenity options may be considered during the Site Plan Review process.

1. Swimming pool, Ramada and cool deck perimeter; (Figure 4.20)
2. Jacuzzi area with Ramada;
3. Ramada or trellis feature with barbeque and shaded seating areas;
4. Tot lot / Jungle Gyms;

5. Regulation size volleyball court;
6. Other hard surface multi-use court (60' x 60' minimum);
7. Lighted regulation size tennis court and/or lighted regulation size racquetball court; (Figure 4.21)
8. Weight room;
9. Par course;
10. Demonstration garden;
11. Putting green.

7. LANDSCAPING (20-78-4.A.7)

- a. Landscaping shall be provided at the foot of buildings to soften the transition between paved areas on the ground plane and building materials on the vertical plane. (Figure 4.22 and 4.23)
- b. Potted plants, ornamental landscaping, and architectural features should enhance courtyards, plazas, and other gathering areas. (Figure 4.24 and 4.25)
- c. Flowering trees and shrubs should be used to provide color and accentuate entrances and activity areas. (Figure 4.25)
- d. Landscaping should be used to define areas such as building entrances, key activity hubs, focal points, and the street edge. (Figure 4.26)



Figure 4.22—Landscaping at the foot of the building to soften the appearance.



Figure 4.23—Varying heights of landscaping softens the façade and reduces massing.



Figure 4.24—Attractive trellis feature, natural materials and landscaping to accentuate a courtyard.



Figure 4.25—Trellis and colorful landscaping artfully accentuate courtyard activity area.



Figure 4.26—Landscaping used as a means of “wayfinding” directing residents to the clubhouse.



Figure 4.27—Decorative bollards provided along a pedestrian connection.

- e. Use of native vegetation and low water plants shall conform to the Phoenix Active Management Areas Low Water Using Plant List, and be planted in conjunction with an efficient water system.

8. LIGHTING (20-78-4.A.8)

- a. Lighting shall be provided within outdoor spaces to provide visual interest as well as a security function.
- b. Decorative theme lighting, accent lighting, or lighted bollards shall be placed along pedestrian connections and in useable open space areas to improve visibility and safety. (Figure 4.27)
- c. Gated entry features shall use integrated decorative lighting to enhance walls and signage.
- d. Lighting design shall be compatible with the building architecture, with fixtures of a consistent type and size within the development. (Figure 4.28)

9. WALLS AND FENCES (20-78-4.A.9)

- a. Entry signage, refuse enclosures, perimeter walls, and other appurtenances shall be consistent with the thematic character of the development through the use of common integrative elements such as colors, materials, and architectural style. (Figure 4.29)
- b. Walls adjacent to retention areas, trails, parks or other useable open space areas shall incorporate regular undulation or variation in materials. View fencing is strongly encouraged.

c. Perimeter walls shall integrate at least three (3) of the following treatments:

1. Integration with one or more of the following: inlays, materials or color accents, capping, decorative pilasters, wrought iron, planters, or other approved feature that adds visual interest. Strong geometric patterns are strongly discouraged. (Figure 4.29)
2. Incorporation of raised planters.
3. Incorporation of decorative stone or masonry pillars with caps.
4. Incorporation of decorative wrought iron trellises or artistic features in context with the area.
5. Other alternative design as approved during the Site Plan Review Process.

10. REFUSE ENCLOSURES (20-78-4.A.10)

a. Refuse enclosures shall be:

1. Internalized and oriented away from arterial streets and abutting residential areas.
2. Architecturally compatible through use of common colors, materials, and design. (Figure 4.30 and 4.31)
3. Placed in convenient, proximate locations for tenant convenience and pickup service.

11. CLUSTER MAILBOXES (20-78-4.A.11)

a. Cluster mailboxes shall be:



Figure 4.28—Uniform application of wall sconces add interest to the building architecture.



Figure 4.29—Wall is consistent with the thematic character and allows surveillance into the parking areas.



Figure 4.30—Refuse enclosure continues the complex theming.



Figure 4.31—Trash enclosure blends into the complex with color and design treatments.



Figure 4.32—Mailbox utilizes consistent roof pitch and materials, trim, and base color.



Figure 4.33—Mailbox appears as an extension of the building.

1. Located in a central and well-lit area and located no closer than three (3) feet from any residential privacy wall.
2. Cluster mailboxes should be screened or designed in a manner consistent with the thematic character of the development through the use of common integrative elements such as color palette, building materials, and roof pitch. (Figure 4.32 and 4.33)

12. UTILITY AND MECHANICAL EQUIPMENT (20-78-4.A.12)

- a. Noise generating equipment should be located away from residential units, public spaces, and pedestrian areas.
- b. Backflow preventers for landscape irrigation and domestic water shall not be located at visually prominent locations and shall be well-screened with shrubs, berming, or low-screen walls.
- c. Roof access ladders and roof drains/dowspouts shall be internalized within the building.
- d. Mechanical equipment, ground and roof mounted, shall be screened from public view. (Figure 4.34)
- e. Utility screening requirements including Service Entrance Sections are located in Chapter 5 Supplementary Standards.

B. ARCHITECTURAL FORM (20-78-4.B)

1. BUILDING MASS/ARTICULATION (20-78-4.B.1)

- a. The visual impact of large monolithic structures shall be minimized by creating a cluster of smaller buildings or the appearance of a series of smaller buildings. (Figure 4.35 and 4.36)
- b. All buildings shall integrate variations in exterior walls in depth and direction. Use building pop-outs, arches, and upper-story balconies to break up massing.
- c. Minimize the bulk and appearance of structures through the use of sloping rooflines consisting of varying roof heights, directions, and shapes. Incorporate varied building heights at the street. Avoid massive straight rooflines with flat appearances. (Figure 4.37)
- d. Multi-story buildings (exceeding two (2) stories) should step back from the street and adjacent properties. Incorporate a tiered design with one (1) or two (2)-stories in the front and increasing to multiple stories in the rear. (Figure 4.36 and 4.38)
- e. Building placement and orientation shall vary for design interest and visual relief.
- f. The use of landscaping as a design element is encouraged to reduce building mass. Landscaping should accentuate and compliment architecture. Explore the use of berms or raised planters against a large structure.
- g. Multiple design solutions shall be integrated into the building to provide visual interest and variation. Such design solutions may consist of projecting private balconies, building wall recesses, pop-outs, varied wall planes, dormers, mansard roof, decorative window treatment, brick or stone veneers, color changes, and other architectural elements. (Figure 4.39)
- h. Horizontal façades longer than thirty (30) feet



Figure 4.34—Utility is screened from street view by a wall and landscaping.



Figure 4.35—Three-story complex reduces visual impact through articulation, balconies, and color contrast.



Figure 4.36—Building integrates varying shapes and colors to reduce massing.



Figure 4.37—Varying roof height and direction coupled with color and form reduces the apparent bulk.



Figure 4.38—Third-story units are stepped back.



Figure 4.39—Building integrates balconies, arches, dormer windows, rounded corners and popouts.

shall be articulated into smaller sections utilizing at least four (4) of the following methods: (Figure 4.40 and 4.41)

1. Varied building heights.
2. Different materials used on first floor.
3. Different window types.
4. Different colors.
5. Offsets.
6. Projecting roofs (minimum of twelve (12) inches).
7. Recesses.
8. Bay windows.
9. Variable roof forms or orientation.
 - i. Building facades should incorporate design elements that enhance the pedestrian environment.
 - j. Deep roof overhangs are encouraged to create shadow and add depth to facades.
 - k. Shade structures and screening shall be architecturally and functionally integrated with the established design theme.
 - l. Garages and storage/utility areas shall be architecturally integrated into the established design theme. (Figure 4.42)

- m. Exterior stairways shall be designed with at least one ninety (90) degree angle turn from floor to floor.
- n. Downspouts shall be internalized.

2. FENESTRATION (20-78-4.B.2)

- a. Windows shall employ design details as appropriate to the architecture, such as mullions, arched windows, shutters/faux shutters, window surrounds, awnings, and canopies to break the scale of the façade into smaller components. (Figure 4.43)
- b. Unifying architectural elements shall be used to carry a window pattern across a façade, such as a common sill or header line. (Figure 4.44)
- c. Shaped frames and sills shall be used to enhance openings and add additional relief. They should be proportional to the glass area framed (i.e. a larger window should have thicker framing members). (Figure 4.45)
- d. Windows shall be provided in facades facing streets, comprising at least twenty (20) percent of the façade area.
- e. Windows and balconies should be designed so that visual and auditory intrusions on private outdoor space of other units or adjacent development are minimized. (Figure 4.45)
- f. Window and door type, material, shape, and proportion shall complement the architectural style of the building.



Figure 4.40—Building integrates arches, stone veneer, varying roof planes, articulation and distinctive colors.



Figure 4.41—Massing reduced by brick accents, ornamentation, distinctive colors, capping, and articulation.



Figure 4.42—Garages are integrated into the design character.



Figure 4.43—Window surrounds, sills and proportional faux shutters add interest to the windows.



Figure 4.44—Prominent and substantial windows advance the architectural lines across the façade.



Figure 4.45—Shaped frames, sills, mullions and ornamentation add relief and interest to the façade.

3. COLORS AND MATERIALS (20-78-4.B.3)

- a. The color and material palette(s) shall be appropriate to the context. (Figure 4.46)
- b. Where appropriate to the architectural style, materials and textures shall vary between the base and body of a building to break up large wall planes and add visual base to the building.
- c. Material changes shall occur at intersecting planes, preferably at inside corners of changing wall planes or where architectural elements intersect, such as a chimney, pilaster, projection, or pop-out.
- d. All developments shall provide a minimum of three (3) distinct color and material palettes. Each palette shall be distributed evenly throughout the project. (Figure 4.47 and 4.49)
- e. All developments shall provide substantial accent materials, such as stone, brick, tile or other similar materials to add texture and visual interest to all building elevations. Accent materials shall not be limited to typical wainscot height (3-4 feet) and may include all or most of the following: (Figure 4.48)
 1. Stone clad or concrete columns as patio/porch supports.
 2. Integrated corbels (wood or treated synthetic materials) placed under eaves at corner locations or throughout project.
 3. Stone wainscot at varied heights with accented caps.
 4. Integrated lighting sconces beyond individual porch lights.

5. Scored stucco areas where color changes or the addition of accent materials is not practical.
 6. Pop-outs and other projections of materials other than wood frame and stucco. (Figure 4.50)
 7. Decorative wrought iron accents in the form of stairway railings, gates into entry and amenity areas and patio/porch accents.
 8. Large raised planters or pots placed in key areas to break up long walkways or parking areas.
 9. Other creative accent materials and/or methods presented and approved during the Site Plan and Design Review Process. (Figure 4.50)
- f. All accessory structures (i.e. garages, parking canopies, gazebos, etc.) shall conform to the dominant design theme of the development. For example:
1. Stone clad or concrete columns under gazebos and along pool areas.
 2. Decorative wrought iron pool fencing and gates.
 3. Timber trellises/gazebos with integrated corbels.
 4. Iron or thematic wood/timber accents such as trellises, 'brows', or other interest items around or above garage doors.
 5. Color matched parking canopies. (Figure 4.51)
 6. Garage door colors that allow doors to blend in.



Figure 4.46—The use of warm and subdued colors is appropriate to this desert environment locale.



Figure 4.47—Multiple color palettes are utilized.



Figure 4.48—Substantial use of stone, strong cornice treatment, capping, and other details add prominence.



Figure 4.49—A strong, bold palette with varying shapes and architectural lines creates “splash” and interest.



Figure 4.50—The use of popouts, projections, capping and strong color distinction liven a side façade.



Figure 4.51—Alternative parking canopies are consistent with the thematic character.

IV. Utility Cabinet Screening

IV. Utility Cabinet Screening

IV. UTILITY CABINET SCREENING

A. INTENT (20-78-5.IV.A)

The purpose of this section is to establish placement and screening criteria for utility cabinets and infrastructure to reduce the visual impacts created by the location of equipment along arterial and collector roadways.

B. STANDARDS (20-78-5.IV.B)

1. PLACEMENT STANDARDS (20-78-5.IV.B.1)

The developer is responsible to work with the utility companies to coordinate the location of utility cabinets according to the provisions listed below. If required, an on-site easement shall be provided by the developer. The City shall comment on the location and screening methods of all utility cabinets in standard comment form and will prepare a standard Condition of Approval / Stipulation upon site plan approval, which must be satisfactorily addressed during building permit review. The City shall have the authority to modify the placement of the utility cabinets, walls, berming and landscaping to provide sufficient screening from public rights-of-way, public access easements, roadway easements, and private streets.

The utility cabinets shall be placed in the designated areas as indicated below. Deviation from these areas may be approved by the Planning Manager or designee provided sufficient justification is afforded by the applicant.

a. **Utility Cabinet Placement**

Non-Residential / Multi-Family

1. Landscape Buffer or Side/Rear Setback area. (Figure 5.55)

Utility cabinets shall be located in landscape buffers or side / rear building setback areas. The location shall be outside of retention and street frontage landscape areas and must be accessible by service vehicles.

2. Street Frontage Landscape Area (Figure 5.56)

Utility cabinets of any height shall not be located within sight visibility triangles (per Engineering Department detail) associated with driveways and road intersections. Cabinets exceeding thirty (30) inches in height shall be located beyond the first one hundred and fifty (150) feet of street frontage and primary driveways measured from face of curb of the intersection and at least fifty (50) feet from any sight visibility triangle. Cabinets less than thirty (30) feet in height may be located within the first one hundred and fifty (150) feet of the site, but may not be located in a 75' x 75' triangle at the intersection of two (2) arterials. For roads that are recognized as scenic roadway corridors or requiring a special setback / landscape buffer, utility cabinets shall be placed along a side street, access aisle or completely outside of the setback/ landscape buffer area. In all locations, cabinets must be outside of retention areas and must be accessible by service vehicles.

Single-Family Residential

1. Residential Development (Figure 5.57)

To the maximum extent possible, utility cabinets are to be located on streets classified as residential/ local streets only. The cabinets shall be located in PUE's in areas contained within the side / rear yard landscape tracts. In the event that placement along collector or

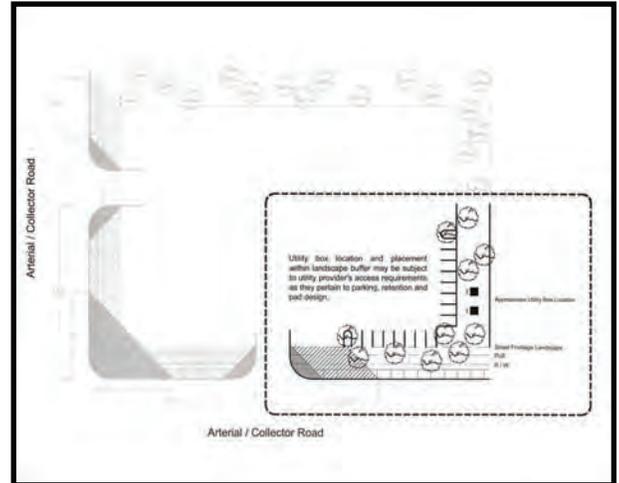


Figure 5.55—Landscape Buffer of Side/Rear Setback Area.

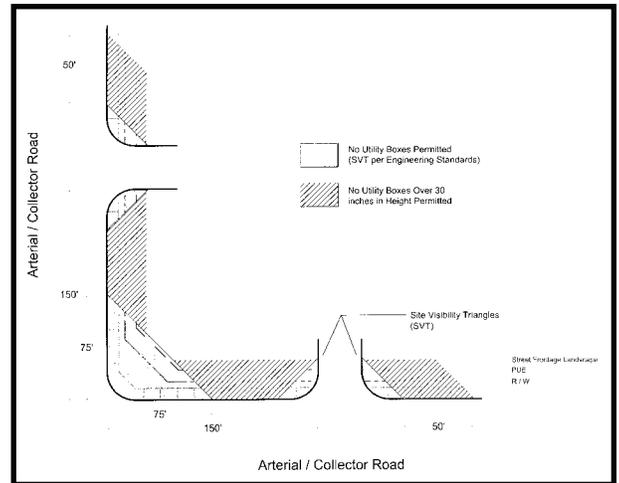


Figure 5.56—Street Frontage Landscape Area.

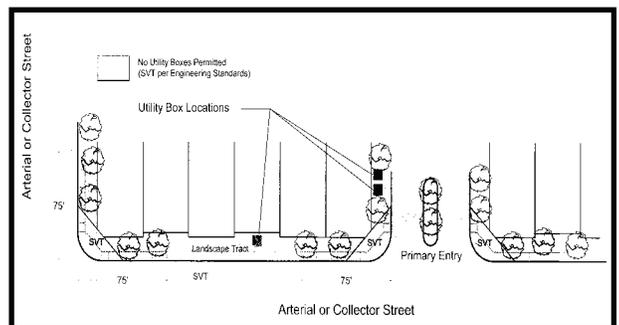


Figure 5.57—Residential Development.



Figure 5.58—Service Entrance Section screened with landscaping and an architecturally compatible wall.

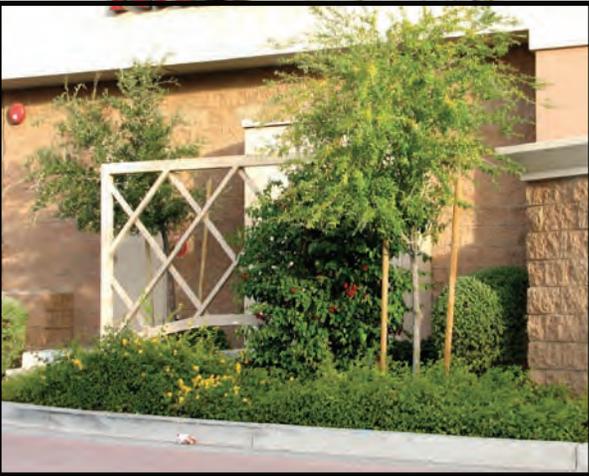


Figure 5.59—Trellis and dense landscaping provide ample screening of Service Entrance Section



Figure 5.60—Screen wall conceals a Service Entrance Section on an industrial building

arterial streets is unavoidable, a modified version of Option #2 above will be applied. For all primary entrances, no cabinets shall be located along the collector or arterial street within seventy five (75) feet of the entry. Flexibility will be granted for the distance requirement along the entry 'throat' into the development due to variations in minimum lot depth. Cabinets located along collectors and arterials shall be inset into required wall undulations, provided accessibility is maintained. In all locations, cabinets must be outside of retention areas and must be accessible by service vehicles.

2. SCREENING DESIGN STANDARDS (20-78-5.IV.B.2)

a. Utility Cabinets

Utility cabinets shall be screened by architecturally integrated walls that complement the architecture of the surrounding development, berming and / or dense landscaping. Walls cannot limit accessibility to the cabinet.

The exterior of all utility cabinets shall utilize earth tone colors to match the predominate color of the surrounding groundcover material / screenwalls.

b. Exterior Wall Equipment

Exterior wall equipment, including electrical meters, electrical distribution cabinets, service entrance sections (SES) shall be incorporated in the design of the building, whether in a separate utility room or in an alcove to allow the equipment to be flush with the building façade.

Exterior wall equipment that is contained in an alcove located on the street side of the building and shall be fully screened from view through the use of screen walls, landscaping, trellis, green screens, or a combination thereof.



Figure 5.61—Exterior wall equipment is located in alcove in loading area for protection and screening.

Appendix F

City of Peoria Zoning Excerpts

The following Articles have been included herein to lock regulations as of a certain date and/or to amend certain regulations specifically for the Vistancia community. These Articles shall take precedence over the current City of Peoria regulations where a conflict exists. For development not addressed in the following excerpts, current City regulations shall govern.

ARTICLE 14-2

DEFINITIONS

CONTENTS

14-2-1 INTENT

14-2-2 DEFINITIONS

14-2-1 INTENT (Ord. No 02-68)

This Article is intended to clarify the meaning of any term used within the regulations and development standards for which the common definition may not serve the purpose of the regulations, or which is not a commonly used term outside of the context of this Zoning Ordinance.

14-2-2 DEFINITIONS

- A. The word *occupied* and the word *used* shall be considered as meaning the same as the words intended, arranged, or designed to be used or occupied.
- B. The word *dwelling* includes the word residence; the word *lot* includes the words plot or parcel.
- C. Terms not herein defined shall have the meanings customarily assigned thereto.
- D. For the purpose of this Zoning Ordinance, certain words are hereby defined as follows (Ord. No. 02-68):

Abutting means the condition of two adjoining properties having a common property line or boundary, including cases where two or more lots adjoin only a corner or corners, but not including cases where adjoining lots are separated by a street or alley.

Access or Access way means the place, means or way by which pedestrians and vehicles shall have adequate and usable ingress and egress to a property or use as required by this Ordinance. (Ord. No. 94-74)

Adjoining, Adjacent means the condition of being near to or close to but not necessarily having a common dividing line, i.e., two properties, which are separated only by a street or alley, shall be considered as adjoining one another.

Adult Arcade means a commercial establishment wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five or fewer persons per device at any one time, and where the images so displayed are distinguished or characterized by the depicting or

describing of "specified sexual activities" or "specified anatomical areas." (Ord. No. 98-34A)

Adult Bookstore, Adult Retail Store or Adult Video Store means a commercial establishment, which meets both provisions, a and b below: (Ord. No. 98-34A)

1. A commercial establishment having as a substantial or significant portion of its stock in trade offering for sale or rental, for any form of consideration, anyone or more of the following:
 - a. Books, magazines, periodicals or other printed matter, photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations, video disks, computer animation or computer generated imaging which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or
 - b. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities," excluding condoms, diaphragms, contraceptive inserts, contraceptive medications and other birth control or disease prevention devices prescribed by a licensed medical doctor or osteopathic doctor.

A commercial establishment may have other business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore, adult retail store or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore, adult retail store, or adult video store.

2. Regularly excludes all minors from the premises or a separate defined section thereof because of the sexually explicit nature of the items sold, rented or displayed therein.

Adult Cabaret means a nightclub, bar, restaurant, or similar commercial establishment which during any part of any two or more days within a continuous thirty (30) day period features live performances or activities which are characterized by the exposure of "specified anatomical areas" or "specified sexual activities". Nothing in the definition of "adult cabaret" shall be construed to apply to the presentation, showing or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher learning or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purposes of advancing the economic welfare of a commercial or business enterprise. (Ord. No. 98-34A)

Adult Motel means a hotel, motel or similar commercial establishment that: (Ord. No. 98-34A)

1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures,

video cassettes, slides or other photographic representations which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or

2. Offers a sleeping room for rent for a period of time that is less than 10 hours; or
3. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten (10) hours.

Adult Motion Picture Theater means a commercial establishment having as a substantial or significant portion of its stock, where for any form of consideration, films, motion pictures, video cassettes, slides, video disks, or similar photographic or video graphic reproductions are regularly shown as one of its business purposes and that are characterized by the depiction or description of specified sexual activities or specified anatomical areas. Nothing in the definition of "adult motion picture theater" shall be construed to apply to the presentation, showing or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher learning or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purposes of advancing the economic welfare of a commercial or business enterprise. (Ord. No. 98-34A)

Adult Theater means a theater, concert hall, auditorium, or similar commercial establishment that regularly features persons who appear in a state of nudity or live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities. Nothing in the definition of adult theater shall be construed to apply to the presentation, showing or performance of any play, drama or ballet in any theater, concert hall, fine arts academy, school, institution of higher learning or other similar establishment as a form of expression of opinion or communication of ideas or information, as differentiated from the promotion or exploitation of nudity for the purposes of advancing the economic welfare of a commercial or business enterprise. (Ord. No. 98-34A)

Adult Use means a commercial establishment whose business is distinguished or characterized by an emphasis on matter depicting or describing specified sexual activities or specified anatomical areas. The following uses as defined within this Article shall be designated as Adult Uses: (Ord. No. 98-34A)

1. Adult Arcade
2. Adult Bookstore, Adult Retail Store or Adult Video Store
3. Adult Cabaret
4. Adult Motel
5. Adult motion picture theater

6. Adult theater
7. Nude Model Studio
8. Sexual Encounter Center
9. Any combination of classifications set forth in subsection 1 through 8 above.

Adverse Impact means a negative consequence for the physical, social, or economic environment resulting from an action, use, or development. (Ord. No. 02-68)

Agriculture, General means the practice of growing soil crops in the customary manner in the open on tracts of land comprising at least two contiguous commercial acres, including grazing and such customary incidental activities as the raising of farm poultry and farm animals, the storage and processing of soil crops, the production of eggs and dairy products and the slaughter and processing of poultry and animals raised on the premises for use on the premises; provided, however, that farms primarily engaged in the production of special animal crops such as egg farms, chicken farms, hog ranches, fur farms, dairy farms and cattle feeding farms shall not be considered to be practicing general agriculture.

Alley means a dedicated public way affording a secondary means of vehicular access to abutting property and not intended for general traffic circulation.

Alternative tower structure means man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflages or conceal the presence of antennas or towers. (Ord. No. 98-15)

Average Area per Dwelling Unit means the average area equals the gross subdivision plat area less all dedicated street area (or street tract in the case of private streets), divided by the proposed number of residential lots within the plat. Up to 40% of the proposed lots within the subdivision plat may utilize the residential standard provided by the next higher density zoning district.

Bed and Breakfast Inn means a house, or portion thereof, where short-term lodging rooms and meals are provided for a fee. The operator of the inn shall live on the premises or abutting premises. In no event shall a Bed and Breakfast Inn have for rent more than five (5) rooms. A Bed and Breakfast Inn does not include institutions for the care of alcoholics, drug addicts, and persons with mental illness or communicable diseases, group care homes, community residential setting facilities and recovery centers licensed by the State of Arizona. (Ord. No. 99-101)

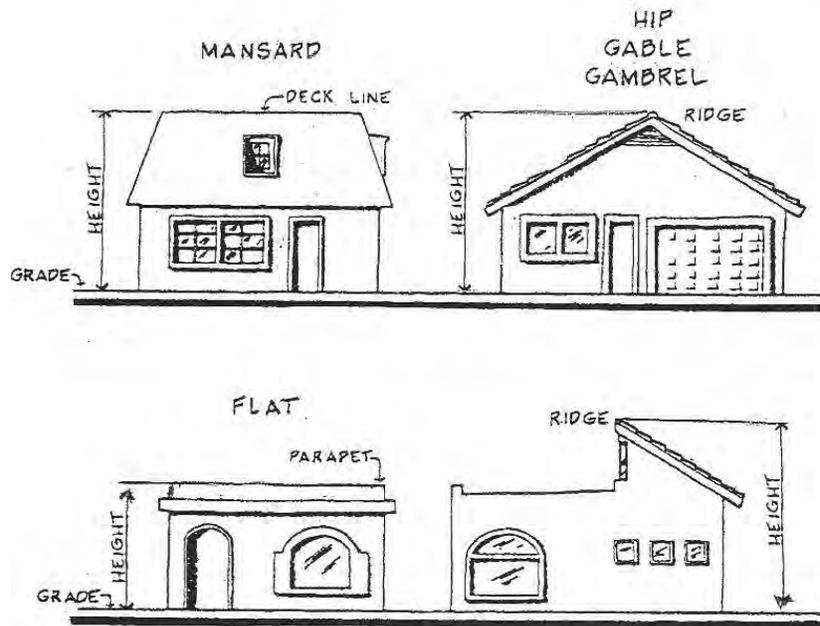
Board means the Peoria Board of Adjustment.

Body Piercing Studio means a business that as one of its principal uses implants, perforates, or pierces the skin or other body part to make a hole, mark or scar for a non-medical purpose. A Body Piercing Studio shall not include a Jewelry Store, Boutique, Beauty Parlor or similar establishment that uses a mechanized, pre-sterilized ear piercing system that penetrates the outer perimeter or lobe of the ear or both as an accessory use to a principal use. (Ord. No. 00-28)

Building means any structure having a roof and used or built for the shelter or enclosure of persons, animals, chattels or property of any kind, including, but not limited to, tents, awnings, carports, ramadas, mobile homes or vehicles situated on private property and used for purposes of a building.

1. Principal building means a building, or where the context so indicates, a group of buildings, within which is conducted the principal use of the lot on which the building is situated.
2. Accessory building means a subordinate building on the same lot with a principal building or use, the use of which is customarily accessory and incidental to the main use of the principal building or use. When attached to the principal building, such accessory building shall be considered as part of the principal building for purposes of setback and yard regulations.

Building height means the vertical distance measured from grade to the highest point of the parapet for flat roofs, to the deck line of a mansard roof or to the ridgeline for gable, hip and gambrel roofs. (Ord. No. 04-187)



Campus means a contiguous area of land constituting the grounds of a college or university containing the main buildings or within the main enclosure. (Ord No. 02-68)

Carport means an accessory building, attached or detached, having one or more open sides used by occupants of the principal building.

Casita Unit means an accessory unit to a single-family dwelling, attached to or detached from the main dwelling unit that is intended for providing living space

separate from the main unit. The unit shall not be rented or leased separate from the main building. Such units may provide separate cooking facilities.

Catering Establishment means an establishment where food is sold for consumption off-premises with no counters or tables for consumption of food on the premises. (Ord. No. 04-188)

Church, synagogue or temple means a permanently affixed building, where one of the principal uses is for religious worship. (Ord. No. 98-34A)

Citizen Participation Plan means a plan submitted by an applicant for a rezoning that specifies how the applicant intends to: (1) identify the persons who own property in the vicinity of or may be interested in or affected by the proposed rezoning; (2) identify the process for meeting with these persons; (3) identify how comments and concerns will be received at the meeting(s) or in communications and how they will be evaluated; and (4) prepare a report for submittal to the City regarding the results of the meeting(s) and communications. (Ord. No. 05-25)

Clinic means a building or part thereof in which the ambulatory patients are provided diagnostic, therapeutic or preventative medical, surgical, dental or optical treatment by a group of doctors acting conjointly, but not providing for overnight residence of patients.

College or University means an educational institution offering academic courses beyond the high school level and awarding associates, baccalaureate or higher degrees. Such facilities may include lodging or housing facilities for students or faculty. (Ord. No. 99-89)

Commercial Acre means an area of thirty-five thousand (35,000) square feet, being an approximation of the area left remaining after dedication of normal public street right-of-way from a full acre.

Commission means the Peoria Planning and Zoning Commission.

Community Residential Facility means a facility licensed by the State of Arizona for more than six (6) developmentally disabled persons. (Ord. No. 97-41)

Conditional Use means a use permitted in zoning district regulations, subject to a finding that all criteria imposed pursuant to this Ordinance will be met and including conditional use permits and special conditional use permits. (Ord. No. 98-34A)

Condominium means a building or group of buildings in which units are owned individually and the structure; common areas and facilities are owned by all the owners on a proportional, undivided basis. Condominiums may be residential, commercial or industrial in nature. (Ord. No. 88-09)

Construction means all structures, driveways, parking, vehicle storage, nonnative landscaping, water surfaces, decks, walks, and improved recreation facilities on the subject property. (Ord. No. 02-68)

Construction Yard means an area on or immediately adjacent to a major construction or demolition site used as a temporary basis for parking and storage of equipment used in the project, and the storage and preparation of materials and other items used in the project, including construction offices and shops.

Convenience Food Restaurant means an establishment whose principal business is the sale of foods, frozen desserts, or beverages to the consumer in a ready-to-eat state for consumption either on or off the premises and whose design or principal method of operation includes both of the following characteristics:

1. Foods, frozen desserts or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.
2. The customer is not served food at his/her table by an employee but receives it at a counter, window, or similar facility for carrying to another location for consumption on or off the premises.

Correctional Facility means a facility operated by the Arizona Department of Corrections or Arizona Department of Youth Rehabilitation or private contractors with the above for the post-trial incarceration of juveniles and adult convicted felons. Such facilities are characterized by highly secured premises; restrictions on access and may include lodging and food service facilities. Such facilities do not include holding facilities or detention facilities as defined in this chapter. (Ord. No. 97-100)

Data Center means a location housing one or more large computer systems and related equipment, concerned with building, maintaining or processing data and providing other data processing services. Data Center is also commonly known as a telecom hotel or carrier hotel. (Ord. No. 02-21)

Day Care means the care, supervision and guidance for compensation of four or less children unaccompanied by a parent, guardian or custodian, on a regular basis for periods less than 24 hours per day, in a place other than the child's or children's own home or homes. (Ord. No. 93-25)

Day Care Center means a facility in which day care is regularly provided for compensation for five or more persons not related to the proprietor. The care of four or less persons shall not be considered a day care center. (Ord. No. 93-25)

Day Care Group Home means a residential facility, certified by the Arizona Department of Health Services, in which day care is regularly provided for compensation for periods of less than 24 hours per day for not less than 5 full-time and part-time children, but no more than 10 full-time children through the age of 12 years. The principal use of the Day Care Group Home is a single-family dwelling unit designed as a unit for occupancy by one family. (Ord. No. 93-25)

Density means the number of residential dwelling units on a given property divided by the gross acreage of that property.

Department means the Community Development Department, the entity charged with the responsibility for interpreting, administering and enforcing the City of Peoria Zoning Ordinance. (Ord. No. 02-68)

Design Review Committee means the committee established to review and approve a development's conformance to the Vistancia Design Guidelines.

Detention Facility means a facility established by the county sheriff, juvenile court or a city or town or by a private contractor with any of the above for the pre-trial detention of persons unable to be released due to lack of funds or non-compliance with court conditions. Such facilities may include lodging and food service facilities. Detention facilities may be used for post-trial incarceration of juveniles and adults for a period not to exceed six months. Such facilities do not include holding or correctional facilities. (Ord. No. 97-100)

Development means the performance of any building or mining operation, the making of any material change in the use or appearance of any structure or land, the division of land into two (2) or more parcels, or the creation or termination of access rights, and shall include, but not be limited to, such activities as the construction, reconstruction, or alteration of the size, or material change in the external appearance of a structure or land; commencement of mining excavation, trenching, or grading; demolition of a structure or removal of vegetation; deposit of refuse, solid waste or fill; alteration of a floodplain or bank of a water course. (Ord. No. 02-68)

Development Parcel means a sub-area of each development unit (village) referenced by letter (development unit) and number (parcel). Each development parcel contains a single-land use and, when platted, will vest a single zoning classification from the flexible zoning districts permitted for that land use.

Development Plan means a plan that becomes part of the zoning for a property. The plan depicts site characteristics and development information and provides guidance for site plans. (Ord. No. 00-68)

Development Unit (Village) means a sub-area of the PCD development plan identified by letter and containing multiple development parcels.

District means a portion of the City within which certain regulations and requirements, or various combinations thereof, are applicable under the provisions of this Zoning Ordinance.

Donation Center means a center operated by an organization that collects and sells donated clothing and household items. All such merchandise shall be displayed and stored in an enclosed building. (Ord. No. 04-188)

Drive Access means that area between the curb of a street, or edge of the traveled portion of a street when no curb exists, and the right-of-way/property line over which the City will permit vehicular travel from the traveled portion of a street to an individual property, or off-street parking space(s). A physical break or cut of a curb (curb cut) may be necessary to create a Drive Access. (Ord. No. 88-09)

Drive-in Establishment means a business enterprise, activity or use of land consisting primarily of sales or services rendered to patrons who normally receive the products or utilize the services while in motor vehicles upon the premises,

including but not limited to gas service stations, drive-in restaurants, drive-in laundry and dry cleaning pick-up stations. Drive-in Restaurant means a restaurant, which provides food and beverage service directly to patrons within parked vehicles for consumption primarily on the premises. (Ord. No. 94-74)

Drive-through Facility means a business operation, which provides goods or services, passed through exterior windows or mechanical devices to patrons within motor vehicles. Such business may include, but not necessarily limited to financial institutions, restaurants and dry cleaning establishments. Drive-through facility incidental to a permitted use is considered to be a permitted accessory use. (Ord. No. 02-21)

Drop-off Lane means an on-site one-way queuing lane for dropping off or picking up passengers. (Ord. No. 00-68)

Dwelling Unit (DU) means a building or portion thereof, designed as a unit for occupancy by one family for cooking, living and sleeping purposes.

1. Dwelling, single-family, attached means a building containing dwelling units attached by common walls without openings with each unit on a single lot. The term attached single-family dwelling primarily applies to non-vertically stacked dwelling units. (Ord. No. 02-83)
2. Dwelling, single-family, detached means a building containing not more than one dwelling unit entirely surrounded by open space on one lot. (Ord. No. 93-12)
3. Dwelling, two-, three-, and four-family means a detached building containing two-, three-, or four-dwelling unit developments on one lot. These types of dwelling units apply primarily to triplexes, fourplexes and condominium developments. (Ord. No. 02-83)
4. Dwelling, multi-family means a building or buildings attached to each other and containing three or more dwelling units on one lot with vertically stacked units. The term, multi-family dwelling primarily applies to such dwelling types as apartments and buildings where any dwellings have their primary access to a common hallway or corridor. (Ord. No. 02-83)

Effective Date means the date upon which this Chapter or any amendment hereto becomes effective.

Erected means built, constructed, altered, reconstructed, moved upon; any physical operations on premises which required construction, excavation, fill, drainage and the like, shall be considered part of an erection.

Essential Public Service means the erection, construction, alteration or maintenance by a public service corporation under the jurisdiction of the Arizona Corporation Commission or a political subdivision of this state organized as a special taxing district of underground, surface or overhead gas, electrical, steam, water transmission or distribution systems, poles, wires, mains, drains, sewers, pipes, cables, fire alarm boxes, call boxes, traffic signals, hydrants and other similar

equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities for the public health, safety or general welfare, not including buildings, electrical substations and transmission towers. The provision of telecommunications services, including but not limited to the construction of wireless facilities by a public service corporation under the jurisdiction of the Arizona Corporation Commission or a political subdivision of this state, organized as a special taxing district is specifically deemed not to be an essential service and shall be subject to the provisions of the zoning ordinance. (Ord. No. 98-15)

Excavation means any breaking of ground, except agricultural soil tilling and grounds care.

Family means: (Ord. No. 97-41)

1. An individual or two or more persons related by blood, marriage, or adoption and usual servants living together as a single housekeeping unit in a dwelling unit, or
2. A group of not more than ten persons who need not be related, living together as a single housekeeping unit in a dwelling unit.

Fencing (View) means fencing that is not solid, such as wrought iron or rebar, for the purpose of allowing visual surveillance on public or semi-public spaces.

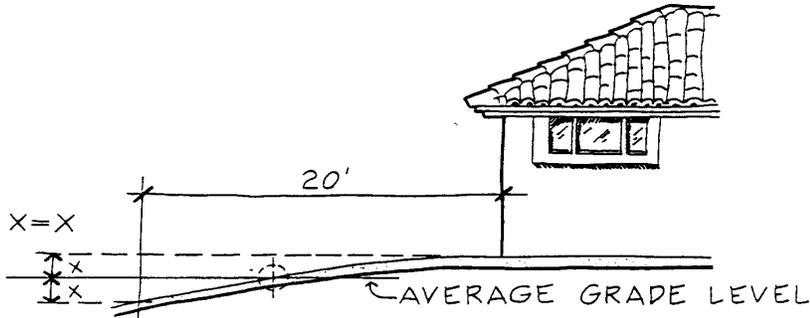
Floor Area, Gross means the sum of the gross horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for motor vehicles, or any space where the floor-to-ceiling height is less than six (6) feet. (Ord. No. 94- 74)

Floor Area, Net means the total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public. (Ord. No. 94-74)

Floor Area Ratio means the gross floor area of all buildings on a parcel divided by the gross area of the parcel.

Gas Service Station means any facility or establishment retailing motor fuel on the premises, whether self-service or otherwise and whether or not service is performed from the premises as described in Section 14-10-3A. (Ord. No. 87-39)

Grade means the average level of the finished ground surfaces surrounding a building or structure, within a distance of twenty (20) feet. (Ord. No. 94-74)



Gross Area (Development Unit) means the area of a development unit including all planned or dedicated streets, alleys, private access ways, open space, and/or easements. Parcel boundaries shall extend to the center of adjacent streets or rights-of-way or other public space.

Gross Area (Development Parcel) means the area of a development parcel included all planned or dedicated streets, alleys, private access ways, open space, and/or easements. Parcel boundaries shall extend to the center of adjacent streets or rights-of-way or other public space.

Group Care Facility means a facility licensed by the State of Arizona, other than a detention facility, state institution, foster home or Group Foster home for more than ten children, or unwed mothers and children. (Ord. No. 97-41)

Group Home means a single residential dwelling unit shared as their primary residence by not more than ten qualified handicapped individuals living together as a single housekeeping unit, in which staff persons provide on-site care, training or support for the residents. Group homes include licensed and qualified Adult Residential Care homes pursuant to A.R.S. 36-448, Group Foster Homes, Supervisory Care Homes, Adult Foster Care Homes and Adult supportive Residential Living Centers. Group Homes shall not include boarding houses, rooming houses or similar enterprises, nursing homes, personal care homes, adult or juvenile detention facilities, recovery facilities, community residential setting facilities, group care facilities, adult day care facilities or Residential Development Disability Facilities regulated pursuant to AR.S. 36-582. (Ord. No. 97-41)

Guest House means an attached or detached accessory building used to house guests of the occupants of the principal building, and which is never rented or offered for rent. Any guesthouse providing cooking facilities shall be considered a dwelling unit.

Handicapped means a person whom: (Ord. No. 97-41)

1. Has a physical or mental impairment that substantially limits one or more of such person's major life activities;
2. Has a record of having such an impairment;
3. Is regarded as having such impairment.

However, "handicapped" shall not include current use of or an addiction to a controlled substance as defined in Title 13, Arizona Revised Statutes or Title 21, United State Code.

Holding Facility means a facility established in conjunction with a law enforcement or public safety building, established for the temporary detention of adult or juvenile persons while being processed for arrest or detention by law enforcement. Such facilities do not include lodging or food service facilities to facilitate a stay longer than necessary for processing of the arrest. Holding facilities does not include detention, correctional or release facilities. (Ord. No. 97-100)

Home Occupation means an occupation carried on solely by the occupant of the residence that is subordinate or incidental to the primary function of the principal residence or dwelling unit. (Ord. No. 00-68)

Hospital means a building or group of buildings in which sick or injured persons are given medical or surgical treatment, examination or care, including overnight residence, together with related facilities, e.g., laboratories, training facilities, staff residences, out-patient department and similar facilities which are an integral part of the principal use.

Hotel or Motel means a building or group of buildings used primarily for accommodation of transient guests in rooms or suites, excluding adult motels. (Ord. No. 98-34A)

Housing (Living Component) means all components of a house not associated with the storage of automobiles.

Housing (Multifamily Attached) means a building or group of buildings serving as attached living units typically for lease (apartments), but may be provided for sale (condominium or timeshare). This term is intended to apply to triplex or greater combinations of units.

Housing (Single Family Attached) means a building containing more than one dwelling unit, each of which has primary ground floor access to the outside, which are attached to each other by common walls without openings in compliance with building codes. This term is intended to apply to townhomes (lot sales).

Housing (Single Family Detached) means a residential structure containing only one dwelling unit entirely separated from buildings on adjoining lots or sites.

Housing (Turn-in Garage Component) means a garage with doors angled 45 degrees or more to the street.

In the Vicinity means property owners who own property within the distance of a rezoning project specified below: (Ord. No. 05-25)

SIZE OF PARCEL
SUBJECT TO REZONING
Up to 40 Acres

NOTIFICATION
DISTANCE
300 feet

40 to 320 Acres
More than 320 Acres

600 feet
900 feet

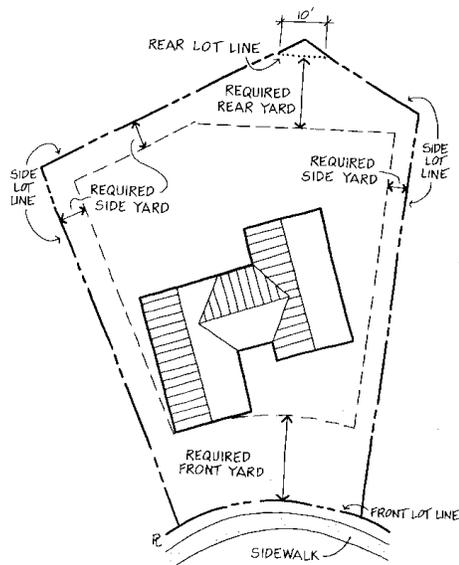
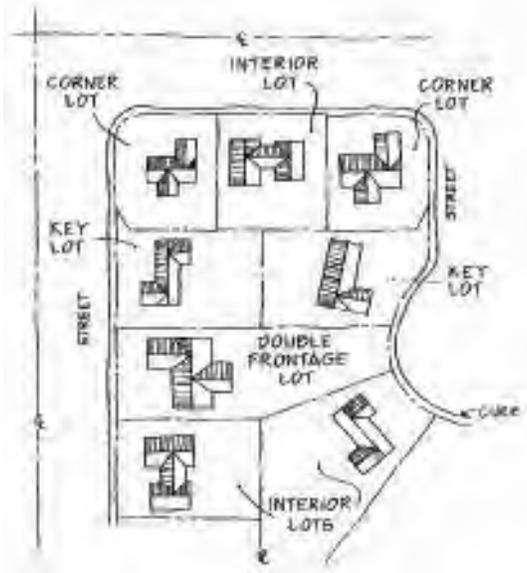
Junk Yard means an open area where waste, used or second-hand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled; including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. A junkyard includes automobile wrecking yards and any area of more than one hundred and twenty (120) square feet for storage, keeping or abandonment of junk, but does not include uses confined entirely within enclosed buildings.

Lattice or Trellis means an open work structure of crossed strips of bars of wood, aluminum or plastic on which vines or other creeping plants may be trained. Specifically excludes chain link, corrugated metal and similar metal materials or vinyl mesh. (Ord. No. 99-112)

Loading Space means the off-street area required for the receipt or distribution, by vehicles, of material or merchandise. (Ord. No. 00-68)

Lot means a place or parcel of land separated from every other piece or parcel by description, as in a subdivision or on a recorded survey map, or by metes and bounds, for purpose of sale or separate use.

1. Corner lot means a lot abutting on two or more intersecting streets having an interior angle of intersection not exceeding one hundred thirty-five degrees.
2. Interior lot means a lot having only one abutting on a street.
3. Key lot means an interior lot, one side which abuts the rear lot (line) of a corner lot, or is separated therefrom by an alley.
4. Double frontage lot means a lot abutting on two or more or less parallel streets.
5. Flag lot means an interior lot in which the buildable area is located to the rear of a lot abutting a street, and which has access to the same street by means of a narrow driveway. (Ord. No. 03-158)



Lot Area means the total area of a lot within the lot lines as measured on a horizontal plane.

Lot Coverage means the part or percentage of a lot occupied by a principal (and) or accessory buildings.

Lot Depth means the horizontal distance between the front and rear lot lines, measured along the median between the side lot lines. .

Lot Line means a line bounding a lot; synonymous with street line when a lot line coincides with a right-of-way line of an abutting street.

1. Front lot line means for interior lots, the lot line abutting on a street; for corner lots, the shorter lot line abutting on a street. When a corner lot or double frontage lot has nearly equal frontage on two streets, designation of the front line shall be at the discretion of the owner.
2. Rear lot line means the lot line opposite and farthest from the front lot line. For a pointed or irregular lot, the rear lot line shall be an imaginary line, parallel to and farthest from the front lot line, not less than ten (10) feet long, and wholly within the lot.
3. Side lot line means any lot line other than a front or rear lot line; in the case of a corner lot, the lot line abutting the side street is termed an exterior side lot line; all other side lot lines are termed interior side lot lines.

Lot of Record means a lot which is part of a subdivision plat recorded in the Maricopa County Recorder's office prior to February 9, 1971, or a lot or parcel described by metes and bounds and having its description recorded in the Maricopa County recorder's office prior to February 9, 1971.

Lot Width means the horizontal distance between the side lot lines measured at right angles to the line comprising the depth of the lot at a point midway between the front lot line and the rear lot line. (Ord. No. 03-158)

Manufacturing means the mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors. (Ord. No. 00-68)

Massage Establishment means any building, room, place, or establishment, other than a regularly licensed and established hospital or dispensary where non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by any person other than a licensed physician, surgeon, dentist, occupational or physical therapist, chiropractor or osteopath with or without the use of therapeutic, electrical, mechanical or bathing devices. A Massage Establishment shall also include any bathing establishment operated in conjunction with the business. Massage establishments, as established herein, shall not include uses including but not limited to beauty parlors, salons, spas and health and exercise facilities where massage services may be available as an accessory use to a permitted principal use. (Ord. No. 0G-28)

Metallurgy means the reduction or extraction of metals from their ores by mechanical, physical or chemical methods, including their refinement and preparation for use as raw materials.

Mining means the extraction from the earth of gravel, stone, sand and metallic or non-metallic ore, and the crushing, washing, grading, storage and loading for transportation thereof.

Mixed Use Development means a tract of land, building, or structure developed for two or more different uses such as, but not limited to, residential, office, light manufacturing, retail, public, or entertainment. (Ord. No. 00-68)

Mobile Home means any vehicle, other than a self-propelled motor vehicle, which was originally designed to be drawn by a motor vehicle and which is used for human occupancy.

Mobile Home Lot means a portion of a mobile home subdivision used or intended to be used for the parking of one mobile home, including the land covered by the mobile home, adjacent open spaces and attached or detached accessory buildings and structures.

Mobile Home Park means a lot, parcel or tract of land having as its principal use the rental of space for occupancy by two or more mobile homes, including any accessory buildings, structures or uses customarily incidental thereto.

Mobile Home Subdivision means a subdivision comprising five or more mobile home lots platted for lease or sale to the public, and restricted to such use by covenant or deed restrictions.

Native Plant (Protected) means cacti that are four (4) feet or greater in height and trees that are four (4) inches or greater in caliper (measured at a point 24 inches from the ground elevation).

Natural Open Space means areas containing naturally occurring Sonoran Desert vegetation and conservation features that have not been altered except to allow natural surface trails (public or private), roadways, and utility easements as necessary.

Neighborhood Association means an incorporated or unincorporated group of individuals comprising a homeowner's association, merchant's association, community association or other group of individuals with similar interests due to their residence in a defined area and that has registered with the Community Development Department to receive notice of applicable proceedings. (Ord. No. 98-34A)

Net Area (Development Unit) means the area of a development unit, excluding all planned or dedicated streets, alleys, private access ways, roadway and/or alley easements and intended desert preserve areas generally above the 30% slope line.

Net Area (Development Parcel) means the area of a development parcel, excluding all planned or dedicated streets, alleys, private access ways, roadway and/or alley easements and intended desert preserve areas generally above the 30% slope line.

Non-Conforming Use means any building, structure, premise, or use lawfully existing at the time of the adoption of this Zoning Ordinance, or lawfully established at such time as the Ordinance is amended, but does not conform with the regulations of the zone in which it is located. (Ord. No. 00-68)

Non Chartered Financial Institution means a business, other than a state or federally chartered bank, credit union, mortgage lender or savings and loan association, that offers check cashing services and loans for payment of a percentage fee. Specifically included are check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument and payday loan businesses which make loans upon assignments of wages received. (Ord. No. 00-28)

Nude Model Studio means any place where a person who appears in a state of nudity or displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or Similarly depicted by other persons who pay money or any form of consideration. Nude Model studio shall not include a public or private educational institution consisting of community colleges; colleges; universities or private institution that is licensed by the State of Arizona or supported entirely or in part by public taxation and which maintains and operates a recognized educational program in which educational credits are issued to its students and are transferable to another public or private educational institution and complies with the following: (Ord. No. 98-34A)

1. That has no signage visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
2. When in order to participate in a program, a student must enroll at least three days in advance of the class.

Nudity or a State of Nudity means: (Ord. No. 98-34A)

1. The appearance of the cleft of the buttocks, anus, male genitals, female genitals, or areola of the female breast; or
2. A state of dress which fails to opaquely cover the cleft of the buttocks, anus, male genitals, female genitals, or areola of the female breast.

Nursing or Convalescent Home means a health care institution, other than a hospital or personal care home that is licensed by the Arizona Department of Health Services as a skilled nursing facility for two or more unrelated persons, excluding, however, institutions for the care of alcoholics, drug addicts and persons with mental or communicable diseases, group care homes, community residential setting facilities and recovery centers licensed by the State of Arizona. (Ord. No. 97-41)

Off-street means land which is not within the right-of-way of any street or alley.

Oral Sexual Contact means oral contact with the penis, vulva or anus. (Ord. No. 98-34A)

Outdoor Display means display of retail merchandise and retail sales outside of an enclosed structure. (Ord. No. 01-167)

Outdoor Storage means exterior storage of material including items for sale, lease, processing and repair for a period greater than 24 hours. (Ord. No. 04-188)

Overlay District means a district established by ordinance to prescribe special regulations to be applied to one or more base zoning district(s): such regulations are intended to protect certain critical features and resources of the areas. (Ord. No. 04-188)

Parking (Shared) means the utilization of the same parking facilities to accommodate the different peak parking needs of two or more adjacent parcels without conflict or encroachment.

Parking (Parallel/Angle) means the use of on-street parking to augment off-street facilities on collector and local streets.

Parking (Tandem) means a parking stall within a residential garage located behind another stall and without direct access to the outside.

Parking Area, Public means an open area, other than a street or alley designated for use, or used, as temporary parking of four (4) or more vehicles when available for public use, whether free or for compensation or as an accommodation for clients or customers. (Ord. No. 94-74)

Parking Lot means an area other than for single-family dwellings used for the off-street parking of more than two motor vehicles, including parking spaces, access and maneuvering aisles.

Parking Space, Off-street means a space designated for the temporary parking of a motor vehicle not on the right-of-way or alley but accessible from a street or alley. (Ord. No. 94-74)

Parties In Interest means a term identifying the owners of property within one hundred fifty (150) feet, exclusive of street, or specified property.

Paved Parking Space or Surface means an area covered by an impervious dust free surface of asphalt or concrete designed to City specifications. (Ord. No. 94-74)

Pawnshop means any establishment in that is carried on the business of pawn brokerage, or the business of loaning money, receiving as security for payment thereof *pawns* or pledges of property, or the business of purchasing personal property and reselling or agreeing to resell, trade or exchange such articles to vendors, their personal representatives, or their assignees at a price agreed upon at or before the time of such purchase whether such business be the principal or sole

business so carried on or be merely incidental to, or in connection with, or a branch or a department of some other business. (Ord. No. 00-28)

Planned Shopping Center means a business development of two acres or more not divided by a street and characterized by an organized and concentrated grouping of retail and service outlets served by a common circulation and parking system.

Plans Review Committee: That Committee charged with the express intent to review and make recommendations on major site plans to the Planning and Zoning Commission, review and approve minor site plans and to review and approve other development plans as authorized by the City Council. The Committee shall be composed of personnel assigned to the Plans Review Division of the Development Services Department, or any other personnel as appointed by the Development Services Director or City Manager. (Ord. No. 92-14)

Plasma Center means a business, which provides compensation to patrons for plasma drawn from the human body. (Ord. No. 00-28)

Plot Plan means a fully dimensioned line drawing of a specific site identifying the location of all proposed structures, including outdoor display, in relation to abutting streets and existing structures. (Ord. No. 00-68)

Pre-existing Wireless Communication Facility means any tower or antenna for which a building permit or special use permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired. (Ord. No. 98-15)

Private Garage means an enclosed accessory building, attached or detached, used for storage of motor vehicles used by occupants of the principal building and providing no public shop or services in connection therewith.

Public Utility means any person, firm, corporation, city or special taxing district authorized under state statute or city charter or code to provide to the public electricity, natural gas, steam, water, drainage, flood control, irrigation, or wastewater collection and treatment. The provision of telecommunications services by any provider of a public utility or by any person, firm, corporation or special taxing district is not a "Public Utility." (Ord. No. 98-15)

Railroad Use means the occupation and use of land, buildings and structures for purposes directly connected with rail transportation of articles, goods and passengers, including such facilities as tracks, sidings, signal devices and structures, shops and yards for maintenance and storage of rail machinery, loading platforms, passenger and freight terminals, but excluding freight terminals and yards, and similar facilities, which are maintained and operated by the owning railroad or by a lessee for the purposes auxiliary to rail transportation; provided, however, that the operation of such facilities as a hobby or as part of an amusement business shall not be considered a railroad use.

Reception Center means an indoor or outdoor facility for the purpose of hosting meetings, weddings, receptions and/or luncheons. (Ord. No. 99-101)

Recreation and Social Clubs means buildings and grounds used for and operated by membership or fraternal organizations primarily for recreation and service of members and their guests and not primarily for profit, including but not limited to golf clubs, riding clubs, American Legion halls, Elks clubs, and similar facilities.

Recreational Vehicle means a vehicular type unit as defined in A.R.S. § 41-2142.30 specifically designed for recreational use, watercraft and trailers used to haul watercraft, horse trailers and similar recreation equipment. (Ord. No. 98-18)

Recycling Collection Facility means a facility used for the acceptance of recyclable materials from the public. Recyclable materials may be collected, sorted, bundled, bailed and/or temporarily stored prior to delivery to a permanent disposal site or shipment to others for reuse and/or processing. (Ord. No. 01-26)

Recyclable Collection Point means an accessory incidental structure or enclosed area that serves as a neighborhood drop-off point for recyclable material collection prior to delivery to a broker or user of such materials. No processing or compounding of materials is permitted.

Recyclable Materials means waste materials considered being reusable and intended for remanufacturing or reconstitution. These materials shall include the following, and similar materials: plastics, glass, paper, cardboard, chipboard, polystyrene, metals (e.g. aluminum cans, fixtures, and wire), fabric, lawn clippings, leaves, and tree branches. Recyclable materials do not include junk, rubbish, refuse, corrosive, toxic or otherwise hazardous materials, as determined by the City of Peoria Fire Department. (Ord. No. 01-26)

Release Facility means a facility operated by the Arizona Department of Corrections or Arizona Department of Youth Rehabilitation or private contractors with the above for the post-trial incarceration of juveniles and adult convicted felons who are deemed appropriate for release upon completion of their assigned term in a Detention or Correctional Facility. Such facilities are characterized by providing residential housing and restricted living settings to their residents. (Ord. No. 97-100)

Religious Institution means a permanently affixed building, where one of the principal uses is for religious worship such as that of a church, synagogue or temple. (Ord. No. 00-68)

Remediation means the action or measures taken, or to be taken, to lessen, cleanup, remove, or mitigate the existence of hazardous materials existing on the property to such standards, specifications, or requirements as may be established or required by federal, state, or county statute, rule or regulation. (Ord. No. 00-68)

Repair Garage means an establishment where the following services may include: those normal activities of a gas service station, general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision services such as body, frame or fender straightening and repair; general painting and undercoating of automobiles; high speed washing; auto, boat or trailer rental and general sales of auto parts or accessories.

Restaurant means any restaurant (except a drive-in establishment or a convenience food restaurant as defined in this Section), coffee shop, cafeteria, short-order cafe, luncheonette, sandwich stand, drugstore, and soda fountain serving food, and all other eating or drinking establishments provided that at least forty percent (40%) of the total sales are derived from the sale of food. (Ord. No. 93-06)

Restaurant, fast food with Drive through means a restaurant provides food and beverage service directly to patrons within parked vehicles for consumption primarily on the premises or drive-through service. (Ord. No. 0~8)

Retail Liquor Store means a business that sells beer or intoxicating liquors in an unopened package for consumption off the premises of the business having a Series 9 license issued by the Arizona Department of Liquor License and Control. (Ord. No. 00-28)

Right-Of-Way means a public way established or dedicated for public purposes by a duly recorded plat, deed, grant, governmental authority or by operation of the law. (Ord. No. 94-74)

Rooming House means a building other than a motel or hotel, where for compensation and by pre-arrangement for definite periods of time, lodging is provided for two or more individuals who are not members of a resident family. Rooming House does not include institutions for the care of alcoholics, drug addicts, and persons with mental or communicable diseases; group care homes, community residential setting facilities and recovery centers licensed by the State of Arizona. (Ord. No. 97-41)

Schools, Business, Trade or Vocational means a school, which may be operated as a commercial venture which, is primarily established to teach students skills to be used in a specific trade or occupation. Such facilities may not include lodging for students or faculty. (Ord. No. 99-89)

Schools, Instructional means a school or instructional institution established to provide instruction in recreational or other types of instruction such as swimming, dance, music, martial arts, and similar craft-type activities. (Ord. No. 99-89)

Schools, Private means a private place of general instruction including but not limited to charter, parochial, religious or charitable institutions certified by the Arizona Department of Education, State Board of Charter Schools or Arizona Board of Regents including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes. Such facilities do not include trade or vocational schools. Such facilities may include lodging and services for students or faculty but shall not include day care centers, business, trade or vocational schools or instructional schools as defined herein. (Ord. No. 99-89)

Schools, Public/Charter means a public place of general instruction, including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes, providing primary or secondary instruction, certified by and meeting all of the compulsory education laws of the State of Arizona and the State Board for Charter Schools where applicable. Such facilities may include

lodging and services for students or faculty but shall not include day care centers, business, trade or vocational schools or instructional schools as defined herein.

(Ord. No. 99-89)

Screen Wall means a masonry wall, wood fence or slatted chain-link fence, so constructed as to completely block at least eighty-five percent (85%) of the view of enclosed activities or uses from adjacent real property that is approximately the same elevation as the activity or use. A wood fence does not include any manufactured material, including but not limited to plywood, pressboard, particleboard, chipboard or masonite. (Ord. No. 95-15)

Service Clubs means buildings and grounds used for and operated by non-profit organizations whose membership is open to any resident of the community, including YMCA, YWCA, Boy Scouts, Girl Scouts, Boys and Girls Club and any similar organization having as its primary objective the improvement of the district, neighborhood or community and its social welfare. Service Clubs shall not include Recreation and Social Clubs as herein defined. (Ord. No. 98-34A)

Setback means the minimum horizontal distance between a lot line and nearest point of a building, structure or use, as the context indicates, located on a lot.

Sexual Encounter Center means a business or commercial enterprise that as one of its principal business purposes offers for any form of consideration: (Ord No. 98-34A)

1. Physical contact between persons of the opposite sex, when one or more of the persons is in a state of nudity in the forms of tumbling, wrestling or other similar activities for the purpose of engaging or attempting to engage in specified sexual activities or oral sexual conduct; or
2. Activities between male and female person and/or persons of the same sex when one or more of the persons is in a state of nudity for the purpose of engaging or attempting to engage in specified sexual activities or oral sexual conduct.

Specified Anatomical Areas means: (Ord. No. 98-34A)

1. Human genitals in a state of sexual arousal;
2. The appearance of the cleft of the buttocks, anus, male or female genitals, or areola of the female breast; or
3. A state of dress that fails to opaquely cover the cleft of the buttocks, anus, male or female genitals, or the areola of the female breast.

Specified Sexual Activities means and includes any of the following: (Ord. No. 98-34A)

1. The fondling or other erotic touching of the human genitals, pubic region, buttocks, anus, or female breasts;

2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated; or
4. Urinary or excretory functions as part of or in connection with any activities set forth in 1 through 3 above.

Story means that portion of a building included between the surface of any floor and the surface of the next floor above, or if there is no floor above, the space between the topmost floor and the roof having a usable floor area at least one half that of the floor immediately below. A basement shall be considered a story when fifty percent (50%) or more of its cubic content is above grade.

Street means a right-of-way, other than an alley, dedicated or otherwise legally established for public use, usually affording the principal means of access to abutting property. (Ord. No. 94-74)

1. Street, arterial means a street with access control, signals at important intersections, stop signs on the side streets and restricted parking designed primarily to collect and distribute traffic to and from collector streets.
2. Street, collector means a street, which carries (collects) traffic from local streets and connects with minor or major arterial streets.
3. Street, local means a street designed to provide vehicular access to abutting properties and to discourage through traffic.
4. Street, public means any street, which has been dedicated or is otherwise publicly owned by the City. Any street not a public street shall be deemed a private street.

Street Line means a right-of-way line of a street, which abuts a lot line.

Structure means any constructed or erected material or combination of materials the use of which requires location on the ground or attachment to something located on the ground, including inter-alia buildings, stadiums, radio towers, sheds, storage bins and fences. (Ord. No. 79-72)

Swimming Pool means any structure intended for swimming or recreational bathing that contains water over eighteen (18) inches in depth. This includes in-ground, above-ground and on-ground swimming pools, hot tubs, portable and non-portable spas and fixed-in-place wading pools. (Ord. No. 96-21)

Tattoo Studio means a business that marks the skin with any indelible design, letter, scroll, figure, symbol or any other mark that is placed by the aid of needles or other instruments upon or under the skin with any substance that will leave color under the skin and that cannot be removed, repaired or reconstructed without a surgical procedure. A Tattoo Studio may not be operated in conjunction with a Body Piercing Studio. (Ord. No. 00-28)

Tavern, bar, lounge or establishment means a business that sells beer or intoxicating liquor for consumption on the premises and having a Spirituous Liquor License with any of the following classifications: Bar License (Series #06) or Beer and Wine Bar License (Series #07) or the equivalent of such license, and excluding restaurants and recreation and social clubs. (Ord. No. 98-34A)

Temporary Use or Building means a use or structure permitted under this chapter to exist for a limited period of time.

Tower Height means, when referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad. (Ord. No. 98-15)

Townhouse or Rowhouse means a single dwelling unit arranged side by side with other such units in a multi-family dwelling completely independent of all other such units in the building by reason of separation therefrom by unpierced party walls.

Travel Trailer Park means a lot, parcel or tract of land, or a portion of a mobile home park, having as its principal use the rental of space for temporary, short term, transient occupancy by two or more travel trailers, including any accessory buildings, structures and uses customarily incidental thereto.

Usable Floor Area means a term used in computing parking requirements, meaning the aggregate area of a building measured to the interior face of exterior walls on the first story, and including the floor area, similarly measured, of each additional story which is connected to the floor area or all accessory buildings, measured similarly, but excluding that part of any floor area which is occupied by heating, ventilating or other permanently installed equipment required for the operation of the building and by unenclosed porches, light shafts, public corridors and public toilets. For uses not enclosed within a building, the area for sales, display or service shall be measured to determine equivalent usable floor area.

Use means the purpose, for which a building is arranged, designed or intended, or for which land or a building is or may be occupied.

1. Principal use means the main use to which the premises are devoted and the main purpose for which the premises exist.
2. Accessory use means a subordinate use to the principal use on a lot and used for purposes clearly incidental to those of the principal use.

Utility Trailer means a vehicle with or without motive power, other than a pole trailer and semitrailer, designed for carrying property and for being drawn by a motor vehicle. (Ord. No. 98-18)

Variance means a modification of the literal provisions of this chapter granted by the Board upon a finding that strict enforcement of the chapter would cause undue hardship owing to circumstances unique to the individual property for which the variance is granted.

Wash (Primary) means a wide, sandy bottom washes that carry drainage in excess of 500 cubic feet per second from a relatively broad watershed and are fed by a number of smaller tributary washes. These washes generally have dense thickets of vegetation along their edges and are easily identified from aerial photographs.

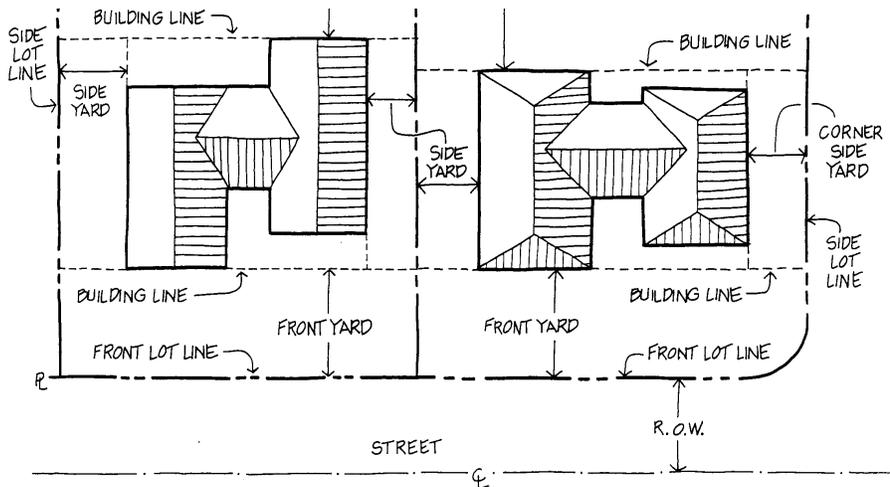
Wall (Combination) means a wall comprised partially of view fencing and partially of solid wall.

Wall (Privacy) means a solid wall within a development parcel utilized between individual lots.

Wall (Retaining) means a wall utilized to support or retain ground that is higher on one side of the wall than the other.

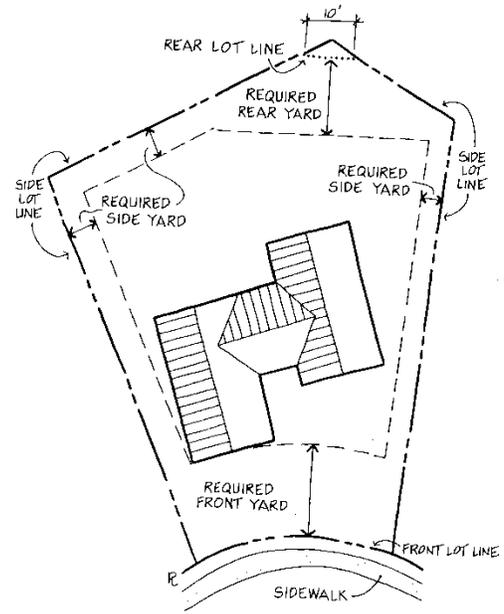
Wireless Communication Facility means any structure or piece of equipment that is designed and constructed primarily for the purpose of sending or receiving wireless transmissions or supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, and monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term also includes the structure and any support thereto. (Ord. No. 98-15)

Yard means an open space located between any portion of a building and the nearest lot line, or the nearest adjacent building or group of buildings, as the context indicates, unoccupied and unobstructed from the ground upward, except as otherwise provided for in this chapter.



1. Front yard means a yard extending across the full width of the lot and having a depth equal to the horizontal distance between the nearest point of the principal building and the front lot line, measured at right angles to the front lot line.

- 2. Rear yard means a yard extending across the full width of a lot, and having a depth equal to the horizontal distance between the nearest point of the principal building and the rear lot line, measured at right angles to the rear lot line.
- 3. Side yard means a yard extending from the front yard to the rear yard between a side lot line and the principal building, and having a width equal to the horizontal distance between the nearest point of the principal building and the side lot line, measured at right angles to the side lot line.



