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22 **14-37-1 INTENT**

23
24 The intent of this Article is to outline the roles played by the decision-making bodies
25 involved in the zoning processes, and to set forth the procedures for application, review,
26 and approval of land development requests governed by this Ordinance.
27

28 **14-37-2 CITY COUNCIL**

- 29
30 A. *Authority.* Pursuant to provisions of the Peoria City Charter and limitations imposed
31 by the State of Arizona, the Peoria City Council is vested with all the powers of the
32 City.
33
34 B. *General Powers and Duties.* The organization, powers, and duties of the City
35 Council shall be as prescribed in Article II of the City Charter with all amendments
36 thereof. The Council exercises broad approval authority and approves many types
37 of land-use proposals contained in this ordinance. The Council has the power to
38 create or abolish boards, commissions, or committees and may grant to them such
39 powers and duties as are consistent with the provisions of the City Code.
40

41 **14-37-3 PLANNING AND ZONING COMMISSION**

- 42
43 A. *Establishment.* The City has established the Planning and Zoning Commission
44 pursuant to Chapter 20, Section 20-16, of the Peoria City Code (1992 edition) and in
45 accordance with ARS §9-461.
46

47 B. *Membership.* The Planning and Zoning Commission shall be composed of seven
48 members ~~and one alternate~~ who shall be appointed by the Mayor with the approval
49 of the City Council in accordance with the provisions of the City Code.

50
51 C. *General Powers and Duties.* The Planning and Zoning Commission acts as an
52 advisory board to the City Council on land use and zoning matters. The Planning
53 and Zoning Commission shall hold public hearings as required by law and make
54 recommendations to the City Council on all matters concerning or relating to General
55 Plan amendments, zoning district map amendments, zoning ordinance text
56 amendments, and other matters affecting land use and development within the City.

57
58 **14-37-4 ZONING ADMINISTRATOR AND ENFORCEMENT OFFICIAL**

59
60 A. *Authority.* The Planning & Community Development Director or designee(s) thereof
61 shall carry out all responsibilities of the office(s) of the Zoning Administrator and
62 Enforcement Official as defined in A.R.S. §9-462 and as set forth hereafter.

63
64 B. *General Powers and Duties.* Powers and duties of the Planning & Community
65 Development Director acting in capacity of the Zoning Administrator and
66 Enforcement Official shall include, but not be limited to, the following:

- 67
68 1. Administration and interpretation of this ordinance, including clarification of the
69 intent, review of land uses described and included in a zoning district, and
70 delegation of responsibilities for administering procedures and requirements of
71 the ordinance;
72
73 2. Preparation of application guidelines, forms, and administrative procedures; and
74
75 3. Enforcement of this ordinance.
76

77 **14-37-5 BOARD OF ADJUSTMENT**

78
79 A. *Establishment.* The City has established the Board of Adjustment pursuant to A.R.S.
80 §9-462 and the City Code, Chapter 20, Section 20-31, and all amendments thereof.

81
82 B. *Membership.* The Board of Adjustment shall be composed of five (5) members and
83 one alternate who shall be appointed by the Mayor with the approval of the City
84 Council.

85
86 C. *General Powers and Duties.* The Board of Adjustment shall hear and decide
87 appeals from decisions of the Planning & Community Development Department
88 concerning the interpretation of provisions of this Ordinance, ~~and minor variances~~
89 Administrative Relief per 14-39-13, ~~shall hear appeals from~~ decisions of
90 administrative hearing officers, ~~shall act on applications for~~ temporary use permits
91 and variances ~~(other than those variances determined to be minor)~~, and shall
92 exercise such other powers as granted by Council.
93

94 **~~14-37-6~~ DESIGN STANDARDS ADVISORY BOARD**

95
96 A. ~~Establishment.~~ The City has established the Design Standards Advisory Board
97 pursuant to the City Code, Chapter 20, Section 20-76, and all amendments thereof.

98
99 B. ~~Membership.~~ The Design Standards Advisory Board shall be composed of five (5)
100 members who shall be appointed by the Mayor with the approval of the City Council.

101
102 C. ~~General Powers and Duties.~~ The Design Standards Advisory Board shall review and
103 make recommendations concerning review standards for non-residential and
104 residential design, work with City staff and provide recommendations concerning the
105 review process, and perform other duties as prescribed by City Council.

106
107 **14-37-76 DESIGN REVIEW APPEALS BOARD**

108
109 A. *Establishment.* The City has established the Design Review Appeals Board pursuant
110 to the City Code, Chapter 20, Section 20-75, and all amendments thereof.

