



PLANNING & ZONING COMMISSION

STAFF REPORT

Meeting Date: 11/14/2024

Agenda Item(s): 3R

TO: Planning and Zoning Commission
THROUGH: Chris M. Jacques, AICP, Planning Director
FROM: Lorie Dever, Deputy Director
SUBJECT: Code Amendment: Administration and Procedures (TA24-01)

PURPOSE

This is a city-initiated text amendment to Sections 21-100, 21-300, 21-400, 21-500, 21-600, 21-700 and 21-800, along with establish Section 21-900 within the Zoning Ordinance in response to Senate Bill SB1162. The proposed modifications in each of these Sections are summarized below:

- Rename Section 21-100 *“Introduction”* to 21-100 *“Introductory Provisions and Administration”*;
- Append and update the administrative regulations from 21-300 into *Section 21-100*;
- Rename 21-300 *“Administration and Procedures”* to 21-300 *“General Provisions and Standards”*;
- Relocate and renumber Sections 21-800 through 21-814 into 21-300 *“General Provisions and Standards”* as specified;
- 21-400 *“Residential Districts”* and 21-500 *“Non-Residential Districts”* to clarify corner setback minimums;
- Rename 21-600 *“Special Districts and Designations”* to 21-600 *“Special Uses, Districts and Overlays”*;
- Amend Section 21-600 to standardize PAD / PCD references to match existing practices.
- Eliminate regulations within Section 21-701 through 21-709 known as *“Senior Citizen Overlay Zoning District”*;
- Consolidate provisions within Section 21-710 through 21-734 and append into the revised Section 21-600 *“Special Uses, Districts and Overlays”*
- Rename 21-800 *“Supplemental Regulations”* to 21-800 *“Landscape”*; and
- Append and renumber 21-823 through 21-826 into *Section 21-900 “Parking and Loading”*;
- Rename subsections to clarify topics of individual sections for easier reference;
- Update cross-references within individual regulations to point to new section numbers; and

If approved, staff believes these code modifications will consolidate and clarify administrative and application procedures, along with restructuring major sections within the Zoning Ordinance for ease of use and adaptability.

BACKGROUND

The 56th Arizona state legislature passed a number of bills this session that have been signed into adoption by the Governor pertaining to municipal zoning, including Senate Bill SB1162: Residential Zoning; Housing and Hearings. (Exhibit F) More specifically, SB1162 is colloquially known as the “Shot Clock Bill” and requires municipalities on or before January 1, 2025, to adopt a zoning amendment requiring the determination of administrative completeness of a zoning application to occur within thirty (30) days of receipt. The bill also requires the municipality to determine if a resubmitted application is “administratively complete” within fifteen (15) days. Additionally, it requires approval or denial of an administratively complete non-PAD (and

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non-PCD) zoning application within 180 days; however, it does permit extensions within certain circumstances. At the same time the provisions of the Zoning Ordinance are being updated to conform with the administrative deadlines and duration timelines specified within SB1162, staff is taking this opportunity to clarify and modernize the Zoning Code in preparation for future code amendments.

PROPOSED REGULATIONS

SB1162 requires a municipality to define and implement administrative completeness deadlines within the zoning code, along with establishing a decision deadline for non-PAD/PCD cases. (Exhibit B) Currently, Peoria meets and exceeds the “shot clock” requirements in SB1162, and has chosen to memorialize current policies, practices and timeframes within the Zoning Ordinance with these updates. While SB1162 primarily focused on establishing uniform processing standards for rezoning applications, changes were made to application deadlines to ensure timely resubmittal and responses from applicants. In this regard, Peoria is taking additional steps to improve transparency and accountability within the rezoning process. Secondly, staff is taking this opportunity to improve the longevity and adaptability of the code, in preparation for more substantive code amendments down the way. This results in significant restructuring within the majority of the main sections within the code, such as, but not limited to significant wordsmithing to ensure uniformity with existing practices and expectations, consistency across sections in regard to wording and formatting, and elimination of redundancy and duplication. These secondary efforts are in keeping with the adopted goals and policies within the General Plan which require staff to regularly review, maintain and/or update the city’s policies and regulatory documents for ease of use, efficiency, and effectiveness.

These changes were summarized and presented during the public meetings noted below, and the draft code was posted to the city’s website. No comments were received.

KEY FINDINGS

- Existing Peoria policies and practices exceed the regulatory requirements of SB1162, and as such, the city has chosen to memorialize this within the code changes. As such, staff believes the proposed text changes exceed the imposed legislative requirements.
- The proposed changes are in keeping with the adopted General Plan requirements which require regular review, maintenance and/or update of the city’s policies and regulatory documents to maintain ease of use, efficiency and effectiveness.

COMMUNITY INVOLVEMENT

Public Meetings:

- Legislative Briefing to City Council on September 17, 2024.
- Legislative Briefing to Planning and Zoning Commission on October 3, 2024.
- Planning and Zoning Commission Study Session on October 17, 2024.

Public Noticing:

The application was properly noticed pursuant to Section 21-315 of the Peoria Zoning Ordinance, which includes placing a legal ad in the Peoria Times at least 15 days prior to the Public Hearing.

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Support / Opposition:

No opposition or support for this proposal was received.

POSSIBLE ACTIONS / OPTIONS

- A:** Approve as recommended by staff; or
- B:** Approve in part or with modifications; or
- C:** Deny; or
- D:** Continue action to a date certain or indefinitely.

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission take the following action:

Recommend approval of Case TA24-01 to the City Council as proposed in Exhibit A through Exhibit E.

STAFF CONTACT

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