Yard, Non-Required means any yard with dimensions exceeding those required herein.

Yard, Required means a yard having the minimum dimensions required herein.

Zoning Inspector means the municipal official appointed by the Council and assigned the duties and responsibilities of the Office of Zoning Inspector as hereinafter provide.

ARTICLE 14-3

GENERAL PROVISIONS

(Ord. No. 02-85)

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- 14-3-2 GENERAL USE PROVISIONS
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- 14-3-6 PERFORMANCE STANDARDS
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14-3-1 INTENT

The purpose of the General Provisions Article is to set forth provisions that apply to all or various zoning districts. In the case of a conflict between provisions set forth in this Article and provisions for a specific zoning district, the stricter provision shall govern.

14-3-2 GENERAL USE PROVISIONS

A. General Use Restrictions

1. *Principal uses.* Only those uses and groups of uses specifically designated as permitted principal uses in zoning district regulations shall be permitted as principal uses; all other uses shall be prohibited, except as otherwise provided in this Ordinance.
2. *Conditional uses.* Certain specified uses designated as permitted conditional uses may be permitted as principal uses subject to special conditions of location, design, construction, operation, and maintenance hereinafter specified in this ordinance or imposed by the City during the development review and approval process.
3. *Accessory uses.* Uses normally accessory and incidental to permitted principal or conditional uses shall be permitted as hereinafter specified. No accessory use or structure shall be permitted in any zoning district until its principal use or structure is present or under construction with an approved building permit.

4. *Temporary uses.* Certain temporary uses may be permitted by temporary use permit, subject to such special conditions as the City may impose in accordance with provisions of this Ordinance.

5. *Unspecified uses.* The schedule of use listings within each zoning district is intended to establish the character of uses to be permitted, but may not include each and every allowable use. Unspecified uses may be permitted by the Community Development Director or designed thereof upon finding that such uses are similar in character to, and not typically more objectionable than, other uses specifically listed as permitted.

B. Restrictions On Occupation for Dwelling Purposes.

1. No cellar, garage, tent, basement with unfinished structure above, or accessory building shall at any time be used as a dwelling unit. This provision shall not apply to guest houses or to quarters for night watchmen where such are allowed.

2. No mobile home or recreational vehicle outside an approved mobile home or recreational vehicle development shall be used as a dwelling unit at any time in any zoning district.

C. General Yard and Setback Requirements

1. *Future streets.* When future street lines have been officially established by the City Council, all required setbacks along said streets shall be measured from such street lines. For private streets or private access easements, setbacks shall be measured from the street easement or tract boundary.

2. *Separate space requirements.* No lot, yard, parking or loading area, building area, or other space nor any part thereof, that is required about, or in connection with, any building, shall be included as part of a yard, area, or space required for any other building.

3. *Sight distance triangles.* Sight distance triangles shall adhere to the provisions set forth in the Peoria Infrastructure Guidelines.

4. *Cooling units and similar devices in non-residential districts.* In non-residential zoning districts, compressor units, condensing units, cooling towers, evaporative condensers, and similar devices shall be located at a minimum distance of three (3) feet from any interior lot line, except as otherwise provided in this Ordinance. Air conditioning units may be located entirely within a required side or rear yard provided such device conforms to the provisions of the Building Code.

5. *Projections into required yards in all districts.* (Ord. No. 06-07)

a. Awnings, canopies, standard balconies, open fire balconies, fire escape stairs, exterior stairs and other architectural embellishments shall not project or extend more than five (5) feet over any required yard, and shall be no closer than two (2) feet to any lot line.

6. *Projections into required yards in residential districts.*

In residential zoning districts, projections shall meet the following standards:

- a. Any projection lying within three (3) feet of any lot line shall be subject to provisions of the International Residential Code (IRC), and shall be constructed with 1 Hour Protection as therein defined.
- b. Window type refrigeration units not exceeding one and one-half (1.5) tons or a one and one-half (1.5) horsepower rating, suspended or roof evaporative coolers, and forced air furnaces shall not project or extend more than five (5) feet into any required yard and shall be no closer than two (2) feet from any lot line. Air conditioning units may be located entirely within a required side or rear yard provided such device conforms to the provisions of the City's Building Code. (Ord. No. 04-187)
- c. Cornices, eaves, and other overhangs shall not project more than three (3) feet over any required yard and shall be no closer than two (2) feet to any lot line; however, any projection within three (3) feet of any lot line shall be subject to provisions of the International Residential Code (IRC), and thereby be constructed with 1 Hour Protection as therein defined.
- d. Sills, leaders, belt courses, and similar ornamental features may project up to two (2) feet into any required yard provided that a minimum of five (5) feet remains in the side yard setback dimension.
- e. Building projections, such as chimneys, pilasters, green house windows, vestibules, built-in bookshelf and entertainment center projections, and similar functional projections may project a maximum of four (4) feet into a required yard provided that a minimum of three (3) feet remains in the side yard setback dimension. The projection shall have a maximum width of twelve (12) feet, paralleling the nearest lot line.
- f. Terraces, patios, steps, or other similar un-roofed features not over three (3) feet in height above grade may project into any required yard provided that projections into required front yards shall not exceed ten (10) feet. Such projections shall be no closer than three (3) feet from any lot line.
- g. Arched masonry entry features may be constructed as part of a fence surrounding the front yard. Such features shall not exceed seven (7) feet in height and shall not exceed three (3) feet in width. Such features shall adhere to the side yard setbacks of the principal building. No more than one such feature shall be permitted on a given lot.
- h. A structure which is a primary front entryway or porch may extend into a required front yard setback a maximum of ten (10) feet, provided that a minimum of ten (10) feet remains in the front yard setback dimension and that such structure is not fully enclosed and is not more than fifteen (15) feet in width.

- i. Approvals relating to a trellis or similar type lattice structure for the purpose of training vegetation shall be governed by the neighborhood Design Review Committee and enforced by the Village Homeowner Associations.

D. Height Exceptions

1. Church spires, belfries, cupolas and domes not for human occupancy; monuments; water towers; and noncommercial radio or television antennas located in any zoning district may be erected to a height not exceeding one hundred (100) feet. (Ord. No. 03-09)
2. Height regulations established elsewhere in this Ordinance shall not apply to the following when located in industrial districts: chimneys; smokestacks; derricks; conveyors; grain elevators; or similar structures wherein the industrial process involved customarily requires a height greater than otherwise permitted in this Ordinance.
3. Religious institutions, schools, public buildings and other similar public assembly uses may exceed the maximum height established by a particular zoning district, provided that the minimum front, side and rear setbacks shall be increased by one additional foot for each foot by which the height of the building exceeds the maximum building height.
4. Architectural embellishments, mechanical penthouses, and mechanical equipment may exceed the maximum building height within any non-residential zoning district by a maximum of twenty (20) feet. Such structures or equipment shall constitute no more than 25% of the roof area of the structure.

E. Trash Enclosures

A permanent concealing enclosure for temporary storage of garbage, refuse, and other waste materials shall be provided for every use, other than single-family dwellings, in every zoning district. Such enclosures shall adhere to provisions set forth in the City's Infrastructure Development Guidelines as most recently amended.

F. Exterior Lighting

1. *Purpose.* The Exterior Lighting regulations are intended to create awareness and maintain a high level of the City's physical and visual qualities by limiting light pollution, promoting energy conservation, reducing glare, and limiting pole height.
2. *Applicability.* All lighting within the Peoria City limits shall comply with the Dark Sky Ordinance (Ord. No. 98-114) set forth in the City Code, Chapter 20, Sections 20-60 through 20-67, and all amendments thereof. These regulations shall apply to all outdoor lighting including, but not limited to, search, spot, or floodlights for all structures, recreational areas, parking lots, landscape areas, or other outdoor lighting.
3. *Allowable Height.* The height of any freestanding light fixture shall not exceed twenty (20) feet in a residential zoning district or thirty (30) feet in any other

zoning district. Height shall be measured from the base of the light fixture to the light source. Exempt from the height restrictions are the following uses:

- a. Baseball, softball, soccer, volleyball, or football fields or similar uses
 - b. Golf driving ranges
 - c. Outdoor arenas and amphitheaters
 - d. Public parks
 - e. Street Lighting
4. *Adjacent to Residential Districts.* Lighting in any non-residential zoning district shall be shielded in a manner in which the light source is not visible from, nor are there spillover effects into, the residential zoning district. Additionally, *any* outdoor light fixture in a non-residential zoning district shall be a minimum of ten (10) feet from any adjacent residential zoning district. (Ord. No. 06-07)
 5. *Within Residential Districts.* Any lighting on residential properties shall be directed downward and shielded in a manner that the illumination source shall not be visible from any adjacent property.
 6. *Sign Lighting.* Any lighting used to illuminate wall or ground mounted signs shall be directed downward and shielded in a manner that the illumination source shall not be visible from *any* adjacent property.
 7. *Submittal Requirements.* All new development submittals shall include an outdoor lighting plan for the entire site that describes compliance with the standards of this ordinance and the Dark Sky Ordinance set forth in the City Code, Chapter 20, and Sections 20-60 through 20-67.

14-3-3 ACCESSORY BUILDINGS AND USES

A. General Provisions

1. When attached to a principal building or connected to the principal building by a covered passage-way, an accessory building shall be considered an integral part of the principal building for the purpose of determining building heights and setbacks.
2. No accessory building or use shall be constructed or established on a lot prior to the principal building or use being present.

B. Swimming Pools

1. Barriers and/or enclosures shall be provided for all swimming pools in accordance with Chapter 5, "Buildings and Building Regulations: of the City Code, and with any other applicable regulations.

2. Outdoor swimming pools, whether private, public, or commercial, shall not be located in any required front yard, and the water edge shall be a minimum of four (4) feet from the lot line.

C. Sport Courts (Ord. No. 06-07)

All Sport Courts, including but not limited to the following, tennis courts, pickle ball, tetherball, volleyball, basketball and other similar active recreational facilities, including the enclosure and lighting, may be built on a single family lot as follows:

1. Sport courts shall not be permitted in a required front yard.
2. Sport courts without lighting shall be set back five (5) feet from all side and rear lot lines, measured from the edge of the playing surface.
3. Sport courts with lighting shall be set back twenty (20) feet from all side and rear lot lines, measured from the edge of the playing surface and the base of the lighting standard.
4. Outdoor lights shall not be operated between 10:00 PM and sunrise and shall be shielded in accordance with Section 14-3-2, "General Use Provisions," Subsection F, "Exterior Lighting," of this Article.
5. Sport courts shall be fenced with a vinyl netting or coated/painted chain link - type fence, with a maximum height of sixteen (16) feet, to prevent tennis balls from landing on adjacent properties.
6. Plans for the construction of a sport court shall be submitted to the Community Development Department for a determination of zoning compliance. Sport court plans shall include setback dimensions from all property lines and the location and height of any walls, fences, or lighting related to the sport court.

14-3-4 SCREENING

A. Intent

The intent of this Section of the Peoria Zoning Ordinance is to establish general development standards for screening between uses of differing character, density, or intensity and for screening certain uses and activities on a site from public view. The screening standards are intended to assure compatibility of uses, minimize deterioration of properties and property values, and to enhance the health and safety of the residents of Peoria.

B. Use of Screening

1. *Wall or Fence.* A masonry wall or fence a minimum of six (6) feet in height above grade, or as otherwise approved, shall be constructed and maintained between the following uses of differing intensity or character:
 - a. Single-family and multi-family developments

- b. Different multi-family developments
 - c. Residential and non-residential uses
 - d. Different non-residential uses
 - e. Rear and/or side lot areas and adjacent public rights-of-way
 - f. Recreational vehicle or boat storage areas and areas with public rights-of-way, residential, or non-residential uses
2. *Educational and Municipal Facilities.* Public elementary and secondary and similar private educational facilities, as well as municipal facilities, are exempt from the screening provisions of this section.
 3. *Loading and Delivery Bays.* All loading and delivery bays shall be screened from street view in accordance with provisions of Section 14-23-4.
 4. *Outdoor Storage.* All outdoor storage for Commercial and Industrial uses, and for materials, equipment, vehicles, or other similar items, shall be screened from public view, public uses, and areas such as rivers, washes, equestrian and bike paths, parks, golf courses, and other public open spaces. Such screening shall consist of a wall or fence with a minimum height of six (6) feet, or a height that will adequately screen the stored items as determined by the Planning Manager during the Site Plan review process. Agriculturally related activities are exempt from this provision.
 5. *Utilities.* All utility substations, wells, storage facilities, or other utilities shall be screened from public view. Such screening shall consist of a wall, fence, or landscape screen of a height adequate to screen the facility, as determined by the Planning Manager during the Site Plan review process.
 6. *Mechanical Equipment.* All roof mounted mechanical equipment, except for single-family uses, shall be fully screened from public view unless otherwise specified elsewhere this Ordinance.

14-3-5 WALLS AND FENCES

- A. General Provisions (Ord. No. 95-15 & 2011-02)
 1. *Permit Required.* No persons, firm or corporation, shall hereafter construct, or cause to be constructed or erected within the City of Peoria any fence or wall exceeding six (6) feet, eight (8) inches in height without first making an application for and securing a permit from the City. In addition, no fence or walls shall be constructed within the street right-of-way without obtaining a permit from the Engineering Department. Wall height requests above eight (8) feet shall be reviewed for approval by the City Engineer.
 2. *Locations.* All fences, walls, and gates shall be located entirely upon the private property of the persons, firms, or corporation constructing, or causing the construction of such fence unless the owner of the property adjoining agrees, in

writing, that such fence or wall may be erected on the division line of the respective properties. This shall not apply to the initial wall construction by the homebuilder. Pedestrian gates may be installed by a private property owner to provide access to public open space with written approval from the Community Services Department.

3. *Maintenance.* Every fence or wall shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage, or unsightliness, or constitute a nuisance, public or private. Any such fence or wall which is, or has become, dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance and the Code Compliance Officer shall commence proper proceedings for the abatement thereof. Any wall, or a portion of any wall, which is removed for any purpose or by any means whatsoever, shall be restored to its original or upgraded condition relative to construction, material and finish whenever exposed to any street or any adjoining property.
4. *Measuring Fence and Wall Height.* The height of any fence or wall shall be calculated to the uppermost points as follows:
 - a. In required yards abutting a street, sidewalk, or trail, the height of the fence shall be measured from the required two (2) foot shelf at the base of the wall or from the top of curb or the top of sidewalk, path, or trail when such element is at a higher elevation than the shelf. (Figure A)

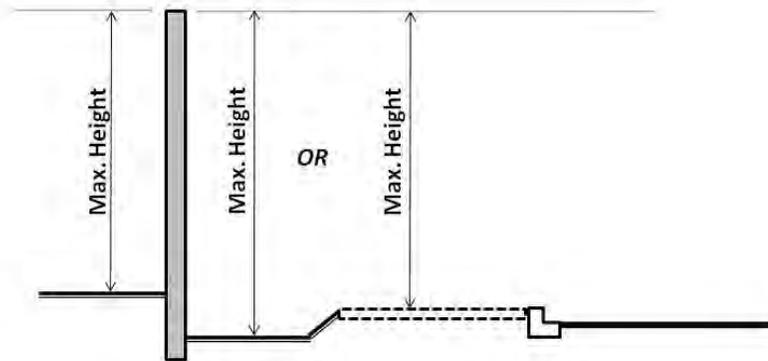


Figure A – Measuring Wall Height

5. *Undulating Wall Required.* All fences and walls along arterial and collector streets with a continuous length greater than four hundred (400) feet, but less than one thousand (1,000) feet, shall use an undulating pattern (horizontal movement) at minimum intervals of every four hundred (400) feet. Such walls with a continuous length greater than one thousand (1,000) feet shall undulate at minimum intervals of three per every 1,000 feet of linear wall. The undulation depth of these horizontal movements from the street line shall be a minimum of three (3) feet, including use of curved wall elements to provide variety and visual interest (Figure B). Alternative options may be approved during Preliminary Plat or Site Plan Review Process. (Ord. No. 04-186)

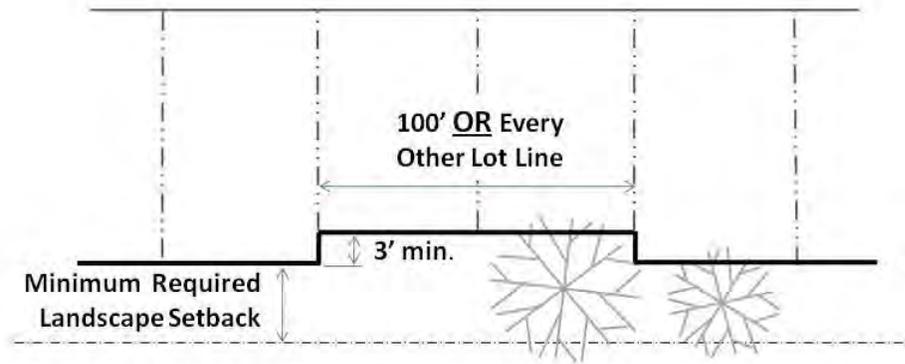


Figure B – Perimeter Wall Undulation

6. *Finished Elevations.* Any fence or wall that is constructed to have only one elevation “finished”, which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the adjacent street or public / semi-public area.
7. *Exemptions.* The following uses are exempt from the height restriction of three (3) feet within or bounding the front yard, as set forth in Section 14-3-5.B.1.
 - a. An agriculture activity
 - b. Residential and ranch uses in the Suburban Ranch Districts
 - c. Schools and other public or quasi-public institutions when necessary for the safety or restraint of the occupants.
 - d. Temporary construction sites which are enclosed for security purposes.
 - e. Temporary construction yards for off-site construction.
 - f. Arched, masonry entry features in accordance with Section 14-3-2 c (6)(g) of this Article.
8. *Barbed Wire Fences:* Barbed wire shall be prohibited in the City of Peoria except for the following:
 - a. Barbed wire shall be permitted in the General Agriculture and Suburban Ranch zoning districts.
 - b. Barbed wire shall be permitted for temporary construction sites or yards in all zoning districts provided that the barbed wire is located six (6) feet or more above grade.
 - c. Barbed wire shall be permitted for security purposes for commercial and industrial uses provided that the barbed wire is located six (6) feet or more above grade.

B. Residential Requirements

1. *Height of Fences and Walls.* In all Residential Districts, no fence or wall within or bounding the front yard shall exceed a height of three (3) feet, and no fence or wall within or bounding a side or rear yard shall exceed a height of six (6) feet eight (8) inches, except as specified elsewhere within this Ordinance.
2. *Corner Lots and Key Lots.* (Figure C)
 - a. On a corner lot contiguous to a key lot a fence or wall over three (3) feet in height may be placed on the property line except within a triangle measured ten (10) feet from the street line along the common lot line, and twenty (20) feet along the property line extending from the common lot line towards the front of the corner lot. The location of this clear zone may shift in areas where landscape tracts exist.
 - b. On a key lot contiguous to a corner lot, a fence or wall not exceeding six (6) feet eight (8) inches may be erected along that portion of a key lot contiguous with the rear yard of the corner lot, but such fence or wall shall not come closer to the front line of the key lot than ten (10) feet.

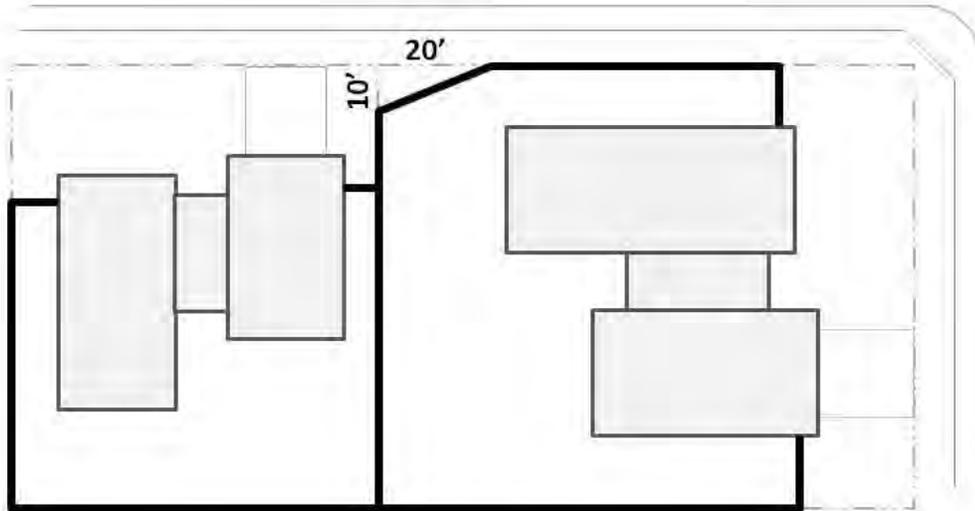


Figure C – Key Lots

3. *Adjacent Residential Lots.* Where two residential lots abut one another, but have differing finished grades, the wall heights shall be limited to six (6) feet eight (8) inches in height on the high side and ten (10) feet in height on the low side.

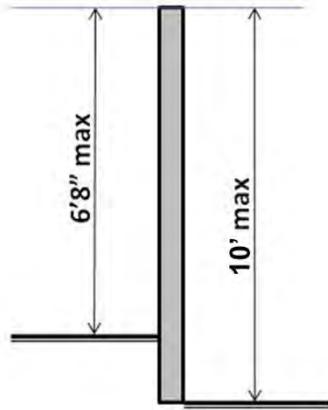


Figure D – Residential to Residential

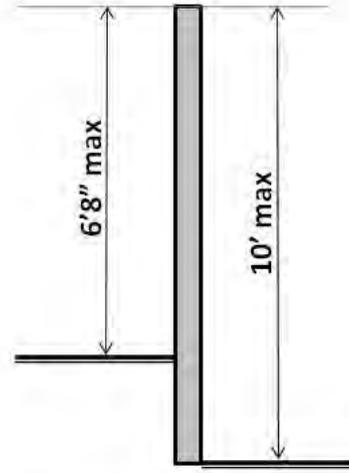


Figure E – Residential to Street

4. *Lots Adjacent to Streets.* The lot side of a wall shall not exceed six (6) feet eight (8) inches in height. The Street side shall not exceed ten (10) feet in height (Figure E).

5. *Retaining Walls.* For the purposes of this ordinance, any wall retaining a minimum of twelve (12) inches of earth shall be considered a retaining wall. If retaining requirements exceed ten (10) feet in height, then terracing shall be required. When terracing walls, the first wall at grade level shall not exceed six (6) feet eight (8) inches in height and each retaining wall above the first wall shall not retain more than eight (8) feet of earth. Terraced walls shall be offset a minimum of four (4) feet with an additional foot of offset for every foot of wall height above four (4) feet. When terracing, if a combination privacy yard wall and retaining wall are utilized, that wall cannot exceed ten (10) feet in height, as measured from the low side in residential areas, and twelve (12) feet in non-residential areas. In each case, the wall cannot exceed six (6) feet eight (8) inches in height on the high side of the wall. Each terrace must be landscaped and cannot exceed a slope of 3:1. Terraces and terraced walls shall be designed to include weep holes for drainage and sleeves for landscape irrigation. All terracing shall be subject to review by the City Engineer and / or the Building Official. Nothing herein is intended to relax the building code or other applicable city standards. Retaining walls shall be of similar construction, appearance and finish of the approved design theme for the village in which the wall is located.

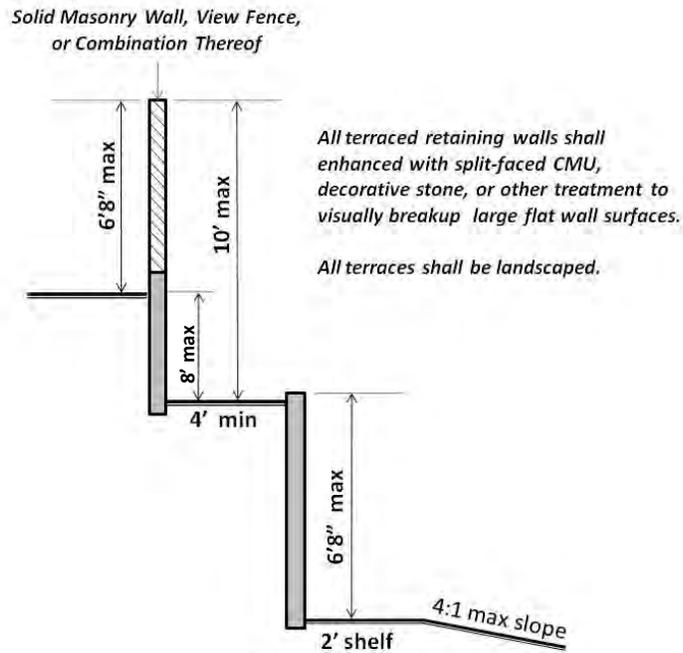


Figure F – Retaining Walls

6. *Lots Adjacent to Retention Areas.* Walls adjacent to planned or natural retention areas, waterways, or similar features shall not exceed six (6) feet eight (8) inches in height on the lot side and shall not exceed ten (10) feet on the retention side as measured to the required two (2) foot shelf at the base of the wall. Maximum slope of the retention shall be no greater than 3:1. If additional retention depth is required, retaining walls may be added in the sloped banks of the retention area. Such walls shall not exceed two (2) feet in height and shall be offset by no less than four (4) feet. The maximum slope between walls shall not exceed 3:1. All terraced walls shall be subject to review by the City Engineer and the Building Safety Division. All retaining walls are subject to review by the City Engineer or designee. Nothing herein is intended to relax the building code or other applicable City standards.

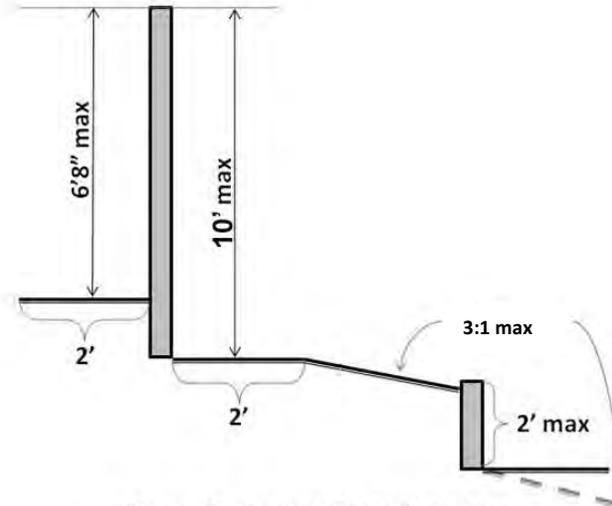


Figure G – Residential to Retention

7. *Wall Waivers.* Waivers from the wall requirements may be granted by the Planning Manager if the applicant for the waiver has provided a Waiver of Proposition 207. A wall plan and narrative shall be submitted to the Planning Manager for review. Waivers may be granted based on the following:

- a. Topography prohibits walls from conforming to wall requirements.
- b. Waiver will not be detrimental to present or future surrounding property owners.
- c. City Engineer recommends approval of waiver.

If the waiver request is denied by the Planning Manager, the applicant can file a Variance Request to be heard by the Board of Adjustment, in accordance with Article 14-39 of this Ordinance.

8. *Gates Required.* In those instances where a fence or wall is erected as an enclosure which restricts access from the front to the rear yard, a gate with a minimum of three (3) feet in width shall be included to provide access. Gates located between parcel lines must first be approved of in writing by both property owners. For pedestrian gates located between private and City properties, written permission must first be obtained from the appropriate City department.

9. *Noise Attenuation Walls Required.* Where adjacent to a transportation corridor a masonry noise attenuation wall with a minimum effective height of eight (8) feet constructed of a minimum of six (6) inch (thick) concrete block, or as otherwise approved by the City Engineer, shall be placed adjacent to the transportation corridor for any residential subdivisions recorded after the effective date of this Ordinance. A transportation corridor shall be defined as all arterial streets, truck routes north of Union Hills Drive, Lake Pleasant Parkway, Loop 101, Loop 303, State Route 74, and the Burlington Northern Santa Fe Railroad. (Ord. No. 03-11)

C. Commercial and Industrial Requirements.

1. Fences and walls in all Commercial and Industrial Districts shall not exceed ten (10) feet in height except that boundary line fences abutting Residential Districts shall not be greater than six (6) feet eight (8) inches in height, or except as specifically required as a condition of an approved Site Plan or Preliminary Plat or as otherwise specified in this Ordinance (Figure H).

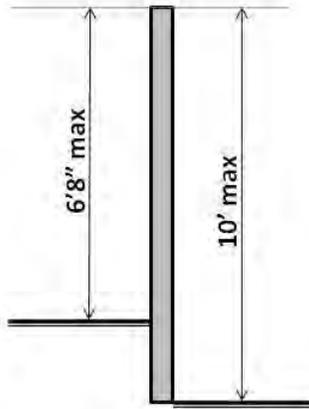


Figure H – Residential to Non-Residential

2. In Industrial zoning districts, walls and fences on local streets except when adjacent to a Residential District, may exceed three (3) feet in height in the front and corner side yard building setback when located no closer than ten (10) feet to the street line except as may be specified elsewhere in this Ordinance.

D. Hillside Development

1. Additional wall requirements for hillside areas are provided in Article 14-22A "Vistancia Hillside Development Overlay District".

14-3-6 PERFORMANCE STANDARDS

All uses within the City shall conform to the performance standards set forth below, and shall be constructed, maintained, and operated so as not to be a nuisance or hazard to persons, animals, vegetation, or property located on adjacent or nearby properties or rights-of-way; or to interfere with the reasonable use or enjoyment of adjacent or nearby property by reason of noise, vibration, smoke, dust, or other particulate matter; toxic or noxious matters; odors, glare, heat or humidity; radiation, electromagnetic interference, fire or explosion hazard, liquid waste discharge or solid waste accumulation. Furthermore no use shall be carried out as to create any nuisance or hazard which is in violation of any applicable Federal, State, or City laws.

A. Noise

No use shall create sound which is in violation of Chapter 13, "Miscellaneous Provisions and Offenses: of the City Code or any other applicable regulations.

B. Vibrations

No use shall create inherently and recurrently generated ground vibrations that are perceptible without instruments at any point at or beyond the property lines of the property on which the use is located.

C. Smoke, Dust, Dirt, or Other Particulate Matter

No use shall allow the emission of smoke, dust, dirt, or other particulate matter which may cause damage to property or vegetation, discomfort or harm to persons or animals, or prevent the reasonable use and enjoyment of property and rights-of-way, at or beyond the property lines of the property on which the use is located. Furthermore, no use shall be carried out so as to allow the emission of any substances in violation of any Federal, State, or City laws or permits governing the emission of such substances.

D. Odors and Fumes

No use shall be carried out so as to allow the emission of objectionable or offensive odors or fumes in such concentration as to be readily perceptible at any point at or beyond the boundary of the property.

E. Toxic or Noxious Matter

No use shall be carried out so as to allow the discharge of any toxic or noxious matter in such concentration as to cause damage to property or vegetation, discomfort or harm to persons or animals, or prevent the reasonable use and enjoyment of property or rights-of-way, at or beyond the property line of the property on which the use is located; or to contaminate any public waters or any groundwater.

F. Fire and Explosion Hazards

No use shall be carried out so as to create a fire or explosion hazard to adjacent or nearby property or rights-of-way, or any persons or property thereon. Furthermore, the storage, use, or production of flammable or explosive materials shall be in conformance with the provisions of the City Code, Chapter 9, "Fire Prevention and Protection," and with all other applicable regulations.

G. Liquid Waste

No use shall be carried out so as to dispose of liquid waste of any type, quantity, or manner which is not in conformance with the provisions of the City Code, Chapter 25, "Water, Sewers, and Sewage Disposal," and all other applicable regulations.

H. Solid Waste

No use shall be carried out so as to allow the accumulation or disposal of solid waste which is not in conformance with Chapter 22, "Solid Waste," of the City

Code, or which would cause solid waste to be transferred in any manner to adjacent or nearby property or rights-of-way.

I. Electromagnetic Interference

No use shall be carried out so as to create electromagnetic radiation which causes abnormal degradation of performance of any electromagnetic receptor of quality and proper design as defined by the principles and standards adopted by the Institute of Electrical and Electronics Engineers, or the Electronic Industries Association. Furthermore, no use shall be carried out so as to cause electromagnetic radiation which does not comply with the Federal Communications Commission regulations. Or which causes objectionable electromagnetic interference with normal radio or television reception.

14-3-7 SATELLITE DISH ANTENNAE

A. Intent

The intent of the regulations set forth in this Section, "Satellite Dish Antennae," is to protect and promote the health, safety and welfare of the residents of the City of Peoria and the aesthetic quality of life as set forth in the goals, objectives, and policies of the Peoria General Plan, while at the same time not unduly restricting the placement of equipment and hence access to communications provided by Satellite Dish Antennae.

B. Definition

For purposes of this Section, a *Satellite Dish Antenna* shall mean a dish antenna that is usually a parabolic, spherical, conical, bowl, disc, or saucer -shaped accessory structure, which includes the main dish and covering, feedhorn, low noise amplifier, structural supports, and all other components thereof, for the purpose of transmitting and/or receiving communications via electromagnetic waves by line of sight with a geosynchronous orbiting satellite.

C. Applicability

These regulations shall apply to all satellite dish equipment situated in the City of Peoria except as may be otherwise provided in the Telecommunications Act of the Federal Communications Commission.

D. All Residential Zoning Districts (Ord. No. 03-174)

1. General

- a. A maximum of one (1) satellite dish shall be permitted on the premises of any one single-family residential lot.
- b. The satellite dish shall only be utilized for the personal enjoyment of the occupants of the dwelling unit.
- c. The satellite dish shall not be utilized for any commercial purpose.

2. Satellite dishes measuring twenty (20) inches or less in diameter may be mounted on the roof or side of the residence or accessory building, or on the ground, and shall be exempt from screening requirements.
3. Satellite equipment measuring more than twenty (20) inches shall be subject to the following:
 - a. Issuance of a Conditional Use Permit
 - b. Shall not be placed in front yards or corner side yards
 - c. Shall be placed in rear or side yards only and shall be set back from the lot line by a distance equal to or greater than the diameter of the dish
 - d. Shall be screened so as to not be visible from any public street or right-of-way, or from adjacent property

E. Non-Residential Districts

Satellite dish equipment in non-residential zoning districts shall comply with the following requirements:

1. Satellite dish equipment in Non-Residential Districts shall be considered a permitted accessory use and subject to all provisions thereof, in accordance with Article 14-9, "Non-Residential Districts."
2. Satellite dishes measuring twenty (20) inches or less in diameter may be mounted on the roof or side of a principal or accessory building or on the ground and shall be exempt from screening requirements.
3. Satellite dishes measuring twenty (20) inches or more shall be screened in a manner so as not to be visible from a public street, public right-of-way, or any adjacent property. All screening shall be consistent with provisions set forth in the City's Design Review Manual.

14-3-8 MISCELLANEOUS PROVISIONS

A. Unsuitable Site

If the City determines a site to be an "Unsuitable Site" for a given development, for reasons of flooding, concentrated runoff, inadequate drainage, adverse soil or rock formation, extreme topography, low percolation rate or bearing strength, erosion susceptibility, or any other adverse features, transfer of density shall be permitted in accordance with the density formula established in the Peoria General Plan.

B. Moving of Buildings

No building or structure which has been wholly or partially erected on any premises located within or outside the city, shall be moved to or be placed upon any other premises within the City until a permit for such removal and a zoning compliance

certificate for such relocation shall have been issued by the Community Development Director or designee thereof. Any such building or structure shall conform to all provisions of this Ordinance in the same manner as any new building or structure. No such building or structure shall be used or occupied until an occupancy permit shall have been issued as herein provided. The moving of any building or structure shall, furthermore, comply with requirements of the City Code, Chapter 5, Section 5-6, "Moving of Buildings."

C. Dumping or Disposal

The use of land for the dumping of scrap iron, junk, garbage, rubbish or other refuse or of ashes, slag or other industrial wastes or by-products shall be prohibited in every zoning district, except as may be otherwise provided in this Ordinance or other applicable regulations, and pursuant to provisions of the City Code, Chapter 17, "Nuisances."

D. Essential Services Permitted

Nothing in this Ordinance shall prevent the location of a public utility facility for any essential services herein defined. Such facility shall adhere to all development standards, including but not limited to setback, height, and landscaping requirements, for the given zoning district.

E. Lake Pleasant Parkway Corridor Specific Area Plan (Ord. 04-186)

All development located within the specified Lake Pleasant Parkway corridor shall conform to the Lake Pleasant Parkway Corridor Specific Area Plan.

14-3-9 HOME OCCUPATIONS

A. General

A Home Occupation is an accessory use of the primary dwelling unit permitted either by-right or by conditional use permit. Home occupations are generally conducted and located such that the average neighbor, under normal circumstances, would not be aware of their existence. The home occupation is generally carried on by a member of a family, residing on the premises, and is clearly incidental to the use of the structure for dwelling purposes and does not change the exterior character of the premises in any way.

B. Standards

The standards set forth in this Section are intended to ensure compatibility of the Home Occupation use with the residential character of the neighborhood. The proposed use shall be clearly accessory or incidental to the residential use of the main building to qualify as a home occupation use under this Section.

1. *Home Occupation as Permitted Accessory Use.* A home occupation where permitted, except for Day Care Group Homes, shall be considered a permitted accessory use when it complies with the following regulations:

- a. Changes or alterations to the exterior of the building(s) that are inconsistent with the residential character of the building(s) or with the character of the surrounding area shall not be allowed. Such changes or alterations include, but are not limited to, construction of parking areas or garages at a scale exceeding the scale of such structures in the surrounding area.
 - b. Signs advertising a home occupation shall be strictly prohibited.
 - c. Exterior display or storage of materials or equipment, or any other exterior indication of the home occupation, shall be prohibited.
 - d. Emissions of noise, light, dust, gas, vibration, odor, smoke, or any other noxious matter emanating from the home occupation at a scale greater than that normally associated with the residential use shall be prohibited.
 - e. The home occupation shall not involve more than one (1) business caller or visitor at a time and not more than two (2) visitors per hour, nor commercial deliveries or outside services beyond those normal and incidental to the residential uses in the district.
 - f. The home occupation shall be conducted by a resident or residents of the dwelling unit only. No outside employees shall be employed at the site and not more than one (1) employee may report to the site for off-site employment.
 - g. No unusual load shall be placed on power, sewer, water, or other utilities as a result of the home occupation use.
 - h. External activity resulting from the home occupation shall be limited to the hours between 7:00 A.M. and 10:00 P.M.
 - i. Storage of commercial vehicles used in conjunction with the home occupation is not permitted on the home occupation site. Up to two (2) commercial vehicles may be parked on the home occupation site if these commercial vehicles are used for both business and personal needs. Commercial vehicles must be parked in accordance with Article 14-23, "Parking," of this Ordinance.
 - j. All home occupations shall be subject to the standards contained herein and shall be approved by the City prior to the initiation of any business activity.
 - k. A valid City sales tax and/or business license shall be obtained for the home occupation use.
2. *Home Occupation as Conditional Use.* A Conditional Use Permit for a home occupation shall be required in cases where any of the following conditions may result
 - a. The home occupation use requires or uses storage or space accessory to the principal residence, will utilize or require outdoor or open storage of materials

or will require or result in the construction or installation of additional parking on-site.

- b. The home occupation use will produce or make noticeable the appearance of a non-residential use or will cause the emission of noise, light, dust, gas, vibration, odor, smoke, or other noxious matter from the premise.
 - c. The home occupation will have more than one (1) business caller or visitor at any one time, more than two (2) visitors per hour, or more than one (1) commercial delivery per business day.
 - d. Pedestrian or vehicular traffic will increase beyond what is considered normal and incidental to the zoning district in which the use is located.
 - e. An increased load will be placed on any of the power, water, sewer or other utilities.
 - f. The home occupation use will require the services of a single employee or assistant who is not a resident of the household.
3. *Prohibited Home Occupations* Home occupations expressly prohibited shall include, but not be limited to, the following:
- a. Personal service offices such as physicians, dentists, massage therapists, and barber and beauty shops
 - b. Animal services such as commercial stables, dog grooming, veterinary offices, hospitals, and kennels
 - c. Permanent real estate offices
 - d. Restaurants
 - e. Vehicle services such as repairing, painting, storage, washing, or sales, where vehicle is defined as any motorized or non-motorized means of transportation.
4. *Violations.* The City may deem any violation of the above conditions as just cause for the termination of the home occupation. In such cases, the City may issue a Cease and Desist Order, and, if the violation continues, file a criminal complaint in City Court.

14-3-10 MANUFACTURED HOUSING**A. Applicability**

Manufactured homes shall be homes built and manufactured in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974 (P.L. 93-383, as amended by P.L. 95-128, 95-557, 96-153 and 96-339).

B. General Requirements

Manufactured homes may be installed in any single-family residential zoning district. Such installation must meet all requirements of the City's Zoning Code and applicable State regulations. The Community Development Director or designee thereof may require such enclosures, roof overhang, and roofing or siding materials as may be necessary for compatibility with other residential structures in the area. (Ord. No. 82-36)

14-3-11 MOBILE HOMES, TRAVEL TRAILERS, HOUSE TRAILERS, AND RECREATIONAL VEHICLES**A. Within RMH-1 and RMH-2 Districts**

A mobile home, travel trailer, house trailer, or recreational vehicle may be placed, constructed, assembled, or used, whether for residential or any other purpose, exclusively in the RMH-1 or RMH-2 zoning districts, except as may be otherwise specifically allowed or permitted in this Ordinance.

B. Outside RMH-1 and RMH-2 Districts**1. Permits in 1-1, 1-2 and Agricultural Districts.**

Mobile homes, travel trailers, recreational vehicles, or house trailers may be placed in zoning districts 1-1, 1-2, or Agriculture, provided a permit is obtained from the Community Development Director or designee thereof. Such permits shall not exceed one (1) year in duration and shall be renewable. No permit or renewal thereof shall be issued unless proof is presented that the mobile home, trailer, or vehicle is necessary for, or related to, the industrial or agricultural uses of the property.

2. Special Permits in Other Districts.

a. The Community Development Director may issue special permits for placement of travel trailers, house trailers, or mobile homes in other zoning districts for the following purposes (Ord. No. 05-22):

- 1) Sales office for the sale of those products characterized as being 'open" land uses, such as automobiles, mobile home, or travel trailer sales
- 2) Construction field office for use by contractors while a permanent building is under construction
- 3) Quarters for the night watchman or caretaker in industrial, commercial, or residential zones, provided no person other than the night watchman or caretaker shall occupy the unit
- 4) Quarters for the night watchman or caretaker in a mobile home sales lot, provided no person other than the night watchman or caretaker shall occupy the unit

- 5) Temporary place of business for the owner or lessee during the course of construction of a new building on the site
- 6) Temporary residence during reconstruction of a residential unit following damage by fire, flood, or other similar casualty

b. Fee

A fee established by the City Council shall be required for all permits issued pursuant to this section; such fee shall be in addition to all other applicable fees.

3. Development Standards outside RMH-1 and RMH-2 Districts.

In addition to all other requirements of this Ordinance, travel trailers, house trailers, recreational vehicles, or mobile homes located outside an RMH-1 or RMH-2 district shall comply with the following:

- a. The unit shall be equipped with wheels that remain on the unit; however, the wheels may be blocked for stability.
- b. Setbacks shall be subject to all regulations of the applicable zoning district. (Ord. No. 05-22)
- c. No permanent room addition shall be attached to the unit nor shall the unit be attached to any permanent structure.
- d. The unit shall contain a water closet and lavatory connected with the City sewer, unless other acceptable sanitary provisions are made as set forth in the City Plumbing Code.
- e. The unit shall comply with the Uniform Electrical Code, and be connected with a minimum of one hundred (100) ampere service on a suitable temporary pole approved by the serving agent, observing all necessary wire clearances.
- f. Permit shall be approved for one (1) year and may be granted for a longer period of time as determined by the Community Development Director or designee. (Ord. No. 05-22)
- g. Any temporary or mobile structures shall be removed prior to Certificate of Occupancy. (Ord. No. 05-22)

14-3-12 GROUP HOMES, DAY CARE GROUP HOMES, GROUP CARE FACILITIES, AND COMMUNITY RESIDENTIAL SETTING FACILITIES

A. Group Homes (SFR, RM-1, AG, SR-43, SR-35)

Group Homes shall comply with the following:

1. The single-family residential character of the structure shall be maintained, and additions, alterations, modifications, or accessory uses shall be subject to the same requirements as individual single family detached dwelling units.
2. The applicant, owner, or proprietor shall file a Certificate of Registration with the Community Development Department, and the Community Development Director or designee, after ascertaining compliance with all applicable regulations, shall administratively approve the Certificate.
3. The property line of the lot on which the Home is located shall be a minimum of one thousand, three hundred twenty (1320) feet, measured in a straight line in any direction, from the property line of a lot where any other similar residential facility is located.
4. In the event that the appropriate State licensing agency revokes or terminates an applicant's license, the Certificate of Registration filed with the City shall be deemed to be revoked as of the date of said revocation or termination.

B. Day Care Group Homes (SFR, RM-1, RMH-1, AG, SR-43, SR-35)

Day Care Group Homes with five (5) or more children shall comply with the following:

1. Provide evidence of certification by the Arizona Department of Health Services to the Community Development Department.
2. Provide no identification that is visible from a public street, by signage, graphics, display, or other visual means.
3. Provide a six (6) foot high solid (opaque) fence or wall between all outdoor play areas and adjacent properties.
4. To avoid any over concentration of group homes and similar facilities in a particular neighborhood, ensure adequate spacing between any existing and proposed facilities in accordance with the following:
 - a. Provide a separation by a distance of at least six hundred (600) feet measured along the right-of-way line on either street frontage; or
 - b. If significant physical features such as arterial streets, canals, parks, or similar features exist between the proposed facility and any other existing or proposed facility of a similar nature, then the Planning manager may determine that adequate spacing exists to meet the intent of the spacing requirements.
5. The Planning and Zoning Commission may waive the requirements of subsection (B) (4) (above) if sufficient mitigating measures are provided to eliminate potential adverse impacts on adjacent properties and to preserve the existing character of the residential neighborhood.

- C. Group Care Facilities and Community Residential Setting Facilities (SFR, RM-1, AG, SR-43, SR-35)

Group Care Facilities and Community Residential Setting Facilities shall comply with the following:

1. Group Care Facilities and Community Residential Setting Facilities located in an Office District (O-1) shall adhere to the following provisions:
 - a. All vehicular access to the facility shall be from arterial or collector streets.
 - b. The property line of the lot on which the Home is located shall be a minimum of one-thousand, three-hundred-twenty (1,320) feet, measured in a straight line in any direction from the property line of a lot where any other similar residential facility is located.
 - c. In the event that the appropriate State licensing agency revokes or terminates an applicant's license, the conditional use permit issued by the City shall be deemed to be revoked as of the date of the license revocation or termination.
2. Group Care Facilities and Community Residential Setting Facilities located in Single Family Residential Districts (R1-43, R1-35, R1-18, R1-12, R1-10, R1-8, and R1-6), Multi-Family Residential District (RM-1), General Agricultural District (AG), Suburban Ranch District (SR-43), or Suburban Ranch District (SR-35) shall comply with all provisions set forth above in section (C) (1) and the following provisions:
 - a. Provide no identification that is visible from a public street by signage, graphics, display, or other visual means.
 - b. Provide a six (6) foot high solid (opaque) fence or wall between all outdoor recreation areas and adjacent properties.

14-3-13 WIRELESS COMMUNICATION FACILITIES (Ord. No. 98-15)

It is the intent of this Section to promote the use of appropriate wireless communication facilities while encouraging co-location and design techniques that minimize the impacts of such facilities on the community. The City of Peoria encourages providers to explore all co-location options, locations on existing municipal facilities or locations on existing vertical elements prior to the application for a new facility. The City further encourages applicants to explore all camouflaging and screening options available to reduce the visual and environmental impacts of such facilities to the community.

A wireless communication facility, as defined in Article 14-2, shall be a permitted principal or permitted conditional use only in parcels zoned non-residential such as; Special Use (V-SU), Neighborhood Commercial (V-NC), Community Commercial (V-CC), or Mixed Use (V-MU) including Parks/Open Space and Public/Quasi Public Uses, subject to the limitations contained in this Article and as otherwise set forth in the Peoria City Code. All wireless facility locations and designs must be approved by the Vistancia

Home Owners Association and Vistancia Maintenance Corporation prior to submitting for permits and/or installation on any parcel within the Vistancia Community.

- A. *General Requirements.* All wireless communication facilities (hereinafter referred to as facility) shall meet the following general requirements regardless of whether they are a permitted principal use or a permitted conditional use.
1. *Inventory of Existing Sites.* Each applicant for a facility shall provide to the City an inventory of its existing facilities or sites approved for facilities that are located either within the City of Peoria, City of Peoria planning area boundary or a county island within the City of Peoria. In addition to showing all existing and approved sites, inventories shall show all other wireless communications sites located within one mile of the proposed site, regardless of jurisdictional location. Each inventory shall include general information about the location, height, and design of each tower. The City may share such information with other applicants applying for administrative approvals or conditional use permits under this ordinance or other organizations seeking to locate antennas within the City; provided however, that the City is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
 2. *State or Federal Requirements.* All facilities must meet or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other agency of the state or federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this ordinance shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring facilities and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
 3. *Building Code Safety Standards.* To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said thirty (30) days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
 4. *Measurement.* For the purpose of determining separation distances, distances from properly lines or districts, and setback distances, distance shall be measured from the closest portion of the pole to the property line, district or pole in question. Tower setbacks and separation distances shall be calculated and applied to facilities located in the City of Peoria, irrespective of municipal and

county jurisdictional boundaries. Minimum setbacks for equipment panels shall conform with the International Building Code.

5. *Franchises or licenses.* Owners and/or operators of wireless facilities shall certify that all franchises or licenses required by law for the construction and/or operation of a wireless communication system in the City of Peoria have been obtained and shall file a copy of all required franchises or licenses with the City.
6. *Pre-existing towers.* Pre-existing towers shall be allowed to continue their usage as they presently exist. Routine maintenance (routine maintenance does not include replacement with a new tower of like construction and height) and construction related to the use of the pole for the purposes of adding additional carriers shall be permitted on such pre-existing towers. New construction, including replacement of an existing tower, other than routine maintenance on a pre-existing tower, shall comply with the requirements of this ordinance.
7. *Rebuilding Damaged or Destroyed Nonconforming Towers or Antennas.* Notwithstanding this ordinance, bona fide nonconforming towers or antennas that are damaged or destroyed shall not be rebuilt without first obtaining administrative approval or a conditional use permit and meeting the separation requirements specified in this ordinance. The type, height, and location of the tower onsite shall be of the same type and intensity as the original facility approval. Building permits to rebuild the facility shall comply with the then applicable building codes and shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained, or if said permit expires, the tower or antenna shall be deemed abandoned as specified in this ordinance.
8. *Abandonment of Towers or Facilities.* A facility shall be deemed abandoned when such facility is not in use for a period of twelve (12) consecutive months. The owner of the facility shall remove the same within ninety (90) days of receipt of notice from the City notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said ninety (90) days shall be grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

B. Permitted Principal Use.

A wireless communication facility shall be a permitted principal use when the facility complies with the following minimum development standards:

1. The antennas or towers are located on: property owned or otherwise controlled by the City of Peoria, provided a license, lease or revocable permit authorizing such antenna or tower has been approved by the City Manager or his designee; property owned by a school district and approved by the appropriate school board or their designee (for purposes of this Article, school district shall not include private schools or charter schools); an existing wireless communications facility; existing utility poles; or are located on existing poles within the existing walls of an electrical substation owned, leased or otherwise controlled by a public utility;

2. The facility is developed as an Alternative Tower Structure and meets all other provisions of this code;
3. The maximum height of a facility, except for rooftop or wall mounted facilities, facilities co-locating on an existing wireless communications facility, facilities locating on existing utility poles, or facilities locating on existing vertical structures on school or municipal property, is sixty-five (65) feet, provided however, if the facility is located within any residential district or within one hundred (100) feet of the property line of a residential use or district, the maximum height is fifty (50) feet; (Ord. 98-111)
4. An installation co-locating on an existing wireless communications facility may not increase the overall pole height by more than fifteen (15) feet, and the antennas shall not exceed a maximum height of eighty (80) feet or sixty-five (65) feet in any residential district. Installations co-locating on existing utility poles may increase the height of the pole by not more than fifteen (15) feet. Installations locating on existing vertical structures on school or municipal property shall follow the non-residential height requirements; (Ord. 98-111)
5. The facility replacing an existing pole on school or park grounds does not increase the original pole circumference by more than a 2:1 ratio;
6. Facilities located within a residential zoning district shall not have antennas other than panel antennas and/or whip antennas. Such facilities shall be allowed a single microwave dish not in excess of twenty four (24) inches in diameter;
7. The pole shall be setback from all adjacent residential zoning districts or residential land use property lines a minimum of two hundred percent (200%) of the height of the tower or pole. The pole shall be setback from all non-residential zoning districts or non-residential property lines and all street property lines a minimum of one hundred and ten percent (110%) of the height of the tower or pole;
8. Facilities co-locating on utility poles, facilities within the right-of-way, or facilities located on school or City property, including supporting equipment and cabinets, shall not be required to meet the setbacks requirements set forth above;
9. The freestanding building or equipment structure contains four hundred and fifty (450) square feet or less of gross floor area and is twelve (12) feet or less in height, except when a facility utilizes co-location, the building or equipment structure may contain nine hundred (900) square feet or less of gross floor area. Where ground-mounted cabinets are utilized, they shall not exceed eight (8) feet in height or an area greater than two hundred and fifty (250) square feet;
10. The facility is screened in conformance with Section 14-3-4, "Screening," subsection 14-3-4 (B) (6), of this Article.
11. The rooftop or wall mounted facility is hidden from off-site views and shall be screened to the extent possible by screen walls and/or the building parapet;

12. The colors and texture of the facility shall be compatible with the surrounding environment as determined by the City, except as otherwise required by the FAA;
 13. No commercial advertising or signage is allowed on site;
 14. The facility has at least one (1) parking space designed to City standards. This requirement includes maneuvering areas and access drives. This requirement may be waived when sufficient hard surfaced parking exists;
 15. The rooftop mounted facility is fifteen (15) feet or less in height as measured from the surrounding rooftop height to the top of all appurtenances;
 16. The wall mounted antennae are eight (8) feet or less in height. Wall mounted facilities shall be mounted so as not to extend above the roof-line of the building and shall not project more than twelve (12) inches from the building face;
 17. The facility shall not be artificially lighted, unless required by the FAA or other applicable authority;
 18. The facility is not located within the Hillside Development Overlay District or within thirteen hundred and twenty (1320) feet of a City or state designated historical site; and
 19. The minimum separation between facilities, except for approved alternative tower structures, rooftop or wall mounted facilities, facilities located within the industrial zoning districts, and facilities located on existing vertical structures on school or municipal property, is one thousand three hundred and twenty (1320) feet. (Ord. 98-110)
- C. *Permitted Conditional Use.* A wireless communication facility which does not meet the conditions specified above for "Permitted Principal Use," subsection 14-12-11 (8) of this Article, shall be a permitted conditional use and processed in accordance with Article 14-39, Administrative Procedures, Section 14-39-10, Conditional and Special Conditional Use Permits," of this Ordinance. All permitted conditional uses shall meet the following minimum development standards:
1. The maximum height of the facility, except for rooftop or wall mounted facilities, facilities co-locating on an existing wireless communications facility, facilities locating on existing utility poles, or facilities located on existing vertical structures on school or municipal property, shall be eighty (80) feet, provided however, if the facility is located in any residential district or within seventy-five (75) feet of the property line of a residential use or district, the maximum height shall be sixty-five (65) feet; (Ord. 98-111)
 2. An installation co-locating on an existing facility shall not increase the overall pole height by more than fifteen (15) feet, and the antennas shall not exceed a maximum height of ninety-five (95) feet or sixty-five (65) feet in any residential district. Installations co-locating on existing utility poles may increase the height of the pole by not more than fifteen (15) feet. Installations locating on existing

vertical structures on school or municipal property shall follow the non-residential height requirements; (Ord. 98-111)

3. The facility replacing an existing pole on school or park grounds does not increase the original pole circumference by more than is necessary to accommodate the additional structural requirements;
4. Such facilities located within a residential zoning district shall not have antennas other than panel antennas and/or whip antennas. Such facilities shall be allowed a single microwave dish not in excess of twenty four (24) inches in diameter,
5. The pole shall be setback from all adjacent residential zoning district or residential land use property lines a minimum of one hundred and ten percent (110%) of the height of the tower or pole. The pole shall be setback from all nonresidential zoning district or non-residential property lines a minimum of five (5) feet and shall be setback from all street property lines equal to or greater than the building setback for the district in which the pole is located;
6. Facilities co-locating on utility poles, facilities within the right-of-way, or facilities located on school or City property shall not be required to meet the setbacks requirements set forth above;
7. The facility shall be screened in conformance with Section 14-3-4 of this Article.
8. A rooftop or wall mounted facility shall be hidden from off-site views and shall be screened to the extent possible by screen walls and/or the building parapet;
9. The colors and texture of the facility shall be compatible with the surrounding environment as determined by the City, except as otherwise required by the FAA;
10. No commercial advertising or signage shall be allowed on-site;
11. A facility shall have at least one (1) parking space designed to City standards. This requirement shall also include maneuvering areas and access drives. This requirement shall be waived when sufficient hard surfaced parking exists;
12. A rooftop mounted facility shall be twenty-five (25) feet or less in height as measured from the surrounding rooftop height to the top of all appurtenances;
13. A wall mounted facility shall be twelve (12) feet or less in height. Wall mounted facilities shall be mounted so as not to extend above the roof-line of the building and shall not project more than twelve (12) inches from the building face;
14. The facility shall not be artificially lighted, unless required by the FAA or other applicable authority;
15. A facility may not be allowed within the Hillside Development Overlay District or within thirteen hundred and twenty (1320) feet of a City or state designated historical site; and

16. The minimum separation between facilities, except for approved alternative tower structures, rooftop or wall mounted facilities, facilities located within the industrial zoning districts, and facilities locating on existing vertical structures on school or municipal property, shall be one thousand (1000) feet, unless otherwise approved by the City Council. (Ord.98-111)

ARTICLE 14-5
SINGLE-FAMILY
RESIDENTIAL DISTRICTS
R1-43, R1-35, R1-18, R1-12, R1-10, R1-8, AND R1-6
(Ord. No. 93-12)

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14-5-1 INTENT

These districts comprise single-family residential areas and certain land areas where such development is desirable. They provide for a range of single-family lot sizes and establish minimum property development standards directly related to such lot sizes. Each district is restricted to the same principal, accessory and conditional uses and affords each residential property a uniform degree of protection from encroachment and adverse influence, regardless of its price class or lot size. Regulations are designed to stabilize and protect the single-family character of the districts, to promote and encourage creation of a favorable environment for family life where most families include children and to prohibit all incompatible activities. Certain essential and complementary uses are also permitted under conditions and standards, which assure their compatibility with the character of the district.

14-5-2 PERMITTED PRINCIPAL USES

- A. One detached single-family dwelling per lot. (Ord. No. 93-12)
- B. Publicly-owned and operated parks and recreation areas and centers.
- C. Group Homes, in accordance with provisions of 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). (Ord. No. 02-85)

- D. Public/Charter Schools and Private Schools, provided that the facility shall have direct vehicular access to an arterial or collector street and that facilities for repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 99-89).
- E. Churches, synagogues, temples, chapels, or similar places of worship, and related facilities, subject to review and approval of vehicular access by the City Engineer. (Ord. No. 02-19)
- F. Public utility buildings, uses, structures, equipment and storm water retention areas; provided that repair or storage facilities in connection therewith are expressly prohibited. (Ord. No. 04-207)

14-5-3 PERMITTED CONDITIONAL USES

Any of the following uses may be permitted as principal uses subject to approval by the Commission of site development plans prepared in accordance with provisions of this Article and Article 14-24 of this Chapter.

- A. Public buildings providing cultural, educational, administrative, fire and police protection services to district residents; provided that all vehicular access shall be restricted to public streets.
- B. Colleges or universities with no on-site housing and which have direct vehicular access to an arterial or collector street. Facilities for the repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 99-89)
- C. Non-commercial recreational uses, provided that all direct vehicular access is from an arterial or collector street. (Ord. No. 93-12)
- D. Golf courses, including clubhouses, provided that:
 - 1. All direct vehicular access shall be from abutting arterial or collector streets.
 - 2. All principal and accessory buildings shall be located not less than fifty (50) feet from any property line adjoining any residential district,
 - 3. Any accessory restaurant or bar shall be an integral part of a principal building, shall have no public entrance except from within the building, and shall make no exterior display or advertising of any commercial activity.
 - 4. Golf greens and tees, swimming pools, tennis courts and similar outdoor recreation facilities shall be located not less than twenty-five (25) feet from any property line.
- E. Day Care Group Homes with five (5) or more children, in accordance with provision of Article 14-3, General Provision, 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 upon a finding by the Planning and Zoning Commission, that such homes will be operated in a manner that is compatible with and not detrimental to, adjacent properties or the neighborhood in general: (Ord. No. 02-85)

- F. Group Care Facility or Community Residential Setting Facility in accordance with provision of Article 14-3, General Provision, 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. (Ord. No. 02-85)
- G. Preschool centers or day care centers in accordance with State Department of Health Care Services regulations provided that: (Ord. No. 02-19)
 - 1. The use shall be in conjunction with a non-residential principal or conditional use within Article 14-5.
 - 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 4'-6" or
 - b. Wrought-iron view fence no shorter than 4'-6" with vertical members no greater than 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.

14-5-4 PERMITTED ACCESSORY USES

- A. Any accessory use customarily incidental to a permitted principal use.
- B. Off-street parking serving a permitted principal use, in accordance with Article 14-23.
- C. Private garage or carport for storage or parking of vehicles.
- D. Garden house, tool house, ramada, outdoor swimming pool and similar home recreational facilities; provided that such facilities are used solely by occupants of the premises and their guests.
- E. 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). (Ord. No. 98-18)

- F. Guest house or servant's quarters; subject to 14-5-9B.
- G. Home occupation, in accordance with Article 14-3, General Provision, Section 14-3-8, "Homes Occupations," of this Ordinance. (Ord. No. 02-85)
- H. Where the keeping of horses and other livestock is otherwise lawful, structures customarily accessory to such use.
- I. Day care for four (4) or less children. (Ord. No. 93-25)

**14-5-5 GENERAL PROPERTY DEVELOPMENT STANDARDS
(Ord. No. 03-158)**

- A. On any lot, no structure shall exceed three (3) feet in height above grade within the required front setback area. (Ordinance No. 95-72).
- B. Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment can be justified.
- C. All Flag Lots, except as provided under Section 14-22A-4, shall be subject to the following standards:
 - 1. The access portion of the flag lot ("flag pole") must be under the same ownership as the flag portion.
 - 2. Each flag lot shall have at least twenty (20) feet of street frontage and at least twenty (20) feet of width for the entire length of the flagpole.
 - 3. The area of the flag pole portion of the flag lot shall not be included in the calculation of minimum lot area.
 - 4. For flag lots, the Planning Manager shall determine which property line(s) shall constitute the front and rear lot lines for the purposes of compliance with yard and setback provisions of this ordinance.
 - 5. Flag lots shall have the street address clearly visible from the street to identify a dwelling that is set back from the street.
 - 6. The driveway providing access to the flag lot shall be placed as close as possible to an existing driveway on adjacent property.

ARTICLE 14-6 RM-1 MULTI-FAMILY RESIDENTIAL DISTRICT

(Ord. No. 02-83)

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14-6-1 INTENT

This district is intended to fulfill the need for multi-family residences or attached single-family residences which are compatible with abutting single-family residential districts. Certain essential and complimentary uses are permitted under conditions and standards which assure protection of the character of the district.

14-6-2 PERMITTED PRINCIPAL USES

- A. Attached Single-family dwellings.
- B. Two-family dwellings.
- C. Multi-family dwellings.
- D. Group Homes, in accordance with provision of Article 14-3, General Provision, 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" provided that the residence is a pre-existing single family detached dwelling or attached dwelling. (Ord. No. 02-85)
- E. Public/charter schools and private schools provided that the facilities have direct vehicular access to an arterial or collector street. Facilities for repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 99-89)
- F. Religious Institutions such as Churches, synagogues, temples, chapels, or mosque, subject to review and approval of vehicular access by the City Engineer. (Ord. No. 02-85)
- G. Public utility buildings, uses, structures, equipment and storm water retention areas; provided that repair or storage facilities in connection therewith are expressly prohibited. (Ord. No. 04-207)

14-6-3 PERMITTED CONDITIONAL USES

The following uses may be permitted subject to Conditional Use Permit approval by the Planning and Zoning Commission.

- A. Bed and Breakfast Inn, Subject to the following: (Ord. No 99-101)
 - 1. Maximum building height shall be thirty feet (30') or two (2) stories, whichever is greater.
 - 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 within one calendar year.
 - 4. Meals shall be restricted to registered guests.
- B. Colleges or university facilities, such facilities shall have direct vehicular access to an arterial or collector street. Facilities for the repair or storage of vehicles and equipment shall be prohibited. (Ord. No. 05-58A)
- C. 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," provided that the residence is a single-family detached dwelling, and upon a finding by the Planning and Zoning Commission that such home will be operated in a manner that is compatible with, and not detrimental to, adjacent properties or the neighborhood in general. (Ord. No. 02-85)
- D. Group Care Facilities 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." (Ord. No. 02-85)
- E. Hospitals, or similar health care facilities, provided access to the site shall be determined by a Traffic Impact Analysis (TIA) approved by the City Engineering Department and that the site contains a net land area totaling at least four (4) acres for the first one hundred beds or less, plus one additional acre for each additional twenty-five beds. (Ord. No. 05-36)
- F. Nursing or convalescent home provided that all vehicular access is from an abutting arterial or non-residential collector street, and that the site contains a net land area of at least one (1000) thousand square feet per dwelling unit. (Ord. No. 97-41)
- G. Preschool centers or day care centers in accordance with State Department of Health Care Services regulations.

- H. Rooming house, provided that the site contains a net land area of at least five hundred (500) square feet per resident.
- I. Reception Center, provided that all outdoor events between the hours of 10:00 p.m. and 12:00 a.m. have obtained a temporary use permit.

14-6-4 PERMITTED ACCESSORY USES (Ord. No. 93-25)

- A. Any accessory use customarily incidental to a permitted use.
- B. Day care for four (4) or less children.
- C. 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). (Ord. No. 98-18)

14-6-5 GENERAL REGULATIONS

- A. All multi-family residential developments in the RM-I Districts are subject to site plan approval as set forth in the provisions of this Ordinance. All design standards, including on-site parking, traffic circulation, and landscaping, shall be in accordance with the City of Peoria Design Review Manual and the Peoria Zoning Ordinance.
- B. All off-site improvements shall be the responsibility of the developer and shall be accomplished in the same manner as is specified and required in the subdivision regulations of the City of Peoria, Chapter 24 of this Code.

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
MINIMUM BUILDING SETBACKS (feet)			
Front from Garage	18	18	n/r
Front from Principal Building	10	10	20
Rear	15	15	15
Rear from Patio	10	10	n/r
Side Setbacks from Property Line (Ord. No. 05-58A)	5 ³	20 ³	20 ³
Corner Side (Ord. No. 05-58A)	n/r	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 finding that the project incorporates additional amount of open space, recreational amenities, enhanced landscaping, enhanced project amenities, and/or pedestrian corridors.*
3. *For condominium and attached products, only building separation applies. No minimum building separation required along common wall. (Ord. No.05-58A)*

n/r No minimum requirement

B. Development Standards for Non-Residential Uses shall be as follows:

DEVELOPMENT STANDARDS	NON-RESIDENTIAL BUILDINGS
Maximum Lot Coverage (%)	50
Maximum Principal Building Height (feet) ¹	48
SETBACKS (feet)	
Front (street line)	40
Rear	25
Side	25
Corner Side (from edge of pavement)	10

1. *Provided that the minimum required side and rear setbacks shall be increased by three additional feet (3') for each one (1) foot by which the height of the structure exceeds thirty feet (30').*

C. Development Standards for Accessory uses shall be as follows:

Accessory building development standards for Attached Single-Family shall conform to the regulations set forth in Section 14-5-8. (Ord. No. 04-23)

DEVELOPMENT STANDARDS	TWO, THREE, FOUR-FAMILY DWELLING AND MULTI-FAMILY	NON-RESIDENTIAL
Maximum Building Height (feet)	20 ¹	20
MINIMUM BUILDING SETBACKS (feet)		
Front	10	20
Rear	5	10
Side	8	10

1. *Thirty feet (30') maximum height for Clubhouse*

14-6-7 SPECIAL REGULATIONS (Ord. No. 95-30)

The intent of this Section is to provide for the registration and vesting of the detached single-family dwelling use which existed within the RM-1 zoning district prior to April 1, 1993. This Section is also intended to provide that properties not registered and vested in accordance with this Section shall be subject to all the provisions of Chapter 14 of the Peoria City Code (1977) as amended and effective after April, 1993.

A. Notwithstanding any other provisions contained within this Chapter all undeveloped and unsubdivided parcels of property within the City containing an RM-1 zoning or Planned Unit Development (P.U.D.) zoning with RM-1 zoning designation prior April 1, 1993 shall be governed by the provisions of this Section, in addition to all other applicable provisions of the City Code and Chapter 14 of the Peoria City Code (1977 Edition).