111
112 B. *Membership.* The Design Review Appeals Board shall be composed of five (5)
113 seven (7) members who shall be appointed by the Mayor with the approval of the
114 City Council.

115
116 C. *General Powers and Duties.* The Design Review Appeals Board shall hear and
117 render a decision on all appeals of decisions of the Planning & Community
118 Development Department of pertaining to the implementation of the Design Review
119 Manual design review. The Board shall also review and make recommendations on
120 design standards and review procedures thereof, and other duties as prescribed by
121 the City Council.

122
123 **14-37-87 HISTORIC PRESERVATION BOARD COMMISSION**

124
125 A. *Establishment.* The City has established the Historic Preservation Commission
126 pursuant to the City Code, Chapter 20, Section 20-30, and all amendments thereof.

127
128 B. *Membership.* The Historic Preservation Commission shall be composed of five (5)
129 members who shall be appointed by the Mayor with the approval of the City Council.

130
131 C. *General Powers and Duties.* Pursuant to the City Code, Chapter 20, Section 20-34,
132 and all amendments thereof, the Historic Preservation Commission shall review and
133 make recommendations to the City Council on matters concerning significant
134 historic, architectural, and cultural landmark's within the City.

135
136 **14-37-98 ADMINISTRATIVE HEARING OFFICER**

137
138 A. *Authority.* Pursuant to A.R.S. §9-462.08 and in accordance with Chapter 20, Section
139 20-41 of the City Code (1002), the City has the authority to establish administrative
140 hearing officer(s) and delegate to the hearing officer(s) the authority to conduct
141 hearings.

- 143 B. *Appointment.* Hearing officers shall be appointed by the City Manager on the basis
144 of technical training and experience which qualifies them to conduct hearings and
145 make findings and conclusions on the matters heard.
146
- 147 C. *Land Use Hearing Officer.* Pursuant to Subsection A of this Section, the City has
148 established a Land Use Hearing Officer. The Land Use Hearing Officer shall hear
149 appeals for the following: (Ord. No. 03-03)
150
- 151 1. Decisions of the Planning & Community Development Department regarding
152 administration of the requirements of the Hillside Development Overlay District as
153 described in Article 14-22A and in accordance with Article 14-39, "Administrative
154 Procedures," Section 14-39-14, "Hillside Appeals."
155
 - 156 2. Determinations for exactions or dedications required by the City as a condition of
157 granting approval for the use, improvement, or development of real property, in
158 accordance with this Ordinance and all amendments thereto.
159
 - 160 3. Other matters as the Council may provide by Ordinance
161

162 **14-37-109 PLANNING AGENCY**

- 163
- 164 A. *Establishment.* The City has established the Planning & Community Development
165 Department to carry out the functions of the Planning Agency, pursuant to A.R.S. §9-
166 461-01 and the City Code, Chapter 20, Section 20-1, and further described herein.
167
- 168 B. *General Powers and Duties.* The Planning & Community Development Department
169 shall perform but not be limited to, the following functions:
170
- 171 1. Develop and maintain a General Plan.
172
 - 173 2. Develop such specific plans as may be necessary to implement the General
174 Plan.
175
 - 176 3. Develop and administer a zoning code which will serve as an implementation
177 vehicle for the General Plan and specific area plans.
178
 - 179 4. Perform such other planning functions as directed by the City Manager, Mayor
180 and City Council.
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ARTICLE 14-39 ADMINISTRATIVE PROCEDURES

CONTENTS

14-39-15 DESIGN REVIEW APPEALS

14-39-15 DESIGN REVIEW APPEALS

A. *Filing*

1. The applicant may appeal a final decision of the Department on a design review submittal to the Design Review ~~Appeals~~ Board. Such appeal shall be filed on the official form provided by the Department, within ten (10) calendar days of the Department's decision, to the Department, together with any applicable fee. The appeal shall specifically indicate those items of the final decision by the Department being appealed.
2. The Department shall submit any response to the appeal and relevant background material on file to the Design Review ~~Appeals~~ Board for the next scheduled meeting.

- B. *Action of the Design Review ~~Appeals~~ Board.* The Design Review ~~Appeals~~ Board shall hear an appeal within ~~thirty (30)~~ forty-five (45) calendar days of submission of the appeal. The Board shall make a decision on the date of the hearing, unless continued at the discretion of the Board, and shall transmit the decision to the applicant in writing. The decision of the Design Review ~~Appeals~~ Board shall be final.