

Exhibit 1
Draft Ordinance

ORDINANCE NO. 2024-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING THE PEORIA CITY CODE, CHAPTER 21 BY AMENDING SECTIONS 21-200 "DEFINITIONS", 21-503 "LAND USE MATRIX", AND 21-505 "LIMITATIONS ON USES"; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Maricopa County, Arizona, held a public hearing on March 21, 2024, to consider proposed amendments to the Peoria City Code (1992 edition), regarding Self-Storage and Boat & RV Storage facility regulations, after notice in the manner provided by law; and

WHEREAS, due and proper notice of such Public Hearing was given in the time, form, substance, and manner provided by law including publication of such in the Peoria Times on February 29, 2024; and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Arizona at its regularly convened meeting of March 21, 2024 voted to recommend to the Mayor and Council of the City of Peoria, Arizona, that amendments be made to the Peoria City Code (1992 edition) regarding Self-Storage and Boat & RV Storage facility regulations (the "Ordinance");

WHEREAS, in accordance with Arizona Revised Statute 9-462.01.E, the Mayor and Council of the City of Peoria finds that the Ordinance would not have a direct impact on the cost to construct housing for sale or rent within the City of Peoria; and

WHEREAS, the Mayor and Council of the City of Peoria, Arizona, have considered the recommendation of the Planning and Zoning Commission of the City of Peoria, Arizona, and deem it to be in the best interest of the public health, safety and welfare of the residents of the City of Peoria, Arizona to amend Sections 21-200 ("Definitions"), 21-503 ("Land Use Matrix"), and 21-505 ("Limitations on Uses") of the Peoria City Code (1992 edition); and

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

SECTION 1. The foregoing recitals are incorporated as if fully set forth herein.

SECTION 2. Chapter 21 of the Peoria City Code shall be amended to read as indicated on **Exhibit A** of this Ordinance.

SECTION 3. This Ordinance shall become effective on the date provided by law. Notwithstanding any provision of this Ordinance, a development application, including but not limited to a Conditional Use Permit or Site Plan, for a Self-Storage or Boat and RV

Storage facility filed and accepted prior to the effective date of this ordinance will be reviewed and decided in accordance with the Zoning Ordinance regulations in existence at the time of the acceptance of said application, and so long as such development application and any associated permits remain active and valid, the application may proceed through the approval process subject to the Zoning Ordinance regulations in place at the time in which it was accepted. Any development application filed and accepted after the effective date of this Ordinance shall be subject to the regulations as adopted herein.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. The City Clerk is hereby authorized to correct clerical and grammatical errors, if any, related to this Ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the Peoria City Code.

PASSED AND ADOPTED by the Mayor and Council of the City of Peoria, Maricopa County, Arizona this 16th day of April, 2024.

Jason Beck, Mayor

Date Signed

ATTEST:

Agnes Goodwine, City Clerk

APPROVED AS TO FORM:

Emily Jurmu, City Attorney

Published in: Peoria Times

Publication Date:

Effective Date:

Exhibit A

City Code Amendment

Amendment for Adoption to the Peoria City Code, Chapter 21

HOW TO READ THIS DOCUMENT

Unless otherwise stated, provisions that are being deleted are shown in bold red strikethrough text, like this: ~~Provisions that are being deleted are shown with a bold red strikethrough text.~~

Provisions that are being added are shown in double-underlined bold blue text, like this: Provisions that are being added are shown in double-underlined bold blue text.

Unless otherwise specifically addressing changes to a particular section or subsection of the code through the above referenced methods changes are only intended for those specific sections and subsections of the code that are addressed herein.

Section 1. Amend Chapter 21 – Zoning, Definitions, Section 21-202 “Definitions” only as follows, leaving all other definitions unchanged:

B

Boat, Recreational Vehicle & Trailer Storage: The parking, keeping, or placing of boats, recreational vehicles, or similar self-propelled or tow-behind vehicles, and associated equipment, such as but not limited to, utility trailers, jet skis, snow mobiles, and all-terrain vehicles for patrons. This classification is not applicable for contractor storage yards.