- B. On or before October 4, 1996, any undeveloped and unsubdivided property having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation prior to April 1, 1993 may register and vest the use of detached single-family dwelling by complying with all of the provisions contained in this Section. Compliance with the registration and vesting requirements of this Section shall result in the continuation of the principal permitted use status of detached single-family dwelling that existed prior to April 1, 1993.
- C. In order to register the principal permitted use status of detached single-family dwelling on undeveloped and unsubdivided property having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation, the following requirement must be met:
1. Submission of a complete Preliminary Plat application prior to October 6, 1995. Submission of a complete Preliminary Plat application shall constitute registration of the subject property.
- D. In order to vest the principal permitted use status of detached single-family dwelling on undeveloped and unsubdivided property having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation and registered as provided in Section 14-6-9.C, all of the following requirements shall be met prior to October 4, 1996:
1. Approval of the Preliminary Plat for the subject property.
 2. Approval and recordation of the Final Plat for the subject property.
 3. Completion and acceptance by the City of all off-site improvements required under the Final Plat.
 4. Application and issuance of a building permit for one or more detached single-family dwelling(s) within the subject property.
- E. All detached single-family dwelling uses vested and developed between April 1, 1993 and October 4, 1996 shall comply with all of the following standards: (Ord. No. 05- 58A)
1. Minimum lot size of four thousand five hundred (4,500) square feet.
 2. Minimum front setback of twenty (20) feet.
 3. Minimum side yard setback of five (5) feet, with at least one side yard being a minimum of eight (8) feet.
 4. Minimum rear setback of fifteen (15) feet.
 5. Maximum lot coverage not to exceed forty-five percent (45%).
 6. Minimum front lot footage of forty-five (45) feet.
 7. Maximum building height of twenty-five (25) feet. (Ord. No. 05-36)

8. The building setback of a principal building for a corner side yard shall be ten (10) feet.
- F. All detached single-family dwelling uses vested and developed prior to April 1, 1993 shall comply with all of the following standards: (Ord. No. 05-58A)
1. Minimum lot size of four thousand (4,000) square feet.
 2. Minimum front setback of fifteen (15) feet.
 3. Minimum side yard setback of three (3) feet.
 4. Minimum rear setback of fifteen (15) feet.
 5. Maximum lot coverage not to exceed fifty percent (50%).
 6. Minimum lot width of forty (40) feet.
 7. The setback between buildings shall be ten (10) feet.
- G. Failure by the owner of any parcel having an RM-1 zoning or P.U.D. zoning with RM-1 zoning designation prior to April 1, 1993, to comply with the provisions of this Section by registration of the property by October 6, 1995, and vesting by October 4, 1996 of the detached single-family dwelling use and compliance with all the requirements of this Section shall be deemed to subject the owners of such parcels to all the requirements of Chapter 14 of the Peoria City Code as amended and effective on April 1, 1993.
- H. Within a master planned community, which is defined as a community consisting of not less than two hundred (200) acres and which is being developed by a single developer or its successors in interest and which is characterized by the existence of enhanced recreational facilities such as lakes or golf courses which are funded by the assessments against individual residents within the master planned community, those parcels within a master planned community meeting this definition and having an RM-1 zoning designation prior to April 1, 1993 shall be deemed having vested the principal permitted use status of detached single-family dwelling that existed prior to April 1, 1993.

ARTICLE 14-9 NON-RESIDENTIAL DISTRICTS

(Ord. No. 02-68)

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14-9-1 INTENT

The non-residential districts are intended to collectively facilitate the development and operation of all types of employment-generating uses, including, but not limited to, retail and service establishments, neighborhood convenience stores, business parks and professional offices, research and development centers, storage warehouses and other light-industrial uses in a manner consistent with the Peoria General Plan.

14-9-2 ZONING DISTRICTS

A. *Office Commercial District (O-1)*

The O-1 District is intended to provide 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.

B. *Convenience Commercial District (C-1)*

The C-1 District is intended to accommodate neighborhood-scale retail and service establishments that provide the incidental daily necessities for the local residential areas. This district constitutes the secondary level of neighborhood commercial development. In order to prevent the undesirable "strip" commercial development, it is intended that each development be contiguous and limited in scale. The C-1 Districts should generally be restricted to the intersection of major arterial streets while providing one-mile separation from other non-adjacent commercial districts. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

C. *Planned Neighborhood Commercial District (PC-1)*

The PC-1 District is intended to accommodate small-scale retail and service establishments that provide the incidental daily necessities for the local residential areas. This district allows for planned neighborhood shopping centers typically having a principal tenant (i.e. supermarket) and an accompanying trade area generally limited to adjacent neighborhoods. It is further intended that PC-1 Districts be restricted to the intersection of selected arterial streets while generally providing one-mile separation from other non-adjacent commercial districts. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

D. *Planned Community Commercial District (PC-2)*

The PC-2 District is intended to accommodate large-scale planned commercial complexes providing comparison shopping goods and services to a community wide and regional trade area. It is further intended that such commercial centers shall be planned, developed and managed as integrated complexes under unified or condominium ownership.

E. *Intermediate Commercial District (C-2)*

The C-2 District is intended to provide a shopping center for the sale of convenience goods and personal services. In order to prevent the establishment of undesirable "strip" commercial development, it is intended that each development be contiguous and limited in scale. The C-2 districts should generally be restricted to the intersection of major arterial streets while providing one-mile separation from other non-adjacent commercial districts. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

F. *Central Commercial District (C-3)*

The C-3 District is intended to accommodate retail and service establishments in the original plat of Peoria, what is now called the 'Old Town' area. While the C-3 District is intended for buildings to be grouped together in compact arrangements in order to provide maximum shopping convenience and efficient use of off-street parking, the development standards contained herein recognize the existing characteristics of individually owned, small-lot business establishments. The regulations and development standards are designed to preserve adjacent residential amenities and to prohibit encroachment by more intensive commercial uses.

G. *General Commercial District (C-4)*

The C-4 District is intended to facilitate a wide range of retail, office, service establishments, and other uses not suitable to be located adjacent to residential zones but necessary to accommodate the larger community. This district is particularly suitable along Grand Avenue and Bell Road (Ord. No. 94-27) where uses are primarily related to auto-borne clientele and by nature, create a high degree of turning movement.

H. *Regional Commercial District (C-5)*

The C-5 District is intended to accommodate large-scale commercial establishments or developments that provide goods and services to a community-wide and regional trade area. These districts are typically located along major arterials (typically 110' of right-of-way) or other regional transportation corridors.

I. *Business Park Industrial District (BPI)*

The BPI District is intended to accommodate the development of office parks, support retail services, warehousing and certain light industrial uses in a comprehensively planned and attractive setting. The regulations and development standards contained within this district include generous screening, landscape buffering and performance standards to ensure compatibility with neighboring districts, particularly when located near residential districts.

J. *Planned Light Industrial District (PI-1)*

The PI-1 District is intended to accommodate certain industrial structures and uses having physical and operational characteristics that might have potential adverse impacts on adjacent properties. The regulations and development standards are designed to permit those industrial uses which can be operated in a relatively clean, quiet and safe manner, and are compatible with adjoining industrial uses without causing adverse impacts, danger or hazard to nearby non-industrial uses.

K. *Light Industrial District (I-1)*

The I-1 District is intended to accommodate certain light industrial developments such as manufacturing uses which can be operated in a relatively clean, quiet and safe manner without causing adverse psychological influence or nuisance effects on surrounding property or similar reasons. The regulations and development standards are designed to accommodate, control and limit such special uses for their own protection as well as for protection of the character of surrounding districts.

L. *Heavy Industrial District (I-2)*

The I-2 District is intended to accommodate certain industrial structures and uses, including large-scale or very specialized industrial operations, having potential adverse environmental impacts on adjoining residential and commercial developments, and, to some extent, the nearby light industrial districts. The regulations and development standards are structured to permit uses involve processing of raw materials and the manufacturing, processing and compounding of semi-finished or finished products.

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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
ADMINISTRATIVE & FINANCIAL												
Automatic Teller Machine (ATM)	P	P	P	P	P	P	P	P	P	P	P	P
Banks and Financial Institution	P	P	P	P	P	P	P	P	P	-	-	-
Bonding Companies & Non-Chartered Financial #	-	-	-	-	C	C	C	C	-	C	C	-
Professional, Administrative or Business Offices	P	P	P	P	P	P	P	P	P	P	P	P

AUTOMOBILE RELATED												
Auto Auction	-	-	-	-	-	-	C	-	-	P	P	P
Auto Dismantling, Scrap Dealers, Recycling Centers	-	-	-	-	-	-	-	-	-	-	-	C
Auto Parking Lot or Garage as Principal Use	P	-	P	P	P	P	P	P	P	P	-	-
Auto Parts and Accessory Store	-	-	P	P	P	P	P	P	-	-	-	-
Auto Sound System Installation, Auto Glass Tinting & Repair and similar uses #	-	-	-	-	C	C	P	P	P	P	P	P
Autobody Repair and Painting Facilities #	-	-	-	-	-	-	P	-	-	P	P	P

- P = Permitted Use
- C = Permitted Conditional Use. Conditional Use Permit required. See Article 14-39-10.
- A = Accessory use
- # = Subject to special limitations (see the following section 14-9-5)
- = Not Permitted

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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
AUTOMOBILE RELATED - CONTINUED												
Automobile Dealerships, Boat, RV, or Motorcycle Sales, including Outdoor Sales & Rental (Ord. No. 05-58A)	-	-	-	-	-	-	P*	P*	-	-	P*	P*
Automobile Diagnostic and/or Service Establishment , include engine & transmission overhaul, repair facilities & similar services.# (Ord. No. 05-58A)	-	-	-	-	C	C	P*	P*	-	P*	P*	P*
Automobile Rental Facility, limit to six (6) vehicles #	-	-	C	C	C	C	P	P	-	-	-	-
Automobile Towing & Impound Facilities (Ord. No. 05-58A)	-	-	-	-	-	-	C	-	-	P*	P*	P*
Boat & RV Repair	-	-	-	-	-	-	C	C	-	C	C	P
Car Wash, Automated; Self Service	-	-	-	-	C	C	C	C	-	-	P	P
Emissions Testing Facility	-	-	-	-	-	-	P	-	P	P	P	P
Gas Service Station #	-	-	C	C	C	C	C	C	-	-	-	-
Parking Space with Electric Vehicle Charging Equipment (Ord. No. 2010-23)	A	A	A	A	A	A	A	A	A	A	A	A
Tire Sales, Repair and Mounting #	-	-	-	-	C	C	C	C	-	-	-	-
Truck Stop, including Wash (Ord. No. 05-58A)	-	-	-	-	-	-	-	P*	-	-	-	P*

EATING & DRINKING ESTABLISHMENTS												
Catering Establishment (Ord. No. 03-171)	P	P	P	P	P	P	P	P	P	P	P	P
Food & Beverage Vendor Cart #	A	A	A	A	A	A	A	A	A	A	A	A
Outdoor Dining and Seating Areas # (Ord. No. 06-07)	C	C	C	C	C	C	C	C	C	C	C	C
Restaurants, Drive Through or Drive-Up # (Ord. No. 2010-23)	-	P*	P*	P*	P*	-	P*	P*	-	-	-	-
Restaurants (Ord. No. 06-07)	P	P	P	P	P	P	P	P	A	A	A	A
Tavern, Bar, Lounge or establishment that sells alcoholic beverages for consumption on premise, excluding restaurants #	-	-	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

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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
ENTERTAINMENT AND RECREATION												
Adult Uses #	-	-	-	C	C	-	C	C	-	C	C	C
Convention, Exhibition Centers and similar uses (Ord. No. 05-58A)	-	-	-	-	C	C	C	C	C	-	-	-
Dance, Theatrical, Art, Music Studio & similar uses (Ord. No. 05-58A)	-	-	P	P	P	P	P	P	P	P	P	P
Golf Courses	-	-	-	-	C	-	P	P	-	-	-	-
Health and Exercise Center # (Ord. No. 03-171)	P	P	P	P	P	P	P	P	P	P	P	P
Indoor Recreation/Entertainment include Bowling Alleys, Game Rooms, Video Arcades, Ice & Roller Skating Rinks, Shooting Ranges, Pool & Dance Halls, Bingo Halls, & similar uses, excluding Adult Uses & Taverns Bars & Lounges	-	-	P	P	P	P	P	P	-	-	-	-
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)	C	C	-	C	C	C	C	C	-	-	-	-

GENERAL INDUSTRIAL & MANUFACTURING												
Bulk Fuel Sales and Storage (Ord. No. 05-58A)	-	-	-	-	-	-	-	-	-	-	-	P*
Call Center	-	-	-	-	-	-	C	P	P	P	P	P
Cement & Asphaltic Concrete Batch Plants	-	-	-	-	-	-	-	-	-	-	-	C
Commercial Laundry & Dying Plant	-	-	-	-	-	-	-	-	-	P	P	P
Commercial Livestock Feeding, Hog Ranches, Poultry Hatcheries, Dairy Farms, Cattle Sales & Livestock Auctions	-	-	-	-	-	-	-	-	-	-	-	C
Commercial Slaughtering, Lard & Tallow Rendering, Meat Packing, Poultry & Game Dressing & Packing	-	-	-	-	-	-	-	-	-	-	-	C
Contractors Storage Yard, including outdoor storage of construction equipment & materials (Ord. No. 05-58A)	-	-	-	-	-	-	C	-	-	P*	P*	P*
Cotton Ginning & Baling, Wood Preserving by pressure impregnation, Rubber or Oil Reclaiming	-	-	-	-	-	-	-	-	-	-	-	C
Data Center (Ord. 02-21)									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

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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												
Drilling, Production, Refining of Petroleum, Gas or Hydrocarbons												C
Electric Power Generating Plants, Transformer Stations & Sub-stations, Gas Pumping Plants	-	-	-	-	-	-	-	-	-	-	-	P
Environmental Remediation Facility	-	-	-	-	-	-	-	-	-	-	C	C
Essential Public Service or Utility Installation	P	P	P	P	P	P	P	P	P	P	P	P
Incineration or Reduction of offal, garbage or refuse when conducted entirely within an approved enclosed facility	-	-	-	-	-	-	-	-	-	-	-	C
Machine Shops (Ord. No. 05-58A)	-	-	-	-	-	-	-	-	P	P	P	P
Manufacturing, Fabrication & Processing of Goods #	-	-	-	-	-	-	-	-	P	P	P	P
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
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)	-	-	-	-	-	-	P*	P*	-	P*	P*	P*
Outdoor Automobile, RV, Boat, and Trailer Storage (Ord. No. 05-58A)	-	-	-	-	-	-	-	-	-	P	P	P
Outdoor 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

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

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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												
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	-	-	-	-	-	-	-	-	-	-	-	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	P	-	-	-
Bait and Tackle Shops	-	-	P	P	P	P	P	P	-	-	-	-
Book, Stationery & Greeting Card Store	P	P	P	P	P	P	P	P	P	-	-	-
Candy and Ice Cream Store	P	P	P	P	P	P	P	P	P	-	-	-
Carpet and Floor Covering Store	-	-	-	-	P	P	P	P	P	-	-	-
Copy Center	P	P	P	P	P	P	P	P	P	P	P	P
Donation Center # (Ord. No. 03-171)	-	-	-	-	C	-	C	C	P	P	P	P
Florist	P	P	P	P	P	P	P	P	P	-	-	-
Gift, Novelty and Souvenir Shop	P	P	P	P	P	P	P	P	P	-	-	-
Hobby, Stamp and Coin Shop	P	P	P	P	P	P	P	P	P	-	-	-
Newsstand (Ord. No. 05-58A)	P	P	P	P	P	P	P	P	P	A	A	A
Pawn Shop #	-	-	-	-	C	-	C	C				
Permissible Consumer Fireworks Sales# (Ord. No. 2011-03)	-	P	P	P	P	P	P	P	P	-	-	-
Pet Shop # (Ord. No. 05-51)	-	-	P	P	P	P	P	P	P	-	-	-
Plumbing, Heating & Air-conditioning Sales and Service	-	-	-	-	-	-	P	-	-	P	P	P
Retail Decorative Rock Sales	-	-	-	-	C	-	P	-	-	P	P	P
Retail Sales of New & Used Merchandise, Indoor, excluding Sale of Automobile, Boats RVs and Motorcycles (Ord. No. 05-36)	-	P	P	P	P	P	P	P	P	P	-	-
Retail Liquor Store #	-	-	-	-	C	-	C	C	-	-	-	-
Small Merchandise Vendor Carts # (Ord. No. 05-36)	A	A	A	A	A	A	A	A	A	A	A	A
Video Rental Store	P	P	P	P	P	P	P	P	P	-	-	-
Water and Ice 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

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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 #	P*	P*	-	-	C	-	P	P	-	-	-	-
Public Buildings #	P	P	P	P	P	P	P	P	P	P	P	P
Public/Private Schools, Charter Schools, College and University Facilities excluding College & University Campuses# (Ord. No. 2010-23)	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

INTENSE RETAIL												
Appliance, Furniture, & Household Equipment Sales and Rentals (Ord. No. 07-22)	-	-	P	P	P	P	P	P	P	-	-	-
Accessory Outdoor Garden Centers (Ord. No. 07-22)		P*										
Commercial Service Establishments combining retail, showroom with workshop # (Ord. No. 03-171)	-	-	-	C	C	C	P	P	-	-	-	-
Department Store	-	-	P	P	P	P	P	P	-	-	-	-
Equipment Sales, Rental and Storage Yard	-	-	-	-	-	-	P	P	P	P	P	P
Farmers Markets	-	-	-	-	-	-	P	-	-	P	P	P
Hardware & Home Improvement Store (Ord. No. 07-22)		P	P	P	P	P	P	P				

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- 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

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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
Intense Retail- Continued												
Hardware & Home Improvement Store with outdoor storage and/or garden center (Ord. No. 03-171)	-	-	C	C	C	C	C	C	-	-	-	-
Large-Scale Retail # (Ord. No. 05-16)	-	-	-	-	C	-	C	C	-	-	-	-
Mobile Home Sales	-	-	-	-	-	-	C	-	-	P	P	P
Monument Sales and Engraving Shop	-	-	-	-	P	P	P	P	P	P	P	P
Office Supply & Machine Sales & Service	-	-	P	P	P	P	P	P	P	-	-	-
Outdoor Sales and Display Area # (Ord. 02-21) (Ord. No. 05-36)	P	P	P	P	P	P	P	P	-	P	P	P
Plant Nursery, Retail	-	-	-	-	C	-	P	-	-	P	P	P
Plant Nursery, Wholesale	-	-	-	-	-	-	P	-	-	P	P	P
Retail Sales of lumber & Building Materials #	-	-	-	-	-	-	C	-	-	P	P	P
Sales & Storage of grain, feed, seed, fertilizer, farm & garden supplies (Ord. No. 05-58A)	-	-	-	-	C	C	P*	-	-	P*	P*	P*
Swap Meet, indoor	-	-	-	-	-	-	P	-	-	-	-	-
Swimming Pool and Spa Sales (may include outdoor model display) # (Ord. No. 07-36)	-	-	-	-	C	-	P	-	P	P	P	P
Upholstery Shop (Ord. No. 05-58A)	-	-	-	-	-	P	P	-	-	-	P	P
Wholesale Produce Storage or Market	-	-	-	-	-	-	C	-	C	P	P	P

LODGING												
Bed and Breakfast Inn #	-	-	-	-	-	C	-	-	-	-	-	-
Hotel or Motel #	-	-	-	P	P	P	P	P	P	-	-	-
Living quarter for night guards	-	-	-	-	-	-	A	-	A	A	A	A

MEDICAL												
Ambulance Service Facility	-	-	-	-	C	C	P	P	-	P	P	P
Emergency Medical Care Facility #	-	-	-	-	C	C	P	P	-	P	P	P
Hospitals	-	-	-	-	-	-	-	P	-	-	-	-
Medical, Dental, Optician or Health, Clinics and Laboratories	P	P	P	P	P	P	P	P	P	P	P	P
Veterinary Hospital # (Ord. No. 05-51)	-	-	-	-	C	C	C	C	P	P	P	P
Veterinary Offices and Clinics, excluding animal boarding # (Ord. No. 05-51)	-	-	-	-	C	C	C	C	P	P	P	P

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- 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

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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
PERSONAL SERVICES												
Animal Shelter	-	-	-	-	-	-	C	-	-	C	C	C
Appliance Repair	-	-	-	-	-	-	P	-	-	P	P	P
Auction Houses and Estate Sales	-	-	-	-	-	-	P	-	-	P	P	P
Blueprint Shop	-	-	-	-	-	-	P	P	P	P	P	P
Boarding & Training Kennels (Ord. No. 03-171)	-	-	-	-	-	-	C	-	-	C	C	C
Cabinet and Carpentry Shop	-	-	-	-	-	-	P	-	-	P	P	P
Custom Dressmaking, Furrier, Millinery or Tailor Shop #	-	-	-	-	-	-	P	P	P	P	P	P
Day Labor Hiring Centers (Ord. No. 05-58A)	-	-	-	-	-	-	C	-	-	C	C	C
Dry Cleaning and Laundry Establishment	-	P	P	P	P	P	P	P	P	P	P	P
Employment Agencies, not including Day Labor Hiring Centers	-	-	P	P	P	P	P	P	P	P	P	P
Laundromat, self-service	-	P	P	P	P	P	P	P	-	-	-	-
Locksmith	-	-	P	P	P	P	P	P	P	P	P	P
Messenger Delivery Service	P	P	P	P	P	P	P	P	P	-	-	-
Palm Readers, Phrenologists, Fortune Tellers and Astrologers	-	-	P	P	P	P	P	P	-	-	-	-
Pest Control Service	-	-	-	-	-	-	P	-	-	P	P	P
Pet Grooming Shop # (Ord. No. 05-51)	-	-	P	P	P	P	P	P	-	-	-	-
Photographic Developing and Printing	P	P	P	P	P	P	P	P	P	P	P	P
Photographic Studio	-	-	P	P	P	P	P	P	-	-	-	-
Plasma Center, Massage Establishment, Tattoo & Body Piercing Studio #	-	-	-	-	C	-	C	C	-	C	-	-
Radio and Television Sales and Service	-	-	P	P	P	P	P	P	-	-	-	-
Recording Studio	-	-	-	P	P	P	P	P	P	P	P	P
Remote Mail Service (Ord. No. 05-58A)	P	P	P	P	P	P	P	P	-	-	-	-
Shoe Service & Clothing Alteration (Ord. No. 03-171)	-	-	P	P	P	P	P	P	-	-	-	-
Sightseeing Tour Companies	-	-	P	P	P	P	P	P	P	P	P	P
Tanning Salon, Nail Salon, Barber Shop, Beauty Parlor & similar uses	-	-	P	P	P	P	P	P	P	P	P	P
Ticket and Travel Agency	P	P	P	P	P	P	P	P	P	-	-	-
Watch and Clock Repair Shop	-	-	-	-	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

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

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
TRANSPORTATION												
Aviation uses such as Aircraft Repair, Aircraft Sales & Air Charter Services (Ord. No. 05-58A)	-	-	-	-	-	-	-	-	-	P*	P*	P*
Bus Terminals (Ord. No. 05-58A)	-	-	-	-	C	C	C	-	-	P*	P*	P*
Marine Fuel Facility (Ord. No. 05-58A)	-	-	-	-	-	-	-	-	-	-	-	P*
Rail and Motor Freight Terminals & Facilities (Ord. No. 05-58A)	-	-	-	-	-	-	P	-	-	P	P	P
School Bus Parking and Maintenance Facilities # (Ord. No. 05-58A)	C	C	C	C	C	C	C	C	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

14-9-4 GENERAL REGULATIONS FOR O-1 C-1, PC-1, PC-2, C-2 & C-3

In Zoning Districts O-1, C-1, PC-1, PC-2, C-2, & C-3, the following general regulations shall apply:

- A. All activities, except as otherwise permitted herein, shall be conducted entirely within enclosed buildings.
- B. Outdoor storage of goods and materials shall be prohibited.
- C. Warehousing or indoor storage of goods or material beyond that normally incidental to permitted uses shall be prohibited.

14-9-5 LIMITATIONS ON USES

A. Automobile Related

- 1. Automotive Diagnostic and/or Service Establishments, including those that perform automotive repairs, engine and transmission overhaul, lubrication; tire repair and/or replacement and wheel balancing and alignment; muffler repair or replacement; brake service, repair or replacement; shall be subject to the following additional requirements: (Ord. No. 03-171)
 - a. No outdoor displays or storage shall be permitted, except for merchandise normally sold from the premises that is displayed during normal business hours. No temporary parking of vehicles waiting for repair shall be permitted except in the garage, or in C-4, C-5, PI-1, 1-1, and 1-2 zoning districts. The parking area shall be fully screened from public view.

- b. All activities shall be performed entirely within an enclosed building. High-speed washing, body repair, machining of auto parts, painting, vehicle or trailer rental shall be expressly prohibited.
 - c. 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 landscaping. All exterior design shall be compatible with surrounding developments.
2. Autobody Repair and Painting, Tire Sales, Repair and Mounting, and Auto Sound System Installation, Auto Window Tinting, Auto Glass Repair and similar uses shall have no outdoor displays other than merchandise normally sold from the premises that is displayed during normal business hours. No outdoor storage shall be permitted.
 3. Automobile Rental Facility, excluding moving truck, trailer & equipment rental, shall be subject to all of the following additional requirements;
 - a. No more than six (6) vehicles shall be stored on site in association with the office location.
 - b. The facility shall be located within a developed commercial center or building.
 - c. Automobile storage shall be limited to hard surfaced areas.
 - d. The automobile storage area shall not occupy required parking spaces or access lanes.
 4. Gas Service Stations shall be subject to all of the following additional requirements: (Ord. No. 03-171)
 - a. Minimum frontage of one hundred-eighty (180) feet on one arterial street is required.
 - b. All of the following development standards shall apply:
 - 1) The minimum side and rear building setback including canopies, from a property line abutting a residential zoning district: twenty-five (25) feet.
 - 2) The minimum side and rear building setbacks including canopies, from a property line abutting a non-residential zoning district: ten (10) feet.
 - 3) The minimum street setback for buildings, including canopies: twenty-five (25) feet.
 - 4) All fuel pump mechanism and any accessory equipment dispensing fuel shall be covered by canopies.
- B. Eating & Drinking Establishments
1. Food & Beverage Vendor Cart and Small Merchandise Vendor Cart shall be subject to the following additional requirements: (Ord. No. 05-36)
 - a. The use must be part of an existing permitted principal development.

- b. The use shall not occupy any required parking stalls of the principal development.
 - c. The use shall not be located within any right-of-ways or interfere with traffic circulation. (Ord. No. 06-07)
 - d. The use shall not interfere with pedestrian access ways, fire lanes, driveways, or traffic visibility at driveways or street intersections.
2. Outdoor Dining and Seating Areas: (Ord. No. 06-07)
- a. Such areas shall be located immediately adjacent to the restaurant or establishment to which it is an accessory use.
 - b. The use shall not interfere with pedestrian access, fire lanes, driveways, or traffic visibility at driveways or street intersections.
 - c. Such areas shall not exceed 25% of the gross floor area (GFA) of the establishment. The Planning and Zoning Commission may waive this requirement if it is found that sufficient mitigating measures are provided to eliminate potential adverse impacts on adjacent properties.
 - d. Through the Conditional Use Permit (CUP) process, the conditions considered for imposition by the Planning and Zoning Commission may include, but is not limited to, a restriction on operating hours, additional screening, re-location of the outdoor dining and seating area, noise and visual mitigation and other measures appropriate to the relevant circumstances.
3. Tavern, Bar, Lounge or establishment that sells beer or intoxicating liquor on the premises for consumption on premises shall be subject to the following additional requirement:

The exterior building wall shall not be located within one thousand (1000) feet of the exterior property lines of a state designated Local Alcohol Reception Center.

C. Entertainment & Recreation

- 1. Adult Uses, which are subject to the provisions of Special Conditional Use Permits section of this ordinance (Ord. No. 98-34), shall be subject to all of the following additional requirements:

In the development and execution of this Article, the City recognizes that there are some uses which, because of their very nature, have serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area. Adult Uses subject to these regulations and development standards are as follows:

- Adult Arcade
- Adult Bookstore, Adult Retail Store or Adult Video Store

Adult Cabaret
Adult Motel
Adult Motion Picture Theater
Adult Theater
Nude Model Studio
Sexual Encounter Center
Any combination of classifications listed above.

- a. Any person who intends to establish any of the Adult Uses shall submit an application in the same manner as all other Conditional Uses.
- b. For purposes of this Article, the maintenance of two or more Adult Uses in a single building that are not at least 51 % owned by the same entity shall be treated as two separate Adult Uses for purposes of applying the locational provisions of this section.
- c. An Adult Use shall meet the locational criteria prescribed in this Section. The Board of Adjustment shall not have the jurisdiction to grant variances from these locational criteria. For the purpose of measuring separation distances required in this section, the measurements shall be taken in a straight line from the closest exterior building walls of an Adult Use to the affected structures, property line or district boundary line, as the context indicates, without regard to intervening structures, objects, or jurisdictional boundaries.
- d. The exterior building wall of Adult Use shall not be located within one thousand (1000) feet of the exterior property lines of anyone or more of the following uses:
 - 1) Preschool, kindergarten, elementary, or secondary school.
 - 2) Public library, service club, neighborhood or community public park, or publicly owned and operated swimming or aquatics facility.
 - 3) A state designated Local Alcohol Reception Center.
 - 4) A community residential facility or release facility.
 - 5) Tavern, bar, lounge or an establishment that sells beer or intoxicating liquor for consumption on the premises.
 - 6) Vacant land acquired and owned by the state or a political subdivision for one of the purposes identified in (1) to (5) of this Subsection.
- e. The exterior building wall of an Adult Use shall not be located within five hundred (500) feet of an existing residential district boundary line. A residential district for the purposes of this section shall include the following zoning districts: AG, SR-43, SR-35, R1-43, R1-35, R1-18, R1-12, R1-10, R1-8, R1-7, R1-6, RM-1, RMH-1, RMH-2, or residentially designated property within a P.A.D., P.U.D. or PC zoning district.
- f. An Adult Use shall not be located within one thousand (1000) feet of any other Adult Use, measured from exterior building wall to exterior building wall.

- g. An Adult Use lawfully operating is not rendered in violation of these provisions by the subsequent location of a preschool, kindergarten, elementary, or secondary school, public library, service club, neighborhood or community public park publicly owned and operated swimming or aquatics facility; community residential facility or release facility. An Adult Use lawfully operating is not rendered in violation of these provisions by the subsequent rezoning of land to a residential zoning district.
 - h. For the purposes of calculating the locational requirements in this Section, the distance shall be measured from the exterior surface of the walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted to a point which is the required distance apart, in a straight line, not taking into account any buildings, natural or artificial obstructions or structures including the rights-of-way of any public or private roadway or easements.
 - i. For the purposes of calculating the locational requirements in this Section, the distance measured shall include those areas of unincorporated Maricopa County that are entirely surrounded by the City of Peoria or the City of Peoria and some other incorporated City. The locational requirements in this Section shall also apply to the itemized list of sensitive uses regardless of whether their distance from a proposed Adult Use places them within a county island of unincorporated Maricopa County, unincorporated Maricopa County or an adjacent incorporated City.
 - j. Prior to the granting of a Special Conditional Use permit for any Adult Use, the Planning and Zoning Commission may impose only those conditions or limitation upon the establishment, location, construction, maintenance or operation of the Adult Use specifically authorized under Sections 14-24-1, 14-24-4 of Article 14-24 and this Section.
 - k. No person may resubmit an application for an Adult Use which City has been denied in whole or in part for a period of one (1) year from the date of the denial.
 - l. An applicant may appeal a denial of a Special Conditional Use permit by the City Council in accordance with Title 12, Chapter 7, Article 6, Arizona Revised Statutes.
2. Health & Exercise Center shall be subject to the following conditions: (Ord. No. 03-171)
- a. The total building floor area shall not exceed 5,000 square feet in the O-1, C- 1, PC-1, and PC-2 Districts.
 - b. Hours of operation in the O-1, C-1, PC-1, and PC-2 shall be limited to 5:00am to 7:00 pm. (Ord. No. 04-188)
3. Recreation, Social Clubs and similar establishments shall have vehicular access to the site only from arterial or collector streets.
4. Wedding Reception Centers shall be subject to both of the following additional requirements:
- a. Maximum building height shall be thirty (30) feet or two (2) stories, whichever is greater.

- b. Outdoor events between the hours of 10:00 p.m. and 7:00 a.m. shall require a temporary use permit.

D. General Industrial & Manufacturing

1. Manufacturing, Fabrication, Processing of Goods and similar uses shall not be engaged in any stamping, punching or pressing machinery exceeding five tons in weight.
2. Mini-storage warehouses shall be subject to the following additional requirements:
 - a. Doors of the storage areas shall not front on any public street.
 - b. 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.
 - c. No hazardous or flammable materials, as defined in the Peoria City Building Code, shall be stored in such facility.
 - d. The City may exempt any structure from side and rear yard setbacks, except that in all cases where the conditional use abuts any residential district on its side or rear lot lines, there shall be a side yard of not less than twenty-five (25) feet and a rear yard of not less than twenty-five (25) feet.
 - e. All direct vehicular access shall be from an abutting arterial street.
 - f. The locations of the driveways, wall, landscaping, and buildings shall be so arranged as to minimize traffic disruptions.
 - g. A wall with a minimum height of six (6) feet and a landscaping screen, all as approved by the Planning and Zoning Commission, shall be constructed on the side and/or rear property lines of a conditional use which abuts any residential district.
 - h. All vehicle storage shall be limited to hard surfaced areas.
 - i. Lighting shall be directed toward the site and shall not cause undesirable glare to nearby residential properties.
3. 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.
4. 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.

E. General Retail (Ord. No. 03-171)

1. Donation Centers shall be subject to the following conditions.
 - a. Donation drop off shall be limited to business hours only.
 - b. Drop off location shall be at the rear of the building and shall be fully screened from view.
 - c. No drop off items shall be stored outside the screened area.
2. Pet Shops, including commonly associated accessory uses such as grooming, veterinary care, training, pet day camp services and the boarding of animals sold or adopted on the premises, shall be subject to the following conditions: (Ord. No. 05-51)
 - a. Veterinarian and grooming services shall be restricted to the medical care and treatment of small animals during regular business hours.
 - b. The boarding and breeding of animals shall be prohibited.
 - c. All activities shall be completely contained within enclosed buildings; the building shall be designed and constructed to achieve a Sound Transmission Control Value of 50 or greater.
 - d. All refuse shall be stored within a completely enclosed building.
 - e. Outdoor runs or exercise pens shall be prohibited.

F. Institutional Uses

1. Day Care Centers or Pre-school Centers shall be permitted in accordance with State Department of Health Care Services regulations. (Ord. No. 83-16)
2. Group Care Facility or Community Residential Setting Facility in accordance with Article 14-3, General Provision, 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." (Ord. No. 02-85)
3. Non-profit Social Services shall be permitted provided that their primary activities are administrative and clerical rather than residential in nature.
4. Nursing or Convalescent Home, Long Term Care Facility and Hospices shall have all vehicular access from an abutting arterial or non-residential collector street. The site shall contain a net land area of at least one thousand (1000) square feet per dwelling unit. (Ord. No. 97-41)
5. Public utility buildings, water pumping plants and storage tanks and electric substations wherein service to district residents requires location within the district shall have no repair or storage facilities.

6. Religious institutions, similar places of worship and related facilities shall have vehicular access reviewed and approved by the City Engineer.
7. Public/charter schools, private schools, colleges, universities or instructional, business, technical or vocational schools shall have direct vehicular access to an arterial or collector street. (Ord. No. 99-89)

G. Large-Scale Retail (LSR) (Ord. No. 05-16)

Large-scale retail must adhere to all requirements of this Section in addition to all other applicable requirements of this Ordinance. In the event of conflicting requirements, the more restrictive shall govern.

1. Definitions

a. *Large-Scale Retail (LSR)* means the following:

- 1) *Single Establishment*. Any retail establishment accommodating one hundred thousand (100,000) square feet (G.F.A.) or more for either a single tenant or for multiple tenants sharing a common building entrance and common interior space; and/or
- 2) *Site*. A site containing multiple retail establishments with more than five hundred thousand (500,000) square feet (G.F.A.) of interior space in the aggregate.

- b. *Site* means that area as shown on the site plan for which the Conditional Use Permit is issued, inclusive of all amendments.
- c. *Vacancy* means ceasing of the type and/or level of use as established in the Conditional Use Permit Said vacancy shall apply to the principal LSR establishment, and/or any portion thereof, and/or accessory facilities or operations.

2. Applicability of Provisions

- a. Provisions of this ordinance shall apply to 1) any single LSR establishment, as defined above, and 2) the entire site on which any LSR meeting the criteria set forth above for "Single Establishment" LSR or "Site" in the LSR definition.
- b. Except as provided above, in subsection 2.a., provisions herein do not apply to the following buildings, so long as said buildings are not accessory to a Single Establishment LSR, as defined above: individual pad buildings, shop buildings, or similar commercial establishments.

3. *Location*. Large-Scale Retail development is permitted only with a Conditional Use Permit in only those areas with a Land Use designation of Community Commercial (CC) or Regional Commercial (RC) in the General Plan.

4. *Vacancy*. During any period of vacancy, the property owner must maintain the property in a safe, sanitary, and aesthetically pleasing condition.

- a. All landscaping must be maintained professionally.

- b. The site must remain externally lit in the same manner as when the facility was fully operational, to maintain the premises in a safe condition and to avoid the appearance of neglect.
- c. All architectural elements, including but not limited to building exteriors, roofs, signs, walkways, accessory structures, monuments, etc., must be maintained in good repair and functional condition as when the facility was fully operational.
- d. Within thirty (30) days of vacating a facility, all signage for said facility must be removed from the building(s) and premises. Any walls or areas behind signs must be repainted; or, in the case of internally lit monument signs, a blank panel must be used as a temporary sign replacement.

H. Intense Retail

- 1. Commercial Service Establishment combining retail, office, showroom with workshop, such as interior decorator, custom dressmaking or tailor, photographer, minor household appliance repair and similar activities shall be subject to the following conditions: (Ord. No. 03-171)
 - a. Maximum size of building shall not exceed 15,000 thousand square feet. No more than fifty percent (50%) of the usable floor area shall be used for workshop activities.
- 2. Outdoor Display and Sales Area shall be subject to all the following requirements:
 - a. Outdoor Display at existing development shall be allowed only pursuant to an approved plot plan.
 - b. Proposed developments on vacant land intending to incorporate outdoor display uses shall include the areas planned for outdoor display in the site plan for the project.
 - c. Plot Plans shall contain a description of all outdoor display and sales areas.
 - d. Outdoor Display shall not be located in or interfere with any landscaped area, setback area, required yard, required parking space, parking aisle, easement or drainage facility.
 - e. Outdoor Display shall be limited to products and services sold or provided inside the principal building.
 - f. Outdoor Display shall be limited to an area equal to 10% of the gross floor area of the principal building.

Article 14-9 Non-Residential Districts 9-19

- g. The setback of an outdoor display area from any residentially-zoned property shall be twenty five (25) feet. Such setback shall include a six (6) feet block wall at the property line separating the commercial and residential use districts.

- h. Outdoor Display in the Central Commercial District (C-3) shall be subject to the following additional conditions:
 - 1) Outdoor Display may be conducted on a public sidewalk where the principal building of the use is located immediately adjacent to the public sidewalk, subject to the liability and insurance requirements of the City Engineer.
 - 2) Evidence of insurance shall be submitted and approved by the City Engineer prior to placement of any merchandise or materials in the public right-of-way.
 - 3) No merchandise shall be located beyond three (3) feet from the principal building of the business.
 - 4) A five (5) feet unobstructed walkway shall be maintained at all times.
 - 5) Outdoor Display setback and wall provisions of Section 14-10-3.C.6 shall not apply.
 - 6) Hanging items suspended from a building, awning or overhang shall maintain a minimum clearance of seven (7) feet.
 - 7) All merchandise and equipment used in an outdoor display shall be removed from the public sidewalk and stored inside the principal building at the close of a normal business hour.
- 3. Retail Sales of Lumber and Building Materials shall have no outdoor storage, repair, processing or manufacturing activities.
- 4. Swimming Pool and Spa Sales with outdoor swimming pool display shall be subject to the following conditions: (Ord. No. 03-171)
 - a. All outdoor swimming pool and spa models shall be displayed on a horizontal position.
 - b. No models displayed outdoor shall be located in the required setback or landscaped areas.
 - c. All sales services shall be conducted in the principal building.
 - d. Outdoor storage and display of equipment and pool supplies are prohibited.
- I. Lodging
 - 1. Bed and Breakfast Inns shall be subject to all the following additional requirements: (Ord. No. 99-101)
 - a. Maximum building height shall be thirty (30) feet or two (2) stories, whichever is greater.
 - b. 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.

- c. Short-term lodging for the purposes of a Bed and Breakfast Inn shall be for a period not exceeding fourteen (14) consecutive days.
 - d. Meals shall be restricted to registered guests.
 2. Hotels and Motels shall be subject to all of the following additional requirements:
 - a. All direct vehicular access shall be from an abutting arterial or collector street.
 - b. Paved areas shall be reduced to the smallest area commensurate with the efficient operation and function of the site.
- J. Medical
 1. Emergency Medical Care Facilities shall have all direct vehicular access from an abutting arterial street. The site shall contain a net land area totaling at least four (4) acres for the first one hundred beds or less, plus one additional acre for each additional twenty-five beds. (Ord. No. 97-41)
 2. Veterinary Hospitals shall have no outdoor runs, pens or enclosures. Veterinary Hospitals shall not be located closer than one hundred (100) feet to any street, residential district or existing restaurant, hotel or motel.
 3. Veterinary Offices and Clinics (excluding animal boarding) shall be subject to all of the following additional requirements:
 - a. Clinic activities shall be restricted to the medical care and treatment of small animals during regular office hours. The confinement of such animals on the premises shall be limited to essential and occasional overnight care.
 - b. The boarding and breeding of animals shall be prohibited.
 - c. Clinic activities shall be completely contained within enclosed buildings; the building or suite containing the clinic shall be designed and constructed to achieve a Sound Transmission Control *Value* of 50 or greater. (Ord. No. 05-51)
 - d. All refuse shall be stored within a completely enclosed building.
 - e. Outdoor runs or exercise pens shall be prohibited.
- K. Personal Services (Ord. No. 05-51)
 1. Body Piercing Studios, Massage Establishments, Tattoo Studios, Retail Liquor Stores, Plasma Center, Non Chartered Financial Institutions, and Pawnshops shall be subject to all of the following additional requirements: (Ord. No. 00-28)
 - a. All vehicular access shall be from arterial streets.

ARTICLE 14-9

NON- RESIDENTIAL DISTRICTS

- b. The uses shall not be located on a lot with a property line within one thousand (1,000) feet measured in a straight line in any direction of the lot line of a Body Piercing Studio, Massage Establishment, Non Chartered Financial Institution, Pawnshop, Retail Liquor Store, Plasma Center and Tattoo Studio, Adult Use, Correctional Facility or State Local Alcohol Reception Center.
- c. For purposes of calculating the locational requirements of this subsection, the distance shall include those areas of Maricopa County surrounded by the City of Peoria and some other city on three or more sides. The locational requirements shall also apply to the uses regardless of whether their distance from such other use includes area within Maricopa County or some other incorporated city and regardless of whether the other use is located in Maricopa County of some other incorporated city.

2. Pet Grooming Shop (Ord. No. 05-51)

- a. The building or suite containing the pet grooming shop shall be designed and constructed to achieve a Sound Transmission Control Value of 50 or greater.

L. Transportation

- 1. School bus parking and maintenance facilities shall provide primary access from an arterial or collector street. Parking areas for school buses shall be screened from adjacent streets or property lines by an eight-foot high solid wall. (Ord. No. 03-171)

SECTION 14-9-6 PROPERTY DEVELOPMENT STANDARDS

- A. The following property development standards shall apply in zoning districts O-1, C- 1, PC-1, PC-2, C-2, C-3, C-4 and C-5:

Property Development Standards	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5
Minimum Lot/site Area (acreage)	n/r	n/r	3	20	n/r	n/r	n/r	n/r ¹
Minimum Lot Width (ft)	50	n/r	n/r	n/r	n/r	n/r	n/r	n/r
Minimum Lot / Site Depth (ft)	n/r	120	250	660	n/r	n/r	n/r	660
Minimum Frontage on One Arterial (ft)	n/r	n/r	450	660	n/r	n/r	n/r	660
Maximum Lot Coverage (percentage)	n/r	n/r	30%	n/r	n/r	100%	n/r	n/r
Maximum Building Height (ft)	30	30	30	60	48 ²	48	48 ²	60
Front Setback (ft)	15	15	60	120	15	n/r	15	40
Corner Setback (ft)	15	15	60	120	15	n/r	15	40
Rear Setback (ft)	20	20	20	60	20	n/r	20	30
Interior Rear/Side Setback (ft)	n/r	n/r	60	60	n/r	n/r	n/r	n/r
Setback from Residential Zones (ft) (Ord. No. 05-58A)	30	30	30	120	30	n/r	30	120
Accessory Building Height & Setbacks (ft) (Ord. No. 02-21)	(a)	(a)	(a)	(a)	(a)	(a)	(a)	(a)

¹ C-5. Required minimum 10 acres site area.

² Building Height: Maximum thirty (30) feet high within thirty (30) feet of any residential district. = The height may be increased by one (1) foot per each three (3) feet of additional setback to a maximum of forty-eight (48) feet. (Ord. No. OS-S8A)

n/r No minimum requirements

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(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)

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

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
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	48	48	60
Accessory Building Height & Setbacks (ft) (Ord No. 02-21)	(a)	(a)	(a)	(a)

n/r No minimum requirements

(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)

ARTICLE 14-22A

VISTANCIA HILLSIDE DEVELOPMENT OVERLAY DISTRICT

(Based Upon Revised Ord. No. 04-201)

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- 14-22A-3 SLOPE DETERMINATION
- 14-22A-4 GENERAL PROVISIONS FOR HILLSIDE CONSTRUCTION
- 14-22A-5 HEIGHTS AND APPEARANCES
- 14-22A-6 DISTURBED AREAS AND HILLSIDE OPEN SPACE
- 14-22A-7 GRADING AND DRAINAGE
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- 14-22A-9 PERIMETER WALLS, PRIVACY WALLS, RETAINING WALLS AND SPILL SLOPES
- 14-22A-10 LIGHTING, SEWERS, UTILITIES
- 14-22A-11 MOUNTAIN RIDGE PROFILE
- 14-22A-12 SUBMITTAL REQUIREMENTS FOR CONSTRUCTION IN THE HILLSIDE
OVERLAY AREA
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- 14-22A-16 DEFINITIONS

SECTION 14-22A-1 INTENT (Ord. No. 99-105)

- A.** It is the purpose of this Article is to establish regulations which recognize that development of land in hilly or mountainous areas involves special considerations and unique situations which result from the slope of the land. These special considerations and unique situations include but are not limited to increased hazards to development from rock falls, storm water runoff, geologic hazards, increased limitations on vehicular travel, and increased difficulties in providing public services. In addition, steeply sloped lands introduce design limitations to roadways, cuts and fills, and building sites. In general, the more steeply the land slopes, the greater the hazard and development limitation.
- B.** The Vistancia Hillside Development Overlay District shall apply to all parcels north of the Central Arizona Project (CAP) Canal, and excluding the Clementine Mine area (**See Figure D-2 of the Vistancia Planned Community District**), less than five (5) gross acres in size which have over fifty percent (50%) of the gross area of the parcel having a slope of ten percent (10%) or greater. For those parcels not having fifty percent (50%) or greater of the gross parcel area within a Hillside Development Area or those parcels in excess of five (5) gross acres in size, the requirements of the Vistancia Hillside Development Overlay District shall be applied only to that portion of the lot containing slopes of ten percent (10%) or greater. Where multiple slope categories (as defined below) exist within a parcel, requirements for the category that is found to be of the greatest percentage shall apply to the applicable hillside area(s). Commercial, Office, Industrial and Resort Developments north of the CAP shall comply with all applicable provisions of the Vistancia Hillside Development



Picture 'A'



Picture 'B'



Picture 'F'

Clementine Mine Desert Lands
Conservation Overlay / Hillside
Development & Overlay District
Exemption Area



Picture 'C'



Picture 'G'



Picture 'D'



Picture 'H'



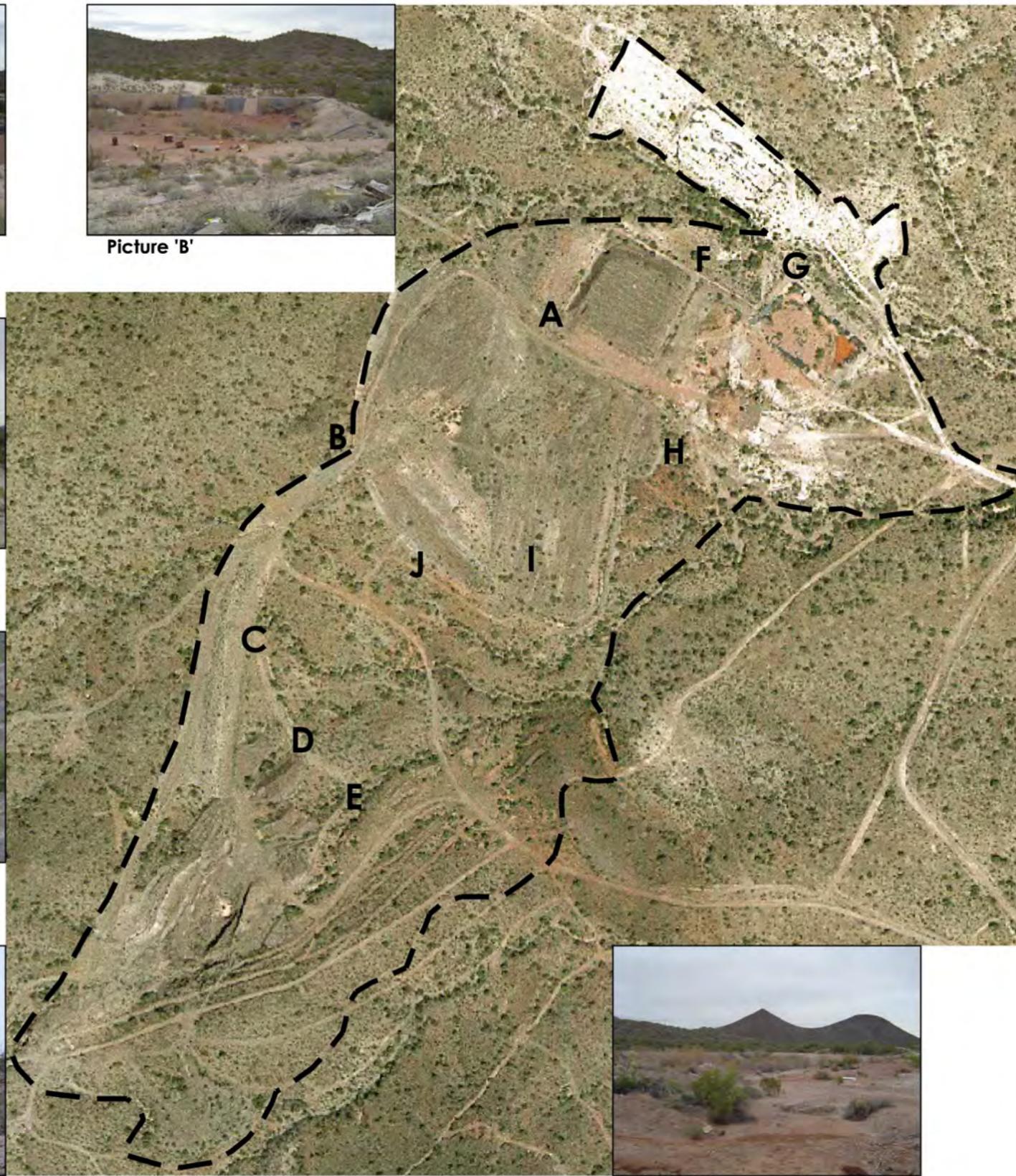
Picture 'E'



Picture 'I'

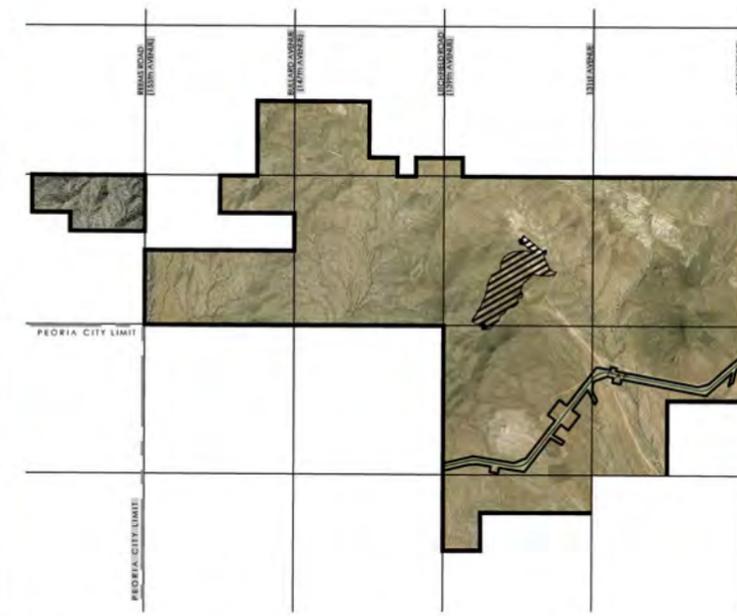


Picture 'J'



LEGEND

	81.62 Ac. Proposed Exemption Area
	59.91 Ac. 0 - 10% Slope
	21.71 Ac. > 10% Slope



PROPOSED EXEMPT AREA
N.T.S.

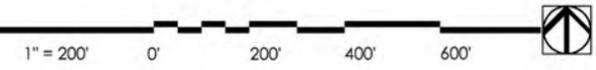


Figure D-2

Overlay District There may be instances where custom lots are within a development parcel that has met some or all of the provisions of this Hillside Development Overlay. In those instances, custom lots shall not be subject to those provisions that have already been met at the development parcel level. All other provisions that have not been met shall apply. The provisions of this Article may not be modified, except as expressly provided within this Article.

- C. Conservation features identified in Article 14-22B, as amended herein, shall be preserved in accordance with that Article.

SECTION 14-22A-2 DENSITY AND SLOPE CATEGORIES

- A. The maximum number of residential lots or units permitted within hillside development areas shall be as set forth in **Table C-1 of the Vistancia Planned Community District (PCD)** and **Table 1 – Density Allocation**, which identifies permitted densities per slope/landform category;

The following slope categories are based on landform characteristics and the ability for development to occur in these areas. Landforms of less than 10% are identified as Flatlands and are not subject to these Hillside regulations. Landforms having slopes over 10% up to 15% are identified as Lower Transitional Lands. Landforms containing slopes over 15% up to 25% are identified as Upper Transitional Lands. Areas with slopes over 25% are identified as Uplands. Within the Uplands are areas with slopes that are extremely rugged in terrain, offer very limited development opportunities, and/or contain land features specific upon themselves. **(See Figure E.1, Landform & Minimum Open Space Designation Plan)**. Each landform category contains specific development parameters that will serve as tool for the Developer and the City during the development process.

**TABLE – 1
DENSITY ALLOCATION**

Slope of Land	Maximum Number of Lots Per Gross Acre
10% to 15% (Lower Transitional)	Per Underlying Zoning (See Table C-1)
Over 15% to 25% (Upper Transitional)	Per Underlying Zoning (See Table C-1)
Over 25% (Uplands)	Per Underlying Zoning (See Table C-1)

- B. The transfer of density within a Hillside Development Area shall not be an assumed right and in no case shall a transfer of density occur without the approval of the Planning Manager according to the criteria set forth in the PCD. Approvals of a density transfer shall only be made upon a finding that the proposed transfer will not be detrimental to the intent of the Vistancia Hillside Development Overlay District and will advance the City's interests in protecting a Hillside Development Area.



Planned Community District
**Landform & Minimum Open
 Space Designation Plan**

OPEN SPACE TYPES	% of Slope	Total Acres
 Lower Transitional Lands	10 - 15%	543.6
 Upper Transitional Lands	15 - 25%	636.7
 Uplands	25%+	344.7
 CAP	na	na
 Drainage / 404 / Open Space Corridors	na	207.0
 Designated Open Space (DOS)	na	900.0

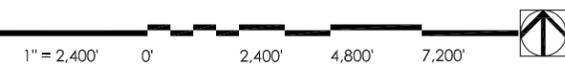


Figure E-1

SECTION 14-22A-3 SLOPE DETERMINATION

- A. A Slope Category Determination Study shall be required by the Community Development Department prior to the initiation of any Site Disturbance Activities for all land located north of Pinnacle Peak Road and shall be prepared pursuant to the requirements of this Section. (Ord. No. 05-44).
- B. A property owner subject to Subsection A above shall prepare a Slope Category Determination Study utilizing one of the two methodologies outlined in this Article. A property owner or authorized agent shall submit to the Planning Manager a Slope Category Determination Study pursuant to this Section, or request for a waiver from such, as follows:
 - 1. Simultaneously with a rezoning application;
 - 2. If a rezoning action is not required, simultaneously with a preliminary plat or site plan; or
 - 3. If a rezoning, plat, site plan, or minor land division is not required, prior to the issuance of any building permit or site grading permit.
- C. Applicants seeking a waiver from the provisions of this Section may request a waiver of the requirements for a Slope Category Determination Study to the Planning Manager. A written waiver request shall be submitted to the Planning Manager with an explanation of why a waiver is warranted and shall include such supporting materials as site photographs, site specific topography information and all other such information which may provide information on the request. The Planning Manager may approve or deny an application as submitted or may request additional information if necessary. It shall be the sole burden of the applicant requesting such a waiver to show that the subject property does not qualify as a Hillside Development Area under this Article. The Planning Manager may grant the requested waiver upon a finding that reasonable evidence exists that the subject site does not contain potential slope area that would qualify as a Hillside Development Area. Appeals from the Planning Manager decision pursuant to this paragraph may be appealed to the Administrative Hillside Hearing Officer subject to the provisions of Section 14-22A-13.
- D. Applicants may prepare a Slope Category Determination Study utilizing a methodology differing from those outlined in this Article, if acceptable to the Planning Manager. Applicants seeking to utilize an alternative methodology shall provide both a written explanation of the proposed alternative methodology and a graphical example of its use. If, upon review of the proposed alternative Slope Category Determination Study by the Planning Manager, the slope analysis is not acceptable, the applicant shall utilize one of the adopted methodologies contained herein. Appeals from the Planning Manager decision pursuant to this paragraph may be appealed to the Administrative Hillside Hearing Officer subject to the provisions of Article 14-39 of the Zoning Ordinance. (Ord. No. 05-44)
- E. To determine parcel density and the location and extent of slope categories, carry out one of the following procedures:
 - 1. *Manual Slope Determination Method:*
 - a. Utilize a topographic map at a scale of two hundred (200) feet or less to the inch and with contours shown at two (2) foot intervals. Applicant may utilize maps containing contours at five (5) foot intervals for grades of more than twenty percent (20%). All contour lines shall be extended onto adjacent properties to a distance that establishes the overall slope of the land but in

no case shall they be extended less than fifty (50) feet onto the adjacent properties.

- b. The Hillside Development Area shall commence at the midpoint of the one hundred (100) foot horizontal dimensions used to determine the slope as illustrated by Figure 1, attached hereto and by this reference made a part hereof. The one hundred (100) foot slope determination lines shall be located perpendicular to the site or property contour bands. Those properties containing multiple slope planes should provide slope information for all such planes.
- c. To determine those locations where slopes of ten percent (10%), fifteen percent (15%), twenty percent (20%), twenty-five percent (25%), thirty percent (30%), and thirty-five percent (35%) begin by the application of one hundred (100) foot straight lines that fall within each category. The one hundred (100) foot slope determination lines shall be extended onto adjacent properties to a distance that establishes the overall slope of the land but in no case shall they be extended less than fifty (50) feet onto the adjacent properties.
- d. Connect the midpoints of each series of one hundred (100) foot lines of the same slope category to establish the limits of that slope category.
- e. Measure the areas resulting between each series of straight lines to determine the areas in each slope category.

2. Computer Generated Slope Determination Method:

- a. Utilize digital topographic information with contours shown at a maximum of two (2) foot intervals, except as established herein. Areas known or shown to contain slopes of more than twenty percent (20%) may utilize digital topographic information with contours shown at five (5) foot intervals.
- b. Utilizing a slope generating software application, slope categories shall be determined utilizing the slope categories established in Section 14-22A-2 of this Section.
- c. Computer generated slope analyses shall be prepared utilizing the following modeling parameters:
 - i) Maximum two (2) foot slope contour intervals for slopes less than twenty percent (20%);
 - ii) Maximum five (5) foot slope contour intervals for slopes more than twenty percent (20%);
 - iii) The slope analysis shall utilize the above noted slope contour intervals through the modeling basis of grid evaluation to determine slope facets or contours;
 - iv) The analysis shall utilize a twenty-five (25) foot grid system.
- d. All data generated through the use of a computer generated slope determination shall be presented in both chart and graphical formats. The

presentation of all graphical slope information shall be presented in a clear and easily understandable format.

- e. The final map shall be plotted at 1" = 200' and submitted to the Planning Manager for review. If the Planning Manager finds the analysis acceptable, the final slope determination map shall be approved. The Planning Manager may reject the analysis and require correction(s) to the digitized slope category lines to more accurately reflect the generalized slope conditions of the property or other revisions necessary to ensure compliance with this Article. Appeals from the decision of the Planning Manager may be filed for disposition by the Administrative Hillside Hearing Officer pursuant to Article 14-39 of the Zoning Ordinance. (Ord. No. 05-44)
3. *The Final Slope Category Map* resulting from either Section 14-22A-3.E.1 or Section 14-22A-3.E.2 shall be utilized in determining allowable densities, lot area, lot disturbance and lot coverage requirements. Preliminary Plats shall reflect proposed disturbance/coverage envelopes for each lot and shall contain tabular information necessary to determine compliance with this Article.

SECTION 14-22A-4 GENERAL PROVISIONS FOR HILLSIDE CONSTRUCTION

- A. In those situations where a density transfer is being utilized, the increased density permitted under Table 1 shall only be permitted in an amount equal to the number of lots being transferred.
- B. In those situations where density has been transferred from a higher slope category to a lower slope category minimum lot sizes shall be limited as shown in Table 2. The Planning Manager shall have authority to further reduce lots sizes by up to twenty percent (20%) provided that all dwelling units/development rights have been transferred off of slope categories greater than twenty percent (20%).

Table 2	
Slope Category	Minimum Lot Size
10% to 15%	Per underlying Zoning District
Over 15% to 25%	Per underlying Zoning District
Over 25%	Per Underlying Zoning District

- C. No residential lot within the Vistancia Hillside Development Overlay District shall have a front lot width less than the zoning district allows. The front lot width of all flag lots located within the Vistancia Hillside Development Overlay District shall be measured from the point at which the drive access intersects with the main body of the lot or at a point not to exceed two hundred and fifty (250) feet from the front lot line of the flag lot.
- D. Building setbacks shall be as required by the zoning district.
- E. All development units and custom lots shall conform to the disturbance and open space requirements of Table 3. Individual lots in a subdivision that has already met the open space requirements of Table 3 shall not be required to provide additional open space. Additional open space may be required per the Vistancia Desert Lands Conservation Overlay, see Article 14-22B "Vistancia Desert Lands Conservation Overlay", which is found in Appendix F of this Document.

- F. Maximum lot coverage by the main building and all accessory buildings shall not occupy more than that permitted by the underlying zoning district or Table 3, whichever is the lesser area.
- G. No building shall exceed a height of twenty-eight (28) feet, above the newly established or finished grade of the land at any section through the structure for non-custom residential, thirty (30) feet for custom residential and thirty-six (36) for commercial. **(See figure 1 & 2)**
- H. Custom lots within a development parcel that has met the open space requirement are not subject to Table 3. If a custom lot is within a development parcel that has not met any of the open space requirements for that parcel, then that custom lot shall conform to Table 3 and an individual analysis of each lot shall be prepared prior to submitting construction documents for the house and lot. For custom lots within a development parcel which has met a portion of the open space requirements, the remainder of the open space requirement for that development parcel must be provided by the custom lots. In this instance, the total open space provided both by the development parcel and the custom lots within said development parcel shall conform to table 3. No building permit shall be issued prior to demonstrating compliance with an existing approved grading and drainage plan or approval of the grading and drainage plan and individual site analysis unique to the subject lot.
- I. All Hillside lots or parcels which abut a dedicated public open space or preserve area shall provide a one foot (1') non-vehicular access easement along the common property line.

SECTION 14-22A-5 HEIGHTS AND APPEARANCES

For development within hillside areas, the height of structures shall be determined by the following Sections and not by the definitions described in Section 14-2 of the Zoning Ordinance.

- A. No part of any structure shall penetrate an imaginary plane, the height of which is twenty-eight (28) feet for non custom residential, (30) feet for custom residential, and (36) feet for commercial, measured vertically from any point of the building to any newly established or finished grade directly below that point of the building **(see Figure 1, 2 & 3)**,
- B. No exposed face in any vertical plane (excluding walls) shall be allowed unless it is a rock feature or land form that appears natural. Where a rock feature or rock face remains, an engineer may be required to certify that the exposed face is stable. Where the natural grade is not restored back against the building, and the exposed face is not of rock or a landform that appears natural, a combination of retaining walls and/or slope will be utilized to tie into existing grade **(See Figure 4 & 5)**.
- C. Materials used for exterior surfaces of all structures shall blend in color, hue and tone with the surrounding natural setting to avoid high contrasts.
 - 1. Structures, walls, roofs and fences shall blend with the surrounding terrain and there shall be no material or colors used which have an LRV (Light Reflecting Value) greater than forty percent (40%). Mirror surfaces, or any treatment which changes ordinary glass into a mirror surface is prohibited. Bright untarnished copper or other metallic surfaces shall be treated so they are non-reflective.
 - 2. All electrical service equipment and subpanels and all mechanical equipment including, but not limited to, air conditioning and pool equipment, solar panels, and

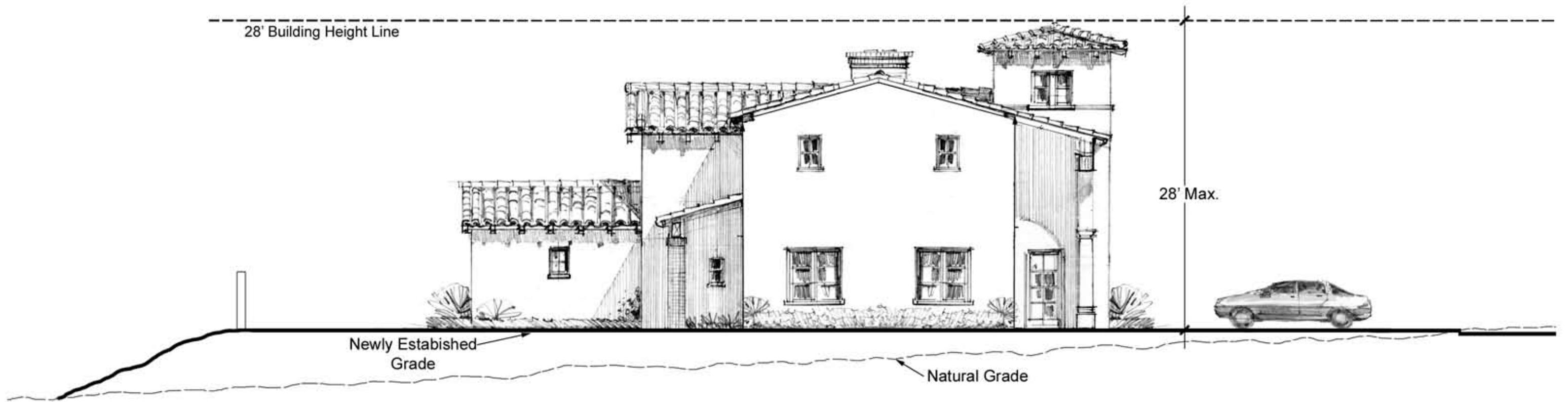


Figure 1. Maximum Building Height - Non-Custom Residential

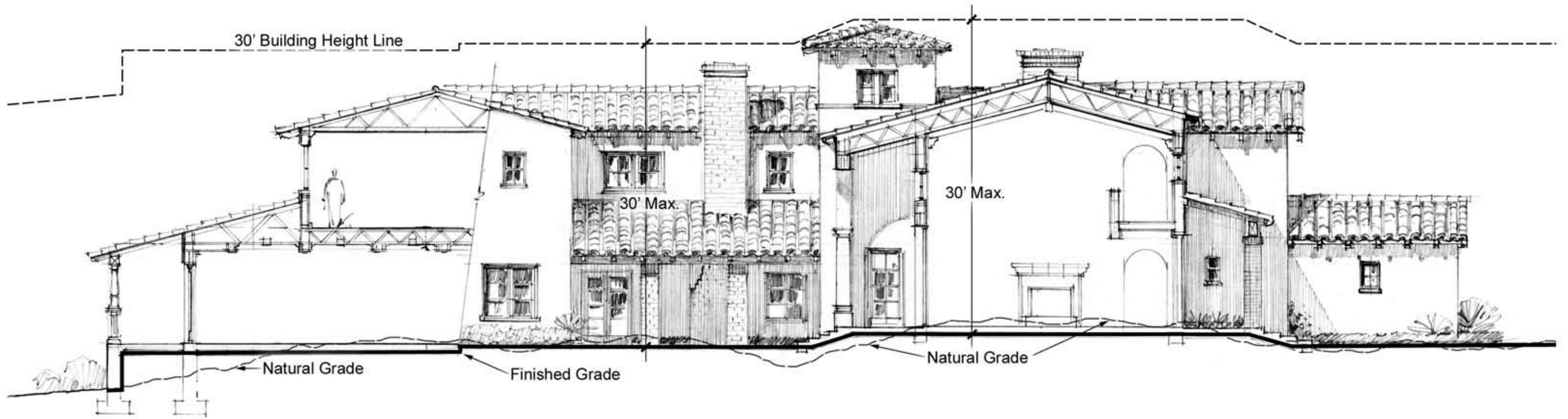


Figure 2. Maximum Building Height - Custom Residential

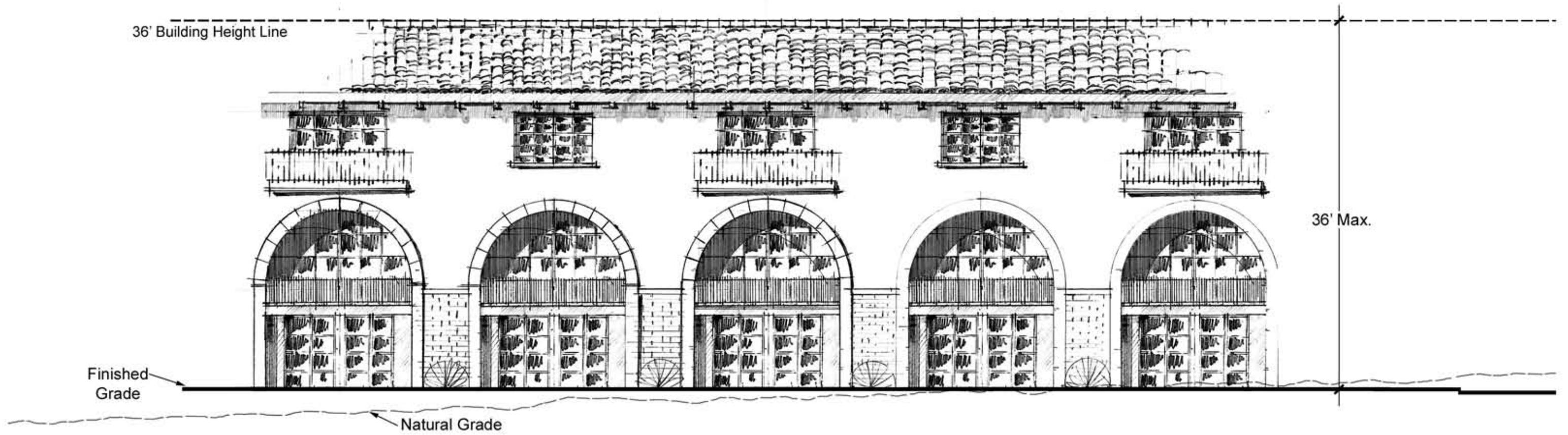


Figure 3. Maximum Building Height - Non Residential

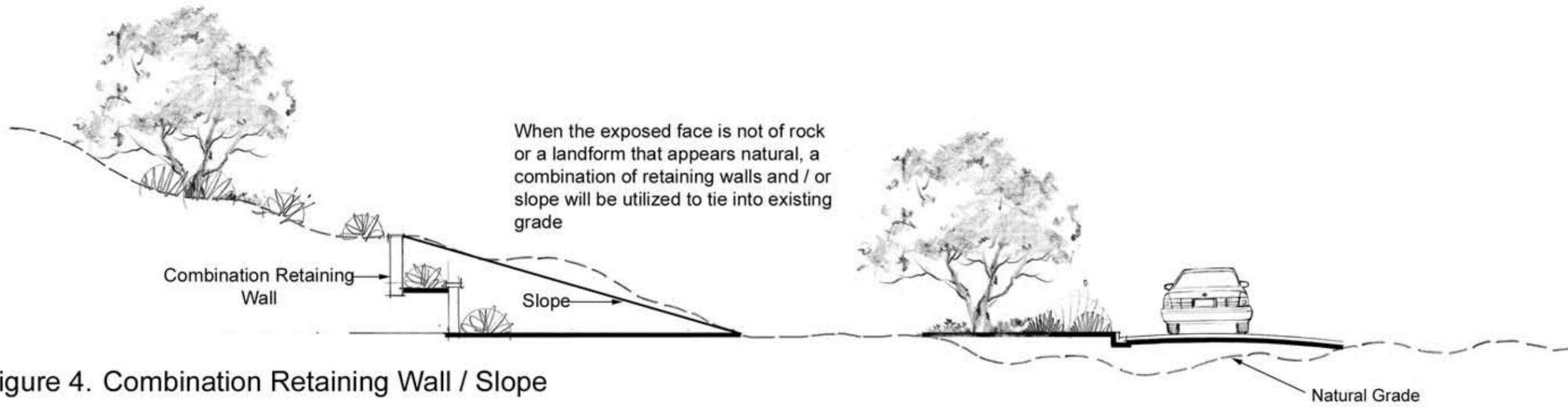


Figure 4. Combination Retaining Wall / Slope

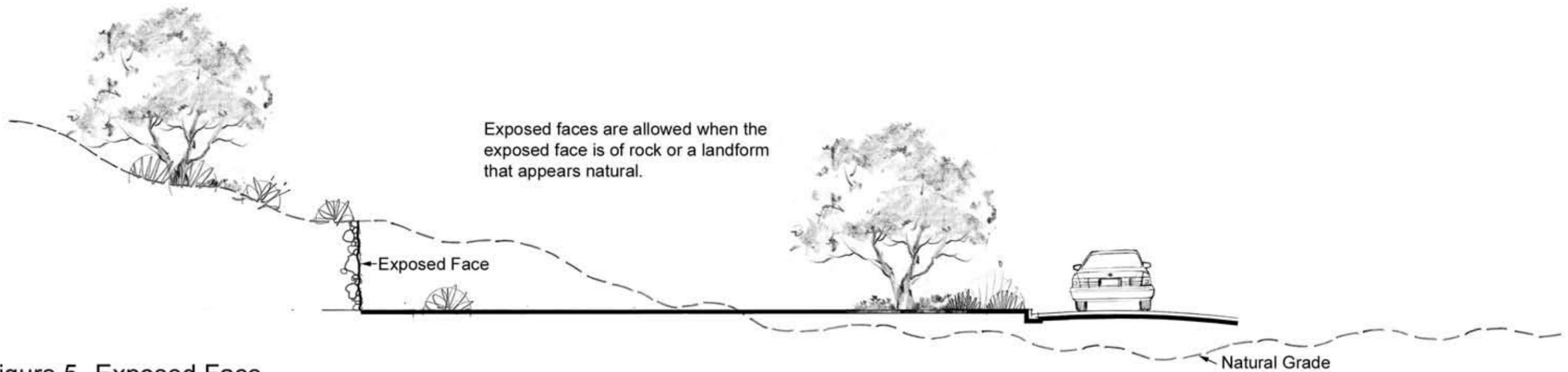


Figure 5. Exposed Face

antennas, shall not be visible from outside the property when viewed from the same or a lower elevation. Restrictions on visibility of solar panels and mechanical equipment may be modified if they are integrated into the roof design.

- D. The principal and accessory buildings, excluding chimneys, shall not exceed thirty six (36) feet, measured vertically, from the highest point of the building to the lowest exposed base of a supporting structure (see Figure 3). The subterranean portion of a structure is not included in the total height calculation.

SECTION 14-22A-6 DISTURBED AREAS and HILLSIDE OPEN SPACE

- A. **The Preservation Master Plan (Figure E-2)** identifies all significant landforms that will be preserved except to allow construction of trails or paths providing access into the featured open spaces, roads and utility crossings. All other areas are subject to disturbance in accordance to Table 3. In areas above the 25% slope line, disturbance is limited to areas within the development unit, parcel envelope, localized envelope, or individual custom lot only, and disturbance may not occur on lands outside the limits of the development unit or custom lot except for necessary infrastructure required to serve the proposed development. Specific criteria for development in hillside is detailed below. Where multiple slope categories (as defined below) exist within a parcel, requirements for the category that is found to be of the greatest percentage shall apply to the applicable hillside area(s).

1. Minimum lot size is determined by underlying zoning.
2. 30' cut/fills permitted. Total vertical exposed face not to exceed 30' (terracing is permitted and encouraged). Deviations may only occur, if approved by Director or designee – effect shall not be uninterrupted exposed face or retaining wall of greater than 30'.
3. All walls must meet zoning ordinance requirements except where modified within this document.
4. Areas preserved per the provisions of the Vistancia Desert Lands Conservation Overlay count towards required minimum open space.
5. Alternative development options, such as cluster products, may be considered along with the associated development standards on a case-by-case basis with approval from the City's Hillside Hearing Officer.

Specific Criteria for areas within the 10-15% slope category, including criteria for grading, are described below.

1. Mass grading is allowed on 100% of the site per Table 3.
2. Disturbance is allowed on 100% of the site per Table 3.
3. 20% of site must remain as natural or recreated open space

Specific Criteria for areas within the 15%-25% slope category, including criteria for grading, is described below.

1. 75% of the site is eligible for mass grading

- OPEN SPACE TYPES
-  CAP
 -  Designated Open Space (DOS)
 -  404 Washes (North of CAP)
 -  Significant Washes
 -  Open Space / Migration Corridors
 -  Protected Ridges / Scenic Resource

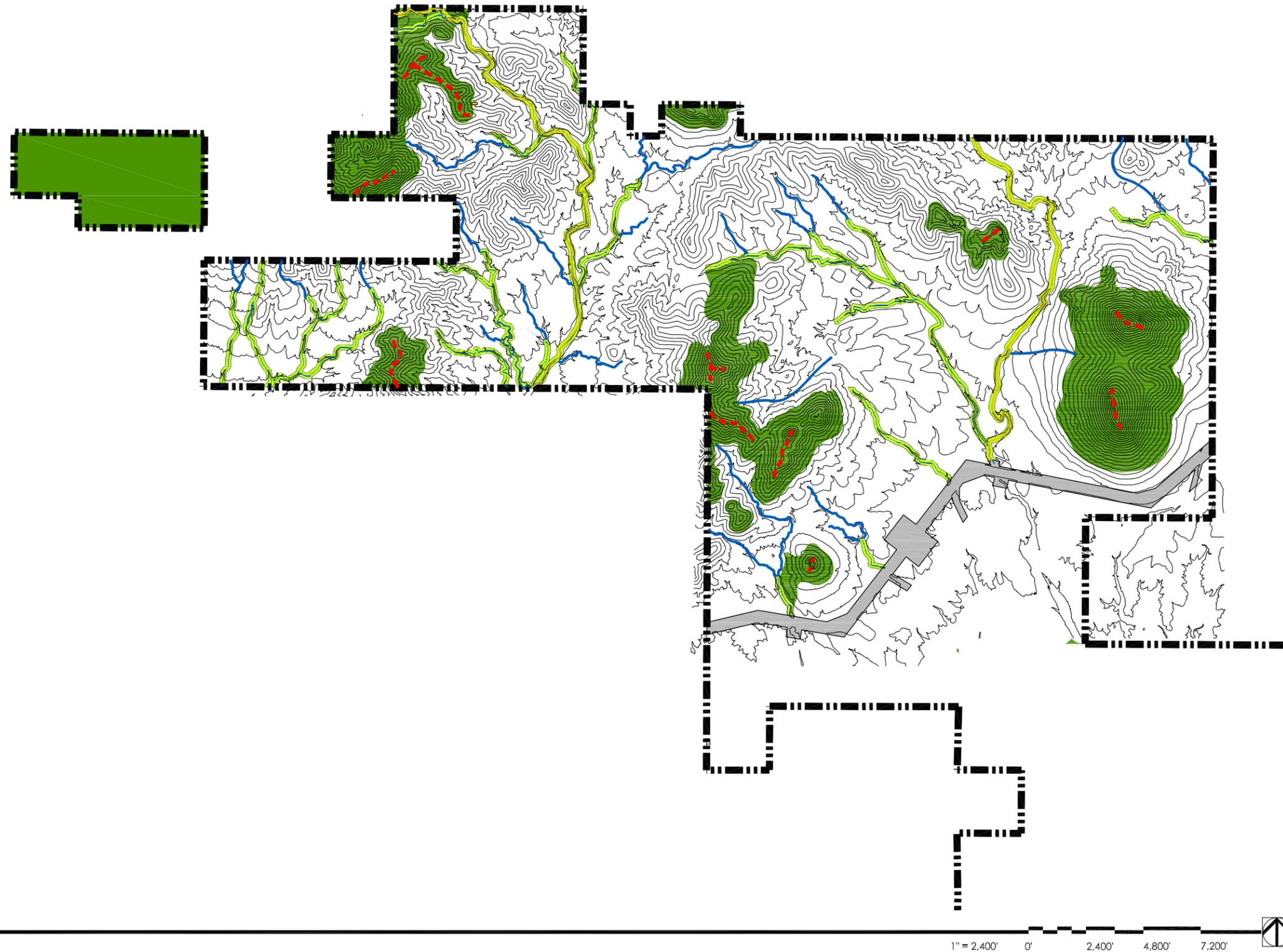


Figure E-2

2. 100% of the site may be disturbed, but 25% of the site must be restored to look natural (re-vegetated with similar plant species and densities prior to disturbance) and remain as open space.

Specific Criteria for areas above 25%, including criteria for grading, are described below.

1. Mass grading is not permitted.
2. 50% of the site may be disturbed. 50% must remain natural and undisturbed.
3. Disturbance is limited to areas within the development unit, parcel envelope, localized envelope, or individual custom lot only, and disturbance may not occur on lands outside the limits of the development unit or custom lot except for necessary infrastructure required to serve the proposed development.
4. Disturbance used to construct roadways and driveways will not be included site disturbance calculations.
5. Solid parcel boundary walls are not permitted except where adjacent to a right of way. Walls are restricted to the building envelopes only.
6. Alternative development options, such as cluster products, may be considered along with the associated development standards on a case-by-case basis with approval from the City's Hillside Hearing Officer.
7. *Envelope Types*. Grading/disturbance envelopes are the areas within which all grading and/or improvements must occur. The type of envelope to be used depends on the type of development and/or the land use. The three basic types of grading envelopes are described below. The envelopes are configured to preserve significant natural features such as wash corridors, specimen vegetation and/or major rock outcropping and to preserve scenic vistas or specific view opportunities.
 - a. *Custom Lot Building Envelopes* – These envelopes are for custom lot residential applications only. Individual building envelopes for custom lots shall be required for all developments in hillside areas above the 25% slope line, or for all custom lots that have not met the open space requirements. These building envelopes shall designate the area that may be disturbed for all residential structures and amenities (i.e. pools, decks, ramadas, turf and retaining walls) in accordance with Table 3. The balance of the lot outside this envelope shall be retained in its natural state with the exception that these areas may be enhanced by adding additional native vegetation. **(See figure 6)**
 - b. *Localized Envelope* - In certain areas where mass grading or larger areas of disturbance are permitted, but areas of preservation are present, the development parcels may employ localized multi-building construction envelopes as opposed to comprehensive grading of the entire development parcel. These localized multi-building construction envelopes could entail the grading of small groups of lots while maintaining pockets of naturally vegetated open space within and around the parcel. **(See figure 7)**
 - c. *Parcel Envelopes* - In areas which do not have significant land forms, washes or natural features, one or more development parcels may be graded to achieve the permitted density. These areas will be subject to the plant salvage and transplant standards established for Vistancia, as well as

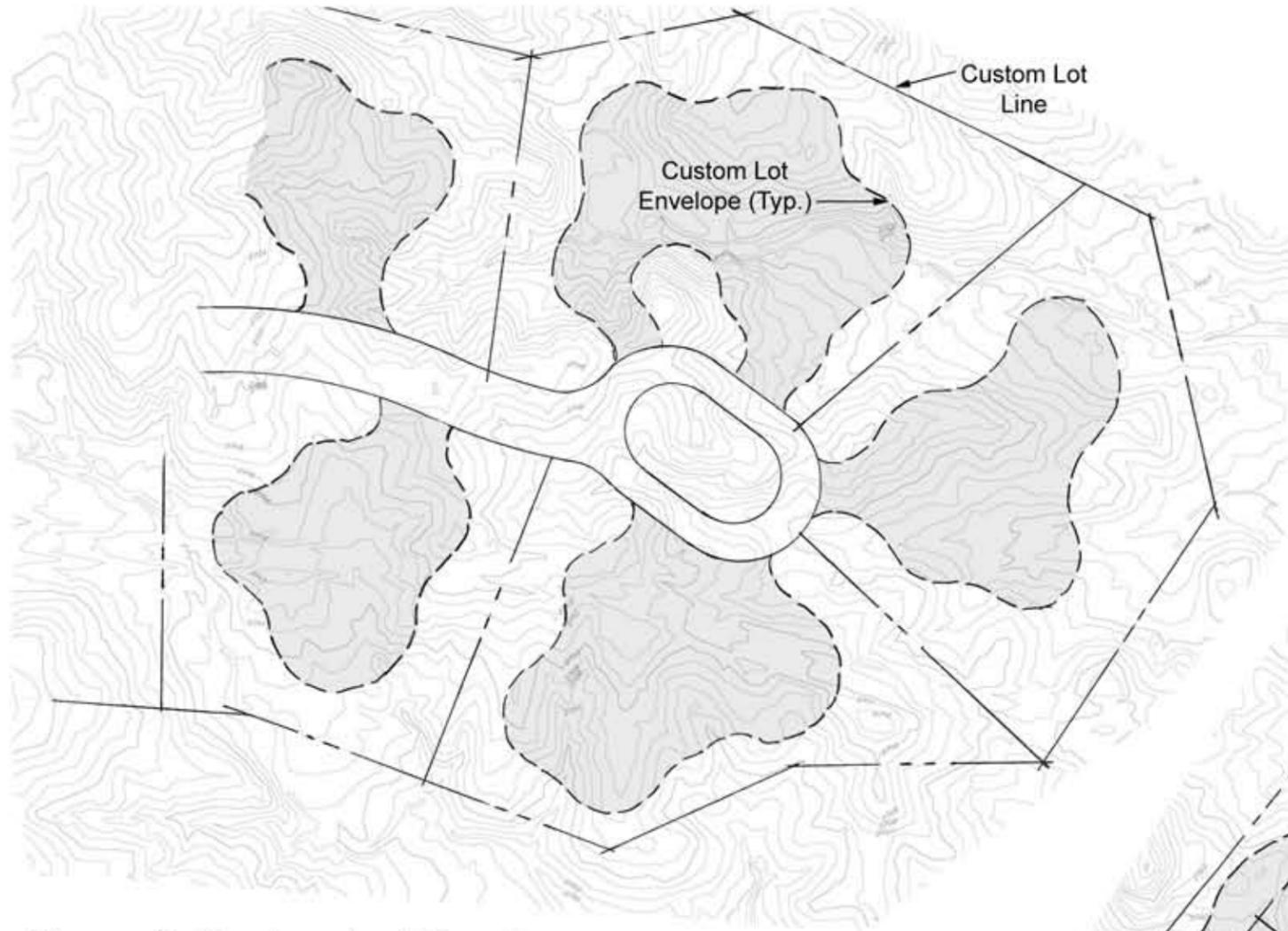


Figure 6. Custom Lot Envelopes

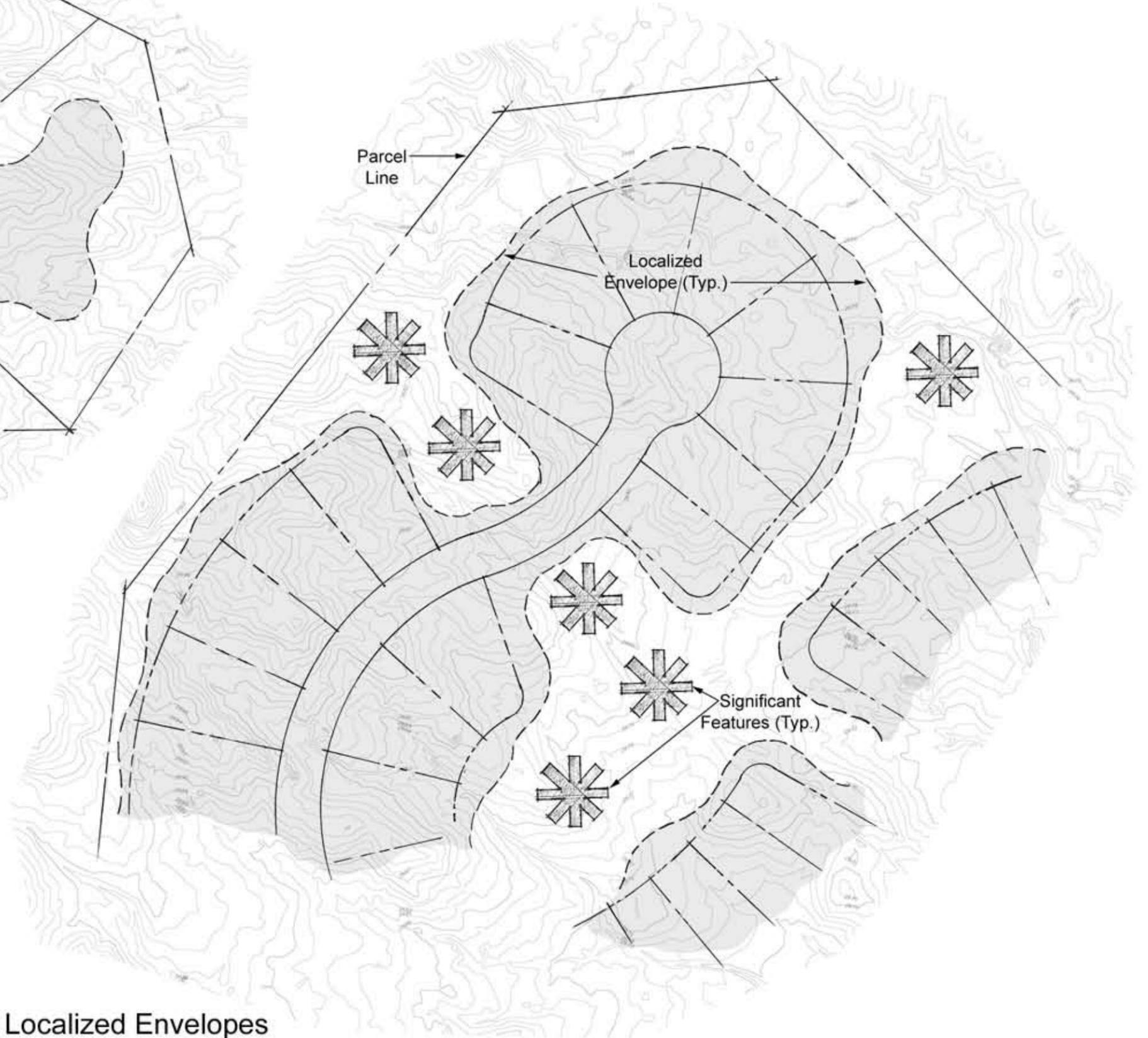


Figure 7. Localized Envelopes

the site grading, drainage, and erosion control standards as defined in this document, the City's Design Manual, and **Article 14-22B "Vistancia Desert Lands Conservation Overlay" (Appendix "F") (See figure 8).**

- B.** *Custom lots* - Shall be developed to provide for the minimum amount of ground disturbance (per the provisions set forth in this document) during the time of construction so as to prevent rock slides and falls, erosion and seepage. At final construction, disturbed areas shall be hidden or supported by retaining walls, buildings, finished surfaces or restored and landscaped to its original natural condition to the maximum extent possible. All cut and fill areas visible from off-site locations shall be treated with a natural staining or aging agent.
- a. The maximum height of any cut or fill used to establish a building site or a driveway shall be thirty (30) feet. Cuts or fills above thirty (30) feet shall require approval from the Planning Manager or designee. All cuts and fills must comply with the engineering provisions of the Peoria Codes and Ordinances. Similarly, the maximum height of any cut or fill used to establish a road or roadway shall be limited to thirty (30) feet and must comply with all Peoria Codes and Ordinances. Cuts or fills above thirty (30) feet shall require approval from the Planning Manager. In slope areas in excess of 25%, all areas of cut or fill necessary to establish a public or private roadway and falling outside of the public right-of-way or private roadway easement (beyond the 10% allowance identified in paragraph e. below) shall be counted against the total disturbed lot area of the individual lot or parcel. All roadway cuts shall be re-vegetated and all roadway fills shall utilize retaining walls, re-vegetated slopes, or a combination of walls and slope to minimize spill areas. All spill slope areas shall be re-vegetated and all retaining walls shall be designed to minimize the visual impact.
 - b. The limits of construction and proposed disturbed areas shall be clearly designated on the property prior to and during construction with visible roping and shall conform to the approved individual site analysis plan. No disturbance outside the designated area shall take place.
 - c. In the Uplands, all lots less than 24,000 sf. net area are eligible for 100% disturbance and are not subject to Table 3. All lots greater than 24,000 sf. net area shall establish a construction envelope equal to the combined area of the maximum disturbed area and maximum lot coverage from Table 3, below.
 - d. All surplus excavated material shall be removed from the lot.
 - e. All land area above the twenty five percent (25%) slope line that may be used for roadways (public and private) that shall not be included in Disturbed Area calculations. The Disturbed Area of all other uses, including storm water retention areas and accessory use areas, shall not exceed the Maximum Disturbed Area as set forth in **Table 3**.

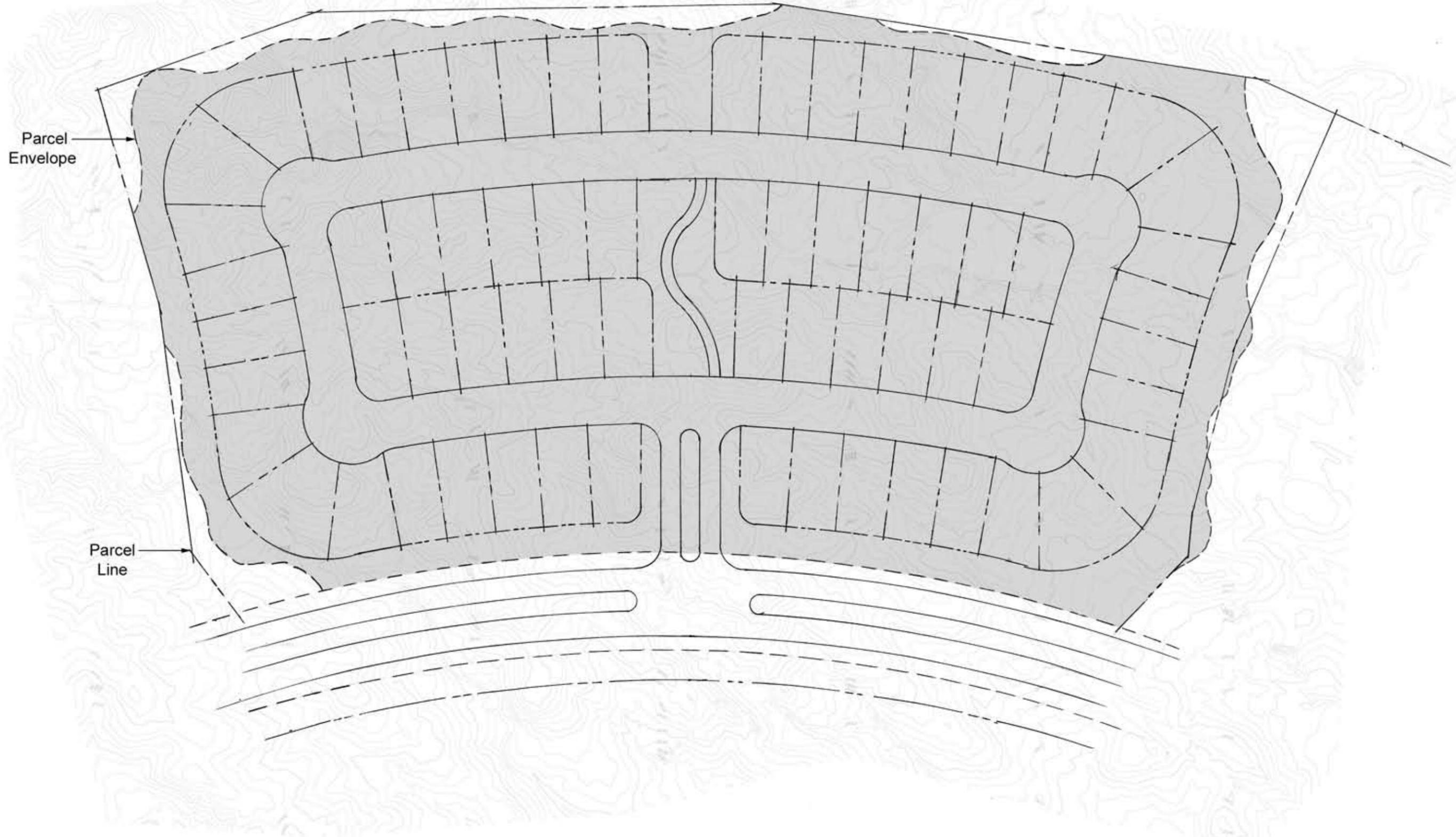


Figure 8. Parcel Envelope

Table 3

Landform Category	Building Site Slope Category	Maximum Disturbed Area	Maximum Lot Coverage	Min. required Open Space
Lower Transitional	10% to 15%	100% Disturbance 100% available for Mass Grading	Per Underlying Zoning	20% Non-Natural 0% Natural
Upper Transitional	15% - 25%	100% Disturbance* 75% available for Mass Grading	Per Underlying Zoning	25% Natural or Non-Natural *(25% of total area must be restored to look natural)
Uplands	25%+	50% Disturbance 0% available for Mass Grading (Mass Grading is not allowed)	Per Underlying Zoning	50% Natural

- C.** A minimum amount of open space must be provided within each development parcel. These areas will be counted towards the required parcel open space. Open space will be both natural and re-created through slope restoration and re-vegetation. Open space will be provided within each development parcel based upon minimum open space criteria that listed in Table 3.

Open Space provided within these parcels can be natural, re-created (as defined below) or a combination thereof. Open space requirements will be calculated and determined at time of Plat.

1. Natural open space that is undisturbed and free from development will primarily be a visual amenity for the community. In addition, some natural open space areas may contain trails that link open space and development parcels within Vistancia. Significant drainage areas (as identified on **Figure E-2, Preservation Master Plan**) shall be set aside as open space (with the exception of potential road and utility crossings). They will be used as primary drainage ways, but also serve as migration corridors for animals, and potential trail corridors that link the open space throughout Vistancia.
2. Re-created, restored or “improved” open space will exist in a variety of types. These areas include parks, both active and passive, paseos, parcel open space and restored desert areas.

SECTION 14-22A-7 GRADING AND DRAINAGE

All proposed development within a Hillside Development Area shall be required to submit for and receive Grading and Drainage Plan approval through the City of Peoria Engineering prior to the commencement of any development or Site Disturbance Activities.

Grading of development areas must respect the sensitive landforms of the community. As noted earlier, mountain ridges of significance, as identified in **Figure E-2 Preservation Master Plan**) shall not be graded or disturbed except to allow construction of roads, utilities, trails or paths providing access into the featured open spaces. Other significant features, such as large rock outcroppings,

and significant drainage areas, other than disturbances allowed under the Section 404 permit, shall be preserved except to allow construction of roads, utilities, trails or paths providing access to these significant areas. All cuts and fills are limited to thirty (30) feet in height. All cuts or fills greater than thirty (30) feet in height require approval from the Planning Manager or Designee.

A. Graded slopes within Vistancia will be characterized as follows into the following slope categories:

1. Community Feature Slopes
2. Neighborhood Slopes
3. Residential Lot Slopes

B. Each of these slope categories are defined below, and contains its own set of standards. In addition, certain slopes may be characterized as “low visibility”, which are defined as slopes that are not readily visible from either public or private streets within the community. These slopes shall be subject to criteria that are appropriate to areas of low visibility. The following describes in detail each of the slope categories.

1. Community Feature Slopes: Community Feature slopes are located within the community and are in highly visible areas. These slopes will most commonly be found along major roadways and between development parcels. Community Feature slopes will emphasize the look and character of the community. The landforms and landscape will mimic the character of the natural desert, and may be enhanced given the high visibility of these areas. Uniform slopes shall not be allowed and restoration and re-vegetation shall occur in a timely manner so as not to leave an undisturbed area exposed in a high visibility area. In some instances, slopes found along community roadways, may not be readily visible; these slopes may be uniform (**See figure 9**).
2. Neighborhood Slopes: Neighborhood slopes are located primarily within the residential neighborhoods within the community. These slopes will be visible primarily from the specific neighborhood but may be visible from community collectors and arterial streets. These slopes shall feature the look and character of the community and reflect the natural character of the surrounding land. Uniform Neighborhood slopes are discouraged but may be permitted in areas of low visibility. Restoration and re-vegetation of these slopes shall occur in a timely manner so as not to leave an undisturbed area exposed in a visible area (**See figure 9**).
3. Residential Lot Slopes: Residential lot slopes exist within residential areas and are found on individual lots owned and maintained by the individual lot owner. Specific cut and fill slope criteria (Section 14-22A-7-D & Section 14-22A-7-E) have been established that will provide developers and home builders direction for developing both production and custom lots. Most of these slopes will not be visible from collector or arterial streets, Uniform slopes may be permitted and restoration/landscaping will occur with construction of each home (**See figure 10**).

C. Cut Slopes

1. Cuts shall not be steeper than two to one (2:1) and must average 3:1 for Community Feature Slopes and Neighborhood Slopes. Steeper slopes will be allowed when use of boulder walls or other natural or natural looking material is used to stabilize slope. This average allows for all types of landscape planting including trees. Cut slopes

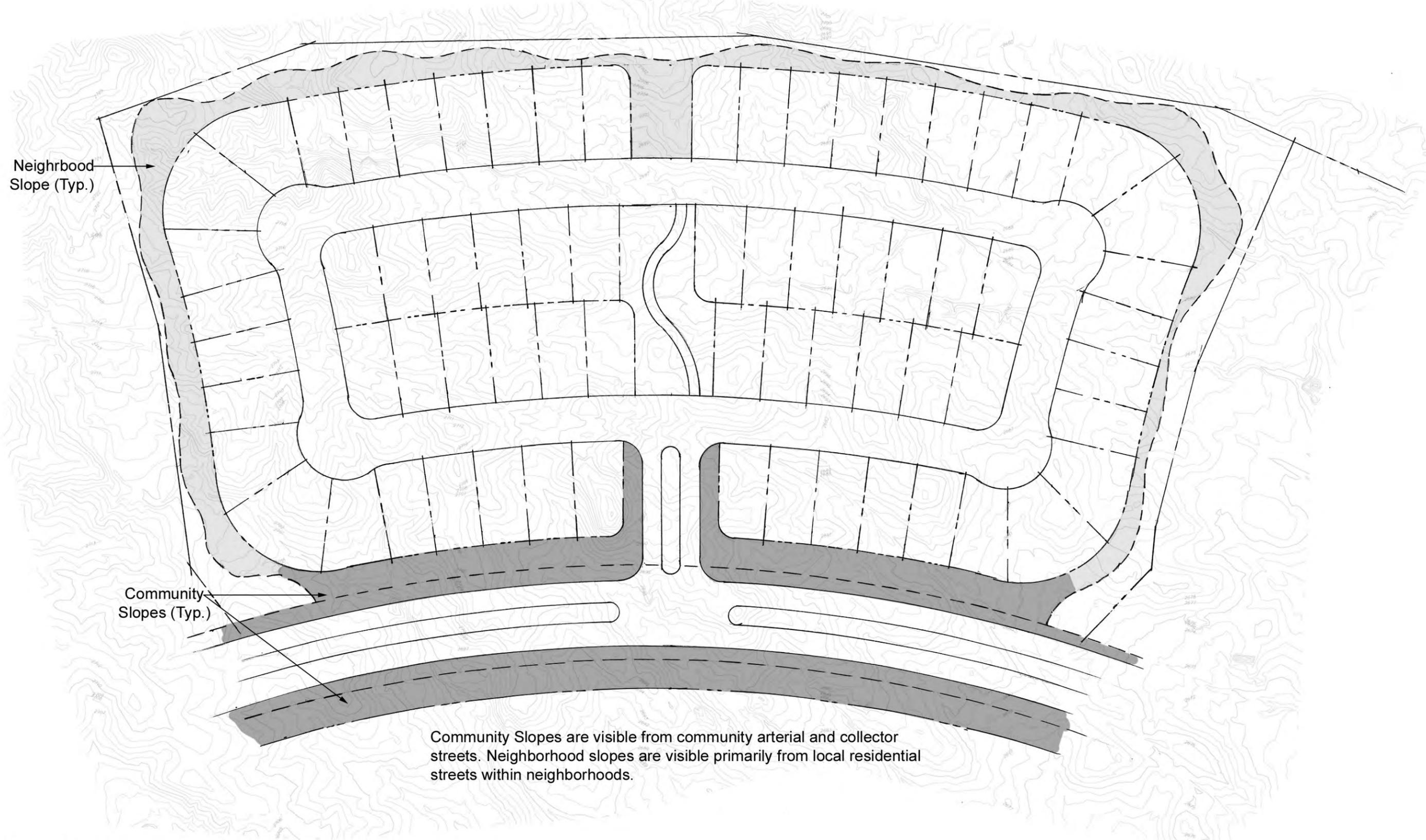
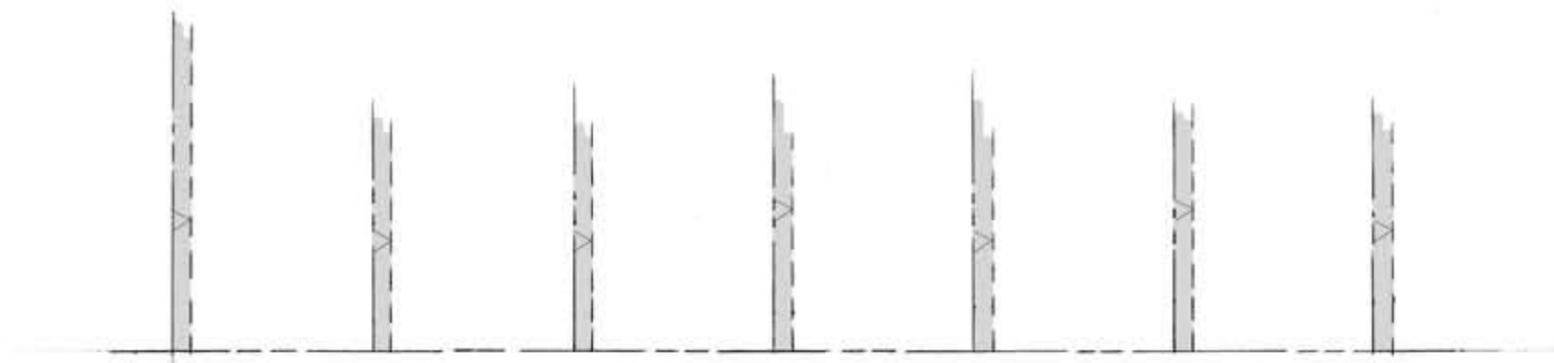
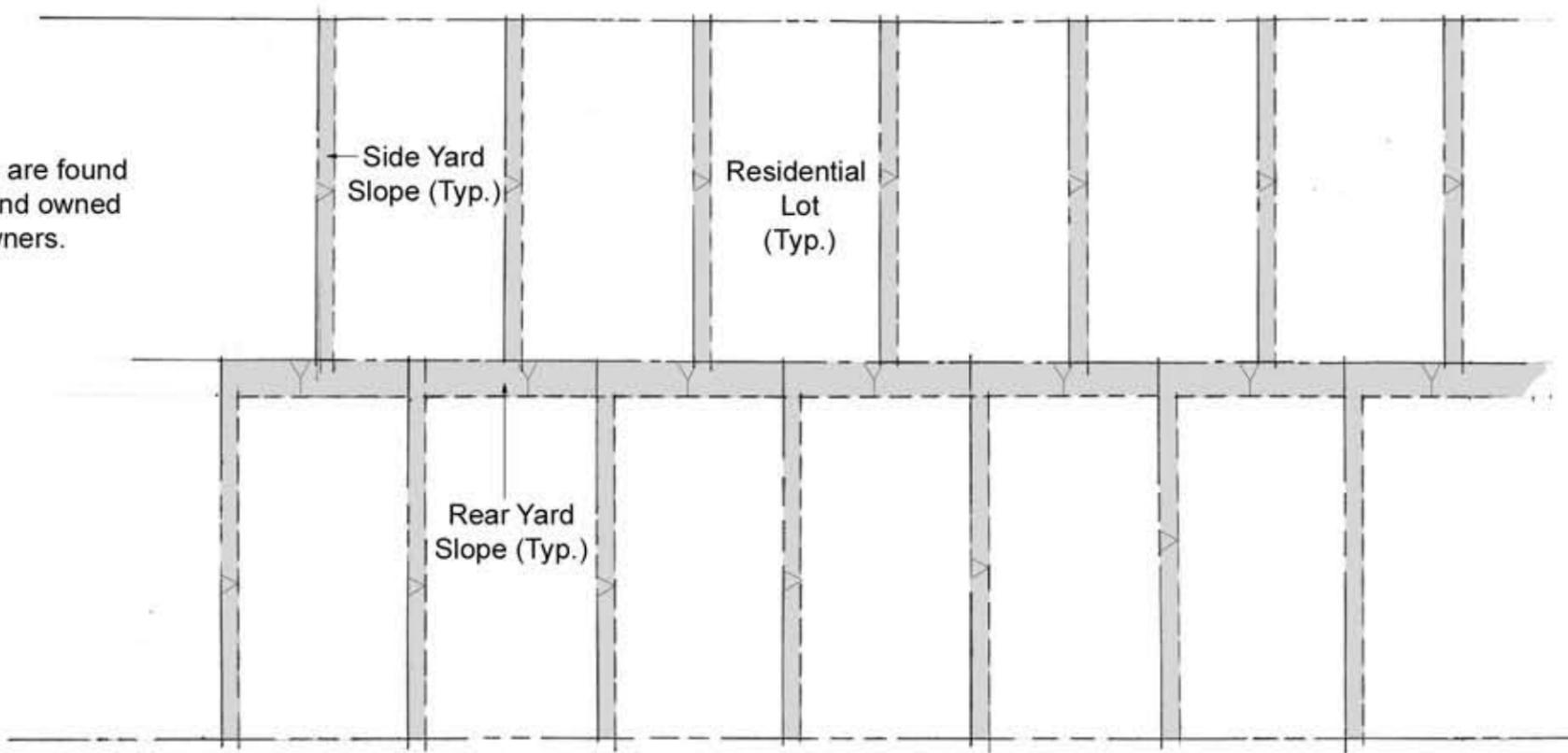


Figure 9. Community & Neighborhood Slopes



Local Residential Street

Residential Slopes are found on individual lots and owned by individual lot owners.



Local Residential Street

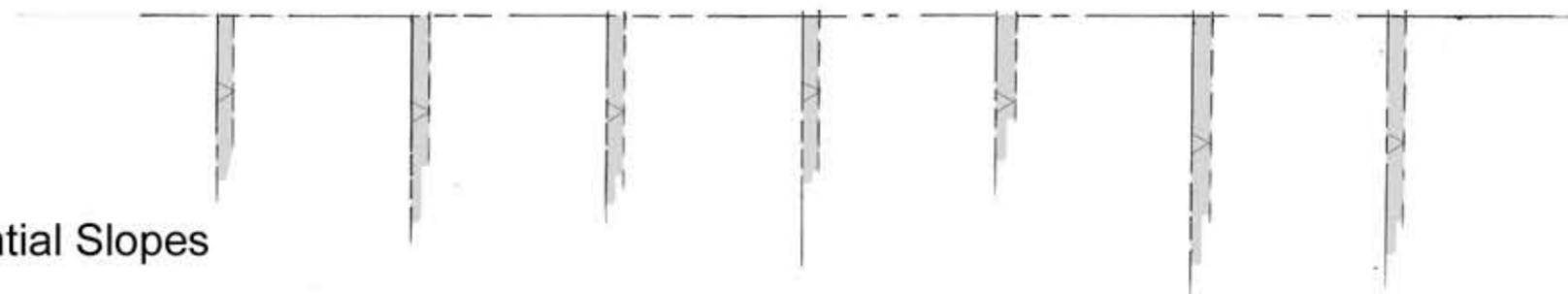


Figure 10. Residential Slopes

vary in gradient from 2:1 to 4:1 but may be less to create flatter areas for landscape planting (**See Figure 11**). Cut slopes shall be re-vegetated in accordance with section 14-22A-7-G.

2. Cuts in the Residential Lot Slopes area shall not be steeper than 2:1 on a side lot to side lot basis, up to 6' in height. Slopes greater than 6' in height in a side yard condition may not be steeper than 2.5:1. Slopes shall not be steeper than 2.5:1 on a rear yard condition (**See figure 12**).

D. Fill Slopes

1. Fill slopes shall not be steeper in gradient than 1.5:1, but must average 3:1. Steeper slopes will be allowed when use of boulder walls or other natural or natural looking material is used to stabilize slope. This criterion applies to all Community Feature Slopes and Neighborhood Slopes. Fill slopes vary in gradient from 1.5:1 to 4:1 but may be less to create flatter areas for landscape planting. This average allows for landscape planting of all types, including trees (**See figure 13**).
2. Fill areas in the Residential Lot Slopes area shall not be steeper than 2:1 on a side lot to side lot basis, up to 6' in height. Slopes greater than 6' in height in a side yard condition may not be steeper than 2.5:1. Slopes shall not be steeper than 2.5:1 on a rear yard condition (**See figure 14**).

E. Grade tie-ins

1. Where cut or fill slopes meet existing natural grade, transitions shall be made to mimic or follow the natural movement of the land. Areas where slopes meet natural grade, the slope should be rounded to avoid abrupt grade changes which create unnatural looking conditions (**See figure 15**).

F. Landscape De-vegetation, Re-vegetation and Restoration

1. De-vegetation: De-vegetation shall occur per **Article 14-22B, Vistancia Desert Lands Conservation Overlay**. This process requires a Native Plant Permit or multiple Native Plant Permits which must be obtained prior to the destruction, mutilation, removal, or relocation of any protected native plant.
2. Re-vegetation: Re-vegetation shall occur where any area is disturbed for development, and will remain as open space or right of way. Areas of re-vegetation shall mimic the landscape character and match or exceed density of the area prior to disturbance in the following manner. These criteria are intended to supersede Article 14-35 at the discretion of the Planning Manager.
 - a. Community Feature Slopes: These slopes will emphasize the look and character of the community. The Developer is encouraged to re-vegetate these areas to higher plant densities than they were prior to development. These slopes shall feature a wide range of plant material, including plant material that may not have occurred prior to development. In appropriate areas, plant material that is typically found as part of the Oasis Area, as described in **Article 14-22B** shall be allowed. Community slopes that are characterized as "low visibility" may utilize a reduction of plant densities up to 15%.

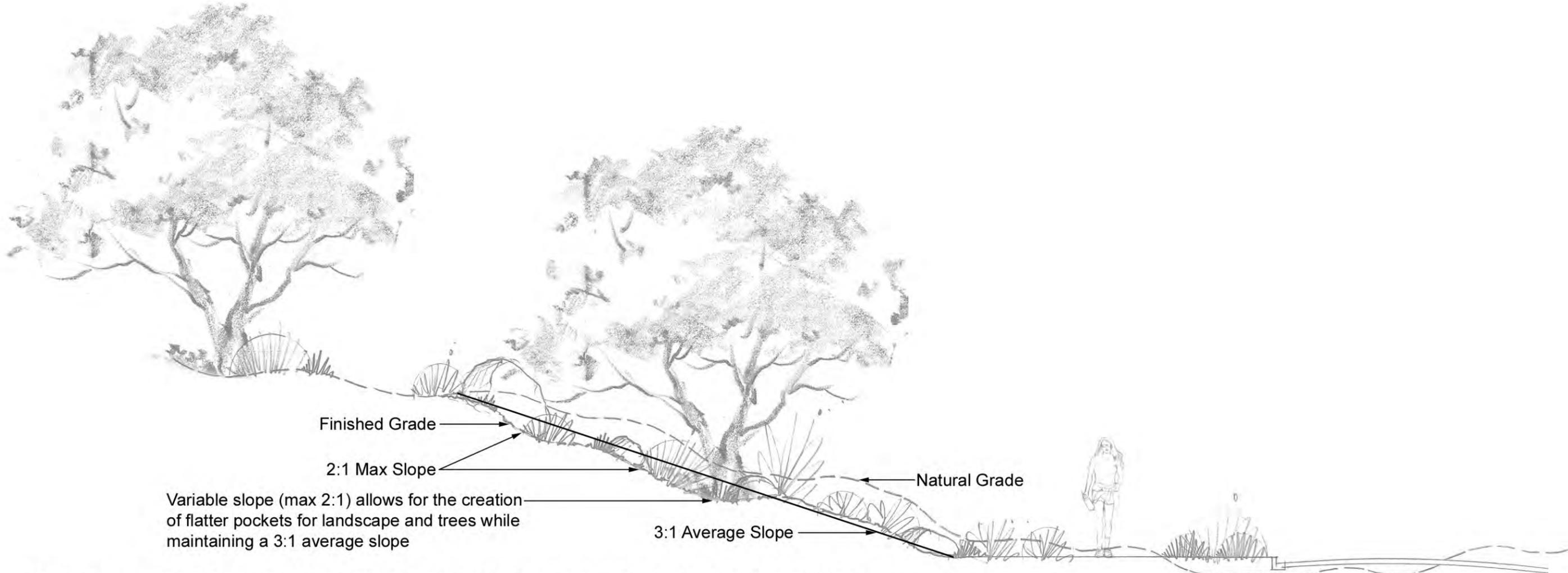


Figure 11. Cut Slopes Requirements - Community and Neighborhood Slopes

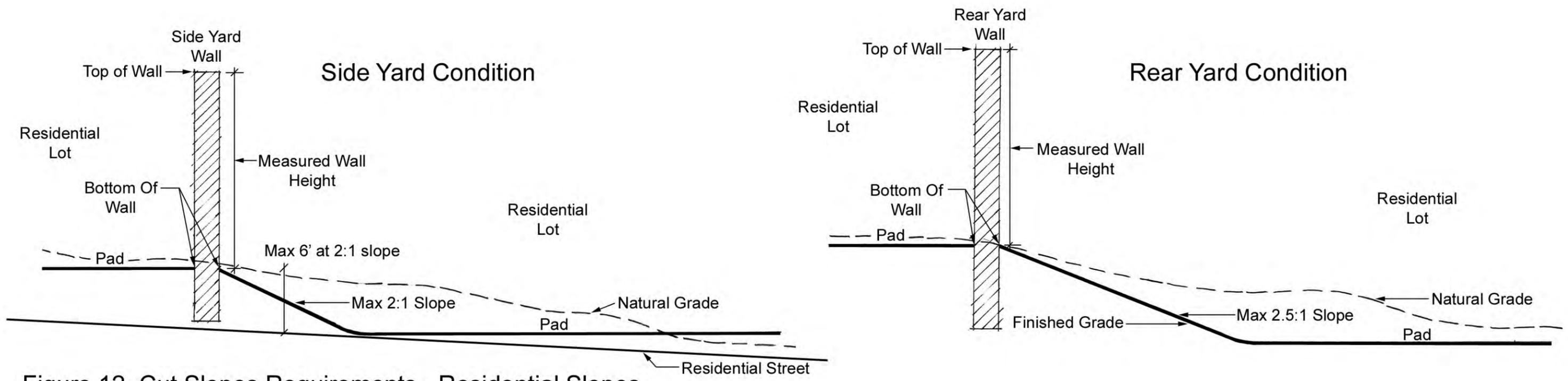


Figure 12. Cut Slopes Requirements - Residential Slopes

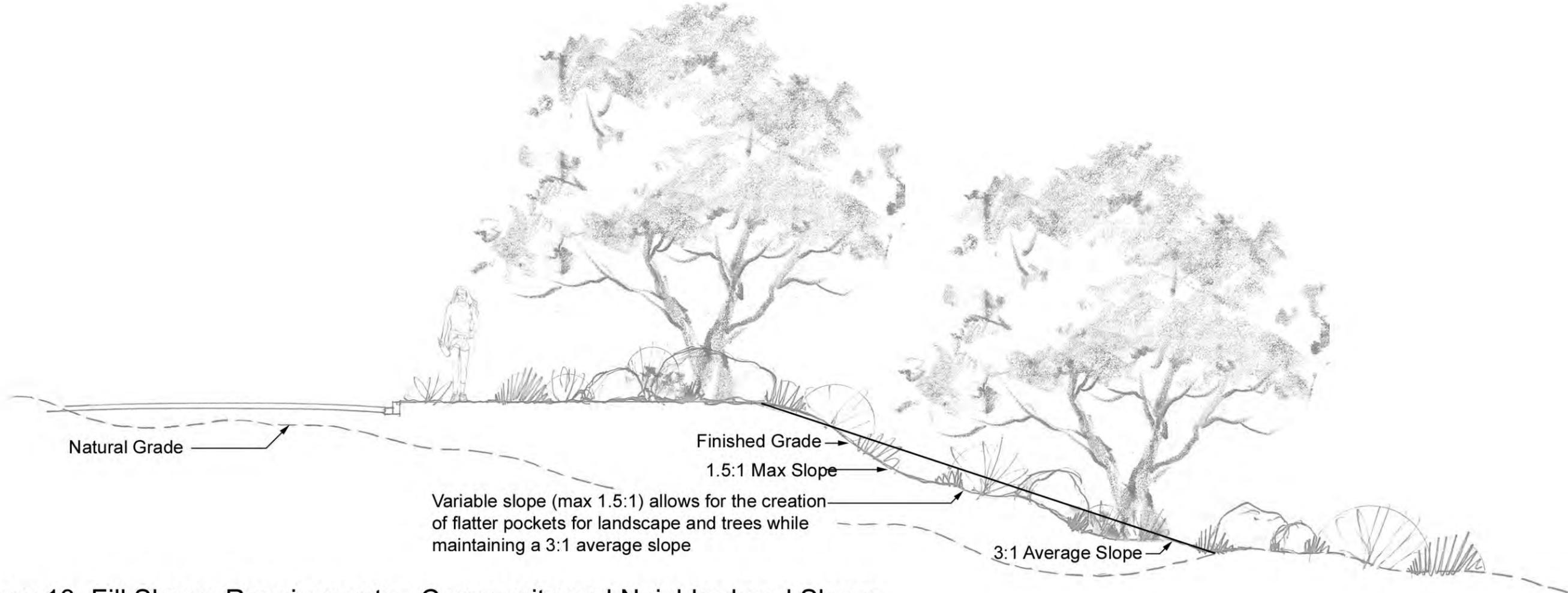


Figure 13. Fill Slopes Requirements - Community and Neighborhood Slopes

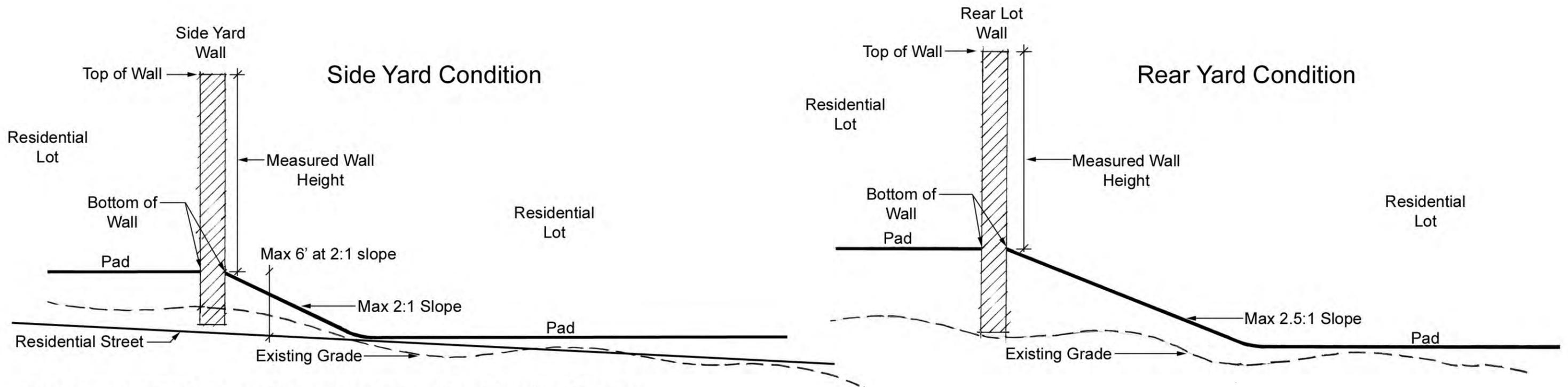
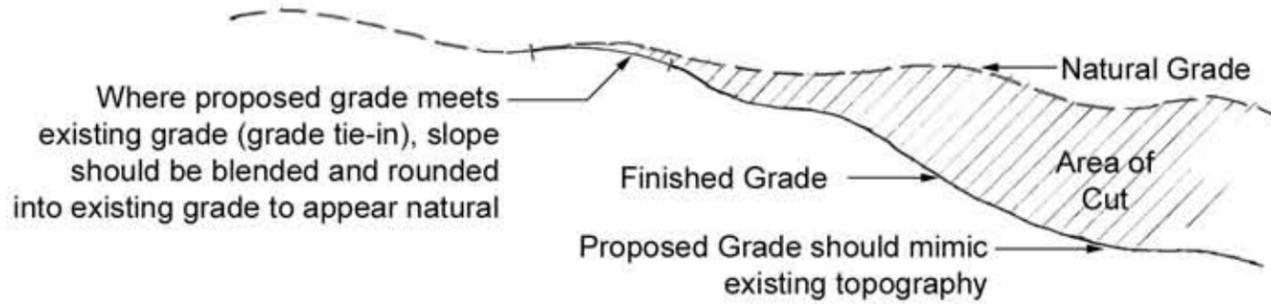
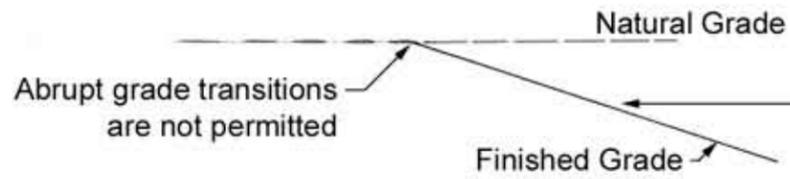
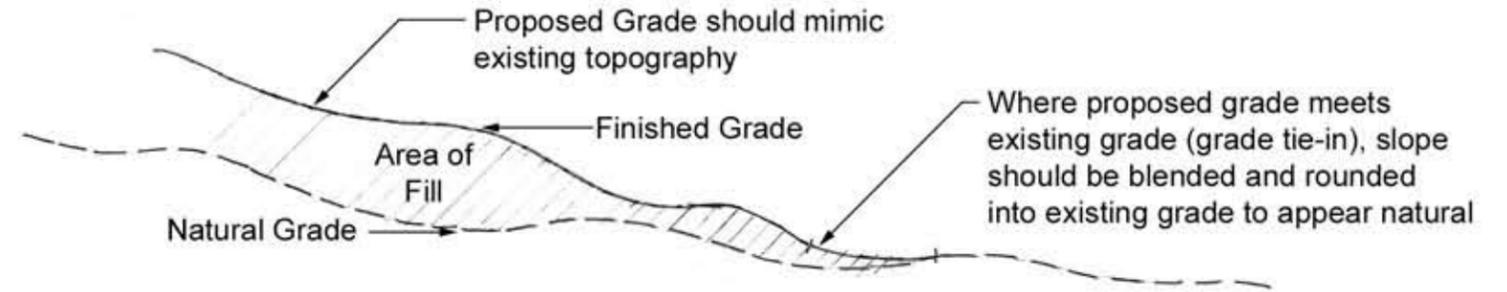


Figure 14. Fill Slopes Requirements - Residential Slopes

Cut Slopes

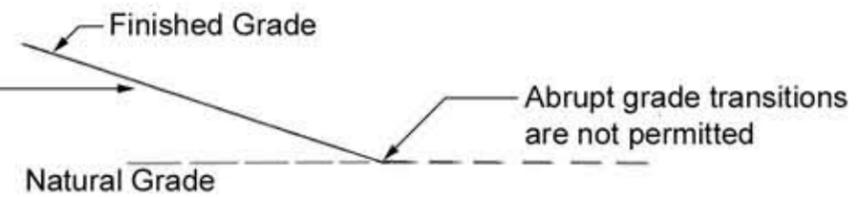


Fill Slopes



Cut Slopes

Uniform Slopes are not allowed in Community (except in areas of low visibility) and discouraged in Neighborhood slopes



Fill Slopes

Figure 15. Grade Tie-ins (Cut & Fill Slopes)

- b. **Neighborhood Slopes:** These slopes will also feature the look and character of the community and reflect the natural character of the surrounding land. Plant densities will be consistent with densities prior to disturbance. In highly visible areas, densities may be increased by as much as 25% to enhance the scenic quality of these highly visible areas. Neighborhood slopes that are characterized as “low visibility” may utilize a reduction of plant densities up to 15%.
 - c. **Residential Lot Slopes:** Residential lot slopes exist within residential areas and are owned and maintained by the individual lot owner. Specific criteria has been established both in the City’s Design Manual and Vistancia’s Codes Covenants and Restrictions to provide developers and home builders specific direction for landscape requirements on an individual lot basis.
3. **Restoration:** Restoration occurs where the desert has been damaged or destroyed due to factors outside of the development process. These areas may include, but are not limited to, areas that may have been damaged in a fire or other natural occurrence, disturbed by previous land owners, or areas that are noticeably different from their immediate surroundings. The Developer is committed to restoring previously damaged desert when part of a development parcel. Previously damaged areas that are restored, when part of a development parcel, shall count towards any Natural Open Space (NOS) that may be required for that particular development parcel. The developer, when the disturbed area is part of a development parcel’s open space, shall return the damaged desert area to the same landscape character as the immediate surrounding areas. If large scale and unforeseen damage occurs on the property after the approval date of this document, the City and Developer will work together to determine reasonable Restoration requirements. Salvaged plant material, from other areas of the community, may be used to restore any damaged area within Vistancia. The Developer shall not be required to perform any Restoration activities on the land dedicated to the City as designated open space.

SECTION 14-22A-8 DRIVEWAYS

- A.** If any portion of a driveway grade is more than twenty percent (20%), the entire residence and all accessory buildings over one hundred twenty (120) square feet of roof area shall be protected with an approved fire sprinkling system.
- B.** Driveways with turning radii of less than forty (40) feet may be used provided all structures are protected with an approved fire sprinkling system.
- C.** In the Uplands (areas above 25% in slope) or on any custom lot, to reduce the visual impact of driveways the following is intended to be an incentive to preserve the natural mountain vistas. Driveways surfaced with paving bricks, colored concrete or with exposed aggregate, colored to blend with existing native color of the site, shall only be included in disturbed area calculations at fifty percent (50%) of their total area.
- D.** Any individual driveway cut greater than eight (8) feet in depth shall not have a length greater than one hundred (100) feet; and the maximum height of any cut or fill used to establish a driveway shall not exceed fifteen (15) feet.

SECTION 14-22A-9 PERIMETER WALLS, PRIVACY WALLS, RETAINING WALLS AND SPILL SLOPES

- A.** The design of all retaining walls and ground coverings shall be prepared by a registered engineer or architect and shall be designed to blend with the surrounding environment and/or development in color, materials and style.
- B.** Raw spill slopes are prohibited.
- C.** All exposed disturbed area fill shall be contained behind retaining walls or covered with a natural rock veneer and treated with an aging agent and landscaped with indigenous plant material.
- D.** Residential retaining walls shall not exceed six (6) feet in height; non-residential retaining walls shall not exceed eight (8) feet in height; if additional height is needed, the wall shall be offset at a minimum of four (4) feet or one (1) foot per one (1) foot of height, whichever is greater. View fences not exceeding 6 (six) feet in height above the highest part of adjacent natural grade may be added to a retaining wall. Increases in the height of view fences may be granted by the Planning Manager provided that the retaining wall contains unique design and materials or other amenity features that, in the determination of the Planning Manager, mitigate the impact of the additional height. (Ord. No. 05-44)
- E.** Fences or walls on lots within a hillside district shall be restricted to privacy walls attached to or directly screening a portion of the main residence. Privacy walls shall not exceed six (6) feet in height, shall be architecturally compatible with the main residence and shall be limited to the development envelope area only. Perimeter walls and fences surrounding a lot, tract or parcel shall be prohibited except as provided by Section F of this Article. Privacy walls shall not be erected on a retaining wall and shall be offset a minimum of four (4) feet when utilized.
- F.** Within the ten to twenty-five percent (10-25%) slope category only, exceptions to the limitations on fences or walls may be permitted. In those instances where an exception is desired, applicants shall submit a detailed Wall Plan to the Planning Manager for review and action. In conjunction with the submittal of the Wall Plan to the Planning Manager, the applicant shall submit a copy of the Wall Plan to the Engineering Department for review and approval for conformance with all City Grading and Drainage requirements. Wall Plans shall indicate the proposed locations of walls or fences, the proposed materials, colors and design of any wall or fence, and fence construction and disturbance mitigation measures. Such plans shall be accompanied by a narrative explaining the reasons why such an exception should be made. Upon completion of the review of the Wall Plan by the Planning Manager, and following the review and approval of the Wall Plan by the Engineering Department, the Planning Manager may approve the Wall Plan. Wall Plans may be approved by the Planning Manager upon a finding that the proposed location and design of the wall(s) is in accordance with this Article and further that the proposed wall will not be contrary to the intent and purpose of this Article.
- G.** Perimeter walls or fences approved by the Planning Manager or designee within the ten to twenty-five percent (10-25%) slope category and abutting an open space area or tract, shall be a maximum of six feet eight inches (6'-8") in height with no more than three (3) feet being constructed of a solid or opaque material. That portion of the wall or fence not constructed of a solid or opaque material shall be open in design and may not include chain-link or wood materials. Notwithstanding the foregoing, walls exceeding six (6) feet eight inches in height

and constructed of solid or opaque material may be approved by the Planning Manager if the wall is for the purpose of screening non-residential uses.

- H. All fences and walls within a Hillside Development Area shall be required to obtain a fence permit from the Community Development Department, in addition to all other necessary City of Peoria permits, prior to the initiation of any fence or wall related construction activities.

SECTION 14-22A-10 LIGHTING, SEWERS, UTILITIES

- A. All outdoor lighting concepts, fixture types, lamps and wattage shall be indicated on the site plan.
- B. Connection to a public sewer system is required in connection with Chapter Twenty-Five (25) of the City Code where available.
- C. Private individual lot sewer systems shall be designed by a registered engineer.
- D. All on-site utilities shall be placed underground.

SECTION 14-22A-11 MOUNTAIN RIDGE PROFILE

Within a hillside development area and above the twenty-five percent (25%) slope line, no construction shall occur which will alter the mountain top profile and no building or structure shall be constructed which will project above a ridge line of significance when viewed from adjacent properties not a part of Vistancia. Ridge lines of significance have been identified and indicated on **Figure E-2, Preservation Master Plan**.

Prior to the issuance of any building permits, cross-sections shall be submitted showing the relationship of the proposed development with established mountain top ridge lines and ridge lines of significance when applicable.

SECTION 14-22A-12 SUBMITTAL REQUIREMENTS FOR CONSTRUCTION IN THE HILLSIDE OVERLAY AREA

- A. In addition to drawings, plans, specifications and details necessary to obtain a building permit, the following documentary requirements and certifications shall be provided for staff review:
 - 1. A topographic map at an appropriate scale on a 24" x 36" sheet presenting the total lot and a twenty (20) foot area beyond the property line shall be submitted with the application. This map shall show existing and proposed finished contours at two (2) foot intervals within a twenty (20) foot perimeter from any proposed building, five (5) foot intervals elsewhere. Existing contours shall be shown with dashed lines. This map shall show limits of excavation and fill, slope of cut and fill, total cubic yards of excavation and fill. The location and area of the sewage disposal systems, if public sewers are not provided.
 - 2. Detailed site plans and landscape plans at an appropriate scale, shall be submitted with each application and shall include, but not be limited to, the following: grade and

slope in percent at all disturbed areas. Dimensions and calculations of all cut and fill for the building site, roads, drives, swimming pools, and the method of concealment for each fill or exposed cut. Dimensions of length and height of retaining walls, fences and other attachments; the location and grade of all drainage channels, swales, drain pipes, etc. The amount and degree of surface disturbance, destruction or removal of natural vegetation. Protected desert vegetation shall be preserved in an appropriate manner in accordance with the Vistancia Desert Lands Conservation Overlay district. (Article 14-22B)

3. Cross sections at 1:1 scale, at two (2) or more locations perpendicular to the contours through the building site. Location of the cross-sections shall be clearly shown on the topographic map. Properties impacting ridge lines shall provide additional cross-sections indicating their relation and impact on such ridge lines as established in Section 14-22A-11.
4. An overall excavation, grading and drainage plan shall be prepared in accordance with sound professional engineering practices and to address minimum standards adopted by the City. Said plans shall be prepared and certified by a professional engineer registered in the State of Arizona. If any drainage structures or culverts are involved, it will be necessary to include calculations for peak flows for a 100 year storm to establish appropriate drainage facilities, cross-sections and details. Storm water diverted from its original drainage pattern shall be returned to its natural course before leaving the property.
5. Where possible and appropriate on less complex lots and lots with acceptable site conditions, the combining of the above maps into one drawing may be acceptable.
6. The Planning Manager, or their designee, may require an accurate oblique view architectural rendering in color; showing the appearance of the building, lot, landscaping, and skyline. The Planning Manager may also require a model if determined necessary to evaluate the project. The model may be a three dimensional physical model or it may be a computer generated model in a three dimensional format and presented by a series of prints or by a disc that can be viewed on a monitor. The rendering and the model will remain in the custody of the Planning Manager until a Certificate of Occupancy is issued. On the rendering or attached thereto, the applicant shall list all colors depicted on the exterior of all structures according to Section 14-22A-5.C.
7. Plans for any structure to be constructed on any land governed by these Hillside Regulations shall be sealed by a registered engineer or architect.
8. The plans for any hillside development of any kind or nature whatsoever, must be approved by the staff and appropriate permit(s) issued, before any grading, bulldozing, blasting, or movement of earth is commenced.

SECTION 14-22A-13 RESERVED

SECTION 14-22A-14 INSPECTIONS

- A. Inspections may be made to insure compliance with this Article.

- B. Prior to the inspection of property, an authorized employee shall attempt to obtain the consent of the property owner or representative pursuant to this Article. If consent is denied, the employee may conduct an inspection as permitted pursuant to applicable state or federal law.

SECTION 14-22A-15 ENFORCEMENT / COMPLIANCE

- A. Violations should be reported by the City to the property owner, together with a Compliance Order describing the measures required to correct the violation(s). Failure to comply with the terms of a Compliance Order shall constitute a violation of this Article.
- B. In those instances where a Site Disturbance Activity has commenced within a Hillside Development Area without an approved Slope Category Determination Study or where another violation of this Article has occurred, the City may issue a Stop Work Order to terminate immediately all development or construction related Site Disturbance Activity on the site, parcel or property. In addition, the City may revoke any or all of the permits issued by the City for the site, parcel or property. Upon the issuance of a Stop Work Order, the responsible party shall immediately terminate all activities on the site and then contact the City of Peoria Planning Division regarding what measures should be taken to eliminate any problems resulting from the development activity. Failure to comply with the terms of a Stop Work Order shall be a violation of this Article.
- C. Violations of this Article are subject to prosecution by the City of Peoria as a Misdemeanor violation under the City Code and shall be punishable as provided by law.

SECTION 14-22A-16 DEFINITIONS

Alter the Mountain Top Ridge Line. Means to alter or change the view or appearance of an established ridge line or ridge line of significance with cuts, fills or structures when viewed from a distance.

Construction Envelope. A specific area defined by the sum of the maximum allowable disturbed area plus the maximum coverage allowed for the lot or parcel.

Custom Lot. A lot which can be irregular in shape and size, and gives the lot owner the ability to design a completely unique home.

Cut. The land surface which is shaped through the removal of soil, rock, or other materials.