O

Outdoor Storage means screened exterior storage of material, goods, or equipment with restricted public access. Vehicle Dealerships, Vehicle Rental Facilities, Self-Storage Facilities, and Boat & Recreational Vehicle & Trailer Storage are excluded from this classification. ~~including items for sale, lease, processing and report for a period greater than 24 hours.~~

S

Self-Storage, Indoor and Drive-Up. Often referred to as Mini-Storage, these facilities offer storage for patrons, which may be accessed through internalized controlled entry within the building or through controlled drive-up access within the facility. Facility shall refer to a building or group of buildings that contain varying sizes of individual, compartmentalized, and/or enclosed stalls or lockers for the storage of customers' goods or wares.

Exhibit A
Ordinance 2024-05

42 Section 2. Amend Chapter 21 – Zoning, Non-Residential Districts, Section 21-503 – Land Use Matrix,
43 subsection General Industrial & Manufacturing, as follows:

44

45 **21-503 Land Use Matrix**

<p>C = Permitted Conditional Use. Conditional Use Permit required. See Section 21-321. A = Accessory use Δ = Any uses located within 200 feet of a residential district shall be subject to a Conditional Use Permit # = Subject to special limitations (see the following Section 21-505) - = Not Permitted</p>												
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												
Mini-Storage Warehouses, RV, Boat, and Trailer Storage indoor, and/or screened only#	-	-	-	C	C	-	C	C	P	P	P	P
<u>Boat, Recreational Vehicle (RV) & Trailer Storage</u>	=	=	=	=	=	=	<u>PA</u>	<u>PA</u>	=	<u>PA</u>	<u>PA</u>	=
Contractor Storage Yard, including outdoor storage of construction equipment and materials	-	-	-	-	-	-	C	-	-	<u>PA</u>	<u>PA</u>	<u>PA</u>
Outdoor Storage, including Automobile, RV, Boat, and Trailer Storage	-	-	-	-	-	-	C	C	-	<u>PA</u>	<u>PA</u>	<u>PA</u>
<u>Self-Storage, Indoor and Drive-Up</u>	=	=	=	=	<u>C</u>	=	<u>PA</u>	<u>PA</u>	=	<u>P</u>	<u>P</u>	=

46

47 Section 3. Amend Chapter 21 – Zoning, Non-Residential Districts, Section 21-505 – Limitations on
48 Uses, subsection D. General Industrial & Manufacturing, as follows:

49

50 *D. General Industrial & Manufacturing.*

51 ~~1. Mini-storage warehouses, RV, Boat, and Trailer Storage, indoor and/or screened, shall be~~
52 ~~subject to the following additional requirements:~~

53 ~~a. For the purposes of this Section, an outdoor RV, Boat and Trailer Storage use shall be~~
54 ~~visibly screened from a public street by an architecturally integrated wall or structure~~
55 ~~consisting of a minimum height of ten (10) feet, or as otherwise approved by the Planning~~
56 ~~and Zoning Commission. Additional screening from elevated roadways may be required,~~
57 ~~such as canopies, berming, or other design solutions.~~

- 58 ~~b. Doors of the storage areas shall not front on any public street.~~
59 ~~c. Only storage shall be permitted. No sale of goods, materials or other tangible or intangible~~
60 ~~property from the facility or any part thereof shall be permitted. No activities conducted~~
61 ~~on the premises, whether related to the stored items or otherwise. The sale of insurance~~
62 ~~by the operator on goods stored therein or the sale by the operator of items used in~~
63 ~~connection with the storage of goods at the site shall not be prohibited.~~
64 ~~d. No hazardous or flammable materials, as defined in the Peoria City Building Code, shall be~~
65 ~~stored in such facility.~~
66 ~~e. The City may exempt any structure from side and rear yard setbacks, except in~~
67 ~~circumstances where the site devoted to such use abuts a residential use or residentially-~~
68 ~~zoned vacant property. In such cases, the setback for the site boundary abutting the~~
69 ~~residential district shall be no less than thirty (30) feet.~~
70