Disturbed Area. That area of natural ground that has been or is proposed to be altered through limited grading, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation. These areas have not been Mass Graded.

Disturbed Area Reclaimed. Disturbed areas may be reclaimed if they are restored to their natural contours, vegetation and colors to the satisfaction of the Staff.

Fill. The deposit of soil, rock, or other materials placed by man.

Finished Grade or Newly Established Grade. The final grade and elevation of the ground surface after grading is completed.

Grading. Any excavating, or filling or combination thereof, including the conditions resulting from any excavation or fill.

Hillside Development Area. Building areas, other than sloped areas within washes and rivers, with a building site slope of ten percent (10%) or greater, measured as a vertical rise of ten (10) feet in a horizontal distance of one hundred (100) feet.

Landscape Development Areas: Areas within a site with different recommended plant palettes based on their proximity to natural open space, soil stabilization attributes and the desired visual character for the area.

1. **Oasis Area:** A landscaped area consisting of enclosed courtyards, similar semi-private areas and other areas located within the Disturbed Area where the use of Native Sonoran, Sonoran Character and Arid Zone plants are strongly encouraged, but where Exotic Zone plants are also allowed.
2. **Transitional Areas:** A landscaped area consisting of open backyards, commercial and public areas, streetscapes and common areas where use of Arid Zone plants is limited to 30% by area and where a buffer of Native Sonoran Zone plants is required at the perimeter of the lot or parcel or between the Disturbed Area and Natural Open Space.
3. **Buffer Area:** A landscaped area consisting of open areas adjacent to preserved wash corridors and Natural Open Space areas where the use of plants is limited to the Native Sonoran Zone palette.

Mass Grading. A technique used to significantly alter the landforms, including “flattening” of a relatively large area, for the purpose of creating developable pads.

Natural Grade. The grade and elevation of the ground surface in its natural undisturbed state.

Natural Open Space. Areas dedicated for public ownership or retained in private ownership containing naturally occurring conservation features and accreted Sonoran Desert that have not been altered except to allow decomposed granite trails (private or public) in accordance with ADA guidelines, roadways and utility easements as necessary.

Retaining Wall. A retaining wall is a wall used solely to retain more than eighteen inches (18") of material but not to support or to provide a foundation or wall for a building.

Site Disturbance Activity. Any action which results in a cutting of the natural soil grade, creation of an un-natural soil fill or movement of a significant natural landscape feature. A Site Disturbance Activity may include, but not be limited to the following activities: digging, trenching, filling, drilling, grading or clearing.

Slope Category Determination Study. A detailed study of the topography and slope of a development site, parcel or property. The study shall include a detailed graphic showing all slope areas on the site utilizing the methodologies established in this Article and shall be composed of both graphical, numerical and textual information.

Spill. To cause or allow earth or other material to fall, flow or run down a slope, thereby creating a change in the natural appearance and topography.

Vertical Exposed Face: A remaining unimproved exposed area of earth as a result of grading that is vertical in nature or appears to be vertical in nature (rising more than five (5) feet per every one (1) foot).

ARTICLE 14-22B
VISTANCIA DESERT LANDS
CONSERVATION OVERLAY
(Ord. No. 04-201))

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SECTION 14-22B-1 INTENT

The purpose of the Vistancia Desert Lands Conservation Overlay (DLCO) is to identify and protect the unique and environmentally sensitive Sonoran Desert lands in the City and to provide appropriate and reasonable controls for the development of such lands. Specifically, these lands are located north of the Central Arizona Project (CAP) Canal within Vistancia, excluding the Clementine Mine area (**See Figure D-2 of the Vistancia Planned Community District**). The DLCO is intended to:

- A.** Identify sensitive desert conservation features and resources.
- B.** Protect Peoria’s distinctive desert landscapes and wildlife habitats.
- C.** Protect people and property from hazardous conditions characteristic of environmentally sensitive lands and their development.
- D.** Integrate conservation design into the development of sensitive desert lands and employ development standards and guidelines that equitably balance conservation and development objectives.

In addition, the DLCO is intended to implement the goals, policies and objectives of the City of Peoria General Plan and the Vistancia PCD. The overlay establishes a holistic approach to evaluating the environmental conditions of each site that allows both City staff and the development community a better basis for determining conservation areas. The overlay also establishes criteria for determining conservation priorities based on the potential to expand or extend a regional open space corridor, the opportunity to provide a link to an existing or future trail system, the possibility of

expanding an existing open space, or the possibility of creating a buffer zone between different intensities of uses.

The DLCO not only aims to protect sensitive and unique desert features, but also native plants and plant communities in order to enhance the City's aesthetic appeal by conserving distinctive scenic character. Native plant communities are also protected because they thrive in the local desert environment and provide soil stabilization to fragile desert soils, stabilization that is lost after development activity that disturbs plants and top soil layers. Canopied plants such as palo verde provide nurturing shade and protection for lower level plants. Native plants identified for preservation are chosen on the basis of their slow growth habit, the fact that the plant alone or in combination with others provides unique wildlife habitat and soil stabilization support, its rarity in this environment, and its proven success rate for salvage in this region.

Finally, the DLCO establishes standards and design guidelines for development within desert areas and adjacent to conservation areas. These regulations and guidelines vary by landform type in order to address the four distinctive types of geography (Desert Floor, Bajada, Floodplain and Upland, as consistent with the landforms as part of Section 14-22A Vistancia Hillside Overlay District, included in this document) found in the Peoria desert areas. The classification system assumes a single vegetation type in Peoria, Lower Sonoran, consisting of creosote, bursage, and saltbush associations. The DLCO is to be applied in conjunction with the 2003 International Urban-Wildland Interface Code (IUWIC). In cases where there is conflicting provisions the IUWIC will take precedence.

The future Villages of Vistancia, located north of the Central Arizona Project Canal (the CAP) are expected to develop similarly to the existing villages in the southern part of the community (Vistancia Village and Trilogy). Whereas each village will be designed to incorporate community level private amenities and open spaces to be utilized by all of the residents of the village. With the addition of the abundant usable natural open space located north of the CAP, residents in the Vistancia North area will have even greater opportunities to enjoy extensive passive and active recreational uses.

Given the established village concept of this master plan, the developer is requesting that the requirements of this article be analyzed at the village level. Until such time that a village level plan is provided by the Developer and approved by the Planning Manager, the open space requirements for each subdivision shall be reviewed on a stand-alone basis per the provisions of this article.

Shall it be determined that a development parcel does not contain any conservation features, the developer may seek, and the Planning Manager may provide, a waiver to exclude such development parcel from the provisions of this article.

SECTION 14-22B-2 APPLICABILITY

- A.** The Vistancia Desert Lands Conservation Overlay (DLCO) establishes a special overlay zoning district, which applies to specific resources and environmental conditions within Vistancia. In order to accomplish the purpose of this district, the City of Peoria shall apply these provisions to these lands that contain any of the following special conservation features and resources:
- B.** Conservation Features:
 - 1. **Bajada:** Cone-shaped alluvial fans that have coalesced into a continuous slope along the front of a mountain (a compound alluvial fan)

2. **Cultural Resource:** Prehistoric and historic sites identified according to standards established by the State Historic Preservation Office. Includes artifacts such as rock walls, etc.
3. **Floodplain:** Flat or nearly flat land adjacent to streams or rivers that receives periodic flooding. Consists of the channel and the flood fringe.
4. **Inselberg Peak:** The prominent peaks which jut out of a typically flatland area. These are landmark features whose rugged vertical form contrasts sharply with the horizontal ground plain.
5. **Mountainous Area:** Areas such as the Hieroglyphic Mountain Range which include numerous peaks, rugged topography, steep slopes and small v-bottomed washes flowing out of the area. The limits of a mountainous area is established when more than 60% of the area has slopes of 25% or greater.
6. **Primary Peak:** Prominent peaks that are visual landmarks from various points of view and rise at least 400 feet above the surrounding base elevation.
7. **Riparian Vegetation:** Native vegetation that grows where there is a concentration of sustainable drainage water resulting in larger plants, greater species diversity and greater density. Generally found parallel to washes, rivers, tanks and springs.
8. **Riverine Area:** Environmentally diverse riparian areas associated with rivers and major washes (e.g. the New River, the Agua Fria River, Morgan Wash).
9. **Rock/Boulder Formation:** Formations including escarpments, cliffs or pinnacles which consist of exposed rock faces with limited vegetative cover.
10. **Significant Vegetation Area:** A stand of Sonoran Desert vegetation that is thirty percent more concentrated than the general aspect of the immediate context area and difficult to salvage due to slope, rocky soil conditions or exposed roots due to an adjacent wash. Generally located adjacent to a wash or other source of water and maintains the character of the site best when protected in place.
11. **Significant Vegetation Specimen:** A native tree with an 8" or greater caliper trunk and multi-trunk in good health, a saguaro over 20 feet in height and/or multiple arms or crest or other unusual configuration in good health, or other mature protected species, such as Ocotillo.
12. **Skyline Ridge:** See Figure E-2 Preservation Masterplan
13. **Spring:** A permanent small stream or source of water coming out of the ground where the aquifer meets the ground surface.
14. **Talus Slope (or Alluvial Fan):** A slope strewn with a layer of loose rock debris, usually over unconsolidated soils.
15. **Terrace:** An extensive land area characterized by slopes leading to a relatively level surface and situated at a uniformly higher elevation than adjacent land on at least one side.

16. **Unstable Slope:** A slope that exhibits one or more of the following conditions: boulder collapse, boulder rolling, rock falls, slope collapse and talus slopes.
17. **Wash, Jurisdictional:** A wash that is governed by the United States Army Core of Engineers (“USACOE”), and is included as part of the permit (“404 Permit”) obtained through Section 404 of the United States Federal Water Pollution Control Act, or commonly known as the “Clean Water Act”.
18. **Wash, Non-Jurisdictional:** These are washes not governed by the USACOE and are not subject to the provisions of the 404 Permit.
19. **Wildlife Corridor:** Open space linkages that connect wildlife populations that are separated by human activity (such as roads or other development). These Corridors provide a number of benefits, including 1) permit animals to move between remaining habitats allowing depleted populations to be replenished and promoting genetic exchange; 2) provide escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events, such as fire or disease, will result in population or species extinction; 3) serve as travel paths for individual animals as they wander throughout their home ranges in search of food, water, mates, and other needs, or for dispersing juveniles in search of new home ranges.
20. **Wildlife Habitat:** Locations where native wildlife has a tendency to congregate due to provision of food, shelter and/or water.

SECTION 14-22B-3 DEFINITIONS

- A. **Archaeologist:** A person engaged in the study of human activity, primarily through the study of its material remains, which includes structures still standing, and has received certification from the Register of Professional Archaeologists.
- B. **Alter:** Change or modify natural vegetation and/or topography by removal, cuts, fills, grading or the building of structures.
- C. **Conservation:** Open space that may be moderately modified from its natural condition due to surrounding development, but where certain effort is made to retain and maintain as much of the character as possible. Such areas may be improved with paths, trails, trailheads and similar features intended to carefully intertwine people with the open space. For comparison, see also *Preservation*.
- D. **Conservation Features or Areas:** Individual conservation features, defined above, and/or areas of the highest significance and preservation priority.
- E. **Cultural Resources:** A broad assortment of assets, which includes buildings, sites, structures, objects, and districts that are of historic, cultural, architectural, or archaeological significance. Examples of such resources include petroglyphs, jewelry, textiles, pottery, projectiles, tools, irrigation canals, and pit houses. This includes artifacts, records, and material remains related to such resources. These assets may be included in or eligible for inclusion in the National Register.
- F. **Cut:** A land surface, which is shaped through the removal of soil, rock, or other materials.

- G. Desert Lands Conservation Report (DLCR):** A submittal required with any development application to the City for property within the Vistancia Desert Lands Conservation Overlay area, which contains an overview of the conservation features and items of specific interest as they pertain to the intent of the Vistancia Desert Lands Conservation Overlay.
- H. Destroy:** To kill, or cause the death of any protected native plant by any means.
- I. Developer:** The property owner or his representative that is undertaking the development of land subject to the Vistancia Desert Lands Conservation Overlay District.
- J. Disturbed Area:** That area of natural ground that has been or is proposed to be altered through grading, construction, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation. The Disturbed Area is coterminous with the Disturbed Area identified in the Vistancia Hillside Development Overlay District of this code and shall be subject to the same requirements of that Article.
- K. Disturbed Area, “Reclaimed” or “Restored”:** Disturbed areas that have been restored to their natural contours, vegetation and colors to the satisfaction of the City of Peoria.
- L. Fill:** The deposition of soil, rock or other materials place by man.
- M. Finished Grade or Newly Established Grade:** The final grade and elevation of the ground surface after grading is completed. (All grading must comply with the provisions set forth Article 14-22A “Vistancia Hillside Development Overlay District”)
- N. Grade, Natural:** The elevation through any section of a site on an undisturbed lot at the time of adoption of this overlay by City Council. On lots that have been disturbed previously, the natural grade is the pre-existing grade if it can be determined; otherwise it shall be determined by an average of off-site elevations at points taken around the boundary of the site. All determinations shall have been made by an engineer, registered landscape architect, or land surveyor licensed to practice in the State of Arizona.
- O. Grading:** Any excavating, or filling or combination thereof, including the conditions resulting from an excavation or fill.
- P. Habitat Preservation Plan:** An official document submitted as part of a Master Conservation Plan (MCP) containing wildlife habitat and corridor identification and conservation / protection procedures as supported by the Arizona Game & Fish Department.
- Q. Habitat Survey:** An official document submitted as part of a Desert Lands Conservation Report (DLCR) containing correspondence from the Arizona Game & Fish Department that identifies known or potential wildlife living on a given property.
- R. Habitat Value:** The suitability of the landscape to support wildlife, considering site conditions. Suitability shall be ascertained by comparing similar sites and conditions and may require returning the habitat as closely to its original condition as possible when natural conditions have been changed.

S. Landform Type

1. **Desert Floor Landform Type:** Characterized in general by level plains and expanses that typically occupy the broad lowlands floodplains between desert mountain ranges. The area is dominated by low growing shrubs, such as creosote and bursage, and supports larger shrubs and trees, such as palo verde and ironwood, and cacti, such as saguaro. Because the uplands support a greater diversity and density of plants, wildlife density and diversity are higher and important wildlife resources occur in both wash and upland areas. The terrain is relatively flat, with typical slopes of less than five (5) percent, although the slope of this landform classification extends up to ten (10) percent. Soils are generally deep and alluvial. This landform is not listed in the companion Vistancia Hillside Development Overlay District for Vistancia as the slope of this land is less than 10% and therefore not considered hillside.
2. **Bajada Landform Type:** Characterized as the irregular terrain near or at the base of mountain ridges or isolated mountain outcrops. This area is located in the transition zone between the Desert Floor and the Upland landform types and exhibits relatively high vegetation density and diversity. The lower portions of alluvial fans dominated by palo verde and mixed cacti vegetation typify this area, such as the bases of low mountain ranges. Saguaro is a visually dominant and important component of this area. Higher density and diversity of vegetation results in higher wildlife density and diversity that is dispersed between both wash and upland areas. It is comprised primarily of bedrock materials with land slopes generally in the range of ten (10) to fifteen (25) percent. Drainage courses are typically well incised. Typical hazards include boulder rolling, rock falls, debris movement and general slope instability. The surface movement of materials occurs as a result of both gravity and water transport. The surface material size includes large boulders, rocks and gravel, as well as grainy soil materials. The Bajada landform is generally consistent with the Lower and Upper Transitional landform in the companion Vistancia Hillside Development Overlay District.
3. **Upland Landform Type:** Consists of the higher elevation rugged areas, with relatively steep slope and high vegetation density and diversity. These areas include mountains, hills, buttes, or escarpments predominantly composed of bedrock materials. The slope is greater than twenty-five (25) percent, and in many cases is greater than thirty-five (35) percent. Upper portions of alluvial fans and the foothills of low mountains dominated by palo verde and mixed cacti vegetation typify this area. The saguaro is a visually dominant and important component of this area and higher density and diversity of vegetation results in higher wildlife density and diversity. Streambeds are typically narrow, rocky and incised. Drainage courses are relatively poorly defined on the slopes, but collect into deep canyon bottom courses strewn with large-sized rubble. Typical hazards include boulder rolling, rock falls, debris movement and general slope instability. Soils are generally shallow and rocky. Cultural resource sites are smaller and more scattered. There are a greater number of petroglyphs and few sites related to prehistoric agricultural uses. This landform includes the Uplands landforms in the companion Vistancia Hillside Development Overlay District.

- T. **Landscape Character Zone:** An association of plants that create an identifiable landscape character, and further defined by specific plant palettes found in the Desert Lands Conservation Guide.

1. **Tonto Upland:** Landscape character zone that represents indigenous plants typically found in the desert of the northern Phoenix metropolitan areas.
2. **Sonoran Desert Upland:** Landscape character zone with an associated plant list which represents plants that are generally native to the southwest deserts or have the appearance of being native to those deserts.
3. **Lower Sonoran Desert:** Landscape character zone where plants are generally compatible with the look of an arid landscape. The associated plant list is a broader representation of drought tolerant plants and includes non-natives that are considered appropriate for the area.
4. **Exotic Zone Desert Oasis:** Landscape character zone where plants are permitted which are not included on the other landscape character zone lists, as long as they are not on the prohibited plants list. The use of these plants is limited to Oasis Landscape Development Areas and areas included in the Disturbed Area.

U. Landscape Development Areas: Areas within a site with different recommended plant palettes based on their proximity to natural open space, soil stabilization attributes and the desired visual character for the area.

1. **Oasis Area:** A landscaped area consisting of enclosed courtyards, semi-private areas and other areas located within the Disturbed Area where the use of Native Sonoran, Sonoran Character and Arid Zone plants are encouraged, but Desert Oasis plants are also allowed. These areas may also include special public areas, such as, but not limited to, parks, plaza's, neighborhood open space, etc.
2. **Lush Desert Edge:** A landscaped area consisting of open backyards, commercial and public areas, streetscapes and common areas where use of Arid Zone plants is generally limited to 30% by area and where a buffer of Native Sonoran Zone plants is required at the perimeter of the lot or parcel or between the Disturbed Area and Natural Open Space.
3. **Riparian Area:** A landscaped area consisting of open areas adjacent to preserved wash corridors and natural open space areas where the use of plants is limited to the Tonto Upland palette. Open areas used for recreation, including active and passive areas, parks, and neighborhood open space are not included in this area.

V. Master Conservation Plan (MCP): A submittal which contains the identification and proposed conservation measures for protected landforms, native plants, wildlife habitats, open spaces and cultural resources.

W. Mature Trees: Healthy, full-bodied trees of the following minimum sizes: Eight (8) feet in height with a four (4) inch caliper trunk measured six (6) inches above grade for smaller and measured twelve (12) inches above grade for larger species. Multi-trunk species shall be measured in the same manner as single-trunk species, but must have a minimum diameter of one (1) inch.

X. Mutilate: To deface, maim, damage or disfigure any protected native plant by shooting, chopping, pushing over, burning, cutting or any other means.

- Y. Native Plant Permit:** A type of permit issued by the State of Arizona Department of Agriculture and by the City of Peoria for the purpose of removing from the premises, relocating on the premises, or destroying any protected native plant.
- Z. Native Plant Preservation Plan:** A development plan specifying the proposed treatment of plants with Protected Plant Status for which a native plant permit is required. This plan shall identify the location of the on-site nursery and shall establish an approximate amount of time each plant, or group of plants, is expected to remain in the nursery. A method for tracking the amount of time each plant or group of plants will remain in the nursery shall also be provided.
- AA. Natural Open Space:** Areas set aside containing naturally occurring conservation features of the Sonoran Desert that have not been altered or have minimal disturbance for roads, utilities, trails and pedestrian pathways providing access to feature areas.
- BB. Plant Protection:** Any project that contains plants specified on the Protected Native Plant List is required to submit a Native Plant Preservation Plan detailing the existing location and proposed treatment of each protected plant. Optimally, protected plants should remain in place.
- CC. Plant Salvaging:** Healthy plants, meeting minimum standards as defined by the Protected Plant Status, which must be removed due to construction are required to be salvaged unless the applicant can demonstrate how conditions such as poor health make successful relocation impossible. Salvaged plants are expected to be replanted within the project.
- DD. Preservation:** Similar to *Conservation* but is more closely related to a wilderness area in that these open spaces are intended to remain in their natural, untouched state regardless of surrounding development. In some instances, unpaved hiking trails and trailheads may be utilized to gain limited access to these areas; however, park-like amenities such as water, restrooms, lighting, directional signage, improved parking or educational facilities are not likely to be present.
- EE. Private Buffer:** An area located adjacent to a public or private preserve open space edge that is used as an undisturbed or enhanced landscape setback. The buffer may be platted as common open space for the development or as individual lots. The area shall contain no improvements or be used for any purpose other than a landscaped setback.
- FF. Protected Plant Status:** Native cacti which are three (3) feet or greater in height and native trees which are four (4) inches or greater in caliper.
- GG. Relocate:** To transplant a protected native plant to another location on the premises.
- HH. Remove:** To transport a protected native plant from the premises on which it has been growing.
- II. Restore:** To replant areas of burned, damaged or disturbed Sonoran Desert vegetation and topographical features with trees and plants of the same species, size, density and placement as the surrounding area; and re-contour, as necessary, to appear similar to or to match the character of nearby slopes.
- JJ. Retaining Wall:** A wall used solely to retain twelve (12) or more inches of material but not to support or to provide a foundation or wall for a building.

- KK. Ridge Line:** That line running along the highest elevation between mountain peaks.
- LL. Rip Rap:** A bank protection measure composed of rock, cobble or rubble of differing sizes to protect against erosion or scour.
- MM. Spill:** To cause or allow earth or other material to fall, flow or run down a slope, thereby creating a change in the natural appearance and topography.
- NN. Undisturbed Natural Desert:** Naturally occurring Sonoran Desert vegetation and topographical features, including washes, are not altered except to allow for roads, utilities, trails and pedestrian pathways providing access to feature areas. Vegetation is not pruned or removed, except to remove a fire hazard, in order to retain a natural habitat for native animal species. Dead trees or cacti also form an integral part of the wildlife habitat.
- OO. Unique Feature:** A unique and identifiable feature that varies from the immediate surroundings, such as springs, tanks, saddles, expansive saguaro or cholla forests, boulder outcrop, escarpment, etc.
- PP. Unsalvageable Plant:** means a protected native plant that cannot be successfully relocated due to any of the following:
1. Deteriorated health from disease, infestation, or natural causes; or
 2. Physical constraints related to plant location, orientation, or general condition which obstruct and/or prevent the application of approved relocation techniques.

SECTION 14-22B-4 APPLICABILITY AND APPROVAL PROCESS

A. Single Residential Lot Development

The development of a single-family custom home shall not require a Desert Lands Conservation Report or Master Conservation Plan. The developer of a single-family custom home shall indicate on the site plan the location of conservation features to be preserved. Development of individual custom residential lots within an existing master planned community will be evaluated in accordance with the approved DLCR or MCP for the subject parcel or overall master plan, depending upon the level of approval currently established for the community. In the event that a MCP has not been approved for the parcel, each individual custom lot will be evaluated independently and will be required to provide a modified MCP for the subject lot. The Planning Manager or designee shall have the authority to modify the criteria required for the MCP. In the event that any lot has been prematurely cleared or graded prior to issuance of a building permit, the Planning & Community Development Department shall have the authority to establish appropriate re-vegetation and salvage criteria, which may include the use of historical aerial photos.

B. Development Parcels

All Development Parcels (excluding Custom Residential Lot Development Parcels) shall provide an MCP at the time of preliminary plat. If property is being rezoned prior to preliminary plat, then a DLCR shall be provided at the time of rezoning to establish areas of interest and a general concept of conservation measures.

Phased developments size may provide a DLCR for the overall project; however an MCP shall be submitted with each smaller parcel at the time of preliminary plat.

C. Custom Residential Lot Development Parcels

Custom Residential Lot Developments are only required to submit a DLCR with the required Minor Land Division. Each individual lot owner or developer will be required to provide a MCP with their building permit application. The MCP will establish conservation measures for any qualified landforms, cultural resources or vegetation existing on site. In the event that any lot has been prematurely cleared or graded prior to issuance of a building permit, but after the Minor Land Division, the Planning & Community Development Department has the authority to establish appropriate re vegetation / salvage criteria, which may include the use of historical aerial photos.

D. Desert Lands Conservation Report

Desert Lands Conservation Reports are intended to be concept reports that describe areas of interest for conservation features and methods of preservation for projects of all types and sizes. This report is typically the first of two reports to be submitted to the City prior to site development. The second, more detailed report is the Master Conservation Plan (MCP).

A Desert Lands Conservation Report (DLCR) shall be prepared by certified professionals in each particular topic area being analyzed in the report (e.g. engineer, landscape architect, biologist, botanist, arborist, etc) and shall be submitted in accordance with Sections 14-22B-4A-H of this Article. DLCR submittal requirements are provided in the Desert Lands Conservation Process Guide.

E. Master Conservation Plan

A Master Conservation Plan (MCP) is intended to provide a site specific analysis of conservation features on a given property. Unlike the DLCR, the MCP will provide specific details regarding the variety of native vegetation on site, the number and species of vegetation to be salvaged, salvage and re vegetation plans, habitat preservation, unique landforms including washes and hillside areas to be protected, and other related site elements requiring preservation.

The Master Conservation Plan (MCP) shall be prepared by certified professionals in each particular topic area being analyzed in the report (e.g. engineer, landscape architect, biologist, botanist, arborist, etc) and shall be submitted in accordance with Sections 14-22B-4A-H of this Article. MCP submittal requirements are provided in the Desert Lands Conservation Process Guide.

F. Site Inspection

For those sites with particularly complex conditions, the City may request a site inspection of the property by City staff. The applicant shall distribute copies of the Existing Conditions Data Report for the on-site meeting. Applicants, their site designers, and the landowner will participate in the site inspection. The purpose of this visit is to review the property's existing conditions and special features, to identify potential site design issues, and to provide an informal opportunity to discuss site design concepts, including the prioritization of conservation features, and possible locations for buildings and street alignments.

G. Approval Process

The Staff shall review all DLCR and MCP documents for completeness and shall evaluate the extent to which the document and any recommendations satisfy the requirements and overall intent of this ordinance. Revisions to the document(s) may be required by staff.

All DLCO applications shall require either a Certificate of No Effect, Certificate of Appropriateness, or approved mitigation plan before final project approval may be obtained. If review of the submitted documentation indicates that no cultural resources are likely to be present, staff may issue a Certificate of No Effect. If a DLCR/MCP indicates that cultural resources are present or are likely to be present on the site, the Cultural Resources portion of DLCR/MCP shall require review by the Historic Preservation Commission. The Commission's purview shall include validation of all archaeological surveys, archaeological reports, and archaeological mitigation plans.

Appeals of the decision(s) regarding a DLCR or MCP will be addressed in the same manner as the development request which it accompanies. Approvals of the DLCR shall be valid for the same period of time accorded to the accompanying development request. After a period of one year from the submittal date of the MCP the Planning Manager shall determine the continued sufficiency of the MCP for future development planning applications. The Planning Manager or designee shall not approve any DLCR or MCP unless the City has received a Waiver of Proposition 207 from the Owner or Owners of the property that is the subject of the DLCR or MCP or has determined that the absence of such a Waiver of Proposition 207 is consistent with the City's General Plan and Zoning goals and regulations.

(Section 14-22B-4 amended by Ordinance No. 07-14, enacted April 17, 2007 and effective May 17, 2007.)

SECTION 14-22B-5 CONSERVATION STANDARDS

In order to preserve sensitive environmental conditions, retain and protect meaningful desert open space, and conserve ecological and aesthetic resources, all development within the affected DLCO area shall be subject to requirements for the preservation of Natural Open Space (NOS) and native plants. In Hillside Areas, requirements of the Hillside Overlay District and the DLCO shall be coordinated as specified herein. The required NOS area shall not exceed the percentages shown in the following NOS Slope/Landform Matrix.

A. Natural Open Space

1. Natural Open Space (NOS) within each development shall be in accordance and not in addition to the open space provisions of Article 14-22A Vistancia Hillside Development Overlay District, when conservation features are present, and as depicted below. Development Parcels are only required to provide up to the maximum NOS as shown on the table below. Development Parcels that do not contain conservation features are not required to provide NOS per the Vistancia Desert Lands Conservation Overlay, but are still subject to the provisions of the Vistancia Hillside Development Overlay District.

NOS Slope/Landform Matrix

Table 2 (Ord. No. 05-44)			
NOS SLOPE/LANDFORM MATRIX			
LANDFORM TYPE	SLOPE RANGE	MINIMUM REQUIRED NOS	MAXIMUM REQUIRED NOS
Desert Floor	0%-10%	0%	25%
Bajada	10-15%	0%	45%
Upland	15% - 20%	50%	55%
	20% - 25%		60%
	25%-30%		70%
	30%-35%		80%
	35%+		85%

NOTE: Usable Open Space requirements of this ordinance may be satisfied by accessible NOS containing dedicated trails, floodway areas or reserved or dedicated steep slope areas.

2. The NOS acreage shall be comprised of the conservation features listed and defined in this Article in the following priority:
 - a. expansion or extension of a regional open space / wildlife corridor,
 - b. increases in the size of an existing or adjacent open space area,
 - c. creation of a linkage to an existing or planned trail, or
 - d. the provision of a public access point (trailhead) to existing or planned natural open space.

3. In the event that the combined area of all required NOS exceeds the maximum required acreage, the following criteria, listed in order of priority shall be used to guide the determination of which features shall be preserved:
 - a. Conservation Features;
 - b. Land that expands or extends a regional open space or drainage corridor;
 - c. Land that abuts existing and/or planned open space;
 - d. Land that allows opportunity to provide a link to existing or future trail systems; and
 - e. Land that provides a non-motorized access route from the nearest public right-of-way to an open space area.

4. Where the lot size is twenty-four thousand (24,000) square feet or less, NOS shall not be allowed on individual lots and must be placed in common tracts.

5. Any NOS being considered for dedication to the City of Peoria, regardless of size and location, will be reviewed by the Community Services and Planning & Community Development Departments for a recommendation as to the acceptance or rejection of the dedication.

6. Whether the NOS is located on individual lots or in common tracts, the boundaries of disturbed areas shall be permanently delineated to prevent encroachment into NOS areas and / or conservation easements.
7. Identification of NOS shall be coordinated with the Vistancia Hillside Overlay District, Article 14-22A.
8. Within areas identified as NOS, no grading or other disturbance shall occur except the minimum grading required for trails, roadways and utility easements. No walls are permitted within the NOS except where needed for paths, trails, roads or other similar necessary elements. Restoration of the Disturbed Area not used to support buildings, paths or trails is mandatory and shall follow plans reviewed and approved by the City. Restored Disturbed Area within NOS, approved by the City, shall count towards NOS acreage requirements.
9. Vistancia will provide multiple public access locations as referenced in **Figure C-4** of the Vistancia PCD. Individual parcels within the master plan development will not be required to provide additional public access to adjacent NOS areas.
10. The total combined length of lots backing up to the NOS shall not exceed 1,000 feet without incorporating one of the edge treatments described in this Article or providing a visual or wildlife corridor to the NOS.

B. Edge Treatments

1. Transitions from the built to natural environment play an important role in the development of Vistancia. These areas provide both a scenic value and a physical connection between the two areas. It is important to provide both visual and physical access to natural open space, yet at the same time provide appropriate separation for both humans and desert wildlife. Development parcels adjacent to natural open space are encouraged to provide open space edge treatments using the following considerations, or combination of the following considerations.
 - a. Single loaded public street with non-gated public access.
 - b. Improved park space a minimum of 200' wide designed to blend with the natural open space.
 - c. Cul-de-sacs designed to open onto open space. Alternative wall and fence designs that prevent abrupt transitions between the built and natural environments.
 - d. Defined trailheads with signage / way finding, parking, water and shade provisions.
 - e. Substantially alternating lot depths places in clusters straight-line edge development. Alternating lot depths shall articulate no less than 20% of the average lot depth within the parcel.
 - f. Alternative building placement and / or lot widths for the nearest two rows of homes or the nearest commercial or non-residential building to promote increased views into the natural open space. To qualify, lot widths and / or setbacks shall be increased by no less than 50%.
 - g. Creation of a useable greenbelt or paseo along the edge of development.
 - h. Enhanced native landscaping located along the edge of the development and placed and maintained in a manner that does not result in an easily identified manicured landscaped edge.

- i. A creative alternative not included in this Article that satisfies the intent of this ordinance. Such alternative shall be approved in writing by the Planning Manager or designee.

C. Rivers and Washes

1. All Washes identified for some level of preservation, are shown in Figure E-2 of Article 14-22A Vistancia Hillside Development Overlay District. Washes that fall within the Clementine Mine Exemption Area (as shown on Figure D-2 of the Vistancia PCD) or are not identified on Figure E-2, are subject to removal as part of the parcel development.
2. Except where allowed by the Planning Manager or designee, the following provisions shall apply to the washes indicated on Figure E-2:
 - a. Habitat Migration Corridors, except in locations permitted for disturbance under the White Peak Ranch 404 permit, consist of a preservation corridor with an average width of 100', where no portion is narrower than 70'. The wash bottom may meander within this corridor, but the top of bank shall remain a minimum of 25' from the edge of such corridor.
 - b. Other 404 Washes, except in locations permitted for disturbance under the White Peak Ranch 404 permit, shall contain an preservation corridor with an average width of 60', where no portion is narrower than 35'. The wash bottom may meander within this corridor, but the top of bank shall remain a minimum of 15' from the edge of such corridor.
 - c. Significant Washes indicate a 40' corridor that is ideally centered over the natural wash, but may be altered, relocated, or combined, provided that a corridor of similar size, condition, and location be provided (either natural or re-created). Developer may appeal to Planning Manager or Designee for relief from this requirement if, upon actual on site review, the wash is found to be without significant vegetation areas, conservation features, or a high habitat value.
3. No major structural changes or improvements shall be allowed in rivers and washes governed by the Vistancia 404 Permit except those as allowed under the permit. Where changes are made, protected plants shall be left in place except as follows:
 - a. to prevent erosion from channelization or combination of smaller washes;
 - b. to allow wash crossings of roadways, trails and utility easements. Trails and utilities may cross washes, but in no way shall they be placed in the wash bed running within and parallel to the wash bottom. Public utility easements shall be restored when construction is completed;
 - c. to prevent wash migration, where structures are placed behind the required wash setback; and
 - d. to allow discharge from adjacent retention or drainage facilities, as approved by the City Engineer as part of a drainage system improvement plan resulting from a drainage study performed by an engineer registered in the State of Arizona.

D. Wildlife Habitat

Wildlife corridors shall be established along both sides of washes identified as part of the 404 Permit and those identified on the **Preservation Master Plan (See Figure E-2)** as described above.

1. Linear utility lines may be placed parallel to, washes identified as part of the 404 Permit. Utility corridors shall be restored using indigenous plants so that there is no net loss of habitat function or value.

E. Scenic Resources

1. For the purposes of this ordinance, a Scenic Resource is a broad term used to describe the characteristics of an area based on the given geographic location and local visual resources. Scenic Resources within Vistancia have been identified and are depicted on the Vistancia **Preservation Master Plan (See Figure E-2)** Scenic Resources may be comprised of any combination of the following:
 - (a) Scenic roadways in mountainous terrain
 - (b) Large natural area with surface water, undisturbed vegetation and eco-systems, cultural resources, and / or un-fragmented wildlife habitat.
 - (c) Areas with unaltered ridgelines or distinct views of undisturbed ridgelines.
 - (d) Areas with particularly dense populations of specific native plant populations such as saguaro cacti.
2. Methods of protection of scenic resources or incorporating such resources into a development may vary on a case-by-case basis depending upon the nature of the resource and its scale. Such methods shall be described in the Desert Lands Conservation Report and detailed in the Master Conservation Plan and in conjunction with the Vistancia Hillside Development Overlay District. Typical conservation methods shall include, but not be limited to, absolute preservation (i.e. leave in natural state), strategic placement and design of buildings, planned / prohibited access, unique building and wall standards intended to preserve desirable views.

F. Archaeological Resources

1. Preliminary Archaeological Site Review

Provide a report, to be submitted with the Existing Conditions Data Report, from the Arizona State Museum, the State Historic Preservation Office (SHPO), or an Archaeologist that reviews all of the available archaeological information for the site. This record check shall: determine whether the site has been field surveyed for cultural resources; identify any previously-recorded archaeological or historic resources known to exist on the property; state the probability that buried archaeological resources not visible from the surface would be discovered on the site; and make a recommendation as to whether an archaeological survey of the site is needed.

2. Archaeological Survey; Duties of the Archaeologist

If an archaeological survey of the site is recommended then the following tasks shall be completed by an Archaeologist.

- a. Complete a field survey and submit the results with the Existing Conditions Data Report. Any cultural resources identified shall be entered by the Archaeologist making the discovery into the Arizona State Museum site file system.
 - b. Describe and map archaeological and historic sites identified on the property in either the records check or the field survey.
 - c. The Archaeologist shall complete an archaeological report that:
 - i. Determines the significance of the reported cultural resource(s);
 - ii. Assesses the impact of the proposed development on the cultural resource(s). If the resource cannot be preserved in place or protected by acceptable means, it must be mitigated;
 - iii. Makes a determination that the cultural resource must be either preserved/ protected or mitigated;
 - iv. Identifies mitigation measures and a mitigation plan that have been reviewed and approved by the City and/or SHPO.
3. Any proposed mitigation measures shall be reviewed and approved by SHPO, having primary responsibility, and/or the City, as the Certified Local Government with jurisdiction, prior to the commencement of any activity on the site.

G. Native Plants

1. No person shall destroy, mutilate, remove , or relocate any protected native plant on land that is subject to the provisions of this Article without first obtaining all required Native Plant Permit(s).
2. Protected Native Plant List – See <http://www.azda.gov/ESD/nativeplants.htm>
For the purpose of consistency with the Arizona Department of Agriculture (AZDA), the City of Peoria recognizes the AZDA's protected plant lists as the City's official list. A current copy of this list shall be on file with the Planning and Community Development Department and a link to the AZDA list can be found on the Planning Division's website. The AZDA maintains the lists and descriptions provided below. Please contact the Planning and Community Development Department or visit <http://www.azda.gov/ESD/nativeplants.htm> for specific permitted plants listed by name.
 - a. Highly Safeguarded Native Plants: includes those species of native plants and parts of plants, including the seeds and fruit, whose prospects for survival in this state are in jeopardy or which are in danger of extinction throughout all or a significant portion of their ranges, and those native plants which are likely within the foreseeable future to become jeopardized or in danger of extinction

throughout all or a significant portion of their ranges. This category also includes those plants resident to this state and listed as endangered, threatened, or category 1 in the federal Endangered Species Act of 1973.

- b. Salvage Restricted Native Plants: includes those native plants which are not included in the highly safeguarded category but are nevertheless subject to a high potential for damage by theft or vandalism.
- c. Salvage Assessed Native Plants: includes those native plants which are not included in either the highly safeguarded or salvage restricted categories but nevertheless have a sufficient value if salvaged to support the cost of salvage tags and seals.
- d. Harvest Restricted Native Plants: includes those native plants which are not included in the highly safeguarded category but are subject to excessive harvesting or overcutting because of the intrinsic value of their by-products, fiber or woody parts.

3. Drought-Tolerant Plant List – See

<http://www.azwater.gov/AzDWR/WaterManagement/AMAs/LowWaterUsePlantList.htm>

For the purpose of consistency with the Arizona Department of Water Resources (ADWR), the City of Peoria recognizes the ADWR low-water plant list as the City's official list and will be used in conjunction with the Protected Native Plant List. A current copy of this list shall be on file with the Planning and Community Development Department and a link to the ADWR list can be found on the Planning Division's website. Please contact the Planning and Community Development Department or visit:

<http://www.azwater.gov/AzDWR/WaterManagement/AMAs/LowWaterUsePlantList.htm>

4. Prohibited Plant List

Certain plants that do well in the Sonoran Desert present a distinctly non-desert appearance and/or pose potential hazards to the native vegetation, wildlife and landscape due to their invasive nature, high pollen production, and / or their high water demand. Because of this, the following Sample Prohibited Plant Species List has been provided. This list, though not exhaustive, provides guidance for certain types of plants of which should be avoided.

5. Deviations from the Protected or Prohibited Plant Species Lists may be made by the City if sufficient support from a registered landscape architect or botanist is provided. Such modifications shall be approved on a case-by-case basis if it is determined that the inclusion or exclusion of a particular plant species will deter from the desert appearance or poses a threat to the surrounding habitat, landscape, or general population (e.g. users in parking areas, parks or other open space amenities).

6. Protected Native Plant List

Protected Native Plant List

Botanical Name	Common Name
TREES	
Cercidium floridum	Blue Palo Verde
Cercidium microphyllum	Foothills Palo Verde
Chilopsis linearis	Desert Willow
Juniperus mono sperma	One-Seeded Juniper
Olneya tesota	Ironwood
Populus fremontii	Fremont Cottonwood
Prosopis velutina	Velvet Mesquite
SHRUBS	
Acacia constricta	Whitethorn Acacia
Acacia greggii	Catclaw Acacia
Celtis pallida	Desert Hackberry
Larea tridentada	Creosote
CACTI/SUCCULENTS/ACCENTS	
Carnegiea gigantean	Saguaro
Ferocactus species	Barrel Cactus
Fouquieria splendens	Ocotillo
Peniocereus greggii	Desert Night-Blooming Cereus
Yucca baccata	Banana Yucca/Blue Yucca/Datil Yucca
Yucca elata	Soaptree Yucca

7. Native Sonoran Desert vegetation should not be heavily pruned or removed from areas identified as Natural Open Space unless demonstrated to the City that a health, safety or welfare issue exists. This includes removal of dead trees or cacti as they are commonly used as habitat.

8. The prohibited plant species list shall be provided by the Developer to all purchasers of property within the development. Exceptions to the Prohibited Plant Species List may be approved by the Planning Manager or designee.

SAMPLE PROHIBITED PLANT SPECIES LIST

Botanical Name	Common Name
TREES	
Brachychiton populneus	Bottle Tree
Eucalyptus sp. (except those specifically identified in Arid Character Zone – see Desert Lands Conservation Guide)	Eucalyptus
Olea sp.	Olive Tree
Parkinsonia aculeata	Jerusalem Thorn/Mexican Palo Verde
Pinus sp.	All species of Pine
Prosopis chilensis (prohibited in parking	Chilean Mesquite

<u>SAMPLE PROHIBITED PLANT SPECIES LIST</u>	
<i>Botanical Name</i>	<i>Common Name</i>
areas only)	
Rhus lancea	African Sumac
Washingtonia sp.	Fan Palm
<i>SHRUBS</i>	
Oleander sp. (except petite varieties)	Oleander
Thevetia peruviana	Yellow Oleander
<i>GROUNDCOVERS, ANNUALS, PERENNIALS, VINES, ETC.</i>	
Cenchrus ciliaris or Pennisetum cileare	Buffel Grass
Cynodon dactylon (except in private backyards, enclosed courtyards, and public use areas buffered from Native Sonoran Zones by Sonoran Character Zones - see Desert Lands Conservation Guide)	Common Bermuda Grass
Eragrostis lehmanniana	Lehmann's Lovegrass
Gutierrezia sarothrae	Snakeweed
Hordeum jubatum	Foxtail Barley
Pennisetum sp.	Fountain Grass

- H Native plant materials being salvaged for public or quasi-public uses may, at the City's discretion, be replanted off-site for local public projects, right-of-way improvements or other government uses which may include storage at a City-operated nursery.
1. Excess salvageable native plant material from private development projects may be donated at no cost by the developer to the City for use in local public projects, right-of-way improvements or other government uses which may include storage at a City-operated nursery. The developer shall contact private nurseries and salvage companies prior to offering any materials to the City. The City will, at its discretion, obtain only those desirable plant materials which are at risk of being destroyed.
 2. All materials donated to the City for municipal use or for distribution to other government projects shall be only those materials in excess of the minimum required salvaged materials and those which cannot be located elsewhere on the subject property for reasons of survivability or health of the species.
 3. The City shall adhere to the adopted Native Plant Salvage & Donation Protocol when acquiring native plant materials from public, quasi-public or private sources.

SECTION 14-22B-6 NATIVE PLANT PERMIT

The process of preparing a site for development that contains native plants is authorized by a Native Plant Permit and guided by a Native Plant Preservation Plan (NPPP), which is commonly included within the Master Conservation Plan.

A. The Native Plant Preservation Plan shall be prepared by a botanist that has received a formal education in Botany, Biology or Ecology, a Licensed Landscape Architect or Certified arborist. The plan shall contain information and procedures listed in the Desert Lands Conservation Process Guide which addresses the following items:

1. Plant Inventory
2. Plant tagging,
3. Plant salvaging,
4. Establishing and managing the temporary salvage plant nursery, and
5. Transplanting the salvaged plants.

B. The Native Plant Permit authorizes a process for preservation and salvaging of native plants. The process includes the following activities:

1. Preparation of a Native Plant Preservation Plan,
2. Plant Inventory,
3. Acquisition of a Native Plant Permit,
4. Tagging of all native plants as to disposition,
5. Establish the temporary native plant nursery,
6. Move native plants to be salvaged to the nursery,
7. Care of plants in nursery,
8. Transplant the salvaged plants, and
9. Termination of the temporary native plant nursery and restoration of the nursery site.

D. Responsibility for obtaining permit.

In no instance shall destruction of plants with Protected Plant Status occur prior to issuance of all required Native Plant Permits unless the Planning Manager or his/her designee agrees to allow preliminary at-risk grading. Such decision will be based on a report by a registered landscape architect or arborist providing an assessment of the salvageability given the time of year, and concurrence from the Planning & Community Development Department.

E. Action on applications.

Applications may be approved, conditionally approved, or denied. Where the Planning Manager or designee determines that the application is in conformance with the provisions of this Article, a permit shall be issued, with such conditions attached as necessary to insure that the Native Plant Preservation Plan is successfully accomplished. Where it is determined that the application is not in conformance with the provisions of this Article, the application

shall be denied. Action taken on applications may be appealed to the hearing officer appointed by the City Manager according to the procedures specified in this Article.

F. Timing of Permit approval.

For proposed development, the Native Plant Permit shall not be issued until the necessary development approvals have been secured.

G. Modification

It shall be prohibited to modify, alter, or amend an approved Native Plant Permit or an accompanying Native Plant Preservation Plan without reapplication for a Native Plant Permit according to the provisions of this Article.

H. Expiration

1. All permits, site plans, conditional use permits and preliminary plat approvals issued by the City have a defined expiration period. Approved Native Plant Permits shall expire if the work authorized under the provisions of this Article has not commenced within the expiration date of the associated development application. Request to extend the expiration period may be made to the Planning Manager or designee.
2. Work shall be completed within the time period specified on the Native Plant Permit. The Planning Manager or designee shall have the authority to grant a project-specific time extension for completion of the work upon written request of the applicant. Failure to comply with the time limitation without an extension authorized by the city shall require application for a new permit pursuant to the provisions of this Article.

J. Plants to be tagged; requirements.

1. All plants with Protected Plant Status scheduled to remain in place or authorized for destruction or relocation by the approved Native Plant Permit must be tagged and numbered prior to permit submittal. Tags shall be color-coded according to the following schedule so that the status of each plant affected by the development proposal may be easily identified:
 - a. Plants proposed for destruction shall be tagged with blue plastic tape
 - b. Plants proposed for relocation shall be tagged with red plastic tape
 - c. Plants proposed to remain shall be tagged with white plastic tape.
2. Tags required by this Article shall be affixed in a visible and uniform location (preferably the north side) on the plant. Once affixed, the tags shall not be removed until the plants are removed, relocated, or destroyed in compliance with the Native Plant Permit and a final inspection has been made.
3. Tag numbers shall correspond to the site plan and the plant inventory.
4. Tag numbers shall be transferred to the side of the box when site boxing is completed.

K. Compliance with approved permit; revocation.

All work authorized by a permit issued in conformance with the terms of this Article shall be completed as authorized. Failure to comply with the conditions of permit approval or the approved Native Plant Preservation Plan shall constitute a violation of the Native Plant Permit and may be punishable by permit revocation and/or citation under the authority of this Article.

L. Inspections.

All aspects of the work performed as a result of a Native Plant Permit issued under the provisions of this Article shall be subject to inspection by the City. Specific Inspections shall be performed 1) following completion of tagging, 2) following completion of relocation of plants to the plant nursery, and 3) following completion of all transplanting and removal of the nursery. Inspections may be performed by City personnel or may be required of the developer. Developer's inspections shall be signed and certified by one of the professionals listed as responsible for preparation or assisting in the preparation of the Native Plant Preservation Plan.

M. Destruction or restoration

1. A Native Plant Permit shall not be issued after a violation resulting in destruction, removal, or relocation of plants with Protected Plant Status has been discovered until such time as a restoration program has been approved and the property has been restored with plants included on the Protected Native Plant List of equivalent type, size, density, distribution, and condition as existed on the property prior to the violation. A program for restoration of the site shall be determined by the Planning Manager or designee and shall be based on the expected type, size, density, distribution, and condition of plants with Protected Plant Status within the vegetation communities in which the violation occurred. Appeal of a decision made by the Planning Manager or designee regarding a restoration program shall be heard by the Hearing Officer appointed by the City Manager. Appeal of a decision made by the Hearing Officer regarding a restoration program may be made to the City Council in accordance with the rules and procedures established in this Article.

2. Waiver of restoration requirement.

The Planning & Community Development Director or designee may waive or modify the restoration requirement in this Article if, and only if it will further the purpose of this Article.

SECTION 14-22B-7 INSPECTIONS

A. In order to ensure compliance with this Article, inspections may be made by the Planning Manager or designee consistent with law.

B. If such inspection reveals that any property or portion of a project is not in compliance with the requirements of this Article, the Planning Manager or designee shall report the discrepancy to the property owner, developer or their representative and shall order work on the project stopped or corrective action taken as appropriate.

SECTION 14-22B-8 APPEALS

A. Appeal to the Hearing Officer

1. Decisions arising from the administration of this Article may be appealed to the Hearing Officer, which shall be appointed by the City Manager to hear such appeals. The appeals shall be in writing and set forth the specific decision being appealed. The appeal shall be filed with the Planning & Community Development Director.
2. The Hearing Officer shall hold a hearing and provide the applicant and Planning & Community Development staff an opportunity to present their position. Such hearings shall be informal and the rules of evidence and civil procedure shall not apply. Such hearings shall be noticed in accordance with Article 14-39.

B. Appeals to the City Council

1. An applicant or the City may appeal the decision of the Hearing Officer to the City Council. The appeal shall be in writing and shall specifically set forth the decision of the hearing officer which is being appealed. The appeal shall be filed with the Planning & Community Development Director.
2. A notice of the appeal shall be mailed at least ten (10) days prior to the council meeting in which the appeal is heard to each property owner situated wholly or partially within the radius defined by Article 14-39 of the property to which the plan relates. The Planning & Community Development staff shall be responsible for mailing such notices.
3. A copy of the appeal letter, decision of the Hearing Officer and supporting material shall be transmitted to the City Council. At a regularly scheduled Council meeting the applicant and the Hearing Officer or designated staff member shall present their positions.
4. The City Council shall act upon the appeal within sixty (60) days after the appeal is filed with the Planning & Community Development Director, or at the next regularly scheduled City Council meeting, whichever date is later.

ARTICLE 14-23

PARKING & LOADING REQUIREMENTS

(Ord. No. 02-67)

CONTENTS

- 14-23-1 INTENT
- 14-23-2 PLANS REQUIRED
- 14-23-3 PARKING REQUIREMENTS
- 14-23-4 OFF STREET LOADING REQUIREMENTS

14-23-1 INTENT (Ord. No. 94-74)

It is the intent of this Article to regulate and ensure the provision of adequate motor vehicle parking and loading spaces for each land use. The purpose of the regulations and development standards set forth in this ordinance aims to alleviate traffic congestion and vehicular/pedestrian conflicts.

14-23-2 PLANS REQUIRED

Applications for a Planned Area Development, building permit for new construction, additions, alterations or change in use shall include a site plan at an appropriate scale that clearly shows proposed site improvements relating to parking as required by this Article. All plans shall show the location, arrangement and dimensions of off-street parking area(s), parking spaces, parking lanes, aisles/driveways, points of ingress and egress, walls, landscaping and barriers. Sidewalks, pedestrian ways, bicycle facilities and their access shall also be shown. The access or driveway locations, width and spacing as well as sight lines and distances, the arrangement of spaces, stall dimensions, surfacing, striping and lighting shall be in compliance with adopted City standards.

14-23-3 PARKING REQUIREMENTS

Off-street parking spaces shall be provided according to the following provisions and standards.

A. General Provisions

1. *Floor Area*

The term "floor area" for the purpose of calculating the number of required parking spaces shall be the "Gross Floor Area" of the structures plus defined exterior use areas minus 10 percent (10%) except as may hereinafter be provided or modified

2. *Change of Use or Occupancy of Buildings*

Off-street parking and loading spaces as required herein shall be provided at the time of any new uses of land or construction of a new building. Any change

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

of use or occupancy of any building or buildings, including additions thereto, requiring more parking shall not be permitted until such additional parking spaces as required by this Article are provided.

3. *Parking for a Residential Use*

Off-street parking facilities for residential uses shall be utilized solely for the parking of licensed and operable passenger vehicles owned by the occupants of the residence or the parking of passenger automobiles by guests of said occupants. Parking and storage requirement for recreational vehicles, commercial vehicles, utility trailers and boats shall be as required by the City of Peoria Parking Code and Section 14-23-3.B of this section. Under no circumstances shall required parking facilities for a residential structure be used for storage of commercial vehicles or equipment or for the parking of vehicles belonging to the employees, owners, tenants, or customers of business or manufacturing establishments except as provided in Chapter 14 of the 1992 Peoria City Code.

4. *Parking Stall Dimensions*

The following shall be the minimum parking stall size:

<u>Type</u>	<u>Width</u>	<u>Length*</u>
Standard	9.5 Feet	20 Feet
Handicapped	16 Feet	20 Feet
Compact	8 Feet	16 Feet
Parallel	8 Feet	24 Feet

- * The front of the parking space may overhang two (2) feet into a landscape strip or pedestrian walkway, however, any parking spaces protruding over a pedestrian walkway shall maintain at least a five (5) foot wide clearance for pedestrian access. (Ord. No. 03-170)

5. *Parking Aisle Dimensions*

The following shall be the minimum parking aisle width:

<u>Parking Angle</u>	<u>One-Way Aisle</u>	<u>Two-Way Aisle</u>
90 degree	24 Feet	24 Feet
60 degree	18 Feet	22 Feet
45 degree	15 Feet	20 Feet
30 degree	13 Feet	20 Feet

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

6. *Compact Parking*

Compact parking spaces shall not exceed 15 percent (15%) of the total required parking spaces. Projects providing parking in excess of the minimum required number of spaces may utilize any combination of compact and standard spaces for excess parking areas.

7. *Parking Lots*

Parking lots shall be designed in groupings no larger than two hundred (200) spaces. Larger lots shall be divided by buildings, plazas, or significant landscaped areas oriented for pedestrian use.

8. *Within Structures*

The off street parking requirements may be furnished by providing spaces designed within the principle building or a parking structure. However, no building permit shall be used to convert said parking structures into a dwelling unit, living area, or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this Article.

9. *Circulation Between Bays*

Parking areas shall be designed so that circulation between parking bays occur within the designated parking lot and does not depend upon a public street or alley. Parking area designs which require backing into a public street are prohibited except one, two or three-family dwellings.

10. *Surfacing*

All areas intended to be utilized for parking space, access aisles, and driveways shall be paved with concrete or asphalt to control dust and drainage. Areas for outdoor storage of material and equipment may be covered with decomposed granite to provide a dust free surface. Such area shall not be considered as part of a required landscape area. (Ord. No. 03-170)

11. *Striping*

Except for one, two and three-family dwellings, all parking stalls shall be marked with painted lines not less than four inches (4") wide.

12. *Lighting*

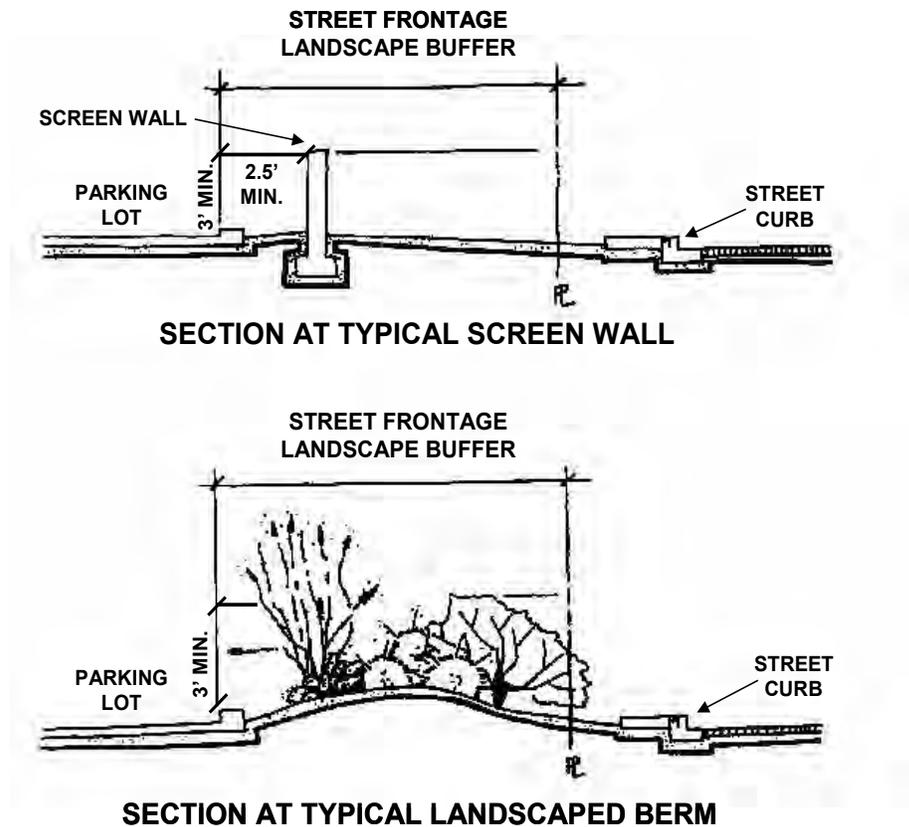
Parking lots used during hours of darkness shall be illuminated. Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light down and/or away from adjoining property, abutting residential uses and public rights-of-way and shall be a maximum of twenty-five (25) feet in height above the surface of the parking lot for non-residential uses and sixteen (16) feet for residential uses.

13. *Protruding Vehicles*

All on-site parking stalls shall be designed and constructed so that parked vehicles shall not protrude over a property line.

14. *Screening and Landscaping*

All off-street parking lots of four (4) or more spaces shall be screened from the street view and adjacent residential districts by a landscaped berm, decorative wall or combination thereof at least three (3) feet high, as measured at finished grade adjacent to the parking areas to be screened. All walls shall be installed a minimum of two and one-half (2.5) feet back from the edge of the parking stall. Parking area landscaping shall be provided in accordance with Article 14-35 of the Zoning Ordinance.



15. *Maintenance*

It shall be the joint and separate responsibility of the owner and/or lessee of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, access ways, striping, landscaping, and required fences or screening.

16. *Use of Required Parking Areas for Parking Only*

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

Required off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, or storage of inoperable vehicles, except when permitted as a Temporary Use.

17. *Signs*

No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking area. All signs shall conform to the requirements of Article 14-34.

18. *Parking Canopies, Non-Residential and Multi-Family Residential Land Uses (Ord. No 04-23)*

- a. Covered parking canopies may be located within the required side and rear building setbacks provided the structure drains onto the property on which it is located.
- b. Covered parking canopies may encroach into required side and rear building setbacks, but may not encroach into required landscaped buffers.
- c. Height of such structures shall be limited to 10'.
- d. Setbacks are measured from property line to nearest edge of canopy.
- e. All required landscaping, parking or otherwise, shall be provided.
- f. This portion of the Zoning Ordinance is not intended to supersede approved zoning stipulations or conditions of approval.

B. *Off-Street Parking Requirements*

The following minimum number of off-street, paved parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth: Any proposed uses not listed herein will be determined through the site plan approval process.

1. *Residential Uses*

<u>Dwelling Types</u>	<u>Parking Spaces Required:</u>	
	<u>With On-Street Parking</u>	<u>Without On-Street Parking</u>
Single-family	2.0 Spaces/Unit	3.0 Spaces/Unit
Mobile Homes	2.0 Spaces/Unit	3.0 Spaces/Unit
Two-family	2.0 Spaces/Unit	2.2 Spaces/Unit
Three-family	2.0 Spaces/Unit	2.2 Spaces/Unit
Multi-family	2.2 Spaces/Unit	2.2 Spaces/Unit

Residential parking within the VRD-4, VRA-4, VRA-3, VRA-2, and V-MU districts will comply with the following:

The required parking spaces for medium, medium-high and high density residential uses may be located within structures (private or public garage space), on a public

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

or private street (the site plan or subdivision plat must demonstrate capacity on street), on driveways, or within clustered parking stalls distributed throughout the proposed development plan. The parking ratio requirements are as follows:

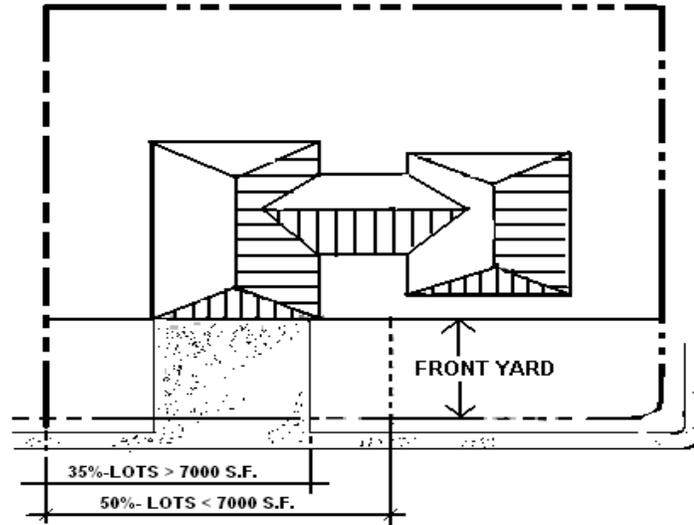
Dwelling Type	Total Spaces Required	Non-Exclusive
Single Family Detached	3 spaces	1 space
Single Family Attached	3 spaces	1 space
Multifamily (3 bedroom)	2.5 spaces	1 space
Multifamily (2 bedroom)	2.0 spaces	1 space
Multifamily (1 bedroom)	1.5 spaces	.5 spaces
Multifamily (studio)	1.25 spaces	.25 spaces

The required exclusive parking may be satisfied with the utilization of the shared parking concept and/or the provision of tandem parking stalls.

a. Additional Residential Parking Requirements

- 1) At least one (1) space per dwelling unit shall be provided with covered parking. Subdivisions recorded prior to November 1, 1994 shall be exempt from this requirement. (Ord. No. 99-114)
- 2) The required off-street parking spaces for single family, mobile homes, two family and three family residential occupancies, shall not be located within the front yard. When enclosing a carport or garage for storage or living purposes, an Affidavit shall be required with parking spaces identified to meet this section. The required parking spaces for homes within subdivisions recorded prior to November 1, 1994 shall be exempt from this provision and shall be permitted to be located within the front yard, subject to the provisions of Section 14-23-3.B.1.a. (5) below. (Ord. No. 99-114)
- 3) All standard front-entry garage and carport entrances shall be setback a minimum of twenty (20) feet from the street right-of-way line unless otherwise permitted by the Design Review Ordinance. In no case shall a standard front-entry garage or carport be located closer than eighteen (18) feet from the street right-of-way line. On private streets, garages and carports shall be set back a minimum of twenty-five (25) feet from the back of curb line. (Ord. No. 00-11)
- 4) It shall be unlawful to park or store any vehicle within the front or side yard of a single family residence use unless such parking or storage is on an improved, dustproof-parking surface such as concrete or asphalt, "chip seal", or crushed rock or aggregate that is a minimum of three inches thick. All crushed rock or aggregate shall be contained by a permanent border. Parking within the front yard of a single residence use shall be on or contiguous to a legal driveway. Such parking shall not exceed a maximum of thirty-five percent (35%) of the front yard area, except on lots less than seven thousand (7,000) square feet in which case the excess vehicle and visitor parking may be located on up to fifty percent (50%) of the front yard.

- 5) For lots greater than seven thousand (7,000) square feet, the Planning Manager may approve additional paved areas, not to exceed fifty percent (50%), on irregularly shaped lots resulting from curvilinear streets, topography or other unique conditions so long as the intent and purposes of this Ordinance are preserved.



2. *Non-Residential Uses*

USE	DESCRIPTIONS	PARKING RATIO
ADMINISTRATIVE & FINANCIAL		
Professional Offices	Facilities for general office work providing professional, business administrative, informational services, or facilities that house governmental agencies and similar uses	a) One (1) space per two hundred (200) s.f. of floor area
Financial Services	Institutions providing financial advice and services in a bank, or similar financial institutions, to include accessory office building, automatic teller machine and similar uses	a) One (1) space per one hundred fifty (150) sf. of floor area (Ord. No. 04-198)
	Financial institutions with drive-through facilities	a) A queuing space of one hundred (100) lineal feet exclusive of drive aisles and parking spaces (Ord. No. 07-22)

AUTOMOBILE RELATED

Auto Services (Ord. No. 03-170)	Facilities providing general vehicle service or repair, and similar services	<ul style="list-style-type: none"> a) A queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces. (Ord. No. 03-170) b) Three (3) spaces per service bay (Ord. No. 04-198), plus c) One (1) space per three hundred (300) s.f. of gross floor area excluding service bay. (Ord. No. 04-198)
Automobile Rentals or Dealerships	Facilities for sale or rental of new or used auto, boat, RV, truck, trailer, camper, motor home or Motorcycle. (Outdoor vehicle display spaces are not required to meet dimensional requirements of this Article)	<ul style="list-style-type: none"> a) One (1) space per one thousand (1000) s.f. of gross floor area, plus b) One (1) space per six thousand (6000) s.f. outdoor vehicle display area (Ord. No. 04-198)
Automobile Towing & Impound Facilities	Facilities for towing, dismantling, recycling, impound and storage of junk vehicles, to include sanitary landfills and similar uses	<ul style="list-style-type: none"> a) One (1) space per one thousand (1000) s.f. of floor area b) Minimum of four (4) spaces (Ord. No. 04-198)
Car Washes	Facilities for the cleaning of vehicles	<ul style="list-style-type: none"> a) One (1) space per three hundred (300) s.f. office floor area (Ord. No. 04-198), plus b) A queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces.
	Self service facilities for the cleaning of vehicles (Ord. No. 03-170)	<ul style="list-style-type: none"> a) Minimum of four (4) spaces (Ord. No. 04-198)

EATING & DRINKING ESTABLISHMENTS

Fast Food Restaurants & Coffee Shops	Eating establishments providing self- services or with high turnover rate and similar services	a) One (1) space per fifty (50) s.f. of serving area, plus b) One (1) space per two hundred (200) s.f. for preparation area (Ord. No. 04-198)
	- with drive-through services	a) One hundred (100) linear feet of queuing space exclusive of drive aisle and parking spaces, plus (Ord. No. 03-170) b) Seventy-five (75) linear feet of queuing space for each additional drive-through window
	- with outdoor seating	a) One (1) space per one hundred (100) s.f. of serving area
Restaurants	Eating establishments providing full food services with low to moderate turnover rate	a) One (1) space per fifty (50) s.f. of serving area, plus b) One (1) space per two hundred (200) s.f. for preparation area (Ord. No. 04-198)
	- with outdoor seating	a) One (1) space per fifty (100) s.f. of serving area
Taverns, Bars, Pubs & Lounges	Establishments licensed to sell alcoholic beverages to be consumed on the premises, often with limited food service	a) One (1) space per fifty (50) s.f. of serving area, plus b) One (1) space per two hundred (200) s.f. for preparation area (Ord. No. 04-198)

ENTERTAINMENT & RECREATION

Adult Uses	Establishments for adult entertainment that emphasize adult oriented uses and services in an adult motion picture theater, arcade, adult cabaret, adult motel, nude studio and similar facilities Adult specialty shops for purchase of adult books, video, and similar products	a) One (1) space per fifty (50) s.f. floor area (Ord. No. 04-198) a) One (1) space per three hundred (300) s.f. floor area
Indoor Public Assembly	Facilities providing a variety of indoor public assemblies in a convention or reception center, meeting hall, social or private club, music hall, theatre and similar places, excluding taverns, bars, pubs, lounges and adult uses (Ord. No. 04-198)	a) One (1) space per two hundred (200) s.f. of floor area, or b) One (1) space per four (4) fixed seats of design capacity (Ord. No. 04-198)
Indoor Recreation	Facilities providing a variety of indoor health and sports activities in a sporting complex, stadium, skating rinks, pool hall, dance hall, tennis and racquet clubs, game room, video arcade, bingo hall, community center, fitness center and similar indoor facilities (Ord. No. 04-198)	a) One (1) space per two hundred (200) s.f. of floor area
	Bowling alleys	a) Two (2) spaces per lane (Ord. No. 04-198), plus b) Two (2) spaces per billiard table, plus c) One (1) space per each five visitor gallery seats

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PARKING AND LOADING REQUIREMENTS

Outdoor Amusement & Recreations	Facilities providing a variety of outdoor amusement, entertainment, and similar activities in an amusement park, fairground, zoo, auditorium and similar places, to include special outdoor events such as carnivals or outdoor concerts. Outdoor recreations include a variety of outdoor health and sport activities in a racetrack, stables, rodeo ground, outdoor shooting range, swimming and tennis clubs, miniature golf and similar places	a) One (1) space per one thousand (1000) s.f. activity area (Ord. No. 04-198)
Golf course and driving range		a) One (1) space per two hundred (200) s.f. of main building floor area, plus b) One (1) space per every two (2) practice tees in driving range, plus c) Four (4) spaces per each green in the playing area

GENERAL INDUSTRIAL & MANUFACTURING

Intense Manufacturing & processing	Facilities that include the use of chemicals, heavy equipment and machinery for the fabrication & processing of goods.	a) One (1) space per one thousand (1000) s.f. of warehouse area, plus b) One (1) space per three hundred (300) s.f. office floor area (Ord. No. 04-198)
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Light Industrial and Manufacturing (Ord. No. 04-198)	Facilities providing light manufacturing and assembly services in printing and publishing plants, computer processing centers, research laboratories, mail order stores, parcel delivery plants, commercial dry cleaning and laundry plants, environmental	a) One (1) space per five hundred (500) s.f. of warehouse area, plus b) One (1) space per three hundred (300) s.f. office floor area (Ord. No. 04-198)
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ARTICLE 14-23**PARKING AND LOADING REQUIREMENTS**

	facilities, radio, T.V and other communications facilities, and similar facilities	
Outdoor storage	Facilities providing exterior storage of construction equipment and materials, recyclable material, and similar uses	<ul style="list-style-type: none"> a) One (1) space per five thousand (5000) s.f. of designated outdoor area (Ord. No. 04-198), plus b) One (1) space per three hundred (300) s.f. office floor area (Ord. No. 04-198) c) Minimum of four (4) spaces
Unspecified Industrial Use (Shell Building) (Ord. No. 04-198)		<ul style="list-style-type: none"> a) One (1) space per five hundred (500) s.f. of floor area
Warehousing	Facilities providing warehousing of material and goods and similar uses	<ul style="list-style-type: none"> a) One (1) space per one thousand (1000) s.f. of warehouse area (Ord. No. 04-198), plus b) One (1) space per three hundred (300) s.f. office floor area
	Mini-storage facilities and similar uses (Ord. No. 04-198)	<ul style="list-style-type: none"> a) One (1) space per fifty (50) units
Wholesale, distribution	Facilities providing wholesale or distribution of trucks, trailers, boats, new and used cars, bulk fuel, machines, appliances, equipment, building material, lumber, plant nurseries, produce and similar merchandise in indoor or outdoor storage areas to include machine shops, lumberyards, import/export shops, moving, rental, or storage companies, market sales yards, and similar facilities	<ul style="list-style-type: none"> a) One (1) space per five hundred (500) s.f. of sales or display area, plus b) One (1) space per one thousand (1000) s.f. of indoor storage area, plus c) One (1) space per two hundred (200) s.f. of retail or office floor area (Ord. No. 04-198)

ARTICLE 14-23

PARKING AND LOADING REQUIREMENTS

GENERAL RETAIL

Retail, Rentals and Sales	Establishments providing general retail sales and services for art, music, sports supplies, clothing, grocery, drug, video rentals and sales, electronic equipment, gift and souvenir, furniture, appliance, household equipment, hardware, and similar products in a single store on a single lot, not part of a shopping center (less than 50,000 s.f.)	a) One (1) space per three hundred (300) s.f. of floor area
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Establishments providing drive-through services including liquor stores, laundries and dry cleaners, pharmacies and similar services	Note: a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces. (Ord. No. 03-170)
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Establishments providing general retail sales and services in shopping centers (a commercial establishment planned, developed, owned or managed as a unit and more than 50,000 s.f.)	a) One (1) space per two hundred-fifty (250) s.f. of floor area. Note: for any center with more than fifteen percent (15%) of floor area in public assembly uses, including theaters, restaurants, schools, health spas, bars or cocktail lounges, there shall be required, in addition to these standards, ten (10) spaces per one thousand (1000) s.f. of public area within these uses
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INSTITUTIONAL

Child care	Facilities providing daily care of children in a nursery, day care or pre-school center	a) One (1) space per four hundred (400) s.f. of floor area b) Minimum of one (1) drop off lane
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ARTICLE 14-23**PARKING AND LOADING REQUIREMENTS**

Public, social and cultural services	Facilities providing public, social, non-profit, or institutional services in a library, museum, art gallery, post office, treatment, detention, or release center, halfway house, employment agency, shelter, and similar civic/public, cultural, and social institution (excluding group home)	a) One (1) space per two hundred (200) s.f. of floor area
Religious assembly	Facilities providing religious worship or study in a church, temple, synagogues and similar places	a) One (1) space per four (4) seats in main assembly area based on design capacity
School	Public, charter or private educational institutions for Elementary and Junior High (Ord. No. 04-198)	a) One (1) space per three (3) fixed seats of auditorium based on design capacity plus b) Minimum of ten (10) spaces for visitors parking
	Senior High (Ord. No. 03-170)	a) Two (2) spaces per classroom, plus b) One (1) space per employee, plus c) One (1) space per three (3) fixed seats of auditorium based on design capacity plus d) Minimum of ten (10) spaces for visitors parking.
Secondary Education	Public or private facilities providing education in a college, university, trade or vocational school, and similar institutions	a) Five (5) spaces per classroom, plus (Ord. No. 03-170) b) One (1) space per three (3) fixed seats of auditorium based on design capacity

ARTICLE 14-23

PARKING AND LOADING REQUIREMENTS

Senior care	Facilities providing long-term care for seniors in a nursing or convalescent home, hospices or similar care facility (excluding group home)	a) One (1) space per three (3) beds (Ord. No. 04-198)
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Utility	Structures, equipment, or facilities providing for public/private utility & services, including radio, television, communication transmission, tower and similar structures	a) One (1) space per use
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INTENSE RETAIL

Commercial Sales (with or without outdoor sales & display area)	Establishments providing heavy retail sales, rentals and services for mobile homes, appliances, machines, equipment, hardware, lumber and building material, upholstery, grain, feed, seed, fertilizer, farm and garden supplies and similar products in store with outdoor storage such as home improvement stores, furniture shops, monument engraving shops, swap meet farmers markets and similar intense retails with outdoor sales operations	a) One (1) space per three hundred (300) s.f. of sales floor area (Ord. No. 04-198)
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Commercial Service Establishments combining retail, showroom with workshop. (Ord. No. 03-170)	Establishment combining retail, office, showroom with workshop, such as interior decorator, custom dressmaking or tailor, photographer, minor household appliance repair and similar activities.	a) One (1) space per five hundred (500) s.f. floor area
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LODGING

Hotels or Motels	Places for lodging with ancillary facilities to include sleeping rooms, restaurants, lounges, resorts, meeting rooms and similar uses	a) One (1) space per room, plus b) One (1) space per one hundred (100) s.f. of restaurant and bar serving area, plus c) One (1) space per one hundred (100) s.f. of outdoor seating serving area d) Ten (10) minimum spaces for visitors parking, plus e) One (1) space per two hundred (200) s.f. of meeting room floor area
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Lodging Accommodations	Establishments providing accommodation in a bed and breakfast, lodge, to include fraternity, sorority, and similar facilities	a) One (1) space per room
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Recreational Resorts	Facilities providing overnight stops in Recreational Vehicle Park, travel trailer park, overnight camp ground and similar places	a) One (1) space per two hundred (200) s.f. of gross activity area, or b) One (1) space per RV or trailer
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MEDICAL

Health Clinics	Facilities providing medical, dental, optical care or preventative medicine and clinical research studies in a clinic or laboratory, including accessory offices	a) One (1) space per one hundred fifty (150) s.f. of floor area (Ord. No. 04-198)
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Hospitals	Facilities providing medical or surgical care, emergency medical and similar services	a) Two (2) spaces per bed (Ord. No. 04-198), plus b) One (1) space per employee c) Minimum thirty (30)
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ARTICLE 14-23

PARKING AND LOADING REQUIREMENTS

		spaces for emergency services
Veterinarian Hospitals or Clinics	Establishments for medical, surgical, and emergency care of animal, to include veterinary office and clinics without animal boarding	a) One (1) space per one hundred fifty (150) s.f. of floor area (Ord. No. 04-198)

PERSONAL SERVICES

General Professional Services	Establishments providing general professional services such as appliances repair, cabinet and carpentry making, custom dressmaking and alteration, watch and clock repair, dry cleaning & laundry, locksmith, messenger delivery, pest control, photographic developing & printing, blueprint production, travel information & similar professional services	a) One (1) space per two hundred (200) s.f. of floor area (Ord. No. 04-198)
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Personal Improvement	Establishments providing personal services such as tanning, massage therapy, manicure, hair and beauty treatment, tattoo and body piercing, palm reading, fortune tellers, and similar services	a) One (1) space per one hundred fifty (150) s.f. of floor area (Ord. No. 04-198)
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Pet Care	Establishments for sheltering, and grooming of animals	a) One (1) space per two hundred (200) s.f. of floor area
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TRANSPORTATION

Air Travel	Facilities providing aviation transport and services in an airport, heliport, or helistop to include aircraft repair and sales, and similar services	a) One (1) space per one hundred (150) s.f. of waiting room floor area, plus b) One (1) space per five hundred (500) s.f. of maintenance floor area, plus
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		c) One (1) space per two hundred (200) office floor area
Road Travel	Facilities providing bus, rail and motor freight, and school bus transportation, parking and maintenance in terminals, and similar facilities	a) One (1) space per one hundred fifty (150) s.f. of waiting room floor area, plus b) One (1) space per five hundred (500) s.f. of maintenance floor area, plus c) One (1) space per two hundred (200) s.f. office floor area
Water Travel	Facilities providing boat charters, marinas, marina fuel and similar services	a) One (1) space per one hundred fifty (150) s.f. of waiting room floor area, plus b) One (1) space per two hundred (200) s.f. of office floor area
OTHER		
Funeral Services	Facilities providing burial preparation and/or funeral services in a cemetery, crematorium, mausoleum, funeral home and chapel, mortuaries and similar facilities	a) One (1) space per every three (3) fixed seats in main viewing rooms based on design capacity (Ord. No. 04-198), plus b) One (1) space per funeral vehicle

3. *Calculating Spaces*

In case of fractional results in calculating parking requirements, the required numbers of the sum for the various uses shall be rounded up to the nearest whole number if the fraction is .5 or greater.

4. *Handicapped Accessible Parking*

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

All off-street parking areas for multiple family, commercial, or industrial uses shall provide spaces for use by disabled persons according to the following standards:

- a. Handicapped accessible parking spaces for multiple family housing shall be provided as follows:
 - 1) Where parking is provided for all residents, one (1) accessible parking space shall be provided for each accessible dwelling unit;
 - 2) Where parking is provided for only a portion of the residents, an accessible parking space shall be provided on request of the occupant of an accessible dwelling unit; and
 - 3) Where parking is provided for visitors, two percent (2%) of the spaces, or at least one (1) space shall be accessible.

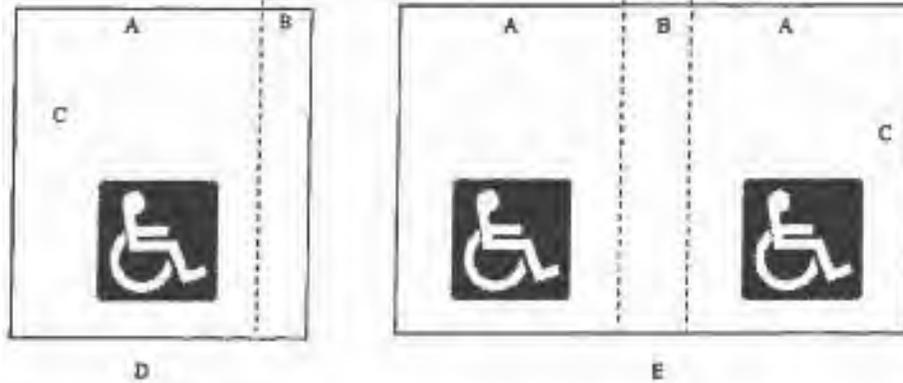
- b. Handicapped accessible parking for health care facilities shall be provided as follows:
 - 1) At facilities providing medical care and other services for persons with mobility impairments: The number of parking spaces required in Subsection 5.c. herein.
 - 2) At outpatient units and facilities: Ten percent (10%) of the total number of parking spaces provided serving each such outpatient unit or facility; and
 - 3) Units and facilities that specialize in treatment or services for persons with mobility impairments: Twenty percent (20%) of the total number of spaces provided serving each such unit or facility.

- c. Handicapped accessible parking spaces for all other facilities shall be provided as follows:

<u>Required Parking</u>	<u>Required Number of Accessible Spaces</u>
1 to 150	4% of Total
151 and above	3% of Total

- d. Each handicapped accessible parking space shall meet the following minimum requirements for size: Width of eleven (11) feet and length of twenty (20) feet, with an adjacent access aisle on the right side five (5) feet in width. Two accessible parking spaces may share a single five (5) foot wide access aisle. Every aisle shall lead directly to a curb ramp and accessible route of travel.

Handicapped/Parking Dimensions



- A Width of Stall 11 feet.
- B Width of Access Aisle: 5 feet (always on the right of a single space).
- C Length of Stripe: 18 feet.
- D Overall Width of Single Space: 16 feet.
- E Overall Width of Double Space: 27 feet

* Measurements Taken for a 90 Degree Angle of Parking

- e. All handicapped accessible parking spaces shall be prominently outlined on all four (4) sides and shall have the international symbol of accessibility displayed on the ground within each space. The access aisle shall be included within the outlined area. The color scheme of the accessible parking space shall contrast with that of the surrounding regular parking spaces.

Furthermore, all handicapped accessible parking spaces shall be identified by a sign on a stationary post or object. These signs shall not be obscured by vehicle parked in the space. The bottom of the sign shall be located not less than three (3) feet and no more than six (6) feet above the grade and shall be no less than five (5) feet to the centerline of the space. Accessible parking spaces shall be designated as reserved for the physically disabled by a sign showing the international symbol of accessibility in any color scheme on a contrasting background. Such signs must, at a minimum, display the word "Reserved Parking" or "Accessible Parking Only". Van accessible spaces shall have an additional sign indicating "Van Accessible" below the handicapped symbol. (Note: all measurements for accessible parking spaces per City of Peoria's zoning requirements are wide enough to accommodate vans or similar large-size vehicles.)

- f. Handicapped accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In facilities with multiple accessible building entrances with adjacent parking, accessible parking spaces shall be dispersed and located near accessible entrances. Wherever practical, the accessible route of travel shall not cross lanes for vehicular traffic.

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

Where crossing vehicle traffic lanes are necessary, the route of travel shall be designated and marked as a crosswalk.

Where parking is provided in a parking garage or under shade canopies, the ratio of covered to uncovered non-accessible spaces. In parking garages, not less than twenty percent (20%) of the accessible spaces shall be designated for high-profile vehicles, with a minimum head room clearance of nine feet (9) six (6) inches provided in all parking, maneuvering and circulation areas serving such spaces. Special signage shall be provided to identify high profile accessible parking spaces and to direct users to the location of both high profile and standard height accessible parking spaces are high profile spaces.

- g. Handicapped accessible parking spaces and access aisles shall be level, with surface slopes nor exceeding 1:50, two percent (2%) in all directions.
- h. Whenever a parking area built before the effective date of this Subsection does not have sufficient accessible parking spaces to comply with this Subsection, existing non-accessible parking spaces may be combined and converted to accessible parking spaces and associated aisles, provided that the overall reduction in total number of required parking spaces does not exceed five percent (5%) of the off-street parking spaces otherwise required by this Code.

5. *Joint Use Parking*

- a. Up to fifty percent (50%) of the parking facilities required by this Article for a religious institution, cultural center or an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing, wholesale and similar uses.
- b. Other joint use of parking on adjacent commercial uses to reduce total parking spaces may be allowed with a parking study submittal by a Registered Professional Engineer, to be approved through the site plan approval process.
- c. Conditions Required for Joint Use
 - 1) The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred (300) feet of such parking facilities.
 - 3) Adjustments must be made for any parking demand component which will be unavailable for sharing, (i.e. spaces which will be exclusively dedicated and/or accessible by only one use type). Those residential uses that include the assignment of one space exclusively for each conventional residential unit, with the balance of its required parking ratio supported by shared parking. For the remaining demand

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

components, the hourly and daily parking profiles for each use based on Table D.4 below.

- 4) The parking requirement for the specific mix of land uses shall be equal to the highest total, inflated by ten percent to account for subarea locational preferences and ease of utilizing readily available parking stalls.
- 5) On-street parking located on private or public streets shall be credited at 100% to satisfy overall site visitor parking requirements.
- 6) Tandem parking shall be credited at 100% for both residential and office uses in Village D to satisfy parking requirements.
- 7) Determine peak parking requirement for each such use based on the existing requirements of Article 14-23. The applicant shall show that there is no substantial conflict in the operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.
- 8) A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the City Attorney shall be filed with the City Clerk and recorded with the County Recorder.

Table D.4 Parking Standards for Shared Facilities

Land Use	Gross Leasable Area (GLA)	Parking Standard
Office	Less than 100,000 sq. ft.	4.00 spaces/1,000 GLA
	100,000 to 499,999 sq. ft.	3.50 spaces/1,000 GLA
	500,000+ sq. ft.	3.00 spaces/1,000 GLA
Retail	Less than 400,000 sq. ft.	4.00 spaces/1,000 GLA
	400,000 to 599,999 sq. ft.	4.25 spaces/1,000 GLA
	600,000+ sq. ft.	4.50 spaces/1,000 GLA

6. *Off-Site Parking*

- a. Any off-site parking which is used to meet the requirements of this Article shall be regulated by this Ordinance and shall be subject to the conditions listed below:
 - 1) Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Article.
 - 2) Reasonable access from off-site parking facilities to the use being served shall be provided.
 - 3) The site used for meeting the off-site parking requirements of this Article shall be under the same ownership as the principal use being

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

served, under public ownership, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the City Clerk and County Recorder.

- 4) Off-site parking for multiple-family dwellings shall not be located more than two hundred (200) feet from any commonly used entrance of the principal use served, unless approved through the site plan approval process.
- 5) Off-site parking for non-residential uses shall not be located more than three hundred (300) feet from the primary entrance of the principal use being used, unless approved through the site plan approval process.
- 6) The parking requirement for the Golf Clubhouse located on Parcel K-14 may be supplemented through off-site overflow parking on neighborhood parcels until such time they are developed. Such overflow parking shall contain sufficient area to meet the required stall and drive aisle dimensional standards. Although said area is exempt from Section 14-23 (entitled 'Parking & Loading Requirements') of the Peoria Zoning Ordinance, said area shall meet applicable standards for dust control, water quality and drainage as determined by the Peoria Engineering Department.

14-23-4 OFF-STREET LOADING REQUIREMENTS

A General Provisions

1. Unless otherwise specified in this Ordinance, loading spaces or berths shall be at least forty-five (45) feet in length and all loading berths shall be at least twelve (12) feet in width and fourteen (14) feet in height, exclusive of aisle and maneuvering space and required parking space.
2. Loading berths of thirty (30) feet by ten (10) feet for office use, motels and hotels, restaurants, day care centers, long term care facilities, and other similar facilities may be provided for all or part of the required loading berths if approved through the site plan approval process.
3. Such space may occupy all or any part of any required yard space, except front and corner side yards, and shall not be located closer than fifty (50) feet to any residential zoning district unless screened by a masonry wall not less than ten (10) feet in height. Loading spaces located in side yards shall not be visible from a public street. (Ord. No. 02-85)
4. Sufficient room for turning and maneuvering vehicles shall be provided on the site so that vehicles shall cross a property line only by driving forward.
5. Each loading berth shall be accessible from a street, alley or from an aisle or drive connecting with a street or alley, without traversing a residential district.

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

6. The loading area, aisles, and access drives shall be paved so as to provide a durable dust-proof surface and shall be so graded and drained so as to dispose of surface water without damage to private or public properties, streets, or alleys.
7. Bumper rails shall be provided at locations where needed for safety or to protect property.
8. If the loading area is illuminated, lighting shall be deflected down *and/or* away from abutting residential sites so as to not cause any annoying glare.
9. No regular repair work or servicing of vehicles shall be conducted in a loading area.
10. Off-street loading facilities shall be located on the same site with the use for which the berths are required.
11. If more than one use is located on a site, the number of loading berths provided shall be equal to the sum of the requirements prescribed in this Article for each use. If more than one use is located on a site and the gross floor area of each use is less than the minimum for which loading berths are required but the aggregate gross floor area is greater than the minimum for which loading berths are required, off-street loading berths shall be provided as if the aggregate gross floor area were used for the use requiring the greatest number of loading berths.
12. Off-street loading facilities for a single use shall not be considered as providing required off-street facilities for any other use.
13. At the time of initial occupancy, major alterations or enlargement of a site, or of completion of construction of a structure or of a major alteration or enlargement of a structure, there shall be provided off-street loading berth requirements. The number of loading berths provided for a major alteration or enlargement of a site or structure shall be in addition to the number existing prior to the alteration or enlargement.
14. Space allocated to any off-street loading berth shall not be used to satisfy the space requirements for any off-street parking facility.

B. Number of Spaces Required

Unless otherwise provided in this Ordinance every office, hotel, restaurant, department store, freight terminal or railroad yard, hospital, industrial plant, manufacturing establishment, retail establishment, storage warehouse or wholesale establishments and all other structures devoted to similar mercantile or industrial pursuits, which has an aggregate gross floor area of five thousand (5,000) square feet or more shall provide off-street truck loading or unloading berths in accordance with the following table:

ARTICLE 14-23 PARKING AND LOADING REQUIREMENTS

<u>Square Feet of Aggregate Gross Floor Area Devoted to Such Use</u>	<u>Required No. of Berths</u>
5,000 sq.ft. up to and including 40,000 sq.ft.	1
40,001 sq.ft. up to and including 100,000 sq.ft.	2
100,001 sq.ft. up to and including 160,000 sq.ft.	3
160,001 sq.ft. up to and including 240,000 sq.ft.	4
240,001 sq.ft. up to and including 320,000 sq.ft.	5
320,001 sq.ft. up to and including 400,000 sq.ft.	6
400,001 sq.ft. up to and including 490,000 sq.ft.	7
For each additional 100,000 sq.ft.	1 add'l.

ARTICLE 14-34

SIGNS

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14-34-1 INDEX (deleted in Ord. No. 96-03)

14-34-2 INTENT

The intent of this Article 14-34 is to regulate the type, placement, and physical dimensions of signs located in the City of Peoria. It is in the public interest and desired by the citizens of the City of Peoria, as stated in the Peoria Comprehensive Master Plan, to regulate signs for the following reasons:

- To promote the public health, safety and welfare within the City of Peoria by protecting the public from damage and injury which may be caused by the faulty and uncontrolled construction of signs.
- To promote the public safety, welfare, convenience, and enjoyment of travel and the free flow of traffic within the City of Peoria.
- To protect pedestrians, motorists, and property owners of the City of Peoria from damage or injury caused, or partially attributed to, the distractions and obstructions of signs which are improperly situated, sized and designed.
- To promote the effectiveness of signs by preventing they're over concentration, improper placement and excessive size.
- To protect and preserve property values in the City of Peoria by precluding the visual and physical intrusion of incompatible, unsafe and undesirable signs in industrial, commercial and residential areas throughout the City of Peoria.
- To promote, encourage and preserve the existing and developing natural and man-made beauty of the City of Peoria.
- To promote economic development by creating an aesthetically attractive, natural and man-made image that will induce industrial, commercial and residential users to locate in the City of Peoria.

14-34-3 INTERPRETATION AND SCOPE

- A. If there is a conflict between provisions of this section of this Article 14-34 and other provisions of this or other regulations/ordinances of the City of Peoria, the more restrictive provisions shall apply.
- B. The provisions of this section of Article 14-34 shall apply to the erection, design, construction, alteration, use, location, and maintenance of all signs within the City of Peoria, except as specified in this Ordinance.

14-34-4 EXCEPTIONS

- A. The provisions of Article 14-34 shall not apply to:
 - 1. Tablets, grave markers, headstones, statuary or remembrances of persons or events noncommercial in nature.
 - 2. Works of fine arts when not displayed in conjunction with a commercial enterprise which may derive direct commercial gain from such display.
 - 3. Signs not visible beyond the boundaries of the lot or parcel upon which they are located, or from any public right-of-way or thoroughfare, providing that such sign does not constitute a traffic hazard.
 - 4. The erection, construction and maintenance of official traffic, fire and police signs, signals and devices that are markings of the State of Arizona and the City

of Peoria or other authorized public agency, nor the posting of notices as required by law.

5. Advertising on bus passenger shelters located within the public right-of-way and on private property adjacent to the public -right-of-way as approved by City Council and Contract Number L.C.O.N.4989 on June 27, 1989 as amended and modified from time to time. (Ord. No. 89-21)
6. City of Peoria municipal uses for public notices and/or temporary special events. (Ord. No. 99-87)
7. Portable electronic signs used by the City of Peoria for special events. Such signs shall be restricted to traffic control copy. (Ord. No. 03-01)

14-34-5 REQUIREMENT OF CONFORMITY

It shall be illegal for a sign to be placed or maintained in the City of Peoria except as provided in this Article 14-34 after the effective date of adoption of Ordinance 89-07 of the City of Peoria, Arizona.

- A. All signs maintained contrary to the provisions of this Article 14-34 are declared to be nuisances, and such nuisances may be abated as provided by law.
- B. Any person, firm or corporation violation of any provisions of this Article 14-34 or failing to comply with any order or regulations made hereunder shall be guilty of a Class 2 Misdemeanor as defined in Arizona Revised Statutes.
- C. Placement and/or the location of all signs shall be in accordance with the sight distance requirements for arterial and collector streets as described in the City of Peoria Infrastructure Guidelines. (Ord. No. 00-30)

14-34-6 SIGNAGE APPROVAL AS PART OF SITE PLAN APPROVAL

For all developments requiring Site Plan Approval and Design Review Approval, a sign package of the proposed design and location of all permanent and temporary signs for the life of the project, subject to the guidelines presented herein, shall be submitted for review and approval according to the site plan review procedures outlined in Article 14-39, Section 14-39-9 "Site Plan Review." A sign permit to erect, install, repair or move a sign, if such permit is required, shall not be issued unless sign approval has been given as part of the above site plan approval, for any development requiring such site plan approval. (Ord. No. 02-80)

14-34-7 DEFINITIONS

All words in this Article shall be first defined as provided herein and, if not defined herein, shall be defined as in the definition of terms of Chapter 14 of the Peoria City Code and, if not defined therein, shall be defined as in The Illustrated Book of Development Definitions by Harvey S. Moskowitz and Carl G. Lindbloom, 1981, and if not defined in The Illustrated Book of Development Definitions, shall have their customary dictionary definitions.

Words used in the present tense include the future tense; words used in the singular include the plural, and words used in the plural include the singular. The word "shall" is always mandatory.

- A. *Sign.* Any device providing identifications, advertising or directional information for specific business, service, product, person, organization, place or building. Included in this definition of signs are graphic devices such as logos, attention attracting media such as logo-shaped sculpture, sculpture used to advertise products or businesses, fascia colored to advertise the logo or trademark of products or businesses, or architectural elements, banners, balloons, streamers, search lights, strobe lights, flags, inflatable structures, merchandise displays, accessory lights and other attention attracting media and devices.
- B. *Abandoned Sign.* A sign is presumed to have been abandoned when it is located on property which becomes vacant and unoccupied for a period of six (6) or more months.
- C. *Advertising Copy.* Copy that includes, but is not limited to phone numbers, prices, announcements of sales, business hours, meeting times, individual or specific products, services, or merchandise, and directional information. A street address and business name are not considered advertising copy.
- D. *Advertising Sign.* A sign which includes advertising copy and/or graphics relating to any service, product, person, business, place, activity or organization in addition to simple identification.
- E. *Agricultural Product Sales Sign.* A sign which is erected or mounted on its own self-supporting permanent structure or base, advertising the sale of an agricultural product produced and sold on site. (Ord. No. 97-27)
- F. *Area of Sign.* (Ord. No. 96-88)
 - 1. Total sign area will include the area of all signs on the premises. Furthermore, computation of total sign area includes all existing signs on the premises, whether such signs be conforming or non-conforming under the terms of this Article 14-34. The only exceptions to the total sign area allowed are free standing monument signs, directional signs and street addresses, signs necessary for safety (e.g., stop engine, no smoking) that do not exceed two (2) square feet in area, and Freestanding Municipal Recreation/Entertainment Facility Identification Signs.
 - 2. For a sign having more than one component (e.g., a service station identification/price sign combination on a monument base, mounted on the same surface), the sign area shall be measured as the sum of the smallest rectangles that encompass the several components of the sign.
 - 3. A sign mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign, shall be measured as the area contained within the outside dimensions of the background panel or surface.

4. A sign mounted as individual letters and/or graphics against a wall or fascia of a building, wall fence or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign shall be measured as the sum of the smallest rectangles that will enclose the sign.



AREA OF SIGN

5. A sign mounted or painted on an illuminated surface, illuminated architectural element of a building, or if the sign is the actual illuminated surface itself, shall be measured as the entire surface or illuminated architectural element which contains the sign.
6. A sign integrated into, built, made or part of the actual structure of a wall, building fascia, wall, fence or other type of structure, regardless of whether the sign is of the same color, texture or material than the entire structure, shall be measured as the sum of the smallest rectangles that will enclose the sign.
7. Where there are one (1) or more sign faces, the area shall be defined as follows unless otherwise specified for specific signs:

One (1) face - Area of the single face only, two (2) faces - If the interior angle between the two faces is 45 degrees or less, the area will be the area of one face only; if the interior angle between the two sign faces is greater than 45 degrees, the sign area will be the sum of the areas of the two faces.

Three (3) or more faces - The sign area will be the sum of the areas of each of the faces.

Spherical, free-form, sculptural, other non-planar signs - Signs area will be the sum of the area using only the four (4) vertical sides of the smallest cube that will encompass the sign.

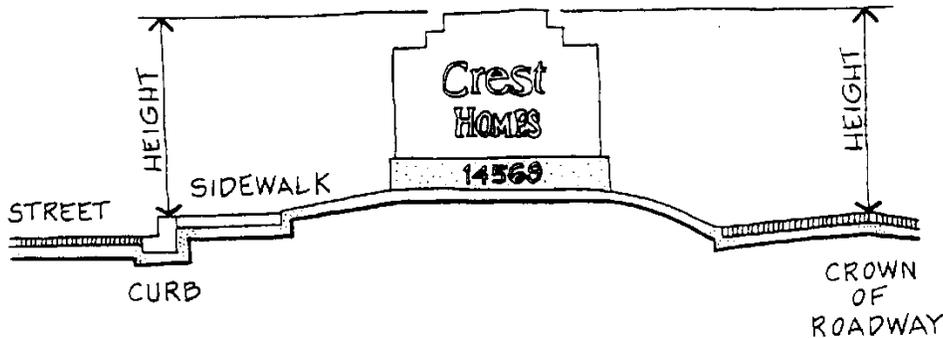
Architectural embellishments shall not be considered as sign area, and may not constitute more than twenty percent (20%) of the total sign area.

- G. *Building Front Foot*. Means the maximum width of the building measured on a straight line parallel to the street. In the event that a building fronts on two (2) or more streets, the property owner shall be given the option of selecting one (1) street frontage for the purpose of computing allowable sign area. Where a building does not parallel a street, the front foot shall be measured along the exterior of the building space from points projected perpendicular to the street from the corners of the building face fronting the street.
- H. *Business Front Foot*. Means the lineal distance of the building space occupied by the particular business or use measured on a straight line parallel to the street. In

the event that a business or use fronts on two (2) or more streets, the property owner shall be given the option of selecting one (1) street frontage for the purpose of computing allowable sign area. Where a business or use does not parallel a street, the front foot shall be measured along the exterior of the building space occupied by the particular business or use.

- I. *Building-Mounted Wall Signs.* A sign attached to, painted on, or erected against the wall or fascia of a building with the exposed face of the sign in a plane parallel to the face of the wall or fascia.
- J. *Complexes/Centers.* See "Multiple Tenant Commercial Building."
- K. *Comprehensive Sign Plan.* A plan for the utilization of signs intended to encourage flexible signage opportunities which are greater than that allowed under the existing requirements of the sign code. (Ord. No. 97-21)
- L. *Eave Line.* The point on a wall projected perpendicular to the wall from the bottom of an eave.
- M. *Emergency.* Immediate action necessary for purposes of protection of the public's health, safety and welfare.
- N. *Fascia.* The horizontal piece between the plate line or eave line and the spring point of a sloped roof or the top of a flat roof.
- O. *Fascia Sign.* A sign which is permanently affixed to the fascia of a building.
- P. *Flag.* A piece of fabric or other flexible material that contains the current or historical seal, insignia, symbol, logo, emblem or distinctive colors of this nation or any other nation, or the seal, insignia, symbol, logo or emblem of any political subdivision of this nation or any other nation, or the seal, insignia, symbol, logo or emblem of any religious, not for profit or corporate entity or expressing *advocacy* speech. References to the number of flags and flagpoles and flag dimensions refer to both vertical flagpoles and mast arm flagpoles. (Ord. No. 03-09)
- Q. *Flag-Mounted Sign.* A sign on a pole which projects from the roof or wall of a building.
- R. *Freestanding Monument Sign.* A sign which is erected, or mounted on its own self-supporting permanent structure or base, and is detached from any supporting elements of a building.
- S. *Freestanding Wall Sign.* Same as a freestanding monument sign except erected or mounted on a wall that is detached from, but architecturally integrated with a building.
- T. *Freeway Monument Sign.* A freestanding monument sign erected to identify a single or multiple on-site use(s), on property abutting, or part of a complex/center abutting the Agua Fria Freeway. (Ord. No. 97-16)

- U. *Grand Opening.* The introduction, promotion, announcement of a new business, store, shopping center, office or the announcement, introduction, promotion of an established business changing ownership.
- V. *Ground Level.* The finished grade of an existing sidewalk or, where there is no sidewalk, six (6) inches above street grade.
- W. *Height of Sign.*
 - 1. Freestanding Monument Sign and Freestanding Wall Sign. Height shall be the distance from the top of the sign structure to the top of curb or crown of roadway where no curb exists, or natural grade, whichever is greater. For freestanding monument signs, the height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height. Freestanding wall signs shall not exceed five (5) feet in height.



- 2. Building-Mounted Wall signs. Height shall be the distance from the top of the sign structure to the top of curb or crown of road where no curb exists.
- X. *Identification Sign.* A sign that includes as copy only the name of the business, place, organization, building, or person it identifies.
- Y. *Illuminated Sign.* A sign whose surface is lit, internally or externally, and which identifies, advertises or attracts attention to a use or activity on the premises.
- Z. *Indirect Lighting - Externally Illuminated.* Means a source of external illumination located a distance away from the sign, which lights the sign, but which is itself not visible to persons viewing the sign from any normal position of view.
- AA. *Indirect Lighting - Internally Illuminated.* Means a source of illumination entirely within the sign which makes the sign visible at night by means of lighting the background upon which the free standing character is mounted. The character itself typically is opaque, and thus is silhouetted against the background. The source of illumination shall not be visible.
- BB. *Internal Lighting.* Means of source of illumination entirely within the sign which makes the contents of the sign visible at night by means of the light being transmitted through a translucent material but wherein the source of the illumination is not visible.

- CC. *Landscape Area*. An area reserved for the addition or augmentation of lawns, trees, plants and other natural and decorative features to land.
- DO. *Maintenance*. Means the replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner or the reprinting of existing copy without changing the wording, composition or color of said copy.
- EE. *Multiple Tenant Commercial Building*. A commercial development in which there exists a number of separate commercial activities, in which there are appurtenant shared facilities (such as parking or pedestrian mall), and which is designed to provide a single area in which the public can obtain varied products and services. Distinguishing characteristics of a multiple tenant commercial building may, but need not, include common ownership of the real property upon which the center is located, common-wall construction, and multiple-occupant commercial use of a single structure.
- FF. *Multi-Tenant Sign*. A sign that includes as copy, only the names of two (2) or more businesses, places, organizations, buildings or persons it identifies.
- GG. *Non-Conforming Sign*. A sign erected which does not conform to all of the requirements of this Article 14-34, but which, when first constructed, was legally allowed by the City of Peoria or the political subdivision then having the control and regulation over construction of signs.
- HH. *Off-Premise Sign*. A structure which bears a sign which is not appurtenant to the use of the premises where the sign is located, or a structure which advertises a product or a service offered upon the premises other than where the sign is located.
- II. *Parapet Wall*. A wall extending above the plate line of a building.
- JJ. *Permanent Sign*. Any sign which is intended to be and is so constructed as to be lasting and enduring, remaining unchanged in character, condition (beyond normal wear) and position, and in a permanent manner affixed to the ground, wall or building.
- KK. *Plate Line*. The point at which any part of the main roof structure first touches or bears upon external wall.
- LL. *Portable Sign*. Any sign which is not permanently affixed to any structure on a site or permanently ground mounted. Frequently referenced to as "Sandwich Sign."
- MM. *Premises* - A lot, parcel, tract or plot of land together with the buildings and structures thereon.
- NN. *Roof-Mounted Sign*. A sign which is secured, mounted or attached to a roof or which projects above the highest point of a parapet or fascia of a building.
- OO. *Roof Line*. Means the highest point of the main roof structure or highest point on a parapet but shall not include cupolas, pylons, projections or minor raised portions of the roof.

- PP. *Sign Package*. A detailed description, including, but not limited to, type, size, color and location of all signage.
- QQ. *Soffit Sign*. A sign which is suspended from the underside of a lintel, arch or other overhead spanning member and is hung perpendicular to a vertical wall surface.
- RR. *Spring Point*. The point at the edge of a roof where the slope of the roof is less than 90 degrees but more than 0 degrees.
- SS. *Street Grade*. The elevation of the top of the curb of a street, or the elevation of the crown of the roadway where no curb exists.
- TT. *Temporary Sign*. A sign established for a fixed period of time with the intent to discontinue the use of such sign upon the expiration of the time period.
- UU. *Master Planned Development*. A development which meets one or more of the following criteria: (Ord. No. 91-28)
1. Residential developments which exceed 300 acres in area.
 2. Four (4) or more residential subdivisions of a combined area which exceeds three hundred (300) acres.
 3. Mixed-use developments which exceed 150 acres in area.

14-34-8 SIGN TYPES AND REQUIREMENTS

- A. Permitted Signs. The following signs are permitted, subject to the criteria listed under each sign:
1. Address Sign. A sign consisting of numerals and/or letters identifying a property address.
 - a. Letter and numeral height shall not exceed twelve (12) inches;
 - b. No sign permit required.
 2. Agricultural Product Sales Signs. Any temporary sign erected to advertise the seasonal sale of agricultural food products produces on-site. (Ord. No. 97-27)
 - a. Such signs may only be located on-site and shall be limited to the following information: the type of product for sale, directional information and pricing information;
 - b. Such signs shall be prohibited on lots less than 43,560 square feet;
 - c. Such signs shall not utilize illumination of any kind;
 - d. One (1) sign per parcel shall be allowed with an additional sign allowed for each one hundred (100) feet of linear street frontage up to a maximum of

- four (4) signs; a maximum of one (1) sign shall be allowed when the sales activity is located in or within one hundred (100) feet of a developed residential area;
- e. Such signs, including their supporting structures, shall be no more than six (6) square feet in area within a developed residential area and no more than thirty-two (32) square feet in area as otherwise permitted and shall be no more than six (6) feet in height measured from grade level;
 - f. Such signs shall be displayed for a period not to exceed 90 days during any calendar year without a sign permit. Signs may be displayed for a period exceeding 90 days upon approval of a temporary sign permit by the City;
 - g. Such signs shall not be located in the public right-of-way and shall not be located so as to impair traffic visibility or traffic circulation;
 - h. Such signs shall be permitted to be displayed only during sales periods occurring during the active growing season;
 - i. Such signs shall be constructed and supported in such a manner so as not to pose a hazard to pedestrians or vehicles;
 - j. Agricultural product sales signs shall not include signs otherwise prohibited by this chapter;
 - k. No sign permit required unless otherwise specified.
3. Awning/Canopy Sign. A sign which is printed, painted, or affixed to an awning or canopy.
- a. Sign copy, including logo, shall not exceed twelve (12) square feet or fifty percent (50%) of an awning face area, whichever is less;
 - b. Such sign shall only be displayed on the ground floor awnings;
 - c. Flashing or intermittent illumination of awnings is prohibited;
 - d. Sign permit required.
4. Banner Sign/Promotional Display Sign. A temporary sign which is painted or displayed upon cloth or other flexible material, used for the promotion of goods or services for a specified period of time. (Ord. No. 02-56)
- a. Special Events. A sign used for a special sales event or product promotion.
 - 1) For the purpose of this regulation, special event signs shall include sign banners, balloons, flags, streamers, and pennants. Vehicle mounted signs, flashing lights, search lights and portable signs are prohibited, except as may otherwise be provided in this Ordinance. (Ord. No. 03-01)

- 2) Signs used to promote special sales or product promotions shall be limited to a maximum total square footage of twenty-four (24) square feet.
 - 3) Signs shall be allowed four (4) times per year for a maximum period of fourteen (14) consecutive days. A minimum of thirty (30) days shall pass between each such sale.
 - 4) All such signs shall include wind cuts to reduce sign billowing or sailing and shall be securely fastened to a building or other permanent structure. Such signs and/or banners shall not be mounted to trees or other landscaping elements.
 - 5) Individual balloons and balloon arches/clusters shall be allowed provided they are securely fastened to permanent structures and setback from all streets and driveways a distance equal to the tether of the balloon.
 - 6) Sign permit required.
- b. Exterior Sales. A sign for the sale of merchandise where most of the business is conducted, or items are displayed, in an open exterior area in compliance with all City Codes. (Ord. No. 03-09)
- 1) Exterior sales promotions are allowed however shall be restricted to Friday, Saturday, and Sunday or Federally recognized holidays.
 - 2) For the purpose of this regulation, exterior sales signs shall include sign banners, balloons, flags, streamers, pennants or merchandise. Vehicle mounted signs, flashing lights, search lights, and portable signs are prohibited.
 - 3) Streamers, pennants and flags shall contain no advertising copy, but may include a symbol, logo or replica of a flag on a pennant. (Ord. No. 03-09)
 - 4) Inflatable structures are allowed by separate permit. Such structures shall be permitted only twice per year at three-day intervals. Inflatable structures shall not be roof-mounted and shall be securely fastened to permanent structures and/or proper ground staking.
 - 5) Individual balloons and balloon arches/clusters shall be allowed provided they are securely fastened to permanent structures and setback from all streets and driveways a distance equal to the tether of the balloon.
 - 6) All banner signs shall include wind cuts to reduce sign billowing or sailing and shall be securely fastened to a building, private light standard or other permanent structure. Such banners shall not be mounted to trees or other landscaping elements. The total allowable

square footage of all banner signs shall not exceed one hundred fifty (150) square feet.

- 7) Uses eligible for exterior sales signs shall not be eligible for special sale signs.
 - 8) Torn, faded or soiled exterior sales signs shall be prohibited.
- c. Civic Events. Signs used to advertise, promote public entertainment uses including carnivals, circuses, street fairs, concerts, cultural events, home and garden shows, parades, community events and similar uses.
- 1) For the purpose of this regulation, exterior sales signs shall include sign banners, balloons, flags, streamers, and pennants. Vehicle mounted signs, flashing lights, search lights and portable signs are prohibited, except as may otherwise be provided in this Ordinance. (Ord. No. 03-01)
 - 2) No off premise signs, strobe lights or search lights are permitted, except as may otherwise be provided in this Ordinance. (Ord. No. 03-01)
 - 3) All banner signs shall include wind cuts to reduce sign billowing or sailing and shall be securely fastened to a building, private light standard or other permanent structure. Such banners shall not be mounted to trees or other landscaping elements.
 - 4) Size and quantity of signs are not regulated, however signs shall not be displayed for more than seven (7) days prior to the event and shall be removed within forty-eight (48) hours after the event.
 - 5) Inflatable structures are allowed by separate permit. Inflatable structures shall not be roof-mounted and shall be securely fastened to permanent structures and/or proper ground staking.
 - 6) Torn, faded or solid exterior sales signs shall be prohibited.
 - 7) Light standard banner advertisement is allowed within one mile of the event as approved by the Public Works Director.
 - 8) No permit required, except for inflatable structures.
5. Building-Mounted Wall Sign. A permanent sign attached to, painted on, or erected against the wall or fascia of a building with the exposed face of the sign in a plane parallel to the face of the wall or fascia.
- a. Primary identification signs located on buildings over three (3) stories in height shall be placed only in the top twenty-five (25) percent of the wall to which it is attached, and shall not project above the roofline; (Ord. No. 00-30)

- b. The area of such signs is dependent on the zoning district in which a use is permitted as specified in this Article 14-34. However, in no case shall the total area of one such sign exceed two hundred (200) square feet.
 - c. Such signs may identify the individual business, building, or building complex only by name, logo, or by name and principal service where the name does not identify the principle services offered; (Ord. No. 97-31)
 - d. Buildings in excess of three (3) stories shall only be identified by the building name, or the name or logo of the business or company occupying the building; (Ord. No. 97-31)
 - e. Advertising copy shall be permitted only to describe the general nature of the business. In no case shall there be more than six (6) words, symbols or characters used as advertising copy as described in Section 14-34-7 Definitions; (Ord. No. 00-30)
 - f. Such signs shall not project more than fourteen (14) inches from a wall or fascia;
 - g. Such signs may be erected on a parapet wall or fascia that is on three sides of a four or more sided building. Such signs may be erected on buildings with one parapet wall only if the building existed on the date of adoption of this Article 14-34. Such signs may not extend above the top of the parapet or fascia.
 - h. Such signs may be illuminated only by internal or externally indirect lighting;
 - i. The average height of all sign characters shall not exceed six (6) feet with no individual characters exceeding eight (8) feet in height; (Ord. No. 97-31)
 - j. For buildings constructed on the property line of a parcel which abuts a public right-of-way or easement (e.g. no building setback), building mounted wall signs maybe extend fourteen (14) inches in the public right-of-way or public easement provided such signs are located higher than eight (8) feet above ground level.
 - k. Sign permit required.
6. Changeable Copy/Marquee Sign. A sign which utilizes changeable letters or copy and is intended to display factual information about activities on the premises (not including service station price component signs).
- a. Such signs shall be allowed only for government uses, institutional use, schools, churches and theaters;
 - b. There shall be only one such sign on each lot or parcel of land;
 - c. Such signs may be either building-mounted wall or freestanding monument types only. Freestanding wall changeable copy/marquee signs are prohibited.

- d. Freestanding monument changeable copy/marquee signs are subject to the same requirements as all freestanding signs. However, a maximum of two-thirds of the allowable area of such signs shall be utilized for changeable copy/marquee purposes.
 - 1) A public school marquee sign shall conform to all provisions of this section, except for the following: (Ord. No. 90-41)
 - a) The height of a freestanding monument/marquee sign for a public school shall be permitted to a height not to exceed fourteen (14) feet.
 - b) The masonry base for free standing monument/marquee signs over eight (8) feet in height, but less than fourteen (14) feet in height shall not be required.
 - c) All sign heights as referenced in (a) and (b) above are to be measured from the top of the sign structure to the top of the adjacent curb.
 - e. Building-mounted wall changeable copy/marquee signs shall be a maximum of sixty-four (64) square feet and are subject to the same height and landscaping requirements as all wall or fascia-mounted signs.
 - f. Such signs may be illuminated only by internal lighting or by externally indirect lighting.
 - g. Sign permit required.
- 7. Construction Sign. A sign which identifies the parties included in an "in-process" construction project.
 - a. Such signs shall only be displayed on the actual construction site;
 - b. Such sign shall not exceed eight (8) feet in height nor thirty-two (32) square feet in area;
 - c. All such signs shall be removed prior to the issuance of a Certificate of Occupancy for the site;
 - d. All construction signs shall be constructed and installed to standards defined by the Building Safety Director.
 - e. No sign permit required, but such signs shall be constructed to standards required for a permanent sign as described by the Arizona Sign Association.
- 8. Directional Sign. A permanent, on-site sign which includes copy offering pertinent directional information for the purpose of assisting in the flow of vehicular or pedestrian traffic.

- a. Such signs shall not exceed three (3) feet in height nor six (6) square feet in area;
 - b. Such signs may include a business logo but no other advertising copy;
 - c. Such signs may be free standing monument signs only;
 - d. Such signs are permitted in all zoning districts;
 - e. No sign permit required.
9. Directory Sign. A sign listing name, use and/or location within a building, building complex or multiple-tenant commercial building. .
- a. Such signs may be utilized in all Zoning Districts;
 - b. Such signs shall not exceed six (6) feet in height nor six (6) square feet in area;
 - c. Such signs shall not include any advertising copy;
 - d. No sign permit required unless such directory sign will be visible from off premises.
10. Flags. (Ord. No. 03-09)
- a. Flag poles shall not exceed Fifty (50) feet in height, except for those displaying the flags of the United States of America or the State of Arizona which may be erected to a height not to exceed one hundred (100) feet; (Ord. No. 03-09)
 - b. Any flag flown in conjunction with the United States and/or State of Arizona Flag shall be flown beneath them and shall not exceed them in size;
 - c. No more than three (3) flagpoles shall be placed on any one (1) site, unless a request is approved in the same manner as a comprehensive sign plan pursuant to this Article. No more than (2) flags shall be flown on anyone flagpole. (Ord. No. 03-09)
 - 1) On officially recognized United States and Arizona Holidays, there shall be no maximum flag size or number or other limitations on display, however, flag displays on officially recognized United States and Arizona Holidays shall meet all other requirements of this Article. (Ord. No. 03-09)
 - d. Flags of corporate entities shall only be permitted in the Commercial and Industrial Zoning Districts, unless a request is approved in the same manner as a comprehensive sign plan pursuant to this Article. The maximum size of any corporate entity flag shall not exceed fifteen (15) square feet, with no one dimension to exceed six (6) feet in any direction; (Ord. No. 03-09)

- e. Recorded subdivisions having a valid subdivision advertising sign permit may display a maximum of six (6) festive advertising flags which do not include copy or logos; (Ord. No. 00-30)
 - f. All such flag poles shall be located a minimum of one (1) foot from the edge of street right-of-way. (Ord. No. 0:M9)
 - g. Except as otherwise provided by this Article or the United States Flag Code, all flags shall be displayed on flagpoles. Display of the American Flag shall be in accordance with the United States Flag Code. (Ord. No. 03-09)
 - h. No sign permits required unless otherwise noted. (Ord. No. 03-09)
11. Freestanding Monument Signs. A sign which is erected, or mounted on its own self-supporting permanent structure or base detached from any supporting elements of a building or wall. (Ord. No. 97-39)
- a. Such signs, including their supporting structures, shall not exceed eight (8) feet in height except when abutting Grand Avenue or Bell Road. Single-user freestanding monument signs abutting Grand Avenue and Bell Road shall not exceed twelve (12) feet in height and Multi-tenant freestanding monument signs abutting Grand Avenue and Bell Road shall not exceed fourteen (14) feet in height.
 - b. Such signs, for individual businesses or noncommercial establishments not abutting Grand Avenue or Bell Road, whether part of a complex or center, shall not exceed thirty-two (32) square feet in area, unless otherwise provided herein. Signs for multiple tenant commercial buildings, complexes or centers, whether commercial or not and not abutting Grand Avenue or Bell Road, shall not exceed forty-eight (48) square feet in area, unless otherwise provided herein. For individual businesses or non-commercial establishments, abutting Grand Avenue or Bell Road, whether part of a complex or center, such signs shall not exceed forty-eight (48) square feet in area, unless otherwise provided herein. Signs for multiple tenant commercial buildings, complexes or center, whether commercial or not, abutting Grand Avenue or Bell Road, shall not exceed seventy-two (72) square feet in area.
 - c. All such signs shall have monument-type bases of masonry construction. A comparable alternate basic material may be used upon approval by the City;
 - d. All such signs shall require a landscape area equal to four (4) square feet for each square foot of sign area. This landscape area shall be located around the base of the sign.
 - e. All such signs shall be located a minimum of one (1) foot from the edge of street right-of-way;
 - f. Such signs shall only identify the name of the business, the center/complex, or place for which the sign is intended unless otherwise permitted in Section 14-34-9;

- g. Such signs shall not include any advertising copy;
 - h. Such signs may be illuminated only by externally illuminated indirect or internal lighting;
 - i. Address numerals shall be included on all freestanding sign structures. The numerals shall be no smaller than six (6) inches in height and no larger than twelve (12) inches in height;
 - j. Sign permit required.
12. Freestanding Municipal Recreation/Entertainment Facility Identification Sign. A sign which is erected, or mounted on its own self-supporting permanent structure or base which is utilized to identify and advertise municipal recreation/entertainment facilities and events. (Ord. No. 94-09)
- a. One such sign shall be allowed for a facility which is comprised of one hundred (100) gross acres or more;
 - b. Such signs, including their supporting structures, shall not exceed thirty-five (35) feet in height and two hundred square (200) feet in area. A minimum of fifty percent (50%) of the total sign area shall be limited to the facility name and/or logo. The sign area for such signs shall not be included in the total sign area allowed for the facility;
 - c. Such signs may contain advertising panels and/or electronic devices such as reader boards utilized for advertising on-site and off-site events, services and products, including but not limited to municipal events;
 - d. All such signs shall be located a minimum of five (5) feet from the street property line.
 - e. Such signs may be located on-site or off-site, however, off-site signs must be erected within one-half (1/2) mile of the recreation/entertainment facility and off-site signs shall not be closer than fifty (50) feet to any neighboring building;
 - f. Such signs may be illuminated; however, off-site signs shall not be illuminated if located within two hundred (200) feet of a residential use or residential zoning district;
 - g. Sign permit required.
13. Freestanding Wall Sign. A sign consisting of individual letters on a wall which is detached from, but architecturally integrated with the building.
- a. Such signs shall not exceed five feet (5') in height and must be a minimum of one foot (1 ') above ground level.
 - b. For individual businesses less than 50,000 Square feet in area or noncommercial establishments, whether or not part of a complex or center,

such signs shall not exceed thirty-two square feet (32') in area, unless otherwise provided herein and must not cover more than fifty percent (50%) of the wall surface. For individual businesses greater than 50,000 square feet, multiple tenant commercial buildings, complexes or centers, whether commercial or non-commercial, such signs must be no larger than ninety-six square feet (96'), unless otherwise provided here in, and must not cover more than fifty percent (50%) of the wall surface;

- c. Such signs shall be located a minimum of five feet (5') from the street property line.
 - d. Such signs shall consist of only the name of the business building complex for which the sign is intended unless otherwise permitted in Section 14-34-9.
 - e. All such signs shall require a landscaped area equal to four (4) Square feet for each square foot of sign area. This landscaped area shall be located around the base of the sign;
 - f. Such signs shall not include any advertising copy;
 - g. Address numerals shall be included on all freestanding wall signs. The numerals shall be no smaller than four inches (4") in height and no larger than twelve inches (12") in height;
 - h. Such signs may be illuminated only by indirect or internal lighting;
 - i. Such signs shall be located only in a landscape area which extends the full distance of a property's street frontage on which a freestanding wall sign is located. The area shall be a minimum of twenty feet (20') in depth from the property line and may be penetrated by access drives.
 - j. Sign permit required.
14. Freeway Monument Sign. A freestanding single user or multi-tenant sign identifying an on-premise use, on property abutting or part of a complex/center abutting the Agua Fria Freeway right-of-way, oriented to and intended to be read from the freeway. For the purposes of this section a center/complex shall further be defined to include those projects under a common zoning case or development without regard to property ownership or individual parcel use. (Ord. No. 97-16)
- a. General Requirements.
 - 1) Freeway Monument Signs shall be allowed only on properties zoned for commercial or industrial uses;
 - 2) For every 1,320 linear feet of freeway frontage, one (1) freeway monument sign shall be allowed per site, development, project, or center with a maximum of three (3) freeway monument signs per site, development, project or center. Such signs shall not be located off-premise, except that a multi-tenant complex/center sign may identify

users within the complex/center located on separate parcels; (Ord. No. 00-30)

- 3) Buildings in excess of three (3) stories shall be identified only by a Freeway Monument Sign or a Building Mounted Wall Sign and shall not be eligible for the construction of or inclusion on both types of signs.
 - 4) For the purposes of this section, the height of all Freeway Monument Signs shall be measured as the vertical distance from the finished grade of the site to the highest point of the sign structure;
 - 5) Freeway monument signs shall not be counted as a portion of the total sign area of the user(s);
 - 6) All such signs shall be required to provide an architecturally enhanced treatment for the sign base, pole cover and supports compatible with the individual business or the complex/center. Pole covers and sign base shall be a minimum of thirty five percent (35%) of the full sign width; (Ord. No. 00-30)
 - 7) All such signs shall require a landscaped area equal to four (4) square feet of landscaping for each square foot of sign area and shall be located around the base of the sign;
 - 8) For the purposes of this section, such signs shall only identify the name of the business, the center/complex, or the place for which the sign is intended. Such signs shall not include any advertising copy;
 - 9) Such signs may be illuminated by externally illuminated indirect or internal lighting;
 - 10) Freeway Monument Signs shall not be allowed within a natural or manmade watercourse;
 - 11) Freeway Monument Signs shall be subject to all applicable Arizona Department of Transportation sign regulation standards;
 - 12) Sign permits required.
- b. Single Tenant Signs: In addition to subsection a. General Requirements, the following additional requirements shall apply to single tenant freeway monument signs:
- 1) Such signs shall not exceed thirty-five (35) feet in height and one hundred and forty (140) square feet in sign area;
 - 2) All such signs shall maintain a minimum of two hundred (200) foot spacing from any other freeway monument sign;

- 3) All such signs shall be located a minimum of fifty (50) feet from any non-freeway lot line and a minimum of one hundred (100) feet from any residentially zoned property;
 - 4) All such signs shall be allowed an extra three (3) feet in height for architectural embellishments where architectural embellishments are defined as elements of a sign incorporating architectural features of the associated building or development. Embellishments shall not include any feature, figure or emblem conveying a commercial message and may not constitute more than twenty percent (20%) of sign area.
- c. Multi-tenant Signs. In addition to subsection a. General Requirements, the following additional requirements shall apply to multi-tenant freeway monument signs:
- 1) Such signs shall not exceed forty-five (45) feet in height and two hundred (200) square feet in total sign area;
 - 2) For the purpose of this section, Multi-tenant freeway monument signs shall be allowed an extra twenty percent (20%) of sign area for identification of the center/complex;
 - 3) All such signs shall maintain a minimum of two hundred (200) foot spacing from any other freeway monument sign;
 - 4) All such signs shall be located a minimum of fifty (50) feet from any non-freeway lot line and a minimum of two hundred (200) feet from any residentially zoned property;
 - 5) All such signs shall be allowed an extra three (3) feet in height for architectural embellishments where architectural embellishments are defined as elements of a sign incorporating architectural features of the associated building or development. Embellishments shall not include any feature, figure or emblem conveying a commercial message and may not constitute more than twenty percent (20%) of the sign area.
15. Future Development Sign. A sign which announces the proposed development of property, prior to the issuance of building permit.
- a. Three of such signs shall be permitted as follows: one along the Loop 330 frontage, one on Lone Mountain Rd. between El Mirage Rd. and the 303, and one either on El Mirage Rd. north of Vistancia Blvd or along the southern boundary of Village D.
 - b. The sign along the 303 frontage shall not exceed thirty five (35) feet in height nor four hundred (400) square feet in area. If this sign has two faces and the interior angle between the two faces is less than 90 degrees, the area will be the area of one face only. The signs along Lone Mountain and El Mirage shall not exceed twenty five (25) feet in height nor two hundred (200) square feet in area.

- c. Such signs shall be permitted for an initial interval of three years, and then may be extended in additional one year increments at the request of the Developer and discretion of the Planning Manager or designee. Signs shall be removed prior to issuance of Certificate of Occupancy on the parcel where such sign is located.
- d. Such signs shall not be internally illuminated;
- e. All such signs shall be located on the development site;
- f. Only one (1) sign shall be displayed per street frontage;
- g. Sign permit required.

16. Gasoline Service Station Signs.

- a. Service Station Identification/Price Sign. A permanently mounted, two component sign displaying business identification and the retail cost of a gallon of gas/diesel on the premises of the service station.
 - 1) One such sign per street frontage;
 - 2) Such sign shall not exceed thirty-two (32) square feet in area nor eight (8) feet in height;
 - 3) The price component of the sign shall not exceed four (4) feet in height, or sixteen (16) square feet in area;
 - 4) The sign shall have a landscape area at the base of each sign equal to at least four (4) square feet for each square foot of sign area;
 - 5) The sign shall have a monument base of masonry construction. A comparable alternate base material may be used, upon written approval of the Planning Director;
 - 6) Sign permit required.
- b. Pump-Topper Sign. A sign which is affixed to the top or sides of an operable, fuel dispensing pump.
 - 1) Such signs shall not exceed three (3) square feet in area;
 - 2) Such signs shall only display instructional information or price information and shall not include advertising copy pertaining to any product, sale or promotion;
 - 3) No sign permit required

17. Grand Opening Signs. A sign used for the introduction or promotion of a new business, store, shopping center, office or the announcement of an established business changing ownership. (Ord. No. 96-07)

- a. All businesses shall be permitted to display Grand Opening Signs, on a one time basis, for a maximum of thirty (30) consecutive days;
 - b. For the purposes of this regulation, Grand Opening Signs shall include Sign banners, balloons, streamers, search lights, flags, pennants, inflatable structures, merchandise or other attention attracting media and devices. Vehicle mounted signs, flashing lights and portable signs are prohibited;
 - c. No sign permit required.
18. Holiday Decorations. Items or objects used to embellish and ornament physical features in celebration of a particular holiday.
- a. Holiday decorations may be displayed for civic, patriotic or religious holidays;
 - b. Such decorations shall not be displayed in such a manner as to constitute a traffic hazard;
 - c. Such decorations shall not be displayed more than twenty-eight (28) days prior to the specified holiday and must be removed nineteen (19) days after the specified holiday;
 - d. No sign permit required.
19. Lead-In Signs. A temporary sign used to direct pedestrian or vehicular traffic to a new residential development or non-residential complex or development within the City of Peoria. (Ord. No. 98-06)
- a. Such signs shall not exceed three (3) feet in height nor four (4) square feet in area, including any additional advertising copy or sign additions;
 - b. No more than fifteen (15) such signs shall be allowed for each approved residential subdivision. No more than four (4) such signs shall be displayed for all other residential and non-residential complexes or developments;
 - c. Such signs advertising the sale of new units within an approved subdivision may not be installed before 5:00 p.m. on Friday and must be removed before 8:00 a.m. on the following Monday, except when a legal holiday occurs on a Monday, signs may be removed by 8:00 a.m. the following Tuesday;
 - d. All such signs shall be located within 4 miles of the subject property and no illumination shall be permitted.
 - e. The back of each individual sign shall contain the permit number and the name of the sign company or developer/builder responsible for the proper installation of the sign; (Ord. No. 00-30)

- f. No such sign, regardless of subdivision ownership, shall be located within twenty (20) feet of another subdivision lead-in sign;
 - g. No more than two (2) such signs advertising the same development shall be located at anyone street intersection;
 - h. Such signs utilizing in-ground sleeves are prohibited;
 - i. No sign shall be attached to any traffic control device, light pole, utility pole, traffic barrier, bridge, tree, landscaping, natural fixture, specifically placed in or touching any plant, shrub, ground cover or plant irrigation system, and such signs shall not be located within twenty (20) feet of an irrigation box, utility cabinet or fire hydrant; (Ord. No. 00-30)
 - j. Such signs shall not be placed in any island median, within ten (10) feet of the edge of pavement where no curb exists, or between the sidewalk and the curb. Such signs may not be located such that the sign causes an obstruction to a public sidewalk, bicycle way or trail nor shall such signs be placed on private property without written permission of the property owner;
 - k. Signs which are deemed to be unsafe, defective or which create an immediate hazard to persons or property or are not in compliance with the provisions of the sign code shall be declared to be a public nuisance and shall be subject to immediate abatement and disposal by the City. Additionally, signs advertising projects located outside of the City of Peoria shall be removed and disposed of by the City;
 - l. The person, party or parties responsible for the erection or distribution of any such signs in violation of the City of Peoria Zoning Ordinance will be subject to issuance of a City code violation citation and shall be held jointly and severally liable for damages to property caused by such signs including damage done to landscaping or landscape irrigation systems; (Ord. No. 00-30)
 - m. A sign permit shall be required for each approved residential subdivision utilizing such signs. Applicants shall provide to the City a plan showing the locations of all such signs. Any changes to an approved sign plan shall be approved by the City.
20. Master Planned Development Marketing Sign. A temporary marketing identification sign listing participating developers/builders within a Master Planned Development. (Ord. No. 91-28) (See Exhibit C(I-II): Master Planned Development Marketing Sign)
- a. Such signs are only allowed for Master Planned Developments as defined herein;
 - b. Such signs shall not exceed twenty-two (22) feet in height nor one hundred and seventy (170) square feet in area.

- c. Only one (1) such sign shall be displayed per street frontage (perimeter), with a maximum of ten (10) such signs for the Vistancia Master Planned Development. (See Exhibit A: Permanent and Temporary Freestanding Sign Map; See Exhibit B: Permanent and Temporary Freestanding Sign Matrix)
 - d. Master Planned signs shall be required for Master Planned Developments in lieu of On-Site Subdivision Advertising Signs; (Ord. No. 00-30)
 - e. Such signs shall be in accordance with the sight distance requirements for arterial and collector streets as described in the City of Peoria Infrastructure Guidelines.
21. Menu Board. A permanently mounted sign advertising the bill of fare for a restaurant, drive-in, or drive-through restaurant.
- a. Menu Boards shall not exceed six (6) feet in height nor thirty (30) square feet in area and shall not exceed a maximum of two (2) per restaurant; (Ord. No. 00-30)
 - b. Freestanding menu Boards shall have a monument base of masonry construction and shall have a landscape area at the base of the sign equal to at-least two (2) square feet for each square foot of sign area. A comparable alternate base material may be used upon written approval of the Planning Director;
 - c. All signs shall be located a minimum of forty-five (45) feet from the street property line; (Ord. No. 00-30)
 - d. The sign area for a menu board shall not be counted in the total aggregate sign area for the business;
 - e. Sign permit required.
22. Nameplate Signs. A sign to identify occupants of residences, offices, businesses, or other types of uses.
- a. Such signs shall include only the name of the resident, business, agency or other establishment occupying premises and times of occupancy.
 - b. Only one nameplate sign per parcel or lot is allowed.
 - c. Such signs shall be freestanding, wall mounted or building mounted only and shall be placed no higher than five (5) feet above the ground.
 - d. Such sign shall not exceed two (2) square feet in area.
 - e. No sign permit required.

23. Off-Site Master Planned Development Directional Sign. A temporary sign to provide travel direction to a Master Planned Development. (Ord. No. 02-96) (See Exhibit D: Off-Site Master Planned Development Directional Sign)
- a. Such signs are only allowed for Master Planned Developments as defined herein;
 - b. Such signs may be used in lieu of Off-Site Subdivision Directional signs for all subdivisions within the Master Planned Development;
 - c. Such signs shall not exceed eighteen (18) feet in height.
 - d. A maximum of six (6) such signs may be erected for the Vistancia Master Planned Development. (See Exhibit A: Permanent and Temporary Freestanding Sign Map; See Exhibit B: Permanent and Temporary Freestanding Sign Matrix)
 - e. The total aggregate sign area of all such signs for the Vistancia Master Planned Development shall be nine hundred (900) square feet. The total area of one such sign shall not exceed one hundred seventy (170) square feet.
 - f. Such signs shall be located only on major or minor arterial streets identified in the Peoria Comprehensive Master Plan;
 - g. Such signs must be located within an eight (8) mile radius of the Vistancia Master Planned Development.
 - h. Such signs shall maintain a minimum one-half (1/2) mile separation from any other sign on the same street frontage for the same development. Such signs shall maintain a minimum one-fourth (1/4) mile separation from any other such sign on a different street frontage which advertises the same development.
 - i. Such signs shall be placed only on undeveloped property not within a public right-of-way or easement. Placement on property not owned by the applicant requires written permission of the property owner of record;
 - j. Advertising copy shall be permitted to provide the name of the Master Planned Development, travel directions and describe the type of product offered (e.g. single-family townhome, etc.), and the home builder(s) or subdivision(s) name.
 - k. Signs may be externally illuminated with indirect and shielded light sources.
 - l. Such signs may be maintained for a period of five (5) years, or until all the lots within the Master Planned Development are sold, whichever occurs first; extensions to the five (5) year time limit may be requested from the Planning and Zoning Commission;
 - m. Sign permit required.

24. Off-Site Subdivision Directional Sign. A temporary sign not located on the premises, used to advertise a recorded subdivision. (Ord. No. 98-06)

- a. Such signs may be maintained for a period of three (3) years, or until all the lots in the subdivision are sold, whichever occurs first; extensions to the three (3) year time limit may be requested from the Planning and Zoning Commission;
- b. Such signs may not be illuminated;
- c. A maximum of two (2) such signs may be erected per recorded subdivision;
- d. Such signs must be erected within two (2) miles of the subdivision for which the sign is advertising;
- e. Total signage area for each sign shall not exceed thirty-two (32) square feet including any snipe signs or sign additions. The maximum height of such signs shall not exceed eight (8) feet;
- f. Such signs shall maintain a minimum seventy-five (75) foot visibility triangle at street intersections, a minimum thirty-three (33) foot visibility triangle at driveways, shall not be located less than ten (10) feet behind the edge of pavement and shall not be located so as to create a hazard to pedestrian or vehicular traffic as determined by City Staff;
- g. The use of portable signs and in-ground sleeves for such signs is prohibited;
- h. Such signs shall be placed only on undeveloped property not within a public right-of way or public easement; placement on private property requires written permission of the property owner; such signs shall not be located within one hundred (100) feet of any existing structure;
- i. Advertising copy shall be permitted to provide travel directions and to describe the type of product offered (e.g. single-family, townhome, etc.);
- j. Final design and location submitted as part of a signage package to be reviewed and approved by the City;
- k. Sign permit required.