71 1. All Boat & RV Storage, as well as Self-Storage, Indoor and Drive-Up uses:

- 72 a. Applicability: These use-specific standards herein shall be applicable to facilities in all
73 zoning districts including in Planned Area Development (PAD) and Planned Community
74 Development (PCD) districts where the approved land use table refers to a City underlying
75 Non-Residential Zoning District.
- 76 b. Maximum Acreage: Self Storage, Indoor and Drive-Up facilities are limited to a maximum
77 five (5) gross acres in size.
- 78 c. Location Siting Requirements:
- 79 1) Vehicular access shall only be from a street classified on the City's General Plan
80 Circulation Map as an Arterial or Collector. No access is permitted onto streets
81 classified as local, or Limited Access Parkway and above.
- 82 2) Minimum separation distance from another Boat and RV Storage or Self-Storage
83 facility is one (1) mile as measured from the site property line.
- 84 3) Minimum distance from an Arterial/Arterial intersection is six hundred and sixty
85 (660) feet as measured from the center of the radius of the intersection curb return.
- 86 d. Development Standards and Design Requirements:
87 The following development standards and requirements are in addition to the underlying
88 zoning district requirements only for those standards noted below.
- 89 1) When the facility is abutting a residentially-zoned lot, windows fronting onto the
90 residential area shall be clerestory (or faux windows).
- 91 2) Doors of the storage areas shall not front on, or be visible from, any public street.
- 92 e. Operational Requirements:
- 93 1) All Self-Storage uses must be conducted entirely within the facility, with no outside
94 storage or display allowed regardless of screening.
- 95 2) Conducting sales or operating a business from the storage area or unit is prohibited.
- 96 3) Residing within an RV or Self-Storage unit is prohibited; however, a single caretaker
97 residence for the facility is allowed as an accessory use.
- 98 4) Vehicle maintenance is prohibited on site.

- 99 5) A detailed operations plan shall be provided which outlines:
100 i. Operational Hours;
101 ii. Security;
102 iii. Lighting;
103 iv. Odor mitigation from any dumping stations;
104 v. General clean-up of the site; and
105 vi. Procedures on addressing improper behavior, dumping of trash, and other
106 nuisance concerns.
107
- 108 2. Recycling Collection Facility and similar establishments shall not be engaged in any processing or
109 compounding to reform materials into a useable state. The Planning and Zoning Commission
110 may require screening, landscaping, and the restriction of use/materials to enclosed structures.
- 111 3. Research Laboratories whose principal function is basic research, design and pilot or
112 experimental product development shall have all activities conducted within a completely
113 enclosed building.
- 114 4. Moving Truck, Trailer, and Equipment Rental shall be subject to the following additional
115 requirements:
- 116 a. In the C-2 and PC-2 Zoning Districts, Moving Truck, Trailer, and Equipment Rental shall be
117 allowed as an Accessory Use to Mini-Storage Warehouses, RV, Boat, and Trailer Storage
118 indoor, and/or screened only, Hardware and Home Improvement Store, and Hardware and
119 Home Improvement Store with outdoor storage and/or garden center.
- 120 1) No more than six (6) vehicles shall be stored on site in association with the Moving
121 Truck, Trailer, and Equipment Use.
- 122 2) Outdoor storage of vehicles and equipment associated with the Moving Truck, Trailer,
123 and Equipment rental shall be fully screened from public view or located a minimum of
124 200 feet from the right of way.
- 125 3) Outdoor storage of vehicles and equipment associated with the Moving Truck, Trailer,
126 and Equipment rental shall not occupy required parking spaces or access lanes.
- 127 4) Moving trucks, trailers, and equipment shall be stored in a designated area of the site.
128 For multi-tenant sites, or sites with multiple uses, the designated area shall be
129 proximate to the associated principal use.
- 130 5) No fueling shall occur on-site in conjunction with this use.
- 131 6) Moving trucks and trailers which require a Commercial Drivers License for their
132 operation shall be prohibited.
- 133 7) A Site Plan application (or Site Plan Amendment application for sites with a previously
134 approved Site Plan) shall be required.
135