25. On-Site Master Planned Development Directional Sign. A temporary or permanent sign used to provide directional information to residential, commercial, recreational and other amenities within the interior of the development. (Ord. No. 91-26) (See Exhibit E(I-IV): On-Site Master Planned Development Directional Sign)

- a. Such signs are only allowed for Master Planned Developments as defined herein;

- b. Such signs shall not exceed twelve (12) feet in height nor eighty (80) square feet in area.
 - c. Forty Five (45) such signs may be erected within the Vistancia Master Planned Development; however, the Planning Director may authorize permits for more than forty five (45) signs if the Director determines that all the following exists: (See Exhibit A: Permanent and Temporary Freestanding Sign Map; See Exhibit B: Permanent and Temporary Freestanding Sign Matrix)
 - 1) Existence of additional intersections consisting of arterial and major/primary collector roadways as defined in the Comprehensive Master Plan;
 - 2) Need for additional identification of amenities or subdivision within the Master Planned Development;
 - 3) Will not negatively impact upon the public health, safety or welfare.
 - d. Such signs must be located within the interior of the project, a minimum of two hundred (200) feet from any perimeter street of the development;
 - e. Such signs shall be placed on property not within a public right-of-way or easement. Placement on property not owned by the applicant requires written permission of the property owner of record;
 - f. Permanent signs shall only identify amenities within the Master Planned Development and may be illuminated;
 - g. Temporary signs may identify individual subdivisions and may be maintained for a period of three (3) years, or until all lots within the subdivision are sold, whichever occurs first. Extensions to the three (3) year time limit may be requested from the Planning and Zoning Commission. Such signs shall not be illuminated;
 - h. Sign permit required.
26. On-Site Subdivision Advertising. A temporary sign used to advertise a recorded subdivision. The sign is located on premises.
- a. Such signs may be maintained for a period of three (3) years, or until all the lots in the subdivision are sold, whichever occurs first; extensions to the three (3) year time limit may be requested from the Planning and Zoning Commission.
 - b. Such signs may be externally indirectly illuminated only, but shall not be located within one hundred (100) feet of any existing structure;
 - c. Only one such sign shall be displayed per street frontage (perimeter), with a maximum of two (2) such signs per recorded subdivision;

- d. Total signage area for all subdivision advertising signs per recorded subdivision shall not exceed ninety-six (96) square feet; maximum height shall be sixteen (16) feet; (Ord. No. 97-31)
 - e. Final design and location submitted as part of a signage package to be reviewed and approved by the Plans Review Committee;
 - f. Such signs shall be in accordance with the sight distance requirements for arterial and collector streets as described in the City of Peoria Infrastructure Guidelines. (Ord. No. 00-30)
 - g. Sign permit required.
27. Permanent Master Planned Development Identification Sign. A permanent sign used to identify a Master Planned Development. (Ord. No. 91-28)
- a. Such signs are only allowed for Master Planned Developments as defined herein:
 - b. Such signs shall not exceed eight (8) feet in height nor eighty (80) Square feet in area;
 - c. A maximum of eight (8) such signs may be erected per Master Planned Development;
 - d. Such signs shall only be located on major or minor arterial streets identified in the Comprehensive Master Plan;
 - e. Such signs shall be located on property which was included in the original rezoning area or subdivision for the development. The applicant shall be responsible for furnishing documentation of the original rezoning area or subdivision plat;
 - f. Such signs shall be placed on property not within a public right-of-way or easement. Placement on property not owned by the applicant requires written permission of the property owner of record;
 - g. Such signs shall consist of only the name and/or logo of the Master Planned Development. The name of the project may include such words as "A Master Planned Community". Such signs may not identify a specific development or use within the project;
 - h. Such signs shall be wall mounted and shall include a landscape area equal to eight (8) square feet for each Square foot of sign area;
 - i. Such signs may be illuminated;
 - j. Sign permit required.
28. Permanent Subdivision Identification Signs. A permanent sign used to identify a recorded subdivision. (Ord. No. 96-03)

- a. Such signs shall not exceed sixty-four (64) square feet in area. A sixty-four (64) square foot sign may be displayed on one or both sides of a street providing direct access to the subdivision and serving as a major entry;
 - b. Such signs shall be wall mounted and shall include a landscape area equal to at least four (4) square feet for each square foot of sign area;
 - c. Such signs shall not exceed six (6) feet in height if the sign is a freestanding monument sign; such signs may be located on perimeter walls higher than six (6) feet as provided by Section 14-3-14;
 - d. Such signs shall consist of only the name of the subdivision for which the sign is intended;
 - e. Such signs shall not include any advertising copy;
 - f. Such signs may be only externally illuminated. No internal lighting allowed. (Ord. No. 96-03)
 - g. Sign permit required.
29. Political Signs. A temporary sign used to advertise the candidacy of an individual, ballot proposition/issue, or to encourage citizens to vote. Such signs shall be permitted within all zoning districts. (Ord. No. 97-40)
- a. Such signs shall not be located within the public right-of-way, within a required visibility triangle, or on City property or buildings. (Ord. No. 04-02)
 - b. Such signs shall be located on property with the owner's permission. It shall be presumed the property owner has given permission unless the property owner notifies the city otherwise; (Ord. No. 04-02)
 - c. Such signs shall be removed within ten (10) days following the voting day of the election to which they refer. Signs for successful primary election candidates, eligible for the general election, may remain after the primary election;
 - d. Such signs shall not be placed on or affixed to any utility pole, traffic control device or safety barrier;
 - e. Such signs shall not exceed thirty-two (32) square feet in area or eight (8') feet in height;
 - f. The person, party or parties responsible for the erection or distribution of any such signs shall be jointly and severally liable for the removal of such signs;
 - g. Such signs which are deemed to be unsafe, defective or which create an immediate hazard to persons or property or are not in compliance with the

provisions of this section shall be declared to be a public nuisance and shall be subject to immediate removal by the City; (Ord. No. 04-02)

h. No sign permit required.

30. Sale, Lease, or Rent Sign. A temporary sign used to advertise the availability of real property. (Ord. No. 02-66)

a. For properties 15 acres or less, such signs shall not exceed six (6) square feet in area and five (5) feet in height;

b. For properties greater than 15 acres:

1) Signs fronting on a Freeway, Lake Pleasant Parkway, Bell Road and Grand Avenue shall not exceed sixty-four (64) total square feet and twelve (12) feet in height.

2) Signs fronting on all other streets shall not exceed thirty-two (32) total square feet in area and ten (10) feet in height.

c. Such signs shall only be displayed on the property for which they pertain. Only one sign shall be displayed per street frontage;

d. Such signs shall not be illuminated;

e. Sign permit required for signs greater than six (6) square feet in area.

31. Temporary Event Sign. A sign not intended or designed for permanent display. Signs established for a fixed period of time with the intent to discontinue the use of such sign upon the expiration of the time period. Temporary Event Signs shall include but shall not be limited to Yard Sales, Garage Sales, Open House, Christmas Tree and Pumpkin Patch sales lots, and signs identifying the premises of, or announcing the activities conducted by a religious institution, school, civic organization, or similar institutional facilities. (Ord. No. 02-16)

a. Such signs may be located in the public right-of-way but shall not be placed on a street, on a median dividing a street, or in a manner that obstructs pedestrian or vehicular traffic. Such signs, which may include "A-Frame" and other removable signs shall not be affixed to or otherwise obstruct the use and visual identity of any landscaping, natural features, telephone poles, utility poles, fire hydrant, traffic barrier, or traffic control devices. Such signs shall be secured or weighted so as to resist displacement by wind, inadvertent contact by passerby and similar disturbances;

b. Such signs shall not exceed three (3) feet in height and six (6) square feet in area, except as may otherwise be provided in this Ordinance. However, one (1) banner sign not exceeding twenty-four (24) square feet in area and eight (8) feet in height may be permitted on the premises to which the event pertains. All such signs shall include wind cuts to reduce sign billowing or sailing and shall be securely fastened to a building, wall or fence on the premises; (Ord. No. 03-01)

- c. A maximum of four (4) signs shall be allowed per event;
 - d. Temporary Event Signs may be installed no sooner than forty-eight (48) hours prior to the event and must be removed within twelve (12) hours upon the completion of the event;
 - e. Such signs shall not be illuminated, animated, or emit any artificial light, except as may otherwise be provided in this Ordinance; (Ord. No. 03-01)
 - f. Such signs shall only be located within a two-mile radius of the premises to which the event pertains;
 - g. No sign permit required.
32. Window Signs. A sign or signage placed in windows so as to attract the attention of persons outside of the building where the sign or signage is placed.
- a. Window signage shall be limited to twenty-five percent (25%) of the total window area in which it is placed;
 - b. Window signage shall not be placed above the ground floor of the building;
 - c. No sign permit required.
- B. Prohibited Signs. Signs that are not specifically authorized are expressly prohibited. Prohibited signs include, but are not limited to the following:
- 1. Any non-public signs in existing and future public right-of-way, as defined in the Peoria Comprehensive Plan or the Peoria Master Street/Right-of-way Map, whichever is more restrictive, or on public property. The City may install Signs on its own property to identify public buildings and uses, and to provide necessary traffic control;
 - 2. Sign permits required for signs as specified in Section 14-34-8;
 - 3. All roof-mounted signs;
 - 4. All off-premise signs not designated as temporary or otherwise allowed by this Ordinance. (Ord. No. 94-09)
 - 5. All portable signs, except as otherwise provided. Portable signs shall include, but are not limited to, signs which are mounted, attached, or painted on trailers, boats or vehicles when used as additional signage on or near the business premises. Business vehicles displaying signage or advertising shall be parked in an assigned parking space, a minimum of fifteen feet (15') from any street right-of-way line; (Ord. No. 00-30)
 - 6. Flag-mounted signs, except as otherwise provided;

7. All signs having intermittent or flashing illuminations, signs having animated or moving parts or which may be carried or worn by a person or animal, or that emit sound except as may otherwise be provided in this Ordinance; (Ord.No. 03-01)
 8. Freestanding wall changeable copy/marquee signs:
 9. All banners, pennants, streamers, balloons, flags, search lights, strobe lights, beacons, inflatable signs, except as otherwise provided;
 10. Any sign imitating an official traffic control sign, device, or obscuring such signs or devices, except as may otherwise be provided in this Ordinance; (Ord. No. 03- 01)
 11. All signs mounted on, or applied to trees, utility poles, rocks or City owned property, except as otherwise provided;
 12. Any sign placed on private property without the property owner's written approval;
 13. Temporary or permanent "A-frame" sandwich signs, except as otherwise permitted herein; (Ord. No. 98-07)
 14. Signs that are illegally displayed on City right-of-way or on City property; and,
 15. Any sign which interferes with or confuses traffic, or presents a traffic hazard. (Ord. No. 98-07)
- C. Comprehensive Sign Plan. The Comprehensive Sign Plan is intended to provide a flexible approach to allow signage not in strict compliance with the provisions of this article. The purpose of the Comprehensive Sign Plan is to provide for the establishment of sign criteria tailored to a specific development or location that promotes superior design through architectural integration of the buildings, site and signs. The Comprehensive Sign Plan will be appropriate for the development, provide adequate identification and information, encourage a good visual environment, promote traffic safety and regulate to the extent necessary to be consistent with the purpose and intent of the City of Peoria Sign Code. The provisions set forth in this Section shall apply to both existing and proposed developments. (Ord. No. 97-21)
1. The Comprehensive Sign Plan is intended to allow increased sign height and area as provided for in this section. The application of this plan shall be limited to the following conditions.
 - a. The Comprehensive Sign Plan may propose signage which in height and area is no more than twenty-five (25) percent greater than is permitted in the Zoning District in which the use is located;
 - b. The Comprehensive Sign Plan shall not propose signage of a type that is otherwise prohibited by this Article except off-site directional signs. All proposed off-site directional signs shall be reviewed against the criteria set

- forth herein with a maximum of two (2) off-site signs per plan each a maximum of twenty-four (24) square feet. No off-site signage shall exceed eight (8) feet in height;
- c. The Comprehensive Sign Plan shall be limited to those projects which individually or collectively exceed twenty-five (25) gross acres in size and meet the locational criteria set forth in Section B.2 below;
 - d. The additional height and area allowances of the Comprehensive Sign Plan shall not be applied to freeway monument signs;
2. The Comprehensive Sign Plan option shall be available only in the locations listed below.
- a. Areas designated and developed as Community Commercial or Business Park Industrial on the Land Use Plan of the Comprehensive Master Plan;
 - b. Stadiums, race tracks and similar recreation and entertainment facilities;
 - c. Hospitals;
 - d. Regional Parks;
 - e. Designated Redevelopment Areas;
 - f. Resort Developments;
 - g. Centers for Higher Education.
3. The applicant shall submit all of the documents, information, data, and other requirements for Comprehensive Sign Plan approval to the City. The applicant shall be responsible for furnishing any additional information and materials relevant to the application that the City reasonably believes is necessary in order to understand the application and to ensure compliance with the requirements of City codes.
4. Application for the review and approval of a Comprehensive Sign Plan shall be submitted and reviewed concurrently with a site plan or preliminary subdivision plat.
- a. Fees for the submittal and review of Comprehensive Sign Plans shall be as set forth by the City Council.
 - b. The construction and placement of individual signs contained in the approved Comprehensive Sign Plan shall be subject to the issuance of a sign permit in accordance with Sections 14-34-16 to 14-34-29.
5. Comprehensive Sign Plans shall be evaluated based upon the following criteria.
- a. Size and Height: All proposed signage shall be no larger than necessary or allowed for sufficient visibility and legibility. Factors to be considered in

determining appropriate size and height include topography, traffic volumes, traffic speeds, visibility ranges, impact on adjacent properties, and copy size.

- b. Location and Orientation: All proposed signage shall respect both the developed and undeveloped surrounding environment. Signs should be located and oriented appropriately to allow sufficient visibility and legibility. Factors that may be considered in reviewing the appropriateness of the sign location and orientation may include; location relative to the surrounding streets, traffic volumes and access points, visibility angles and topographic features.
 - c. Colors, Materials and Types of Illumination: Signs proposed under the Comprehensive Sign Plan shall be compatible with the architecture and theme of the specific development in which the signs are located. Compatibility with the specific development shall include color, materials and architectural style. Signage should compliment and enhance the character of the project. Signage illumination and movement shall conform to Section 14- 34-28 of this Ordinance.
6. All amendments to an approved Comprehensive Sign Plan shall be processed in accordance with the following procedures. Fees for the submittal and review of Comprehensive Sign Plan amendments shall be as set forth by the City Council.
- a. Minor Amendments: Minor Amendments shall include any change which does not increase the number of signs nor increase the size or height of any sign beyond what was approved under the original Comprehensive Sign Plan Approval. All changes processed under the Minor Amendment procedures shall comply with all provisions of this Section and shall not deviate from the information provided in the original approval. Minor amendments shall be approved administratively by staff.
 - b. Major Amendments: Major Amendments shall be defined as those amendments not meeting the criteria set forth above to qualify as a Minor Comprehensive Sign Plan Amendment. Major Amendments shall be processed and approved in the same manner as the initial Comprehensive Sign Plan submittal.

14-34-9 SIGNS PERMITTED FOR NON-RESIDENTIAL USES IN THE V-NC, V-CC, AND V-MU ZONING DISTRICTS WITH THE FOLLOWING EXCEPTIONS:

- A. For uses not part of a complex/center or multiple tenant commercial/industrial building, signs shall be in accordance with the following regulations.
 - 1. Sign area for permanent signs requiring permits shall be based on the floor area of the use occupying the premises as specified below:
 - a. For users occupying less than twenty thousand (20,000) square feet of floor area, the total sign area shall be the maximum of one and one-half (1.5)

- square feet for each one (1) linear foot of business front footage up to a maximum of one hundred twenty (120) square feet. (Ord. No. 96-88)
- b. For users occupying more than twenty thousand (20,000) square feet of floor area and less than 50,000 square feet of floor area, the total sign area shall be the maximum of one and one-half (1.5) square feet for each one (1) linear foot of business front footage up to a maximum of two hundred fifty (250) square feet. (Ord. No. 96-88)
 - c. For users exceeding fifty thousand (50,000) square feet of floor area, the total sign area shall be the maximum of one and one-half (1.5) square feet for each one (1) linear foot of business front footage up to a maximum of four hundred (400) square feet. (Ord. No. 96-88)
2. In the event that a user fronts on two (2) or more streets, the user shall be given the option of selecting one (1) street frontage for the purpose of computing allowable sign area.
 3. Freestanding monument signs and freestanding wall signs shall not be counted as a portion of the total sign area of the user, but shall be restricted to the following. (Ord. No. 96-88)
 - a. One freestanding monument sign or one freestanding wall sign for each street upon which the lot has frontage, up to a maximum of four (4) signs;
 - b. Such signs shall not be closer than thirty (30) feet to any residential district;
 - c. Such signs shall be located a minimum of sixty (60) linear feet from any other freestanding sign.
 - d. Such signs shall conform to the provisions of Section 14-34-8. (Ord. No. 96-88)
- B. For users which are a part of a complex/center or multiple tenant commercial building, signs shall be in accordance with the following regulations.
1. Sign permits required for signs as specified in Section 14-34-8;
 2. Sign area for permanent signs requiring permits shall be based on the floor area of the use occupying the premises as specified below:
 - a. For users occupying less than twenty thousand (20,000) square feet of floor area, the total sign area for one such business shall be the maximum of one and one-half (1.5) square feet for each one (1) linear foot of business front footage up to a maximum of one hundred twenty (120) square feet. (Ord. No. 96-88)
 - b. For users occupying more than twenty thousand (20,000) square feet of floor area and less than 50,000 square feet of floor area, the total sign area for one such business shall be the maximum of one and one-half (1.5)

- square feet for each one (1) linear foot of business front footage up to a maximum of two hundred fifty (250) square feet. (Ord. No. 96-88)
- c. For users occupying more than fifty thousand (50,000) square feet of floor area, the total sign area for one such business shall be the maximum of one and one-half (1.5) square feet for each one (1) linear foot of business front footage up to a maximum of four hundred (400) square feet subject to the following requirements: (Ord. No. 96-88)
 - 1) Building-mounted wall signs must be used, except as provided in Section 14-34-9.B.3;
3. When a site is developed as a complex/center or multiple tenant commercial building, one (1) freestanding monument sign or freestanding wall sign per street frontage of the entire site, up to a maximum of four (4) signs if the site is encircled by street frontage, is permitted in accordance with the following.
- a. If a multiple tenant commercial building exceeds fifty thousand (50,000) square feet, each freestanding monument sign shall not exceed a total area of forty-eight (48) square feet nor eight (8) feet in height. Each permitted freestanding wall sign shall not exceed a total area of ninety (90) square feet nor exceed five (5) feet in height.
 - b. These signs for multiple tenant commercial buildings may identify the center and any number of tenants within the center. If the name/sign of the tenant is included on the center sign, the sign shall not be counted as part of the total sign area of the tenant.
 - c. A freestanding sign identifying only an individual business rather than the center shall be obtained only by the approval of the Peoria City Council. Such Sign shall be counted as a portion of the total sign area allowed for the individual user and must be located a minimum of sixty (60) linear feet from any other freestanding sign.
- C. The following sign program shall be applicable to Parcels A-24, D-9, and D-10 located at the intersection of El Mirage Road and Vistancia Boulevard. The freestanding monument sign elevations and locational exhibits are included in this category.
1. Freestanding Monument Signs: Signs identified as multi-tenant monument, gas price/pad, and center identification signs are included in this category.
 - a. *Number of Signs Permitted: A total of thirteen (13) freestanding monument signs are permitted as referenced in the table below:*

Permitted Freestanding Monument Signs:

Location	Multi-Tenant Monument (ST-1)	Gas Price/Pad (ST-2)	Center ID Sign (ST-3)
Parcel A-24			
El Mirage Road	2	0	0
Vistancia Boulevard	2	0	0
Parcel D-9			
El Mirage Road	1	1	1*
Vistancia Boulevard	1	1	0
Parcel D-10			
El Mirage Road	1	1	0
Vistancia Boulevard	1	1	0

*Located at corner of El Mirage Road/Vistancia Boulevard.

- b. Development Standards – Signage at Parcels A-24, D-9, and D-10 will be subject to the following standards in the table below:

Development Standards for Freestanding Monument Signs:

Location	Multi-Tenant Monument (ST-1)	Gas Price / Pad (ST-2)	Center ID Sign (ST-3)
Maximum Area (s.f.)	80	40	15
Maximum Height (ft)*	10	7.5	6.5
Setback (ft)	1	1	5
Price Maximum Height (ft)	N/A	3	N/A
Price Maximum Area (s.f.)	N/A	12	N/A

* Height measured to top of sign panel exclusive of architectural embellishments.

- c. All such signs shall have monument-type bases of stone veneer and masonry planter construction.
 - d. Such signs shall only identify the name of the business, the center/complex, or place for which the sign is intended. Such signs shall not include any advertising copy.
 - e. Such signs shall be located a minimum of sixty (60) linear feet from any other freestanding monument sign.
 - f. Sign permit is required.
2. Building-Mounted Wall Signs: A permanent sign attached to, painted on, or erected against a wall or fascia of a building with the exposed face of the sign in a plane or parallel to the face of the wall or fascia is considered in this category.

Development Standard Matrix:

Description	Allowable Sign Area (s.f.)¹	Maximum Letter Height (in)²
Anchor Tenants (50,000 s.f. or greater)	1.5 x business frontage	72
Major Tenants (10,000 – 49,000 s.f.)	1.5 x business frontage	60
Major Tenants (Under 10,000 s.f.)	1.5 x business frontage	48
Freestanding Single-Use Pad Tenants	1.5 x business frontage	36
Shop Tenants	1.5 x business frontage	24

¹All tenants occupying corner and/or end suites, all freestanding single-use pad tenants, and all multi tenant pad suites with elevations facing public streets and/or having their business entrance facing inward towards the parking area of the development may place building signage on those elevations facing the public streets and towards the parking area of the development. For tenants meeting the above criteria, aggregate sign area for the tenant shall be calculated by multiplying 3.0 times the length of the tenant’s business frontage as defined by the City of Peoria. In no instance shall the tenant signage placed on any single elevation exceed an aggregate sign area calculated by multiplying 1.5 times the length of the elevation occupied which signage is to be placed. Each tenant shall be permitted a minimum of fifty (50) square-feet of sign area.

²Letter height may be varied by the Development subject to approval by the City of Peoria on case-by-case basis to enable a tenant’s corporate identification program to be utilized. Letter height is the overall height of the largest single upper case letter within the text of the tenant’s signage. Logos are excluded from height restrictions.

- a. Such signs shall not project more than fourteen (14) inches from a wall or fascia.
 - b. Such signs shall be illuminated only by internal or external indirect lighting. No illuminated signage shall be placed on elevations directly facing a residential district.
 - c. Sign permit is required.
3. Under Canopy Blade Signs
- a. Such signs shall not exceed eight (8) square feet in area and shall maintain a minimum of eight (8) feet clearance from the sidewalk to the bottom of the sign.
 - b. Such signs shall not include any advertising copy.
 - c. No sign permit is required.

14-34-10 SIGNS PERMITTED FOR NON-RESIDENTIAL USES IN THE RESIDENTIAL ZONING DISTRICTS.

- A. Sign permits required for signs specified in Section 14-34-8.
- B. An identification or multi-tenant sign may display only the name of the building or tenant business with a total maximum sign area not exceeding thirty-two (32) square feet. Such sign may be wall-mounted with a maximum height of ten (10) feet or it may be freestanding according to the following requirements.
 - 1. One freestanding identification or multi-tenant sign shall be permitted with a maximum height of five (5) feet. A second such freestanding sign shall be permitted for a property having greater than eighty (80) linear feet of frontage. Where two (2) freestanding signs are permitted, they shall be located at least sixty (60) feet apart;
 - 2. A freestanding identification or multi-tenant sign shall be located at least five (5) feet from any property line;
 - 3. A landscaped area shall be provided on-site along the street frontage at the base of the freestanding sign, with said landscaped area to have a minimum area of four (4) square feet for each one (1) square foot of sign area;
- C. In addition to the above, each tenant may be allowed two (2) square feet of non-illuminated sign area, identifying his business, to be located on the wall immediately next to the entry of the tenant's business.
 - 1. No permit required.
- D. In addition to the above, directory with a maximum area of six (6) square feet and a maximum height of six (6) feet may be permitted behind the required front yard setback.
 - 1. No permit required unless such sign is visible from off-premises.
- E. All wall or fascia-mounted signs for individual businesses shall be uniform in terms of colors, shapes, and maximum vertical dimension with all other such signs in the center or as otherwise provided for in a sign package approved by the Plans Review Committee.

14-34-11 SIGNS PERMITTED FOR RESIDENTIAL USES IN ALL DISTRICTS

- A. One and Two Family Dwellings.
 - 1. One name plate sign per dwelling unit not exceeding two (2) square feet in area, giving the name only of the land or building on which displayed or of the owner or lessee thereof.
 - a. No permit required.

2. Permanent Subdivision Advertising Signs for recorded subdivisions in accordance with the following:
 - a. Final location of such signs to be approved by the Plans Review Committee.
 - b. Sign permit required.
- B. Multi-Family Dwellings and Mobile Home Complexes.
 1. The total sign area for permanent signs requiring permits is one (1) square foot for each dwelling unit. However, in no instance may this total sign area exceed sixty-four (64) square feet with no more than thirty-two (32) square feet on any one street.
 2. Such signs shall be located at least five (5) feet from any property line;
 3. Sign permit required.
 4. Each individual multi-family dwelling unit and mobile home shall be allowed one nameplate sign; a sign permit shall not be required for such signs.
- C. Home Occupations.
 1. Signs advertising home occupations shall not be permitted.

14-34-12 NONCONFORMING SIGNS

- A. Any nonconforming sign as defined in this Article 14-34 may be continued in use subject to the provisions included herein below.
- B. Reasonable repairs and alterations may be made to nonconforming signs. However, in the event any such sign is hereafter damaged exceeding fifty percent (50%) of the reproduction cost according to appraisal thereof by competent appraisers, or is removed by any means whatsoever, including an act of God, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this Article 14-34.
- C. Whenever the business conducted on the premises changes, which requires issuance of a new Certificate of Occupancy and the sign is changed or modified to reflect that change, whether it be in copy, size or shape, the signs on the premises shall be modified to bring it into conformance with these regulations.
- D. Any nonconforming sign cannot be expanded or enlarged.

14-34-13 ABANDONED SIGNS

Any nonconforming Sign which advertises a business that has not been conducted or a product that has not been offered for sale on or from the premises on which the sign is located, for over 180 days shall be modified to bring it into conformance with this Article 14-34 prior to the issuance of a new certificate.

14-34-14 LIABILITY OF DAMAGES

The provisions of this ordinance shall not be construed to relieve or to limit in any way the responsibility or liability of any person, firm, or corporation which erects or owns any sign, for personal injury or property damage caused by the sign; nor shall the provisions of this ordinance be construed to impose upon the City of Peoria, its officers, or its employees any responsibility or liability by reason of the approval of any sign under the provision of this Article 14-34.

14-34-15 EFFECT OF AMENDMENT ON PENDING SUITS

The amendment of this ordinance shall not (1) affect suits pending or rights existing immediately prior to the effective date of this Article 14-34, or (2) impair or avoid or affect any grant or conveyance made or right acquired or cause of action now existing under any such Peoria City Code or amendment thereto affected by this Article 14-34, or (3) affect or impair the validity of any bond or other obligation issued or sold in constituting a valid obligation of the issuing authority immediately prior to the effective date of this.

14-34-16 PERMIT REQUIRED

No sign shall be erected, installed, repaired or moved unless a permit for such has been obtained from the Building Department, except as specified in this Article 14-34. Where signs are illuminated electrically, a separate electrical permit shall be obtained as required by the Electrical Code of the City of Peoria.

A permit shall not be required for the following signs, provided, however, that such signs shall be subject to any and all applicable provisions of this Article 14-34.

- A. Nameplate signs two (2) square feet or less in area.
- B. Any sign four (4) square feet or less in area not otherwise prohibited by this ordinance.
- C. Repainting without changing wording, composition, or colors; or minor non-structural repairs (except electrical repair).
- D. Relocation of sign as required by the City.
- E. Signs erected as identification of City-approved temporary sales areas. Such signs shall be erected only for the term of the approved sales period.
- F. Political signs, as permitted in Section 14-34-8 of this Article 14-34.
- G. Signs not visible from off property or business.
- H. Window signs.
- I. Address signs.
- J. Directional signs.

- K. Sales, Lease or Rent signs.
- L. Holiday Decorations.

Nothing contained herein shall prevent the erection, construction, and maintenance of official traffic, fire and police signs, signals, devices and markings of the State of Arizona and the City of Peoria, or other competent public authorities, or the posting of notices required by law.

14-34-17 PERMIT APPLICATION AND EXPIRATION

- A. To obtain a permit the applicant shall file an application with the Building Safety Director on a form furnished by the City. The application shall contain the location by street and number and name of the proposed sign contractor, with address, state license, city tax number and phone number. All applications shall be accompanied by the written consent of the owners, lessee, agent or trustee in charge of the property on which the sign is proposed.
- B. Every permit issued by the Building Safety Director under the provisions of this code shall expire by limitation and become null and void, if the work authorized by such permit is not completed within one hundred eighty (180) days from the date of issuance of such permit. Before such work can be allowed, a new permit shall be first obtained, and the fee therefore shall be one-half of the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work.
- C. The Building Safety Director may, in writing, suspend, or revoke a permit issued under provisions of this Section whenever the permit is issued on the basis of a material omission or misstatement of fact, or in violation of any ordinance or any provisions of this Article.
- D. No permit for a sign issued by the City shall be deemed to constitute permission or authorization to maintain a public or private nuisance nor shall any permit issued hereunder constitute a defense in an action to abate a nuisance.
- E. The Building Safety Director may issue use permits for the display of temporary onsite signs, upon a written form prescribing the terms and conditions of such display specified in this Code. Said form must be signed by the Planning and Zoning Director or designated agent.
- F. Sign permits for new or additional signs shall not be issued for a specified user if such user displays unlawful signs. Sign permits for new or additional signs shall not be issued for a specified user if such user displays nonconforming signs, provided the area of the nonconforming signs exceeds the total maximum allowable sign area for a particular user or center. If the nonconforming signs do not exceed the total maximum sign area for a particular user or center, then a sign permit may be issued for a new sign subject to the provisions of this Article 14-34. A sign permit may be issued to a specific user providing the terms thereof specify modification or removal of nonconforming signs, as provided above, resulting in conformity with the provisions of this Article 14-34.

- G. Signs for which a permit has been issued shall not be erected, installed, maintained, or displayed except in complete conformance with all terms, requirements, and stipulations specified by the approved plans and permit.

14-34-18 PERMIT FEES

- A. Before issuing any sign permit required by this Article, the Planning and Zoning Department shall collect an application fee in an amount as provided in this code, together with all fees required by the Uniform Building Code as adopted by the City of Peoria. (Ord. No. 91-12)
- B. In addition to the above fees, electrical wiring fees shall be required as specified by the Building Safety Director. (Ord. No. 91-12)
- C. An owner of a nonconforming sign which has been removed or brought into conformance shall not be required to pay a permit fee in order to obtain a permit for a replacement sign.
- D. Work for which a permit is required by this Article shall not be commenced before an application has been filed and a permit issued. Where work is commenced without an application being filed and a permit issued, the fees provided in this section shall be charged. However, the payment of such fees shall not relieve any person(s) from complying fully with the requirements of this Article in the execution of the work or from any penalties provided in this code. (Ord. No. 91-12)

14-34-19 REQUIREMENT OF PLANS

Copies of plans and specifications, the number to be determined by the Building Safety Director, shall be submitted with the application for each sign in excess of four (4) square feet in size regulated by this Article 14-34. One copy shall be returned to the applicant at the time the permit is granted. Such plans shall show complete details about the size of the sign, the method of attachment or support, locations and materials to be used and the name, address, and profession of the person designing plans and specifications of such sign. Plans for supports for any sign subject to excessive stresses as determined by the Building Safety Director shall be accompanied by structural surfaces and other members of an existing building to which the sign is to be attached so that the Building Safety Director may certify that the supports or other surfaces are in good condition and are adequately strong to support the load, including the proposed sign.

14-34-20 REVOCATION OF PERMITS

The Building Safety Director shall have the authority to revoke any permit which has been granted when he has determined that the sign authorized by the permit has been constructed or is being maintained in violation of the permit.

- A. Notice of the Building Safety Director's decision to revoke a sign permit shall be served upon the holder of the permit (a) by delivering personally a copy of the notice to the holder of the permit, or to one of its officers, or (b) by leaving a copy of the notice with any person in charge of the premises, or (c) in the event that no

such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by the certified mailing of another copy of the notice to the last known post office address of the holder of the permit.

- B. The holder of the permit may appeal to the Board of Adjustment the decision of the Building Safety Director to revoke the permit. This appeal must be made within twenty-one (21) days from the date when the notice was served.
- C. If no appeal has been made by the end of the twenty-one (21) day appeal period, then the permit is revoked and the sign is illegal. The Building Safety Director then shall initiate the procedure for the removal of the illegal sign.

14-34-21 REMOVAL OF SIGNS

The Building Safety Director is hereby authorized to require removal of any illegal sign as defined by this ordinance.

- A. Before bringing an action to require removal of any illegal sign, the Building Safety Director shall give written notice to the owner of the sign or the owner of the premises on which sign is located. The notice shall slate the reasons and grounds for removal, specifying the deficiencies or defects in such sign with reasonable definiteness, and the violations charged; such notice shall specify what repairs, if any, will make such an installation conform to the requirements of this ordinance, and specify that the sign must be removed or made to conform with the provisions of this Article 14-34 within the notice period provided below. Service of notice shall be made as prescribed in Section 14-34-20A of this Article 14-34.
 - 1. Notice Period.
 - a. The notice period for permanent signs shall be ten (10) days.
 - b. The notice period for temporary signs shall be forty-eight (48) hours.
 - 2. Re-erection of any sign or substantially similar sign on the same premises after a non-compliance notice has been issued shall be deemed a continuance of the original violation.
- B. If the owner or lessee of the premises upon which the sign is located has not demonstrated to the satisfaction of the Building Safety Director that his sign has been removed or brought into compliance with the provisions of this Article 14-34 by the end of the notice period, then the Building Safety Director shall certify the violations to the City Attorney for prosecution.
- C. Removal.
 - 1. The Building Safety Director is authorized to cause the removal of any sign adjudged to be illegal by a court of competent jurisdiction if the court so orders. All the actual cost and expense of any such removal by the Building Safety Director shall be borne by the owner of such sign installation and the owner of the premises on which located; each of them shall be jointly and severally liable

therefore, and an action for recovery thereof may be brought by the City Attorney upon proper certification thereof to him by the Building Safety Director.

2. The Building Safety Director may cause the removal of unauthorized advertising signs from the public right-of-way or public property. Such signs may be impounded as evidence, or disposed of as abandoned property unless claimed by the owner within thirty (30) days. Such signs shall be deemed a nuisance and subject to removal without notice.

14-34-22 EMERGENCY REMOVAL OR REPAIR

- A. The Building Safety Director is hereby authorized to cause the immediate removal or repair of any sign or signs found to be unsafe or defective to the extent that it creates an immediate and emergency hazard to persons or property.
- B. If the Building Safety Director has determined that an immediate emergency hazard to persons or property exists, then actual notice to the property owner or lessee shall not be required. However, the Building Safety Director shall be required to make a reasonable effort to notify the property owner or lessee that the unsafe or defective sign must be removed or repaired immediately.
- C. All the actual cost and expense of any such removal or repair by the Building Safety Director shall be borne by the owner of such sign or by the owner of the premises on which located; each of them shall be jointly and severally liable therefore, and an action for recovery thereof may be brought by the City Attorney upon proper certification thereof to him by the Building Safety Director.

14-34-23 ENFORCEMENT

- A. The Building Safety Director is charged with the lawful enforcement of this Article 14-34. He/she shall appoint and may remove, according to law, all subordinate officials and assistants necessary to the enforcement of this ordinance. All such subordinate officials, assistants, clerks, and employees shall be subject to such rules and regulations as shall be prescribed from time to time by said Director.
- B. It shall be the duty of the Building Safety Director to enforce all regulations covered by this Article 14-34.
- C. The Building Safety Director, or his/her authorized representative, shall have the authority to enter any building, structure, or premises or any part thereof, at any reasonable time for the purpose of performing his official duties under this Article 14- 34. Refused entry, he shall enter only with a court order, except in emergency situations.
- D. It shall be and is hereby declared to be unlawful for any person to willfully interfere with, hinder, or obstruct the Building Safety Director, or his/her authorized representative, in the lawful enforcement of the provisions of this Article 14-34.
- E. It shall be the duty of the Police Department of the City to assist the Building Safety Director, or his/her authorized representative in the lawful enforcement of the provisions of this Article 14-34.

14-34-24 INSPECTIONS

Unless waived by the Building Safety Director all signs for which a permit is required shall be subject to the following inspections:

- A. Footing inspection on all free standing signs.
- B. Electrical inspection on all illuminated signs.
- C. An inspection of braces, anchors, supports and connections and wall signs.
- D. Site inspection to insure the sign has been constructed according to approved application and valid sign permit.

14-34-25 INSPECTION MARKINGS

- A. Permanent Signs. All permanent signs regulated by this Article 14-34 shall be marked with the inspector's name and the person or firm erecting such sign, the date of installation, and the permit number. This marking shall be permanently placed on the exterior surface of the sign in a location where the information will be readily visible, legible and accessible for inspection after installation and erection.
- B. Temporary signs shall be marked by a sticker furnished by the City.

14-34-26 SIGN MAINTENANCE

- A. Any signage that has been approved or that has been issued a permit shall be maintained by the owner or person in possession of the property on which the sign is located. Maintenance shall be such that the signage continues to conform to the conditions imposed by the sign permit.
- B. Any damaged sign or sign base shall be repaired within sixty (60) days of notice to repair, issued by the Building Safety Director.
- C. Any metal pole covers and sign cabinets shall be kept free of rust and rust stains.
- D. Any internally-illuminated sign cabinets or sign panels which have been damaged shall remain un-illuminated until repaired.
- E. Any signage which has been damaged to such extent that they may pose a hazard to passersby, as determined by the Building Safety Director, shall be repaired or removed as directed by the Building Safety Director, subject to Section 14-34-12.
- F. Failure to comply with these sign maintenance requirements shall constitute a violation of the Peoria Zoning Code.

14-34-27 DESIGN AND CONSTRUCTION SPECIFICATIONS

All signs shall be designed and constructed according to the specifications of the City's adopted Uniform Building Code and Electrical Code and equivalent to the standards of the Arizona Sign Association as administered by the Building Safety Director.

14-34-28 PERMITTED LIGHTING AND MOVEMENTS**A. Lighting.**

Signs may be illuminated as provided by this Article 14-34 and specified by approved sign criteria, if applicable, in accordance with the following regulations:

1. Externally illuminated, building-mounted signage may be illuminated by either ground-mounted lights or building-mounted light bars. In either situation, the light source shall be totally screened from view.
2. Internally illuminated, building-mounted signage is permitted.
3. Externally illuminated, freestanding and freestanding detached wall signage shall be illuminated by ground-mounted lights, with the light source being totally screened from view.
4. Internally illuminated, freestanding and freestanding detached wall signage is permitted.
5. Open light bulbs shall be prohibited. Further, no flashing, blinking, or rotating lights shall be permitted for either permanent or temporary signs, except as otherwise may be provided in this Ordinance. (Ord. No. 03-01)
 - a. All requests for the use of neon or other similar tube type of illumination shall be submitted as part of the Design Review Submittal package for all Commercial and Industrial projects; (Ord. 00-30)
 - b. A sign permit is required for all neon or other similar tube type of illumination and shall count towards the total allowable sign area;
 - c. All neon or other similar tube type of illumination shall be calculated at a rate of the width of the tube, no less than 6", multiplied by the overall length.
 - d. All sign lighting shall be in accordance with the City of Peoria Dark Sky Ordinance No. 98-114.

B. No sign shall be permitted which moves by any means except flags which are permitted in Section 14-34-8 and except as may otherwise be provided in this Ordinance. (Ord. No. 03-01)

14-34-29 LOCATION REQUIREMENTS

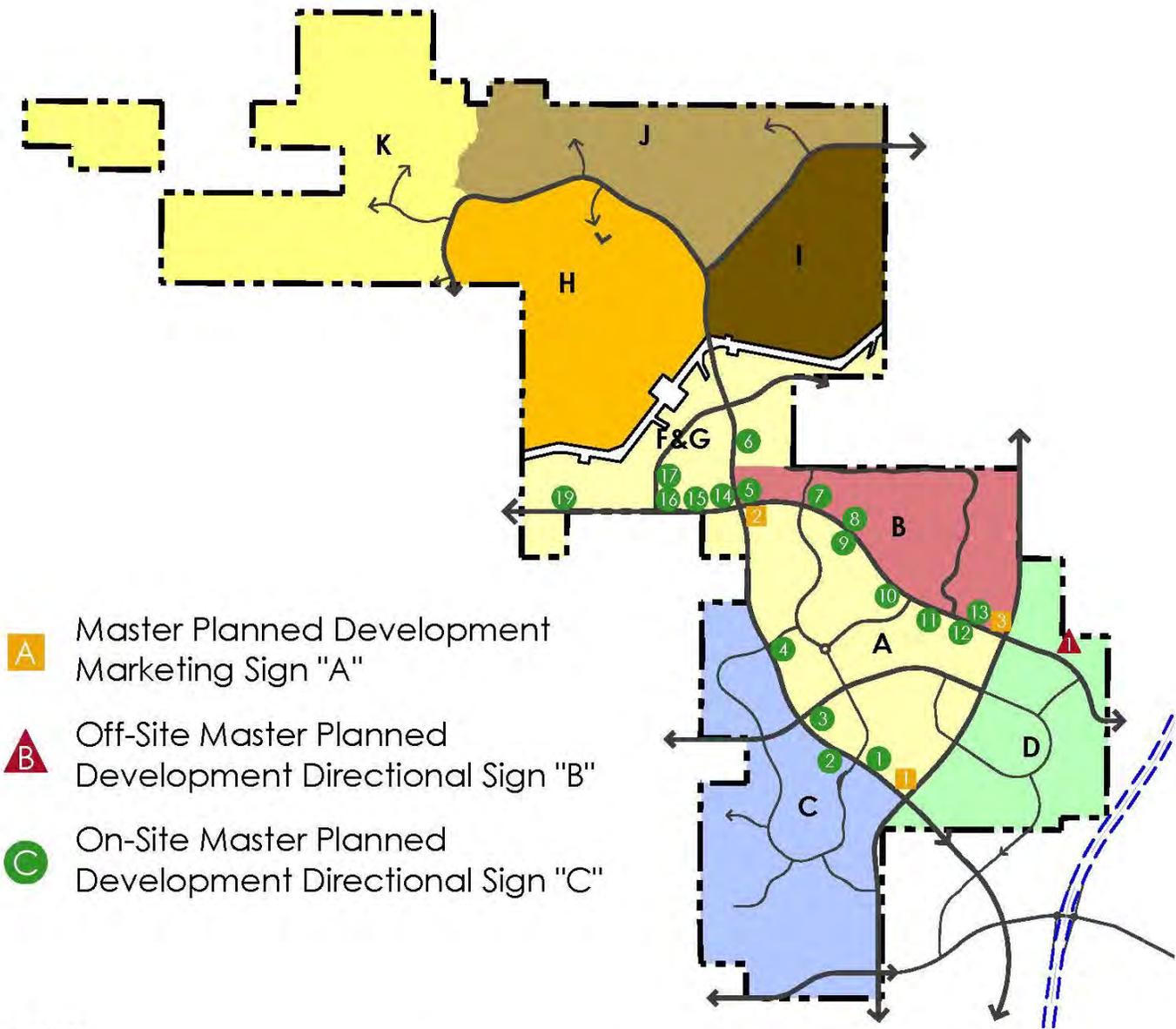
A. Obstruction of Exits. No sign shall obstruct any door, window or fire escape of any building.

- B. Traffic Hazards. No sign shall be erected in such a way to interfere with or to confuse traffic, to present any traffic hazard, or to obstruct the vision of motorists.

The Building Safety Director may require that the sign be placed in a different location or that the sign be set back in order to comply with this requirement.

- C. Construction over Public Property. No person, firm, or corporation shall erect or cause to be erected any sign which projects over any public sidewalk, street, alley or public place, except as specified in Section 14-34-8 A.25.j. of this Article 14-34 or as may otherwise be provided in this Ordinance. (Ord. No. 03-01)

Exhibit A: Permanent and Temporary Freestanding Sign Map



NOTES:

Five (5) On-Site Master Planned Development Directional Signs are planned per the nine (9) villages of Vistancia, for a total of forty five (45) planned signs. Signs maybe used in any village.

Exhibit B: Permanent and Temporary Freestanding Sign Matrix

Description	Section	Max Qty.	Sign # & Type	Location	Ht.	Sign Area	Install Date
Master Planned Development Marketing Sign Type I Type II	14-34.20	10	A1 - I A2 - II A3 - I A4 - TBD A5 - TBD A6 - TBD A7 - TBD A8 - TBD A9 - TBD A10 - TBD	 1 – 645’ north of El Mirage Road on East Side of Vistancia Blvd  2 – 117’ South of Lone Mountain Rd on east side of Vistancia Blvd  3 – 1.2 miles from Loop 303 on north side of Lone Mountain Road  4 to 10 - TBD	1-16’6” 2-10’ 3-16’	150 sf 69 sf 150 sf	2004 2005 Feb-2012
Off-Site Master Planned Development Directional Sign	14-34.23	6	B1 B2 - TBD B3 - TBD B4 - TBD B5 - TBD B6 - TBD	 1 – 0.1 miles from Loop 303 on north side of Lone Mountain Rd  2 to 6 – TBD	1-16’6”	150 sf	Mar-2012
On-Site Master Planned Development Directional Sign Type I Type II Type III Type IV	14-34.25	45	C1 - I C2 - II C3 - I C4 - I C5 - I C6 - I C7 - III C8 - I C9 - I C10 - I C11 - I C12 - IV C13 - IV C14 - I C15 - I C16 - I C17 - I C18 - I C19 - I C20 - TBD C21 - TBD C22 - TBD C23 - TBD	 1 – 1308’ north of El Mirage Road on east side of Vistancia Blvd  2 – 255’ north of Trilogy Blvd on west side of Vistancia Blvd  3 – 350’ south of Ridgeline on East side of Vistancia Blvd  4 – 140’ south of Whispering Ridge on east side of Vistancia Blvd  5 – 61’ east of Vistancia Blvd on north side of Lone Mountain Rd  6 – 680’ south of Westland Rd east side of Vistancia Blvd  7 – 109’ north of Lone Mountain Rd on Sunrise Point  8 – 414’ east of Sunrise Point on north side of Lone Mountain Rd  9 – 436’ east of Sunrise Point on south side of Lone Mountain Rd  10 – 457’ west of Sunset Point on south side of Lone Mountain Rd  11 – 519’ east of Sunset Point on south side of Lone Mountain Rd  12 – 1069’ east of Sunset Point on south side of Lone Mountain Rd  13 – 0.1 miles east of Blackstone Dr on north side of Lone Mountain Rd  14 – on northwest corner of Vistancia Blvd. and Lone Mountain Rd  15 – 210’ east of 131 st Ln on north side of Lone Mountain Rd  16 – 350’ east of Westland Rd on north side of Lone Mountain Rd  17 – 414’ south of Creosote Dr on east side of Westland Rd  18 – Planned for north side of Lone Mountain Rd, west of Westland Rd  19 – 73’ west of 137 th Dr on north side of Lone Mountain Rd  20 to 45 - TBD	1-8’7” 2-6’3” 3-8’7” 4-8’7” 5-8’7” 6-8’7” 7-2’8” 8-8’7” 9-8’7” 10-8’7” 11-8’7” 12-4’ 13-4’ 14-8’7” 15-8’7” 16-8’7” 17-8’7” 18-8’7” 19-8’7”		2004 2004 2004 2006 Jan-2012 2006 Jan-2012 Jan-2012 2006 2006 2006 2006 Apr-2012 Sep-2012 Mar-2013 2005 2005 2005 2006

			C24 - TBD C25 - TBD C26 - TBD C27 - TBD C28 - TBD C29 - TBD C30 - TBD C31 - TBD C32 - TBD C33 - TBD C34 - TBD C35 - TBD C36 - TBD C37 - TBD C38 - TBD C39 - TBD C40 - TBD C41 - TBD C42 - TBD C43 - TBD C44 - TBD C45 - TBD			
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Exhibit C: Master Planned Development Marketing Sign – Type A-I

Alternative signs can be used in lieu of those detailed in this document as long as they meet the design character of those detailed in this document and the standards approved herein. Alternative signs that are proposed must be approved by City staff and will not require a major or minor amendment to the PCD.



Comprehensive Sign Package



Type: Master Planned Development Marketing

Section 14-34.20

Two custom cabinets of 1/8" aluminum over aluminum framing. Large Main custom cabinet painted chromatic Medium Brown, smaller popout cabinet painted chromatic Cream. Logo and verbiage, cut out vinyl. Base-stone veneer directly to sign cabinet.

Date: 1/15/13

Prepared by: Renee Hayes

- Measurements:**
- Main sign structure: 15 feet x 10 feet
 - Popout cabinet: 12 feet x 7 feet
 - Stone veneer base: 1 foot 6 inches x 11 feet
 - Overall sign size: 16 feet 6 inches x 11 feet
 - Total square feet: 150 square feet

Exhibit D: Master Planned Development Marketing Sign – Type A-II

Alternative signs can be used in lieu of those detailed in this document as long as they meet the design character of those detailed in this document and the standards approved herein. Alternative signs that are proposed must be approved by City staff and will not require a major or minor amendment to the PCD.



Comprehensive Sign Package



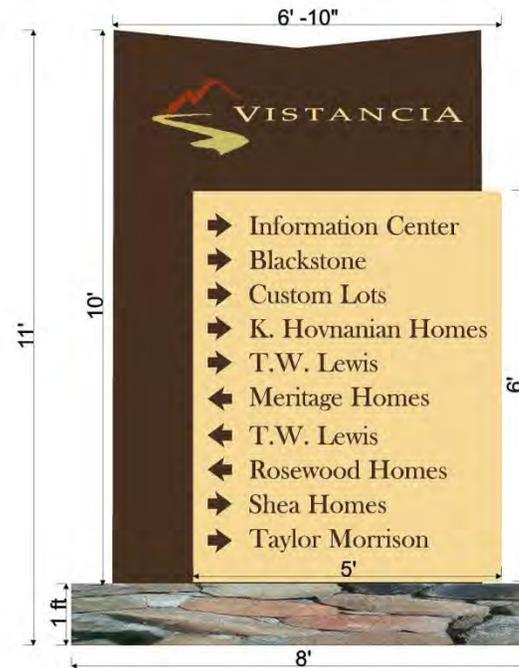
Type: Master Planned Development Marketing

Section 14-34.20

Two custom cabinets of 1/8" aluminum over aluminum framing. Large Main custom cabinet painted chromatic Medium Brown, smaller popout cabinet painted chromatic Cream. Logo and verbiage, cut out vinyl. Base-stone veneer directly to sign cabinet.

Date: 1/15/13

Prepared by: Renee Hayes



Measurements:

- Main sign structure: 10 feet x 6 feet 10 inches
- Popout cabinet: 6 feet x 5 feet
- Stone veneer base: 1 foot x 8 feet
- Overall sign size: 11 feet x 8 feet
- Total square feet: 69 square feet

Exhibit E: Off-Site Master Planned Development Directional Sign – Type B

Alternative signs can be used in lieu of those detailed in this document as long as they meet the design character of those detailed in this document and the standards approved herein. Alternative signs that are proposed must be approved by City staff and will not require a major or minor amendment to the PCD.



Comprehensive Sign Package



Type: Offsite Master Planned Development Directional

Section 14-34.23

Two custom cabinets of 1/8" aluminum over aluminum framing. Large Main custom cabinet painted chromatic Medium Brown, smaller popout cabinet painted chromatic Cream. Logo and verbiage, cut out vinyl. Base-stone veneer directly to sign cabinet.

Date: 1/15/13

Prepared by: Renee Hayes

Measurements:

Main sign structure:	15 feet x 10 feet
Popout cabinet:	12 feet x 7 feet
Stone veneer base:	1 foot 6 inches x 11 feet
Overall sign size:	16 feet 6 inches x 11 feet
Total square feet:	150 square feet

Exhibit F: On-Site Master Planned Development Directional Sign – Type C-I

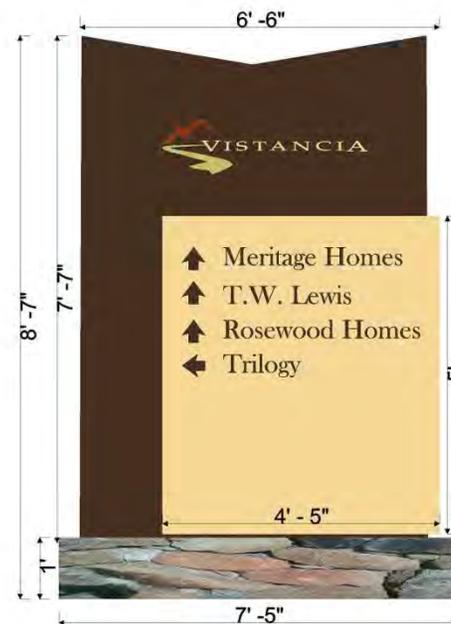
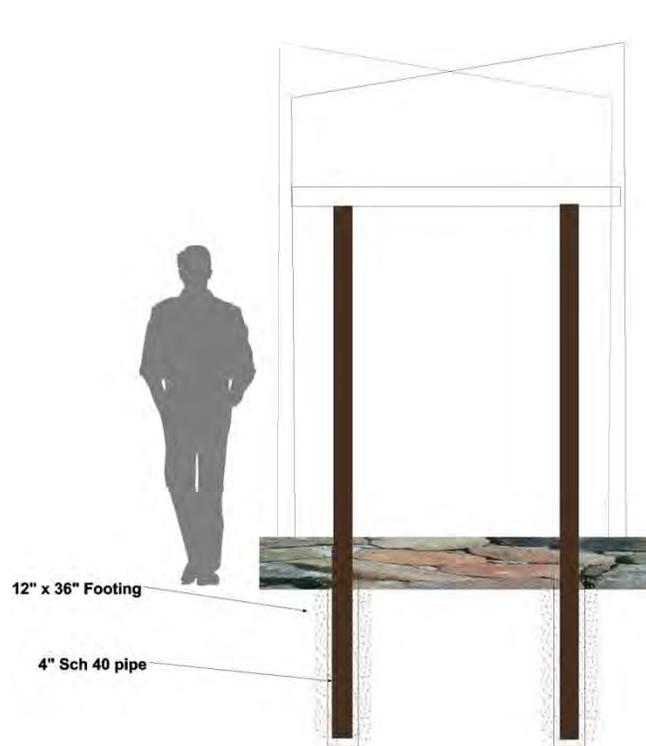
Alternative signs can be used in lieu of those detailed in this document as long as they meet the design character of those detailed in this document and the standards approved herein. Alternative signs that are proposed must be approved by City staff and will not require a major or minor amendment to the PCD.



Comprehensive Sign Package



Type: On-site Master Planned Development Directional



- Measurements:**
 Main sign structure: 7 feet 7 inches x 6 feet 6 inches
 Popout cabinet: 5 feet x 4 feet 5 inches
 Stone veneer base: 1 foot x 7 feet 5 inches
 Overall sign size: 8 feet 7 inches x 7 feet 5 inches
 Total square feet: 59 square feet

Section 14-34.25

Two custom cabinets of 1/8" aluminum over aluminum framing. Large Main custom cabinet painted chromatic Medium Brown, smaller popout cabinet painted chromatic Cream. Logo and verbiage, cut out vinyl. Base-stone veneer directly to sign cabinet.

Date: 1/15/13

Prepared by: Renee Hayes

Exhibit G: On-Site Master Planned Development Directional Sign – Type C-II

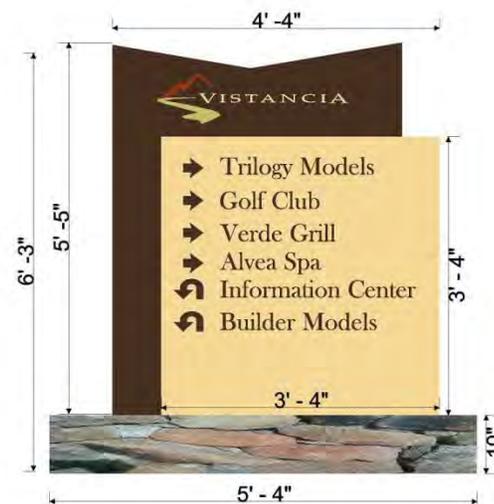
Alternative signs can be used in lieu of those detailed in this document as long as they meet the design character of those detailed in this document and the standards approved herein. Alternative signs that are proposed must be approved by City staff and will not require a major or minor amendment to the PCD.



Comprehensive Sign Package



Type: On-Site Master Planned Development Directional



- Measurements:**
- Main sign structure: 5 feet 5 inches x 4 feet 4 inches
 - Popout cabinet: 3 feet 4 inches x 3 feet 4 inches
 - Stone veneer base: 10 inches x 5 feet 4 inches
 - Overall sign size: 6 feet 3 inches x 5 feet 4 inches
 - Total square feet: 25 square feet

Section 14-34.25

Two custom cabinets of 1/8" aluminum over aluminum framing. Large Main custom cabinet painted chromatic Medium Brown, smaller popout cabinet painted chromatic Cream. Logo and verbiage, cut out vinyl. Base-stone veneer directly to sign cabinet.

Date: 1/15/13

Prepared by: Renee Hayes

Exhibit H: On-Site Master Planned Development Directional Sign – Type C-III

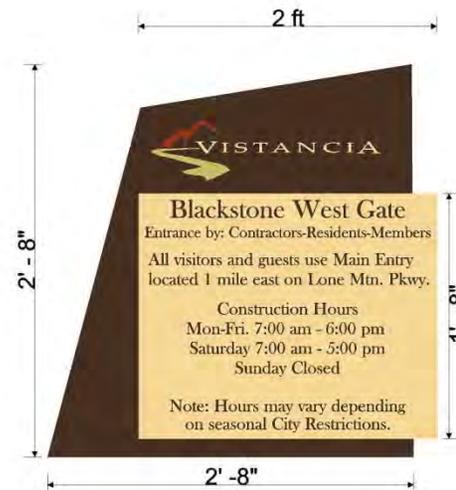
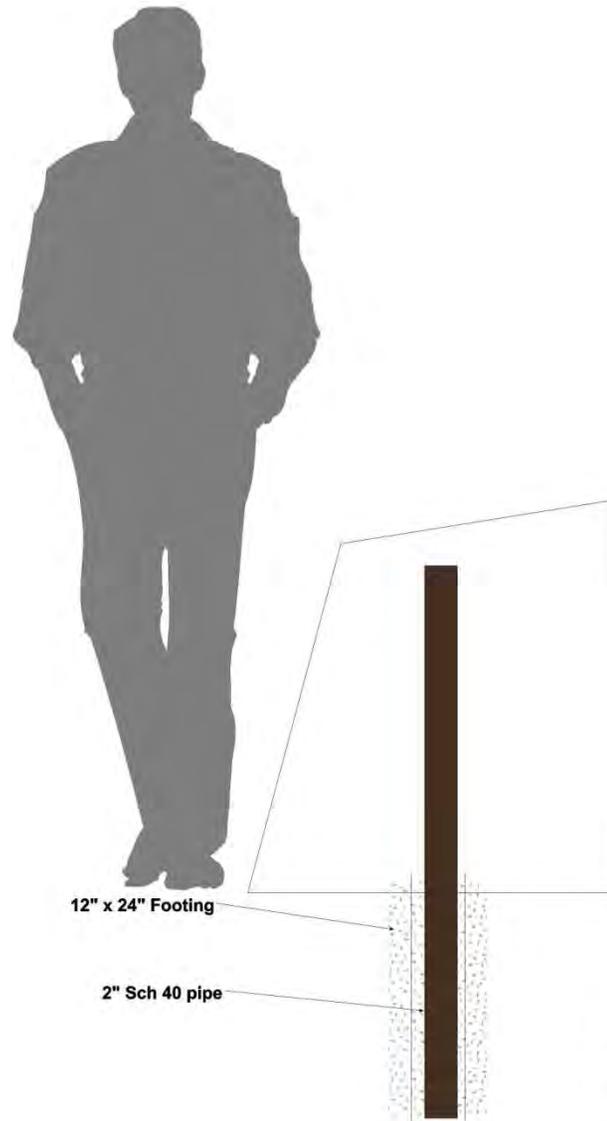
Alternative signs can be used in lieu of those detailed in this document as long as they meet the design character of those detailed in this document and the standards approved herein. Alternative signs that are proposed must be approved by City staff and will not require a major or minor amendment to the PCD.



Comprehensive Sign Package



Type: On-site Master Planned Development Directional



Measurements:

- Main sign structure:** 2 feet 8 inches x 2 feet 8 inches
- Popout cabinet:** 1 foot 8 inches x 2 feet
- Overall sign size:** 2 feet 8 inches x 2 feet 8 inches
- Total square feet:** 8 square feet

Section 14-34.25

Two custom cabinets of 1/8" aluminum over aluminum framing. Large Main custom cabinet painted chromatic Medium Brown, smaller popout cabinet painted chromatic Cream. Logo and verbiage, cut out vinyl.

Date: 1/15/13

Prepared by: Renee Hayes

Exhibit I: On-Site Master Planned Development Directional Sign – Type C-IV

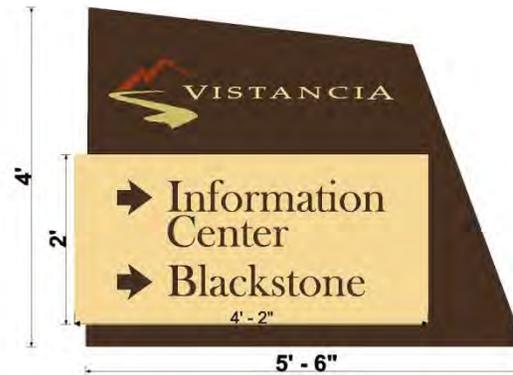
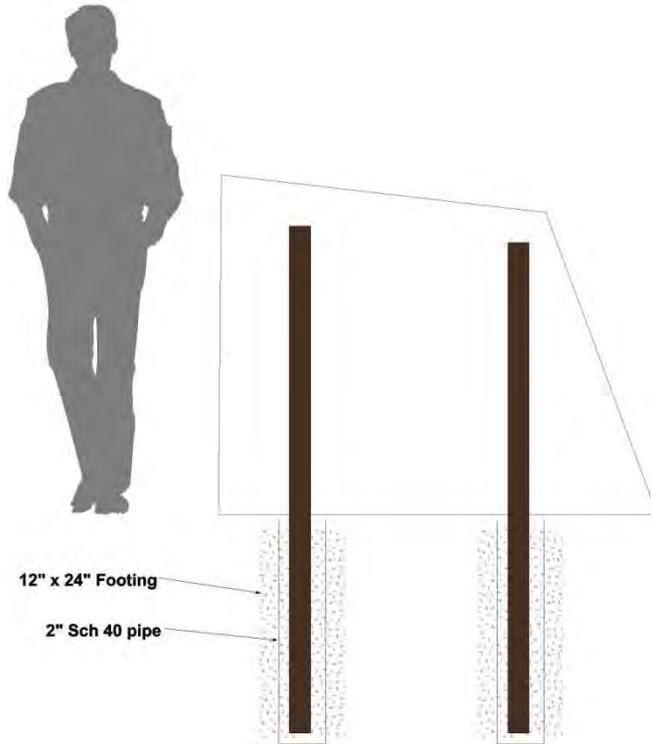
Alternative signs can be used in lieu of those detailed in this document as long as they meet the design character of those detailed in this document and the standards approved herein. Alternative signs that are proposed must be approved by City staff and will not require a major or minor amendment to the PCD.



Comprehensive Sign Package



Type: On-site Master Planned Development Directional



Measurements:
Main sign structure: 4 feet x 5 feet 6 inches
Popout cabinet: 2 feet x 4 feet 2 inches
Overall sign size: 4 feet x 5 feet 6 inches
Total square feet: 23 square feet

Section 14-34.25

Two custom cabinets of 1/8" aluminum over aluminum framing. Large Main custom cabinet painted chromatic Medium Brown, smaller popout cabinet painted chromatic Cream. Logo and verbiage, cut out vinyl.

Date: 1/15/13

Prepared by: Renee Hayes

ARTICLE 14-35
LANDSCAPE REQUIREMENTS

(Revised Ord. No. 01-1 *n*)

CONTENTS

14-35-1	INTENT
14-35-2	INTERPRETATION AND SCOPE
14-35-3	DEFINITIONS
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14-35-1 INTENT (Ord. No. 93-22)

The process of development, with its alteration of the natural topography and vegetation and creation of impervious cover can have a negative effect on the ecological balance of an area by causing increases in air temperatures and accelerating the processes of runoff, erosion, and sedimentation. The economic base of the City can and should be protected through the preservation and enhancement of the unique natural beauty and vegetative space. Recognizing that the general objectives of this Article are to promote and protect the health, safety, and welfare of the public, these landscaping regulations are adopted for the following specific purposes:

- To aid in stabilizing the environment's ecological balance by contributing to the process of air purification, oxygen regeneration, groundwater recharge and storm water runoff retardation, while at the same time aiding in noise, glare and heat abatement;
- To provide visual buffering between land uses of differing character;
- To enhance the beautification of the City;
- To protect the character and stability of residential, business, institutional and industrial areas;
- To preserve the value of land and building; and
- To conserve energy and other natural resources.

14-35-2 INTERPRETATION AND SCOPE

A. The provisions of this Article of the Peoria Zoning Ordinance shall apply to a lot, site, or parcel of land when an application is being made for:

1. Site plan approval pursuant to Article 14-39, Section 14-39-9, Site Plan Review of this Ordinance. (Ord. No 02-80)

2. Signs pursuant to Article 14-34 of this Ordinance where landscaping is required.
 3. Subdivisions pursuant to Chapter 24 of the Peoria City Code. (Ord. No. 03-06)
- B. Notwithstanding the application of Section 14-35-2-A above, these provisions shall not apply to the following:
1. An individual lot containing single family or duplex residence
 2. Lots or sites within an approved Planned Area Development (P.A.D.) which have been approved with its own landscape plan prior to the adoption of this ordinance. However, these provisions shall be used as the basis for determining the landscaping plans for future P.A.D.'s and such P.A.D. landscaping plans shall meet or exceed the standards of these landscape regulations.
 3. Restoration of a building that has been damaged or destroyed by fire, explosion, flood, tornado, riot, act of the public enemy, or accident of any kind. For purposes of this paragraph, "restoration" means the act of putting back into a former or original state.
 4. Site Plans that included landscaping that were approved prior to the adoption of this ordinance.
 5. Lots or sites subject to the provisions governing amendment to approved site plans, set forth in Article 14-39, Section 14-39-9, "Site Plan Review: unless such site plan amendments will: (Ord. No. 02-80)
 - a. Increase the number of stories in a building on the lot;
 - b. Increase by more than ten percent (10%) or ten thousand (10,000) square feet, whichever is less, the combined floor areas of all buildings on the lot; or
 - c. Increase the building or parking coverage on the lot by more than two thousand (2,000) square feet.

14-35-3 DEFINITIONS

- A. *Cacti*: Any family of plants that have fleshy stems and branches with scales or spines instead of leaves and is capable of storing water and requiring no supplemental irrigation.
- B. *Caliper*: The diameter of the trunk of a tree measured six (6) inches above ground level up to and including four (4) inch caliper size, and measured twelve (12) inches above ground level if the measurement taken at six (6) inches above ground level exceeds four (4) inches. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of its two (2) largest trunks.

- C. *Evergreen Tree or Shrub*: A tree or shrub of a species which normally retains its leaves/needles throughout the year.
- D. *Ground Cover*: Natural mulch or plants of species which normally reach a height of less than two (2) feet upon maturity, installed in such a manner so as to form a continuous cover over the ground.
- E. *Landscape Architect*. A person registered to practice landscape architecture in the State of Arizona.
- F. *Landscape Buffer*: A landscape area that serves to screen the visual impacts caused by the differences in use, such buffer shall be located on the perimeter of the site.
- G. *Landscape Materials*: Materials used for the purpose of landscape improvements which include any or all of the following: lawn or grass areas; trees, shrubs, ground cover or other plantings; irrigation systems; decorative rock, natural or man-made; decorative lighting; detention and retention ponds; waterfalls and man-made streams; and berms or mounds. (Ord. No. 03-182)
- H. *Landscape Plan*: A graphic representation of the landscape development of a site indicating the location of all existing and proposed landscape improvements to be present on the site at the completion of the construction of the project.
- I. *Landscaping*: An exterior improvement of property in accordance with an approved landscape plan and utilizing approved landscape materials.
- J. *Palm Tree*: For the purpose of this Article means a vertical palm that can reach twenty (20) feet or greater in height upon maturity.

14-35-4 GENERAL LANDSCAPE REQUIREMENTS**A. Required Landscape Areas**

No part of any landscape area shall be used for any other use such as parking or display, except for required on-site retention areas or when such use is shown on the approved landscape plan except as otherwise provided in Chapter 14.

1. On-Site Landscaped Areas

All development projects requiring an approved landscape plan shall provide onsite landscaped areas located in accordance with the following standards and requirements:

ARTICLE 14-35

LANDSCAPE REQUIREMENTS

a. (Ord. No. 04-186)

On-Site Landscaped Areas	Multi-Family & Non-Residential	Industrial	Single Family Residential	Schools
Required Area¹				
Percentage of Net Site Area	20	10 ²	(a)	20
1 tree/ 5 shrubs per	400 sq ft ⁴	400 sq ft	1000 sq ft	800 sq ft
Street Frontage Area³				
Arterial Streets (ft)	15	10	10	15
Collector and Local Streets (ft)	15	10	8	10

1. Water storage facilities, wireless communication facilities and similar land uses shall be exempt from the on-site landscape area requirements with the exception that street frontage landscaping shall be required.
 2. Mini-storage facilities and similar uses shall be considered industrial developments for the purposes of landscape requirements regardless of zoning designation. (Ord. No. 03-182)
 3. A landscaped area along all street frontages shall be established and maintained between the street right-of-way and any building, on-site parking area, residential property line or perimeter screen wall. The area of this landscape strip may be used to satisfy, to the extent provided, the on-site landscaped area set forth in this Section. Public utility facilities providing an essential service may be exempt from this standard as determined by the Planning Manager, provided that the development includes the required plantings as set forth in this Section. Single-family residential subdivisions may provide an average of the frontage requirement along arterial roadways to accommodate wall undulation and shall be exempt from the requirement where lots front onto any street. (Ord. No. 03-182)
 4. For non-residential developments, large turf facilities (baseball fields, soccer fields, open play areas) shall contain a minimum of one (1) tree and five (5) shrubs per fifteen hundred (1500) square feet of required on site landscaping. For up to 25% of the required trees, a 36" caliper tree may count as 1.5 trees and a 48" caliper tree may count as 2.0 trees.
 - (a) For all single-family subdivisions, on-site landscaped areas shall consist of street frontage landscaping, required retention and useable open space areas. The required amount of useable open space shall be determined per the Design Review Manual. (Ord. No. 03-182)
- b. All portions of the development site not occupied by buildings, structures, vehicle access and parking areas, loading and unloading areas, and approved storage areas shall be landscaped in accordance with the provisions of this Section. Future building pads within a phased development shall be improved with temporary landscaping, and maintained weed and dust free in such a manner as may be approved by the Community Development Director or designee.
- c. All required useable open space areas as defined by the Design Review Manual may be included within the on-site landscaped areas.

- d. For the purposes of calculating required landscape area, net site area shall exclude rights-of-way, and school playfields. (Ord. No. 03-182) (Ord. No. 04-186)
- e. In Village D, the following requirements shall preside: For all areas, landscaped areas shall be provided on site in an amount equal to or greater than fifteen percent (15%). A minimum park size of 0.5 acre shall be allowed to qualify for public park requirements. Full credit shall accrue for all park improvements provided prior to dedication to the City. Private recreation facilities shall accrue park credit at a rate of fifty percent (50%).

2. Street Frontages and Rights-at-Way

All street rights-of-way classified as collector or higher contiguous with the proposed development or located within the interior of a development not used for street pavement, curbs, gutters, sidewalks, or driveways shall be landscaped in addition to the required on-site landscaped areas listed above. Right-of-way landscaping shall be designed to minimize maintenance issues. (Ord. No. 03- 182)

- a. The installation of street trees, shrubs, and vegetative ground cover shall be required for projects in an amount equal to or greater than one (1) tree and three (3) shrubs for every thirty (30) lineal feet of street frontage, and vegetative ground cover. The shrubs and ground cover shall occupy a minimum of sixty percent (60%) of the total street frontage landscaped area at maturity.
- b. The required plantings shall be located in the street right-of-way landscaped area within a minimum five (5) foot wide planter area, or within the front fifteen (15) feet of the required on-site landscape areas, and shall be designed and located to enhance the proposed development project and the streetscape.
- c. Such planting requirements shall be in addition to the landscape requirements in Section 14-35-4-A.1. All additional plantings in excess of the requirement may be used to satisfy the on-site landscaping requirements.



3. *Landscape Buffers*

A minimum fifteen (15) foot landscape buffer shall be required along those property lines of a site developed as follows:

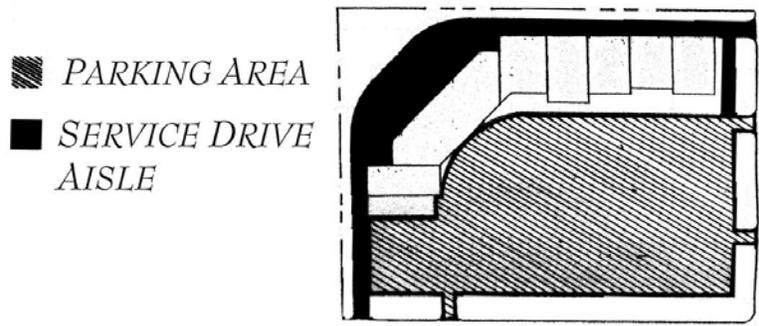
- a. Non-residential land use adjacent to a residential district;
- b. Multi-family residential land use adjacent to a single-family residential district;
- c. Along boundary lines where determined during plan review to be incompatible with surrounding development.

The landscape buffer areas shall be improved with a minimum of one (1) twenty-four inch (24") box screening tree spaced at each twenty (20) foot interval. The screening landscaping shall be located adjacent to the property boundary being screened unless specified otherwise within this ordinance. All trees provided for landscape buffers shall be counted in addition to the onsite improvement requirements in Section 14-35-4-A 1. (Ord. No. 03-182) (Ord. No. 04-186)

4. *Parking Area Landscaping*

- a. Surface Parking

For all developments exceeding fifteen thousand (15,000) square feet of gross floor area, ten percent (10%) of all parking lot areas exclusive of service drive aisles shall be landscaped. The requirement for industrial developments or for developments containing fifteen thousand (15,000) square feet or less shall be five percent (5%) of the parking lot area. The parking landscape area shall be located entirely within the exterior curbs of the surface parking area.



All surface parking areas shall incorporate the following elements:

- 1) One (1) parking lot island with raised concrete or decorative curbing shall be provided for every eight (8) parking spaces. In addition, landscape islands shall be provided at the end of each parking row. (Ord. No. 03-182)

- 2) Each landscape island shall be a minimum width of seven (7) feet, measured from back of curb to back of curb and equal the length of the parking stall(s).
- 3) Landscaped medians shall be provided for all double rows of parking which exceed thirty (30) total spaces. Each median shall be a minimum width of seven (7) feet of which a two (2) foot parking overhang on both sides may be included. Curb breaks may be provided to accommodate drainage flows.
- 4) Modifications to the above requirement may be approved by the Plans Review Committee when satisfying the intent of the landscape median.
- 5) The landscaped area within the parking may be used to satisfy the on-site landscape requirements in Section 14-35-4-A.1.

b. Multi-level Parking Structures

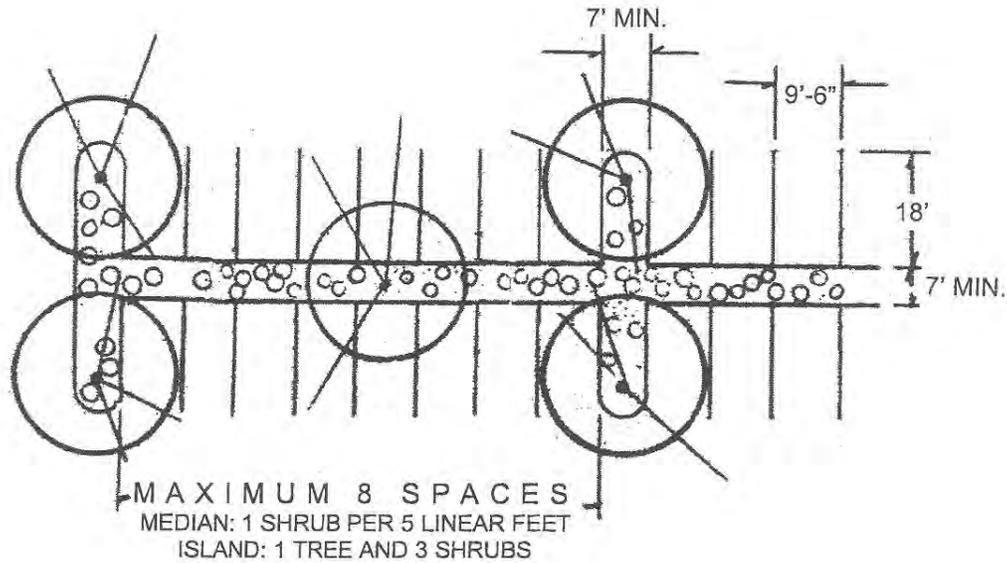
For projects that utilize multiple level parking structures, a minimum ten (10) foot landscape area shall be located around the perimeter of the structure.

For projects that utilize both surface and multi-level parking structures, the required parking area landscape shall be the combined requirements of the above.

5. *Parking Landscape Improvements*

a. Surface Parking

- 1) Surface parking areas shall contain one (1) tree and three (3) shrubs for every parking island (one stall in length).
- 2) Landscaped parking medians shall contain one (1) shrub for every five (5) linear feet of landscaping. A minimum of one (1) tree shall be provided between landscape islands. Adequate planter area shall be provided to accommodate full tree maturity.
- 3) All plantings within surface parking areas may be used to satisfy the landscape requirements in Section 14-35-4-A 1. The parking area tree palette shall only include species that provide adequate shading and minimal litter. (Ord. No. 03-182)
- 4) Shrubs within a landscape Island or median shall be maintained to a maximum height of three (3) feet, and all trees at maturity within such planters shall maintain a minimum clearance of six (6) feet from the lowest branch to the adjacent grade elevation.



b. Multi-level Parking Structures

The landscape area provided at the perimeter of multiple level parking structures shall contain one (1) tree and three (3) shrubs for every twenty (20) feet of structure perimeter.

6. *Drainage Facilities (Public and Private)*

Drainage facilities shall be completely landscaped with plantings and ground surface materials. Such landscaping shall provide for erosion protection while allowing for the efficient utilization of the structure.

7. *Building Frontages*

Non-residential and multi-family residential buildings shall include a five (5) foot minimum landscape planter between the building and parking area which may include a two (2) foot parking overhang. This planter area shall encompass a minimum of fifty percent (50%) of the building's front footage and may count towards the on-site landscape area requirements. (Ord. No. 03-182) Building frontage planter areas shall include one (1) shrub for every five (5) linear feet. All plantings within building frontage planter areas may be used to satisfy the requirements in Section 14-35-4-A 1.

B. Design Standards

1. *Minimum Size of Trees and Shrubs*

Unless otherwise specified herein, all required trees shall be a minimum of fifteen (15) gallon in size and at least fifty percent (50%) of those trees must be twenty-four (24) inch box or larger in size. A development may substitute thirty-six (36) inch box trees in place of fifteen (15) gallon trees at a substitution rate of 1.5 trees for every 1 required fifteen (15) gallon tree. All shrubs shall be a

minimum of five (5) gallon in size to satisfy the landscape requirements in Section 14-35- 4A.2. (Ord. No. 03-182)

All trees shall be of a size at the time of installation to conform with the standards established in the *Arizona Nursery Association Grower's Committee Recommended Tree Specifications*.

2. *Limitation On Use of Turf*

Development projects shall limit the use of turf (lawn) to a maximum of twenty percent (20%) of the lot area. This provision may be waived for those projects as determined by the Site Plan Review process that require a greater amount of turf due to the nature of their use (i.e. schools, parks, golf courses etc.) or those projects that irrigate their landscaping with a reclaimed or private water source. (Ord. No. 03-182)

3. *Substitution of Ground Covers*

Upon approval of the Community Development Director or designee, the installation of twenty (20) square feet of vegetative ground cover in any landscaped area shall substitute for one (1) required shrub, up to a maximum of twenty percent (20%) of the required shrubs in any particular landscaped area. No substitution shall be made for the required shrubs along any street frontage. (Ord. No. 02-95)

4. *Ground Surface Treatment*

All landscaped areas shall be finished with a natural topping material which may include, but not limited to, the following: turf (subject to Section 14-35-4-B.2), ground cover, planting, 3/4" minus decomposed granite (or as approved by plan review) at a 2" minimum depth, river run rock, expanded shale, or bark. A pre-emergent herbicide shall be applied to the ground prior to and after the placement of natural surface materials (decomposed granite, river run rock, etc.) in any landscaped area to prevent weed growth.

5. *Irrigation Standards*

All landscaped areas shall be supported by an automatic irrigation system which may be a spray, flood, or drip type system. A backflow prevention device as approved by the City shall be required with the installation of all irrigation systems. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage onto the street, sidewalk, or parking areas.

A separate water meter shall be installed for landscaping that is installed within the right-of-way and maintained by the City. For developments in which the property owner and/or Village HOA is to maintain the right-of-way landscaping, the right-of-way irrigation system may be part of the on-site irrigation system.

6. *Obstructions to Visibility*

All landscaping and landscaped materials established in close proximity to a driveway or street intersection shall be installed and maintained in compliance with the City's visibility triangle requirements. All ground covers within surface parking areas shall be designed to minimize interference with surveillance capabilities or vehicular and pedestrian circulation.

7. *Protection of Landscaped Areas from Vehicular Damage*

Permanent containment barriers (concrete curbs or bumper guards) shall be installed and property secured within or adjacent to all proposed parking areas and along all driveways and vehicular access ways to prevent the destruction of landscape materials by vehicles. All trees and shrubs shall be installed a minimum of two and one-half (2.5) feet from back of curb.

8. *Obstructions of Fire Hydrants*

All plant materials shall be planted so that at maturity the edge of the plant will be no closer than three (3) feet to any fire hydrant or fire suppression device.

9. *Landscape Screening*

All mechanical equipment, electrical meters and similar utility devices shall be screened from public view with appropriate plantings.

10. *Trails*

All trails required by the Rivers and Trails Mater Plans shall include landscaping and hardscape materials as determined by the Community Services Department.

11. *Acceptable Landscape Materials*

- a. Plant materials utilized in landscaped areas in the right-of-way must be included on the most recent edition of the *Phoenix Active Management Area Low Water Using Plant List*.
- b. No artificial plant materials may be used to satisfy the requirements of this Section.
- c. Palm trees shall not be installed within the right-of-way unless the maintenance for the palm trees is provided by the owner.
- d. Pollen producing vegetation such as the Mulberry tree (*Morus Alba*) or Olive tree (*Olea Europea*) shall be prohibited per Ordinance 94-02.

C. *Open Space Preservation Requirements*

1. All primary (FEMA) mapped washes will be preserved pursuant to the terms of the United States Army Corps of Engineers 404 Permit.

2. A minimum of 15% of the total acreage of the PCD will be preserved as Natural Open Space. This area may be evenly distributed among the development parcels, or highly concentrated in one or more areas to achieve preservation of specific features. This natural open space may include hillside areas or other sensitive lands, such as wash corridors, concentrations of native, protected vegetation and wetlands. The precise location of the natural open space areas will be determined through the Master Planning process and implemented by the plat and site development processes. Private, public-access or public multi-use trails shall be allowed within designated areas of Natural Open Space to encourage recreational use of these areas, while minimizing disturbance to the natural environment.
3. North of the CAP, excluding the Clementine Mine area, Figure D-2, all protected plants within the defined development area of a Preliminary Subdivision Plat or Preliminary Site Plan shall be protected and maintained where possible within the Vistancia Planned Community.

A Native Plant Inventory shall be prepared and submitted with a Preliminary Plat or Preliminary Site Plan at the request of the City of Peoria Planning Department to identify protected plant material as listed within **Table D.7, Protected Native Plant List** below. Map(s) shall be created showing the location of protected plants with an indication as to whether the vegetation will be preserved in place or relocated to another area. The site development Landscape Construction Document(s) shall indicate relocated salvaged or preserved in place plant material. Plants to be inventoried and preserved include cacti that are four (4) feet or greater in height and trees that are four (4) inches or greater in caliper. In addition, the Native Plant Inventory shall include the following regarding each protected plant:

- a. Plant Type: Botanical and common name
 - b. Plant Size: Caliper in inches for trees; height for cacti
 - c. Plant Status: Indication whether plant will be preserved in place, relocated, or destroyed (must include explanation if plant is not salvageable)
 - d. Nursery Management Plan: Includes methods for salvaging and establishment of temporary nursery on site
4. Native vegetation shall not be pruned or removed from areas of designated Natural Open Space, unless a health, safety or welfare issue exists. Table D.7 represents a list of the protected native plants which shall be preserved within areas designated or deed restricted as natural open space.

Table D.7 Protected Native Plant List

<i>Botanical Name</i>	<i>Common Name</i>
TREES	
Cercidium floridum	Blue Palo Verde
Cercidium microphyllum	Foothills Palo Verde
Chilopsis linearis	Desert Willow
Juniperus mono sperma	One-Seeded Juniper
Olneya tesota	Ironwood
Populus fremontii	Fremont Cottonwood
Prosopis velutina	Velvet Mesquite

CACTI/SUCCULENTS/ACCENTS	
Carnegieia gigantean	Saguaro
Ferocactus species	Barrel Cactus
Fouquieria splendens	Ocotillo
Peniocereus greggii	Desert Night-Blooming Cereus
Yucca baccata	Banana Yucca/Blue Yucca/Datil Yucca
Yucca elata	Soaptree Yucca

14-35-5 PLAN SUBMITTAL REQUIREMENTS

A. Conceptual Landscape Plan

1. *Submittal Requirements*

If these landscape regulations apply to a lot or site that is subject to site plan review as set forth in Article 14-39-9, of this Ordinance, or that is processed as a subdivision plat, then a conceptual landscape plan shall be submitted as part of the Site Plan or Preliminary Plat application.

2. *Plan Format and Content*

- a. Submittals for multi-family and non-residential developments shall conform to the guidelines of the Site Plan and Design Review Process Guide.
- b. Submittals for single-family residential developments shall conform to the guidelines of the Subdivision Development Process Guide.
- c. Process guides are available from the Community Development Department.

3. *Plans Review*

Conceptual Landscape Plans shall be reviewed for compliance and approved in accordance with the requirements of this Article.

B. Final Landscape Plan Review**1. *Plan Format and Content***

Final landscape plans shall conform to the guidelines of the Final Landscape Plan Review Process Guide available from the Community Development Department. Final irrigation plans shall be included with the submittal.

2. *Final Landscape Plan Review*

- a. The final landscape plans for multi-family and non-residential development projects shall be submitted with the building permit application and shall be approved prior to the issuance of building permits.
- b. Final landscape plans for subdivisions shall be reviewed by the Planning Division at the time of off-site improvement plan review. Landscaping installation with the public right-of-way shall be subject to the bonding requirements as established by the City.

3. *Plans Review*

The City shall review final landscape plans for conformance with the approved conceptual landscape plans.

C. Landscape Plan(s) Preparation

All landscape plans submitted to the City for review shall be prepared and sealed by a registered Arizona Landscape Architect. Such regulations are governed by the State of Arizona Board of Technical Registration.

14-35-6 LANDSCAPE INSTALLATION AND MAINTENANCE**A. Landscape Completion**

1. Except as otherwise provided in Section 14-35-6-A.2 below, all landscaping must be completed in accordance with the approved landscape plan before a Certificate of Occupancy may be issued for any building on the lot
2. If the property owner provides the Community Development Director documented assurance that the landscaping will be completed within six (6) months, the City may issue one (1), six (6) month temporary Certificate of Occupancy and permit the property owner to complete the landscaping during the six (6) month period. For purposes of this subsection, "documented assurance" means a cash bond, cash deposit, or irrevocable letter of credit in an amount equal to 110% of the cost to install the landscaping and irrigation system. (Ord. No. 03-182)

B. Landscape Maintenance**1. *Owner Maintenance***

- a. The property owner and/or Lessee shall maintain all landscape materials both on-site and in the adjacent right-of-way in accordance with the approved landscape plant(s).
- b. Required landscaping must be maintained in a healthy, growing condition at all times. The property owner is responsible for regular weeding, mowing of grass, irrigating, fertilizing, pruning, and other maintenance of all planting as needed. Any plant that dies must be replaced with another living plant that complies with the approved landscape plan within thirty (30) days after notification by the City.
- c. Any damage to utility lines resulting from the negligence of the property owner or his agents or employees in the installation and maintenance of required landscaping in a utility easement or public right-of-way is the responsibility of the property owner. If a public utility disturbs a landscaped area in a utility easement, it shall make every reasonable effort to preserve the landscaping materials and return them to their prior locations after the utility work. If, nonetheless, some plant materials die, it is the obligation of the property owner to replace the plant materials.
- d. Any public land landscaping that does not meet the criteria of Section 14-35-6-B.3 shall be maintained by the owners of the adjacent properties.

2. *City Maintenance of Public Lands*

The City may accept responsibility for the maintenance and operation of landscaping and appurtenances as described by one of the following categories:

- a. Equestrian trails and multi-use paths along the AC/DC canal, CAP canal, New River, Agua Fria River, and Skunk Creek corridors.
- b. Street rights-of-way abutting municipal public facilities.
- c. Flood control facilities which have been accepted for operation and maintenance by the City.
- d. Areas identified for City maintenance by the City Council.

3. *Conditions for Accepting Maintenance*

Prior to the City accepting for maintenance any landscaping and appurtenances as described in Section 14-35-6-8.2 above, the following conditions shall have been satisfied:

- a. A separate landscape and irrigation plan, prepared in accordance with Section 14-35-5-8, shall be prepared and approved for any area to be considered for City Maintenance. The plans may be part of the same submittal, but on different sheets than landscape and irrigation plans for areas to be maintained by the private property owner.

- b. Prior to construction of landscaped areas to be maintained by the City, the owner/developer shall provide cash, certified check, or negotiable bond in an amount sufficient to provide the installation of the landscaping and irrigation system.
- c. The landscaping shall be inspected and approved by the City for compliance with the approved landscape plan.
- d. The subsequent completion of a ninety (90) day maintenance period wherein the developer shall be responsible for all watering, weeding, and replacement of all dead or dying plant materials.
- e. A final inspection called by the developer or his representative at the completion of the ninety (90) day maintenance period resulting in final approval and acceptance by the City.

14-35-7 PERMITS

Permits for landscape and irrigation installation are required for backflow prevention, electrical connections, and all work performed within the public right-of-way.

ARTICLE 14-36 PLANNED COMMUNITY (PC) DISTRICT

(Ord. No. 01-146)

CONTENTS

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- 14-36-2 GENERAL PROVISIONS**
- 14-36-3 APPLICATION REQUIREMENTS**
- 14-36-4 APPLICATION PROCEDURES**
- 14-36-5 ADOPTION OF A PLANNED COMMUNITY DISTRICT**
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- 14-36-7 FUTURE DEVELOPMENT**
- 14-36-8 AMENDMENTS TO AN APPROVED PC DISTRICTS**
- 14-36-9 ADMINISTRATIVE DECISION APPEALS**
- 14-36-10 ADMINISTRATIVE DECISION APPEALS ADMINISTRATION AND ENFORCEMENTS**
- 14-36-11 DEFINITIONS**

14-36-1 INTENT

The Planned Community (PC) District is intended to accommodate large-scaled, yet unified, comprehensively planned developments which conform with and enhance the policies and programs contained within the Peoria General Plan. This district is intended to provide an alternative zoning district and development process to accommodate substantial developments for residential, commercial, professional. Industrial or other activities, including combinations of uses appropriately requiring flexibility under controlled conditions, not otherwise attainable under conventional zoning districts so that the following goals may be achieved:

- A. To enhance the City's development and to promote the public health, safety, and general welfare.
- B. To provide within such areas a combination of land uses, which may include a variety of residential types, commercial, industrial, public and semi-public areas, arranged and designed in accordance with sound site planning principles and development techniques; and in such a manner as to be properly related to each other, the immediate surrounding area, the planned thoroughfare system, and other public facilities such as water and sewer systems, parks, schools and utilities.
- C. To encourage a more creative approach in the utilization of land in order to accomplish an efficient, aesthetic, and desirable development which may be characterized by special features of the geography, topography, size or shape of a particular property.
- D. To establish planning and development control parameters tailored to the opportunities and constraints of the property while allowing sufficient flexibility to permit final detailed planning and the precise distribution of the approved density

and intensity of the project at the time of site plan or subdivision application submittal.

- E. To provide reasonable assurances to the City and land developer that the proposed development may be planned and carried out in one or more phases over an extended period of time, in accordance with an approved PC "Development Plan" and "Standards Report".
- F. To assure that the PC District is developed in accordance with a PC "Development Plan" and "Standards Report." The PC "Development Plan" and "Standards Report" shall be designed to fulfill the goals established by the General Plan, provide development standards promoting an appropriate balance of land uses, and promote the planning of public facilities designed to serve the projected population.

14-36-2 GENERAL PROVISIONS

- A. *Conformance with the General Plan.* The proposed PC District shall be in general conformance with the Peoria General Plan.
- B. *Location of PC District.* PC Districts may be established on large parcels of land which, because of their ownership, size, topography, or exceptional or unusual locational characteristics, are suitable for planned development in a manner consistent with the purposes of this section.
- C. *Minimum PC District Area.*
 - 1. The minimum area required for a planned community district is six hundred (600) contiguous acres held under single ownership at the time of application submittal or under multiple ownership within a partnership as expressed through written correspondence and signatures provided with the PC application.
 - 2. Areas within rights-of way may be included in the computation of the minimum six hundred (600) acres.
- D. *Property Development Standards.* All land uses in a PC District shall be established within planned "development units." The PC District is intended to be combined with the general property development standards of various zoning districts in the Peoria Zoning Ordinance or as modified in the approved PC "Development Plan" and "Standards Report."
 - 1. The proposed PC District shall comply with overlay districts of general applicability including, but not limited to, the Hillside Development Overlay and Floodplain Districts, except where modifications are expressly authorized through an approved Standards Report and Development Plan;
 - 2. The proposed PC District shall comply with the Subdivision regulations and other adopted policies, codes and ordinances of general applicability;
 - 3. The proposed PC District may include modified property development standards (contained within the zoning ordinance) to address defined

opportunities and constraints related to the property, including, but not limited to, building placement and height, minimum lot size and parking area landscaping.

- E. *Permitted Uses.* Any use may be permitted in any specific "development unit" within a proposed PC district provided such use shall be specifically listed as a permitted use and shall be located and conducted in accordance with the approved "Development Plan" and "Standards Report" and other applicable regulations.
- F. *Conditional Uses.* Any use may be established as a conditional use in any specific development unit within a proposed PC district provided such use shall be specifically listed as a conditional use subject to the provisions of Article 14-24 ('Conditional Use Permits') and shall be located and conducted in accordance with the approved "Development Plan" and "Standards Report" and other applicable regulations.

14-36-3 APPLICATION REQUIREMENTS

In addition to complying with the provisions of Article 14-39, Section 14-39-6, "Rezoning," each application for a PC District shall be accompanied by a "Standards Report," "Development Plan" and "Development Schedule." The "Standards Report" and "Development Plan" shall, as approved by the City Council, become a part of the applicable zoning regulations within the respective PC District. Subsequent changes to the "Development Plan" shall be made in accordance with Section 14-36-8. (Ord. No 02-80)

- A. *Standards Report.* The "Standards Report" shall describe the purpose, nature and characteristics of the proposed PC district including, but not limited to, the proposed development unit use or uses to be conducted in the district in a manner sufficient to enable preparation and consideration of regulations governing permitted and conditional uses, site use and other development regulations which may be appropriate to govern development, use, and maintenance of the sites included within the PC district. The "Standards Report" shall include the following:
 - 1. Contact listing of key project team representatives including the contact, owner, and developer.
 - 2. Vicinity Map.
 - 3. Legal description of the district boundary.
 - 4. A statement by the applicant demonstrating the necessity of the application for the PC district, including information demonstrating compliance with the findings contained within Section 14-36-6.
 - 5. Existing conditions map drawn to a suitable scale showing the use and general condition of the land within the proposed PC district boundary and adjacent lands for one mile. The map will provide the total gross acreage, overall density proposed and a delineation of major physical constraints or opportunities, major environmental features, topography, existing roads, trails, utilities,

generalized location of any hundred (100) year floodway and mapped stormwater drainage conditions.

6. The delineation of development units including a parcel matrix inclusive of each proposed development unit indicating as appropriate: the approximate unit size in acres, proposed allocation of land uses, the proposed zoning district(s) (either an existing zoning district or a modified proposed district as further defined within the Standards Report), the projected number of employees, the maximum number of potential dwelling units, and intended floor area ratios (FAR) for the project.
 7. The parcel matrix shall also indicate the projected number of residential units or non-residential square footage for each development unit to guide the preparation of supporting infrastructure studies outlined herein.
 8. Such additional information as the Planning Manager may prescribe as necessary, to facilitate review and action on the application by the Planning and Zoning Commission and the City Council.
- B. *Development Plan.* The "Development Plan" must include a land use and circulation system concept that is consistent with the goals and policies of the General Plan, compatible with the environment, and capable of being served by existing and planned public facilities and utilities. The "Development Plan" submitted with the application for the PC District shall include the following, unless waived by the Planning Manager:
1. Submittal of a Development Plan Map divided into approximate development sub-areas or development units. The proposed Development Plan Map(s) shall be drawn to a suitable scale and include at least the following:
 - a. The boundary of the proposed PC District.
 - b. The existing and proposed topographic character of the land.
 - c. The approximate location of each proposed land use development unit.
 - d. The general location of all proposed major and minor arterial streets, including their proposed connections to major streets identified on the Circulation Map in the Peoria General Plan.
 - e. Major drainage elements.
 - f. All proposed public schools, parks and open space areas.
 - g. Any trails and/or bikeways, including their proposed connections to conceptual trail locations identified in the Peoria Trails Master Plan and other relevant documents.
 - h. Conceptual location of any significant historical, cultural and archaeological features of the site, including proposed methods to incorporate and preserve such features into the proposed project.

2. Master Drainage and Hydrology Report, prepared by an Arizona registered engineer.
 3. Master Water and Sewer System Report, prepared by an Arizona registered engineer.
 4. Traffic Impact Analysis Engineering Report, prepared by an Arizona registered engineer.
 5. A Cost Impact Analysis of the proposed public facilities and infrastructure, prepared by a competent person or firm with experience in the preparation of such studies. The study shall provide the specific detailed accounting of the financing structure for the development of required facilities for parks, law enforcement, fire protection, public services, municipal government, and other necessary governmental services.
 6. Such additional information as the Planning Manager may prescribe as necessary, to facilitate review and action on the application by the Planning and Zoning Commission and the City Council.
- C. *Development Schedule.* The following schedule submitted with the application for a PC District shall include the following:
1. A schedule, indicating to the best of the applicant's knowledge, the approximate timeframe in which construction or development is expected to begin, the duration of time required for completion of the development; and
 2. Proposed phasing if the project will not be developed as one (1) unit, including a plan for the interim use and management of the undeveloped phase or phases.

14-36-4 APPLICATION PROCEDURES

- A. The applicant is encouraged to meet with the Planning Manager prior to making an application for a PC District to discuss the development concept, the review and approval process, and the submittal requirements.
- B. The applicant shall obtain the necessary application forms from the Planning Division. Application forms when properly completed and accompanied by the required fee and required material shall be submitted to the Planning Division.
- C. If the application request requires an amendment of the City's adopted General Plan and/or an adopted Specific Plan, the applicant shall submit an application to amend the General Plan or adopted Specific Plan prior to or simultaneously with the application for a PC District.
- D. The Planning Division shall distribute the PC application and supporting materials (pursuant to Section 14-36-3), and other relevant documentation to each responsible department for review and comment.

- E. Written responses shall be obtained by the applicant from public or quasi-public agencies identified by the Planning Manager as being stakeholders in the outcome of the development proposal within the timeframe defined above. The Planning Manager or assigned designee shall compile all of the comments and recommendations and submit a written report to the applicant.
- F. The revised PC "Development Plan" and "Standards Report" shall be resubmitted to the Planning Division for further evaluation by the Planning Manager and the reviewing agencies.
- G. A development agreement between the applicant and the City may be prepared and reviewed concurrently to afford resolution to issues and concerns identified through agency review.

14-36-5 ADOPTION OF A PLANNED COMMUNITY DISTRICT

- A. The Planned Community District shall be adopted in accordance with procedures set forth in Article 14-39, Section 14-39-6, "Rezoning." The Commission and Council shall consider the PC "Development Plan" and "Standards Report" as part of the rezoning application and all provisions and protocols therein set forth in Section 14- 39-6 shall apply to said "Development Plan" and "Standards Report."
- B. At the time a PC District is approved by the City Council, the associated "Development Plan" and "Standards Report" shall become an integral part of the Peoria zoning regulations for the PC District established by the City on the property. All future development within the adopted PC District shall thereafter be in conformity with the "Development Plan and Standards Report."

14-36-6 FINDINGS

Before approval or adoption of an application for a PC District, the Planning and Zoning Commission and the City Council shall find:

- A. That the development proposed is in conformance with the General Plan.
- B. That the streets and thoroughfares proposed are in conformance with the General Plan Circulation Map and will be adequate to serve the proposed uses.
- C. The Planning and Zoning Commission and City Council shall further find:
 - 1. In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area; and
 - 2. That the conceptual site locations proposed for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks, are adequate to serve the anticipated population within the PC District.

3. In the case of proposed commercial, industrial, institutional, recreational and other non-residential uses or mixed-uses, that such development will be appropriate in area, location and overall planning for the purpose intended.
4. That the development is fiscally sound, as demonstrated in the Cost Impact Analysis, and is consistent with adopted policies, infrastructure plans and applicable Capital Improvement Programs (CIP).

14-36-7 FUTURE DEVELOPMENT

Upon adoption of the PC District, the applicant may then proceed with the development of the property in accordance with the "Standards Report" and "Development Plan" by filing subdivision plats for any portion of the PC District in accordance with Chapter 24 of the Peoria City Code (1977), which constitutes the City's Subdivision Regulations; or a site plan, pursuant to Article 14-39, Section 14-39-9, "Site Plan Review" of the City's Zoning Ordinance. Legal descriptions for each affected development unit must be provided with subdivision plats or site plan applications. (Ord. No. 03-06)

The Planning and Zoning Commission will not take any subsequent approval action on a project within thirty (30) days of the City Council's adoption of the PC District.

14-36-8 AMENDMENTS TO AN APPROVED PC DISTRICT

- A. Amendments to the PC District "Development Plan" or "Standards Report" may be requested by the applicant or its successors. Amendments to the approved PC District shall be delineated as *major* or *minor* amendments. Amendments to the approved PC "Development Plan" and "Standards Report" may be limited to one or more "development units" and any proposed change will not affect development units not included in the proposed amendment.
- B. Upon receipt of an amendment application to the Planning Division, the Planning Manager shall determine if the proposed amendment constitutes a *major* or *minor* amendment.
- C. *Major Amendments.* If the Planning Manager determines the amendment to be a *major*, the amendment request shall be processed in the manner set forth in Sections 14-36-4 & 5.
- D. An amendment will be deemed major if it involves any one of the following:
 1. A change in the overall PC District Boundary; or
 2. An increase in the total number of approved dwelling units or gross leasable area (GLA) for the overall PC District; or
 3. A significant change to the approximate boundary of one or more "development unit(s)" from that approved in the PC District, as determined by the Planning Manager. A change to an individual development unit generally shall be deemed to be significant if it represents a ten percent (10%) increase to the approximate gross area of the development unit as approved in the PC District.

4. An increase of ten percent (10%) or more of the approved number of projected dwelling units or gross leasable area (GLA) for an individual development unit.
 5. Any change in land use or density that is likely to negatively impact or burden public facilities and utilities infrastructure as determined by the City Engineer.
 6. Any change in land use or density that is likely to negatively impact or burden circulation adjacent to the PC District or to the overall major street system as determined by the City Engineer.
 7. Any other proposed change to the "Development Plan" and/or "Standards Report" which substantively alters one or more components of the PC District as determined by the Planning Manager.
- E. *Minor Amendments.* Amendments not meeting one or more of the criteria listed in subsection (D) shall be considered minor. If the Planning Manager determines the amendment to be minor, the Planning Manager may administratively act on the amendment and attach stipulations or conditions of approval thereto, to protect the public health, safety and welfare.
1. If the amendment proposes a change to the Development Plan Map, notice of the proposed minor amendment shall be mailed to each owner of property as last disclosed by County Assessor records, situated wholly or partly within three hundred (300) feet of the affected development unit(s) to which the amendment relates. For purposes of giving mailed notice, the Planning Manager shall require the applicant to furnish the names and addresses and stamped/addressed envelopes of all affected property owners as determined above. If the amendment proposes any other change to the "Development Plan" or "Standards Report", including but not limited to, text changes or changes to the development standards of the "Standards Report," notice of the minor amendment shall be published within a newspaper of general circulation.
 2. If written protest to any minor amendment is received from any notified property owner within ten (10) days of the notification mailing date in the case of mailed notice, or within ten (10) days of the final date of advertising in the case of published notification, and such protest cannot be resolved, then the Minor Amendment shall be reclassified as a Major Amendment. No additional application shall be required, however, all provisions governing Major Amendments shall then apply.
 3. If written protest is not received as described above, the Planning Manager shall render a decision on the minor amendment request. The Planning Division decision shall be final unless appealed under Section 14-36-9. The Planning Manager or assigned designee shall send copies of the decision to the applicant, interested parties of record and members of the Planning and Zoning Commission.

14-36-9 ADMINISTRATIVE DECISION APPEALS

- A. An action or decision by the Planning Division on *minor* amendments may be appealed by the applicant within seven (7) days from the date of the Planning Manager's decision.
1. Appeals shall be in writing on a form provided by the Planning Division and shall include only the specific items being appealed.
 2. The Planning Division will submit a report and any background material regarding the appeal to the Planning and Zoning Commission for its next scheduled meeting. Any persons associated with the action being appealed shall be informed by the Planning Division of the date, time, and location of the appeal hearing.
 3. The Planning and Zoning Commission's decision on the appeal will be sent out (in writing) to the applicant. The decision of the Planning and Zoning Commission will be final, unless the applicant initiates an appeal to the City Council.
- B. *Appeal to Council.* An action or decision by the Planning and Zoning Commission on minor amendments may be appealed by the applicant within seven (7) calendar days after the date of the Commission decision.
1. Appeals shall be in writing on a form provided by the Planning Division and shall include the specific items being appealed and the nature upon which the decision was in error.
 2. The Planning Division shall transmit to the City Council a transcript, with exhibits, of the Planning and Zoning Commission's hearing. The City Council shall review the transcript and exhibits and may, at their discretion, hear further oral or written comments.
 3. The City Council may affirm the decision of the Planning and Zoning Commission; or remand the matter for further proceedings before the Planning and Zoning Commission; or reverse or modify the Planning and Zoning Commission's decision.

14-36-10 ADMINISTRATION AND ENFORCEMENT

- A. While ownership of a project may subsequently be transferred (in whole or in part), PC District zoning will continue to be implemented and maintained on the total acreage of the PC District zoned project. It is the responsibility of the owner to notify all prospective purchasers of the existence of the PC District and the PC "Development Plan" and "Standards Report". It is also the responsibility of the owner to initiate a dialogue with the Planning Manager to ensure the program of development can be administered to comply with all of the processing time frames and hearing schedules required.
- B. In the event that the applicant has failed to comply with the conditions adopted by the City Council in conjunction with the approved PC District and the PC

"Development Plan" and "Standards Report", the City may proceed in accordance with Section 14-4-6B of the Peoria Zoning Ordinance.

14-36-11 DEFINITIONS

Development Unit: An approximate 'subarea' within a specifically defined PC boundary containing singular or multiple designated land use and zoning classifications. Multiple classifications or mixed-use classifications may be permitted in the PC District in conformance with the General Plan. A development unit in text or table format is the same area as referenced on a map but describes the area in more specific detail. The City Council may approve a particular definition of "subarea" or "development unit" for any individual PC District.

Standards Report: Consists of a narrative report, existing conditions map and background information describing the characteristics, components and timing of the proposed PC District by development unit(s). The Standards Report includes a development unit matrix describing density, projected employment, intended FAR's, zoning districts and applicable development standards.

Development Plan: Is a multi-faceted development plan, organized by development unit, demonstrating how the Standards Report will be implemented. The Development Plan will illustrate the proposal's relationship and conformity with adjacent land uses, circulation systems and the provision of utilities and other public services.

ARTICLE 14-41

SPECIAL USE PERMITS

(Ord No. 03-25)

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- 14-41-1 INTENT
- 14-41-2 USES SUBJECT TO A SPECIAL USE PERMIT
- 14-41-3 SPECIAL USE PERMIT APPLICATION PROCESS
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14-41-1 INTENT

The Special Use Permits allow for uses, which would otherwise be prohibited in the conventional zoning districts. These special uses usually do not conform to traditional use groupings, and because of their unique characteristics, and nature of operation, require specific safeguards or design constraint to be in place prior to their development. In addition, a special use shall be permitted only when adequate mitigation measures have been provided to eliminate or reduce any potential negative impacts the use may have on surrounding properties. A Special Use Permit is intended to provide a zoning overlay on conventional zoning districts for specific uses.

14-41-2 USES SUBJECT TO A SPECIAL USE PERMIT

The following uses may be permitted as a special use in any zoning districts unless otherwise indicated in this ordinance.

- A. Cemetery, Crematorium, Mausoleum, Funeral Home, Mortuary, and Columbarium. These uses shall be subject to the following additional requirements:
 - 1. Access: Access to the site shall be directly from an arterial street. All access points must be designed to minimize traffic congestion.
 - 2. Screening: When the development site abuts a residentially zoned property or a residential alley, the property boundaries shall be screened with a minimum of an eight-foot (8') high masonry wall.
- B. College or University Campus
- C. Commercial Radio and Television Transmission Tower, excluding wireless communication facilities.
- D. Correction, Detention, Holding and Release Facility. These uses shall be subject to the following additional requirements:

1. Location: All facilities shall be located only in areas designated as 'Industrial' on the Land Use Map of the Peoria General Plan.
2. Access: Access to the site shall be directly from an arterial street. All access points must be designed to minimize traffic congestion.
3. Setback: All facilities shall maintain a minimum setback of two hundred feet (200') from all property lines. A minimum setback of a one-quarter mile (1/4) is required when such facilities abut schools, parks, churches and similar uses and when abut any residentially zoned districts. The City Council may require additional landscaping and screening of the facilities in order to protect the aesthetic character of the area.
4. Building Height: The maximum height for such facilities is fifty feet (50').
5. License requirements: All such facilities are required to be licensed by the State, and shall comply with all Federal, State and local rules, regulations and standards.

E. Marina and Boat Charter

F. Outdoor Recreational/Entertainment, including Commercial Sporting Complex, Concert Facility, Stadium, Drive-in Theater, Amusement Park, Commercial Racetrack, and similar uses. These uses shall be subject to the following additional requirements:

1. Access: All access to the site shall be directly from an arterial street, and all points of ingress and egress shall be designed in order to minimize traffic congestion. Temporary traffic signals may be required as a condition for approval.
2. Queuing Space: When necessary, sufficient off-street vehicular queuing space shall be provided at the entrance to accommodate vehicular traffic as determined by the City Engineer.
3. Building Setbacks: Every building shall maintain a minimum of a fifty feet (50') setback from any street that provides access to the site. When uses abut any residentially zoned and developed properties, a minimum of a two hundred-foot (200') setback is required.
4. Screening: Planning Commission and/or the City Council may require additional landscaping and screening of the facilities in order to protect the nearby properties.
5. For Drive-in Theaters, any movie screen located within five hundred feet (500') from a street shall be placed and/or shielded so that the screen is not visible from such street.

G. Public/Private Airport, Heliport, or Helistop and similar uses shall be subject to the following additional requirements:

1. The applicants shall provide a copy of the Notification of Landing Area Proposal with the Federal Aviation Administration (FAA), and demonstrate compliance with all FAA's requirements.
2. For Heliport proposals, development review will be based on analysis of general conformance with FAA regulations.
3. As part of the Special Use Permit submittal, the applicant shall provide an airport environmental impact assessment to include, at a minimum, the noise, air quality, water, social and cultural impacts, and proposed mitigation measures to minimize such impacts.

H. Religious Retreat Facility.

I. Sand and Gravel, Rock Quarrying, and similar mining uses:

Sand and Gravel, Rock Quarrying, and similar mining uses are exempt from design review and landscaping requirements in the site plan approval process; however such uses shall be subject to the following requirements listed below. If the proposed operation is within the State Trust Land area, the City and the State Land Department may enter into an Intergovernmental Agreement to establish the regulatory requirements in lieu of the provisions of this Article. Such Intergovernmental Agreement shall become effective upon approval by the City Council and State Land Commissioner.

1. Required submittals: The Special Use Permit application shall include an operation plan, a re-use plan, a closure plan, and an accompanying financial guarantee in accordance with the following guidelines:
 - a. Operation plan: An operation plan shall, at a minimum, consist of the following information:
 - 1) Traffic: There shall be safe means of ingress and egress to the site. All access roads from mining operations to public highways, roads or streets, or to adjoining property, shall be paved or otherwise maintained to control dust. Measures shall be taken to ensure no unauthorized public access to the site.
 - 2) Mitigation Measures: All operations shall comply with applicable Federal, State and County air pollution regulations. Mitigation measures shall be taken to control noise, dust, lighting, night operations and other potential nuisances on adjacent properties.
 - 3) Hours of operation: All normal hours of operation shall be established in the Special Use Permit. The Community Development Director or designee may authorize a temporary operation schedule deviating from normal operating hours.
 - b. Re-use plan: The re-use plan shall include a conceptual plan for post-mining land use for excavated areas intended to be established upon abandonment of the site or cessation of the operation. The re-use plan may reflect

alternative post-mining land uses. Each proposed post-mining land use shall be in compliance with existing zoning regulations. The re-use plan shall include a feasibility study for the use(s) proposed to be developed on the property upon abandonment of the site or cessation of the aggregate mining operation.

- c. Closure plan: The closure plan shall indicate the time frame and methods to carry out the closure requirements upon cessation of the operation or the abandonment of the site. The plan shall provide for reclamation measures equivalent to the standards set forth in State Statute ARS 27-953. The closure requirements may be modified by the City Council to provide for site-specific conditions.
 - d. Regulatory Permits: When the proposed operation requires a 404 and/or Stormwater and/or Rivercourse Permits, the applicant shall provide copies of the required submittals to the designated agencies together with their approvals before starting mining operations.
 - e. Financial Guarantee: To ensure that operators abide by the closure plan and the proposed re-use plan, a financial security shall be posted prior to the issuance of the Special Use Permit. The applicant shall provide a financial security satisfactory to the Chief Financial Officer of the City and the City Attorney and in an amount sufficient in the opinion of the Community Development Director, or designee(s), to secure the performance of the closure requirements and the re-use plan.
2. Size: The minimum size for any operation is five acres (5 ac).
 3. Setbacks or mitigation: All operations shall provide detailed narrative and engineering plans illustrating or describing all proposed mitigation measures for any adverse impacts, including but not limited to the considerations of visual, sound, vibration, and traffic. Absent of such mitigation, the minimum setback for equipment directly involved in the production process, except conveyor belts or tubes, shall be no less than three hundred feet (300') from a property line abutting or adjacent to a residential development or district and the prescribed corresponding setback of an adjacent or abutting non-residential district or development.
 4. Setback for Blasting: Blasting or the use of explosives shall be prohibited within one half (1/2) mile of any perimeter property line.
 5. The minimum setback for the haul road, scale house, offices, and other structures shall be one-hundred (100) feet from abutting or adjacent residential developments or districts and the prescribed corresponding setback of an adjacent or abutting non-residential district or development.
 6. The maximum height of any building or structure shall be twenty-eight (28) feet.
 7. The minimum acreage of the operation and applicable setback requirements may be reduced by the City Council in conjunction with the Special Use Permit.

8. Existing Operations: Any operations existing at the time of the adoption of these requirements shall submit an application to register the pre-existing use to the Community Development Department no later than June 30, 2007. Thereafter, any non-registered existing operation shall be subject to the requirements for new operations as outlined in Section 14-41-2.1.
 - a. The application shall contain the following:
 - 1) Information required to be included in an application for a Community Notice pursuant to State Statute §27-442.
 - 2) A legal description of the operation boundaries.
 - b. The Community Development Department shall review the information for completeness and shall notify the applicant within 15 business days when the registration is accepted. Upon acceptance by the City, the information shall be retained on file as a record of non-conformance.
 - c. The boundaries of the registered area shall be consistent with the boundaries as set forth in the Community Notice pursuant to State Statute §27-442. Any expansion of a registered non-conforming use beyond the registered operation area shall be subject to the Special Use Permit process and all requirements set forth in this Special Use Permits article, Section 14-41-2.1 on Sand and Gravel and similar operations.
 - d. Modification within a registered operation area involving a new and significant type of aggregate mining that has never been conducted at the aggregate mining operation site shall be subject to the provisions set forth in this Special Use Permits article, Section 14-41-2.1 on Sand and Gravel and similar operations. Modification to the Community Notice shall not constitute an approval of modification within a registered operation area.

J. Sanitary Landfill

1. No such facility shall be approved without a complete report from the applicant detailing all known and potential impacts and hazards, or without certified compliance with applicable Federal, State and County laws.
2. In addition to the Special Use Permit application, the applicant shall also submit detailed information about the planned reclamation of the site, including proposed grading, drainage patterns, establishment of vegetation, and characteristics of the land upon completion of the reclamation activity. This shall include accurate analysis of the limitations of the completed site for re-use and development, including limitations on future land use which may be caused by physical instability of the disposal site; by the release of gases or seepage of liquid materials from the landfill; or because of any characteristics of any substance disposed of thereon.

K. Swap Meet and similar outdoor sales uses

L. Zoo

14-41-3 SPECIAL USE PERMIT APPLICATION PROCESS**A. Application**

1. An application for a Special Use Permit shall be submitted to the Community Development Department on an official application provided by the Department. Submittal requirements shall be as outlined in the Special Use Permit Process Guide and shall include, but not be limited to, the following:
 - a. A detailed site plan prepared in accordance with the provisions set forth in Article 14-39 Section 14-39-9. "Site Plan Review," of this Ordinance.
 - b. A design review submittal in accordance with Chapter 20 of the Peoria City Code (1992) and the City's Design Review Manual, and any other applicable provisions.
 - c. Identification of off-site impacts and adequate measures proposed to mitigate those impacts including, but not limited to, dust, smoke, noise, odors, lights, or storm water run-off.

B. Application Review

1. The Community Development Department shall review the application in accordance with provisions set forth in the Site Plan & Design Review Process Guide. City staff will provide initial review of the proposal and will identify issues related to the overall project. Staff will then provide the applicant recommendations and comments on the initial concept of the proposal and the applicant shall revise the proposal accordingly prior to formal submittal of the application.
2. After the submittal of the application, the Community Development Department will transmit the application to the applicable City Departments for formal review. The Community Development Department shall transmit all comments in writing to the applicant. The applicant shall then revise and resubmit the application materials that address all of the concerns and issues raised in the comments. Upon final submittal, the Community Development Department shall establish the hearing dates for the proposal and shall provide a written report with a recommendation to both the Planning and Zoning Commission and the City Council.

C. Public notice and hearing

The Special Use Permit serves as a zoning overlay, the public notice and hearing process shall be conducted in the same manner as set forth in Article 14-39 "Administrative Procedures", Section 14-39-6 "Rezoning"

D. Site developments standards

1. The Planning Commission or the City Council may establish additional or more stringent standards to mitigate the negative impacts that the proposed special

use may have on the surrounding areas. These standards may include but not be limited to the following:

- a. Site coverage, structure height and setback requirement;
- b. Screening;
- c. Off-street parking and loading specifications and improvements;
- d. On-site and off-site street and drainage improvements;
- e. Traffic circulation to include point of vehicular ingress and egress;
- f. Landscaping;
- g. Control of noise, vibration, odor, emissions, hazardous materials and other potentially dangerous or objectionable elements;
- h. Hours of operation;
- i. Time limits within which the Special Use Permit shall cease to exist;
- j. Storm run-offs and water conservation measures; and
- k. Hazardous materials handling.

E. Findings

In considering an application for a Special Use Permit or an Appeal of a decision denying a Special Use Permit, the Planning and Zoning Commission and City Council shall base the decision on the following findings:

1. The proposed use is consistent with the goals, policies, objectives and future land use map of the Peoria General Plan and specific elements of the General Plan and any adopted Specific Plan applicable to the site where the proposed special use is located.
2. The proposed use is in compliance with documentation and recommendations provided by reviewing City Departments.
3. The proposed use is in compliance with all applicable City codes, standards and guidelines governing such use.
4. The proposed special use is adequately served by essential public services, such as street, drainage facilities, fire protection, and public water and sewer.
5. The proposed special use is designed and landscaped to preserve the character of the neighborhood and that it will not discourage appropriate development or use of surrounding properties.

6. The proposed special use will not generate adverse impacts on adjoining properties and land uses.
7. The proposed special use will not be injurious to the public health, safety and welfare of the community.
8. The Planning Manager shall not approve or recommend approval of any Special Use Permit unless the Planning Manager has received a Waiver of Proposition 207 from the Owner or Owners of the property that is the subject of the Special Use Permit or has determined that the absence of such a Waiver of Proposition 207 is consistent with the City's General Plan and Zoning goals and regulations.

(Section 14-41-3 amended by Ordinance No. 07-14, enacted April 17, 2007 and effective May 17, 2007.)

14-41-4 PERMIT LIMITATIONS**A. Effective Date**

A Special Use Permit shall be in effect upon amendment to the City Zoning Map adopted by the City Council designating the approved use.

B. Expiration

The expiration or termination of the Special Use Permit shall be in effect upon amendment to the City Zoning Map adopted by the City Council designating the approved use.

C. Modification

1. The applicant to whom the Special Use Permit was granted may request a modification of the Permit in writing to the City of Peoria Community Development Department along with appropriate documents and fee.
2. The Community Development Director or designee(s) shall determine whether or not the requested change(s) is a substantial modification or within the scope of the original Special Use Permit and whether or not the requested change(s) is consistent with the requirements set forth in this Ordinance.
3. The Community Development Director or designee(s) may approve the modification if the change(s) is insubstantial, is within the general purview of the original Special Use Permit, and is consistent with the requirements set forth in this Ordinance.
4. If the requested change is substantial and is not within the general purview of the original Special Use Permit, or is not consistent with the requirements set forth in this Ordinance, then the matter shall be decided at a public hearing before both the Planning Commission and City Council. All public noticing procedures shall

be given in the manner specified in Article 14-39 “Administrative Procedure”, Section 14-39-6 “Rezoning”.

D. Termination and Revocation

1. There has been material noncompliance with any conditions prescribed in the Special Use Permit or the approved site plan.
2. The use covered by the permit or the manner of conducting the operation is a safety hazard to nearby residents or anyone working in the vicinity, detrimental to adjacent properties, to the neighborhood, or to the general public welfare.
3. The use is being conducted in violation of any provision of this ordinance, or any Federal, State, City, County and other applicable regulations.

Appendix G

Peoria City Council Conditions for Planned Community District Zoning Approval



City of Peoria

Planning and Community Development

9875 N. 85th Avenue, Peoria AZ 85345

May 2, 2012

Chris Reed
Vistancia South LLC
6720 N. Scottsdale Rd., Suite 160
Scottsdale, Arizona 85253

RE: Z01-10A.11 Vistancia North & South

Dear Mr. Reed:

On May 1, 2012 the Peoria City Council approved Case Z01-10A.11 Vistancia North & South, Ordinance 2012-07, subject to the following conditions:

Land Use

1. The Development shall comply with the Vistancia Planned Community District (Vistancia PCD) Development Plan & Standards Report, dated February 2012, except as modified herein.
2. The total number of dwelling units for the Vistancia Planned Community shall not exceed the maximum units permitted within each development village and 10,500 units for the project as a whole as outlined in *Table C.1*. The number of dwelling units shall be tracked by the Developer during the review of each subdivision and/or site plan
3. Within 60 days of City Council adoption, the applicant shall provide to the City three (3) copies of the Vistancia PCD in its final format, which shall include the incorporation of all exceptions to the City's Zoning Ordinance into the appropriate Appendices containing the applicable section(s) of the Zoning Ordinance.
4. The golf course zoning shall be aligned with the adjoining zoning districts.
5. The residential development units shall adhere to Table D.1 Residential Development Standards of the Vistancia PCD.

Open Space

6. A Wash Corridor Protection Plan, documenting the location of all significant washes on the site, as illustrated in the Vistancia PCD, shall be

- approved with each applicable preliminary plat or site plan for any development unit. The plan shall identify the relationship between the existing wash corridors, proposed development activity, and all wash protection measures, road crossings, and pedestrian and recreational amenities planned along the wash corridor. All washes shall be protected in accordance with Section 14-22B (Desert Lands Conservation Overlay) of the Zoning Ordinance as modified in the Vistancia PCD document.
7. The City acknowledges that the Developer intends to donate, per the terms of the Amended and Restated Development Agreement, an initial 900 acres of Natural Mountain Preserve to the City of Peoria as depicted in the Vistancia PCD document. Subsequent donations to the City of Peoria shall occur concurrent with the final plat approval for any development unit in which the additional Preserve Area is located or as otherwise determined through the Amended and Restated Development Agreement for Vistancia. A revised boundary survey of the Preserve shall be provided at no cost to the City at the time of donation.
 8. The Developer shall site, construct and dedicate all public park sites, as depicted in the Vistancia PCD document, with future sites totaling a minimum of ten (10) useable acres or more, to the City of Peoria for use as Neighborhood Parks. During the platting process of adjacent parcels, the Developer and City shall work together to determine timelines to dedicate land and construct capital facilities for the Neighborhood Parks. Future park sites less than 10 acres shall be private parks and are not subject to dedication to the City. Final park locations shall be subject to the approval of the Community Services Director or designee at the time of Preliminary Plat review and approval. The Developer shall dedicate such lands and construct such facilities as determined by the Community Services Director and as provided for in the Vistancia PCD document and/or the Amended and Restated Development Agreement for Vistancia.
 9. An archaeological survey of the subject property shall be conducted, prior to the filing of the first preliminary plat north of the CAP canal, to locate and evaluate cultural resources that might be present. Once the survey is complete, a report of the results shall be forwarded to the Arizona State Historic Preservation Office and the City's Historic Preservation Officer for review and comment before any ground disturbing activities related to development are initiated. If prehistoric or historic sites are identified within the subject area, it may be necessary to have archaeological testing performed at the sites to evaluate their eligibility for the National or State Register of Historic Places. Further, if Register eligible properties cannot be avoided by project activities, then the Arizona State Historic Preservation Office shall determine if a data recovery (excavation) program is necessary. Should federal permits be required for the project, then any archaeological work performed must meet the Secretary of Interior Standards, and will be subject to the provisions of Section 106 of the National Historic Preservation Act.

10. Not less than 137 acres shall be set aside and donated for neighborhood and community park space.
11. Prior to filing each preliminary plat, north of the CAP Canal, and excluding the Clementine Mine Exemption area as shown in the PCD, the developer will submit a landscaping inventory and salvage plan which identifies and assesses the native trees and cacti within the development parcel, and which determines the preservation/disposition for each of the selected native trees and cacti.

Utilities

12. All water, wastewater and reclaimed water infrastructure necessary for each plat and site plan shall be constructed in conformance with both the current Utility Master Plans approved by the Public Works-Utilities Director and the Water Appendix (Exhibit G) of the Amended and Restated Development Agreement for Vistancia.
13. The City of Peoria, at its discretion, may place a hold on the approval of preliminary plats, construction documents, final plats, infrastructure permits, and/or building permits to insure that sufficient treatment capacity in the Jomax Water Reclamation Facility and availability of water resources and capacity to the site is available prior to actual demand for such services and resources.
14. All water, wastewater and reclaimed water system infrastructure shall be designed and constructed by the Developer or Vistancia Community Facilities District in accordance with the most current City Water, Sewer and Disposal Code, City's Utility Master Plans, Vistancia Utility Master Plan, and the City's Infrastructure Design Guidelines.
15. The City reserves the right to request that the utility infrastructure be oversized to accommodate development outside the project area. The City shall be responsible to pay for the incremental cost between that which is needed to serve the Vistancia development and the oversizing request.
16. Any or all of the above referenced infrastructure may be located off-site but shall be planned and developed to accommodate this project. All infrastructure and water resources required for this development will be developed and dedicated to the City of Peoria by the Developer at no cost to the City.
17. The Developer is responsible to provide water supplies for the development that will be physically, legally, and continuously available for 100 years. Prior to recording individual plats for the project / property, the Developer must demonstrate that the plat is included in Peoria's most current approved Designation of Assured Water Supply. The developer shall be responsible to fund the City's acquisition of additional CAP water resources for the project in accordance with the Water Appendix (Exhibit G) of the Amended and Restated Development Agreement for Vistancia.
18. Public water, sewer and reclaimed water lines located outside of right-of-way shall be located in easements dedicated for that use and shall comply with the City's minimum requirements. Easements shall be dedicated at

- no cost to the City. The City at its own discretion may require such easements for public water and sewer lines to be located within designated roadway cross-sections and or tracts.
19. The City of Peoria, at its discretion, may request that an update / revision to the Utility Master Plan be submitted and approved prior to the approval of individual preliminary plats to ensure the necessary water, wastewater and reclaimed water infrastructure is completed to support the plat and/or development phase.
 20. All water for construction purposes, irrigation supplied to golf courses and large common areas, and water used to fill or refill lakes shall be used in a manner that is consistent with the City of Peoria Reclaimed Water Service Ordinance and the rules, regulations and policies of the Arizona Department of Water Resources governing the use of water for turf-related facilities.

Transportation

21. Improvements shall be consistent with development standards set forth in the City Infrastructure Guide.
22. The developer shall build Lone Mountain Road (outside lanes) from El Mirage Road to the Loop 303 by Spring 2012.
23. The developer shall build Lone Mountain Road (lanes 3 and 4) from El Mirage Road to the Loop 303 interchange. This project shall be initiated when the City has determined the existing level of service has reached "C" (as defined by Table 2.1 of the Northwest Valley Transportation Study Peoria Community Transportation Plan) on Lone Mountain Road east of El Mirage Road. The improvements shall be completed within 24 months after being initiated; unless extended with valid reasoning and receiving support from the City Engineer.
24. The developer shall build El Mirage Road (the half-street) from Jomax Road to Happy Valley Road. This project shall be initiated when the City has determined that the existing level of service has reached "C" (as defined by Table 2.1 of the Northwest Valley Transportation Study Peoria Community Transportation Plan) on Vistancia Boulevard east of El Mirage Road. The improvements shall be completed with a Letter of Acceptance from the City within 36 months of project initiation unless extended with valid reasoning and receiving support from the City Engineer.
25. The developer shall build El Mirage Road (the half-street) from Happy Valley Road to the Loop 303 interchange. This project shall be initiated when the City has determined that the existing level of service has reached "C" (as defined by Table 2.1 of the Northwest Valley Transportation Study Peoria Community Transportation Plan) on El Mirage Road north of Happy Valley Road. The improvements shall be completed with a Letter of Acceptance from the City within 36 months of project initiation unless extended with valid reasoning and receiving support from the City Engineer. If this level of service is not reached at

- build out of the Vistancia community, this improvement shall cease to be a developer obligation.
26. The developer shall be responsible for construction of all public and private on-site roadways within the designated Vistancia PCD boundaries. Further, the homeowners association shall be responsible for the maintenance and upkeep of all private roads, washes / wash crossings, roadway median landscaping, landscaping within the public rights-of-way, and of pedestrian, bicycle, and multi-use pathways within or adjacent to public right-of-ways.
 27. The Developer shall dedicate the required right-of-way and construct full and half street improvements where necessary to serve this project as determined by the City Engineer or his designee and in accordance with an approved Phasing Plan.
 28. The Developer shall provide both on-site and off-site roadway infrastructure to serve this development in accordance with the current, approved Vistancia Traffic Impact Study, subject to the approval of the City Engineer or his designee. The City Engineer or his designee may require the developer to provide an updated Traffic Impact Analysis periodically due to phasing issues as preliminary plats for the development of the PCD are submitted. The developer shall use reasonable efforts to acquire off site rights-of-way as necessary and required by the City of Peoria, consistent with the current, approved Traffic Impact Analysis.
 29. At the time of the submittal of the first residential preliminary plat north of the Central Arizona Project Canal, if Vistancia Boulevard provides the only roadway access to the proposed area, the applicant shall prepare and submit a report addressing emergency access to and from the site in the event of a blockage or failure of the Vistancia Boulevard crossing of the Central Arizona Project Canal. The report shall be subject to the approval of the City Engineer, Fire Chief and Police Chief prior to approval of said preliminary plat.
 30. A Final Master Traffic Impact Analysis (TIA) prepared in accordance with the City's Traffic Impact Study Criteria shall be approved prior to any preliminary plat, site plan or infrastructure plan submittal for that phase. Additional TIA for each phase of development will be required by the City Engineer to provide recommendations for the interim traffic conditions.
 31. A site specific (individual) TIA, or update letter as approved by the City Engineer or designee, shall be submitted with all residential and nonresidential parcels within the development.
 32. The right-of-way dedications and roadway sections will be determined based on the City Standards that are in effect at the time of the preliminary plat and/or site plan approval process.
 33. The Developer shall submit a noise mitigation study addressing the anticipated truck traffic on the arterial roadways. All walls shall be designed in accordance with the recommendations of the sound study and per the Zoning Ordinance.

34. The Developer shall dedicate ROW on all roadways per the City of Peoria standards in place at the time of the preliminary plat or final plat submittal / approval for all arterials, collectors, and residential roadways within this subdivision.
35. The Developer shall dedicate an additional 10-foot ROW within 500-feet of a major arterial roadway intersection.
36. The Developer shall dedicate an 8' PUE outside of the ROW or private roadway Tract. No walls, or retention or other encumbrances shall be allowed within the PUE without approval from the City Engineer or his designee.
37. The Developer shall dedicate a 30-foot by 30-foot ROW chamfer at all intersections with collectors or arterials. The Developer shall dedicate a 20-foot by 20-foot ROW chamfer at all local/local roadway intersections.
38. The Developer shall install traffic signal interconnect conduit along all arterials. Plans for the installation of the traffic signal interconnect conduit shall be submitted with the improvement plans. The traffic signal interconnect shall also be shown on the paving plans.

Drainage

39. This development shall implement the recommendations of the "North Peoria Area Drainage Master Plan 'low-impact' development alternative" for any activity within the floodway fringe or erosion hazard zone that does not significantly alter the natural form and function of the watercourse. The following standards are proposed to quantify the definition of "low impact":

- Minimal velocity increases:

The average 10-year velocity in the *channel* or over bank should not change (\pm 0.0 fps).

The average 100-year velocity in the *channel* or over bank should not change (increase or decrease) by more than 10 percent or one-foot per second (fps), whichever is less.

- Minimal water surface elevation increase:

The 10-year water surface elevation should not change (\pm 0.0 ft.).

The 100-year water surface elevation should not increase or decrease by more than 0.1-foot.

- Minimal disturbance of the main channel:

No decrease in the full bank width of the main channel.

No excavation or deepening of the streambed in the main channel.

No removal of bank vegetation. Where bank vegetation is temporarily disturbed by construction, it should be replaced, monitored for health, and irrigated if required to assure its survival.

No relocation of the low-flow channel within the floodplain.

- No offsite impacts:

No erosion, sedimentation, or flood impacts to adjacent properties without written permission of affected property owners.

Engineering and geomorphic analysis required to demonstrate no long-term, short-term or 100-year off-site impacts.

Preservation of natural landscape character and habitat within the floodplain. Alternatives that exceed the standards listed above are not considered low-impact alternatives.

40. In addition to establishing 100-year floodplain limits, erosion hazard zone delineations shall be conducted on all watercourses with drainage areas more than $\frac{1}{4}$ of a square mile or have a 100-year estimated flow rate of more than 500 cfs. Erosion hazard delineation shall be conducted at a minimum in conformance with State Standard for Watercourse System Sedimentation Balance (State Standard 5-96) guidelines.

41. A Maintenance Plan shall be developed for all structural type improvements. The Plan will document required maintenance to be provided by the owner/owners of structural type drainage improvements. The Plan shall include the following items as applicable:

Type of facility.

Owner of facility.

Required maintenance activity.

Vegetation maintenance.

Bank protection maintenance.

Grade control maintenance.

Removal of debris and sediment from structures.

Required permits for maintenance activity.

Required inspection/monitoring activity.

Schedule for inspection and monitoring activity.

Required agency notification.

42. A Phased Drainage Plan must be submitted and approved for each proposed development phase prior to any preliminary plat or site plan approval for that phase. Each approved phased drainage report must be updated at the completion of each phase based on final design conditions. This requirement must be satisfied for each phase prior to submittal of the next construction phase unless specifically permitted by the City Engineer or his designee.

43. The post development flows exiting this project shall not exceed the pre-development peak flow rate and volume generated from the 100-year, 6-hour storm event. This site must demonstrate that the post runoff peak and volume from the 2, 10, 50, and 100 years storm event do not exceed the pre-development values. This will essentially require the use of retention and detention systems within the site.

44. A site specific Drainage Report shall be submitted with each preliminary plat and/or site plan and shall be in conformance with the approved Master Drainage Report and the Master Drainage Plan for that phase of construction.

45. First flush runoff (first 1-inch of rainfall) must be treated prior to discharge to any adjacent drainage way or public drainage system. All first flush treatment system(s) must be outlined and approved by the City of Peoria prior to approval of the preliminary plat.

46. All non-single family residential parcels shall retain 100% of the 100-year, 2-hour storm event. In the event site specific geologic and topographic conditions do not permit compliance with the retention requirement, the developer may request from the City Engineer a waiver from the retention requirement. If approved by the City Engineer, the developer shall design each site to detain 100% of the 100-year, 2-hour storm event with a discharge rate designed to permit the detained volume to drain within 36-hours per the City Infrastructure Guide.
47. Street drainage shall conform to the City of Peoria Street Drainage Policy outlined in the City Infrastructure Design Guidelines. Specifically, the street right-of-way shall be designed to carry a maximum 100-CFS; a storm drain system is required when that capacity is exceeded with discharge of such a system to an approved facility.
48. The City's Policy is not to permit any crossings that will be designed for less than the 100-year storm capacity and will permit overtopping of such a storm event. However, depending on the location and ownership of such roadway, a waiver may be granted by the City Engineer or his designee. Such a waiver must be requested and approved on a case by case basis.
49. All construction activities within the State of Arizona shall comply with the AZ Pollutant Discharge Elimination System (AZPDES) rules and regulations as a minimum standard in addition to City of Peoria established criteria.
50. All floodplains must be shown on the preliminary and final plats.
51. No structure shall be constructed within the limits of the Federal Emergency Management Agency (FEMA) designated flood plain. Any modification to existing flood plain shall be pre-approved by FEMA through the City of Peoria Site Development Division and the Engineering Department.
52. A Final Drainage Report shall be approved by the City of Peoria for each subdivision plat.

Other

53. One Emergency Response Facility (fire and police) shall be located within Vistancia North as depicted on Figure C-3 and Figure C-6 in the PCD ('Emergency Response Plan'). The station shall be dedicated at the City's discretion and as otherwise specified in the Amended and Restated Development Agreement for Vistancia.
54. Approval of this zoning amendment is not a waiver or amendment by the City of any provision of the Amended and Restated Development Agreement for Vistancia affecting the property. If any provision of this PCD is inconsistent with the Amended and Restated Development Agreement for Vistancia, then the Developer must amend the Agreement prior to implementing the conflicting zoning, or be in breach of the Agreement.
55. The Developer shall provide a library site within the Vistancia property, in a location acceptable to the City of Peoria, subject to the provisions

identified within the Amended and Restated Development Agreement for Vistancia.

56. The Developer shall preserve, in their entirety except as necessary to accommodate road and utility crossings, the McMicken, White Peak, and Twin Buttes washes, as identified on Figure B-3 of the PCD. The preservation area is considered an area fifty (50) feet from each side of the “sandy bottom” of said washes. The developer shall be responsible for providing a survey to determine the sandy bottom of said washes prior to or concurrent with each preliminary plat application.

According to Section 14-39-6.L of the Zoning Ordinance for the City of Peoria, all rezoning amendments shall become effective thirty (30) days after the date of adoption by the City Council. Should you have further questions in this regard, please contact the undersigned at 623-773-5168.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Pruett", written in a cursive style.

Adam Pruett
Senior Planner