

Exhibit 3
Draft Ordinance

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF PEORIA, MARICOPA COUNTY, ARIZONA, AMENDING THE PEORIA CITY CODE, CHAPTER 21 SECTIONS 21-200 "DEFINITIONS AND LAND USE CLASSIFICATIONS", 21-400 "RESIDENTIAL DISTRICTS", 21-900 "PARKING AND LOADING", AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Arizona Legislature adopted House Bill (HB) 2721, which codified certain statutory requirements and regulations established pursuant to HB2721, including A.R.S. § 9-462.10 (A), which provides in part, that cities and towns with a population of 75,000 or more must authorize the development regulations, on or before January 1, 2026, pertaining to "duplexes, triplexes, fourplexes, and townhomes"; and

WHEREAS, the City wishes to amend the Zoning Ordinance of the City of Peoria within the Peoria City Code (1992) regarding certain provisions in Sections 21-200 "Definitions and Land Use Classifications", 21-400 "Residential Districts", 21-900 "Parking and Loading", of the Peoria City Code (1992 edition), for the purpose of addressing State of Arizona legislation relating to Middle Housing (HB2721) (the "Ordinance"); and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Maricopa County, Arizona, held a public hearing on October 16, 2025, to consider proposed amendments to the Peoria City Code (1992 edition), 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 September 25, 2025; and

WHEREAS, the Planning and Zoning Commission of the City of Peoria, Arizona at its regularly convened meeting of October 16, 2025 voted to recommend the Code Amendment Case TA25-01 to the Mayor and Council of the City of Peoria, Arizona; and

WHEREAS, the City Council has considered the probable impact of this Ordinance on the cost to construct housing for sale or rent in accordance with Arizona Revised Statute 9-462.01.E; and

WHEREAS, the City Council has determined the code amendment to the Zoning Ordinance is in conformance with the City of Peoria General Plan, as amended; 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 the provisions and associated sections as specified within the Ordinance; and

Ordinance 2025-XX

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 in Exhibit A of this Ordinance.

SECTION 3. 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 4. 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 18th day of November, 2025.

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

Section 1. Amend Chapter 21 - Zoning, Section 21-200 Definitions and Land Use Classifications, only as follows, leaving all other definitions, sections and subsections not specifically referenced unchanged:

Sec. 21-202. Definitions and Land Use Classifications.

- 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:

A

Accessory Building means a detached, secondary building or structure, which the use of is customarily incidental to the principal (or "main") building on the same lot. Accessory buildings or structures include without limitation private garages, pool houses, sheds, and recreational support building; however, [this definition](#) does not include Accessory Dwelling Units, [or Middle Housing](#).

Section 2. Amend Chapter 21 - Zoning, Section 21-400 Residential Districts, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 21-409. Permitted Principal Uses

- A. Single-Family Dwelling.
- B. Publicly owned and operated parks, recreation areas, and centers.
- C. Soil Crops.
- D. Group Homes, in accordance with Section 21-330.
- E. Public/Charter Schools and Private Schools, provided that the facility shall have direct vehicular access to an arterial or collector street. Facilities for the repair or storage of vehicles and equipment shall be prohibited.
- F. Churches, Synagogues, Temples, Chapels, or similar places of worship, and related facilities.
- G. Public utility buildings, uses, structures, equipment and storm water retention areas; provided that repair or storage facilities in connection therewith are expressly prohibited.

H. Middle Housing, in accordance with Section 21-423.

Sec. 21-416. Permitted Principal Uses

- A. One detached single-family dwelling per lot.
- B. Publicly owned and operated parks, recreation areas, and centers.
- C. Group Homes, in accordance with Section 21-330.

Ordinance 2025-XX

- D. Public/Charter Schools and Private Schools, provided that the facility shall have direct vehicular access to an arterial or collector street. Facilities for the repair or storage of vehicles and equipment shall be prohibited.
- 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.
- F. Public utility buildings, uses, structures, equipment and storm water retention areas; provided that repair or storage facilities in connection therewith are expressly prohibited.
- G. Middle Housing, in accordance with Section 21-423.

Sec. 21-423. ~~Reserved~~ Middle Housing.

- A. Purpose and Applicability. The purpose of Section 21-423 (otherwise referred herein as the Middle Housing Section) is to establish regulations that allow for the development of Middle Housing as defined herein.
- B. Definitions. Terms used in the Middle Housing Section shall have the following definitions and are only applicable to this section unless otherwise specifically stated:

Central Business District. The area identified in Exhibit A "Central Business District Boundary" of Resolution No. 2020-70.

Duplex. Two (2) dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy.

Fourplex. Four (4) dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy.

Middle Housing:

1. Buildings that are compatible in scale, form, and character with single-family dwellings and that contain two (2) or more attached, detached, stacked, or clustered dwellings.

2. Duplexes, Triplexes, Fourplexes, and Townhomes.

Townhomes. Dwelling units that are constructed in a row of two (2) or more attached units in which each dwelling unit shares at least one common wall with an adjacent unit and that are accessed by separate outdoor entrances.

Triplex. Three (3) dwelling units on the same parcel or lot in attached, detached, or semi-detached arrangements that are designed for residential occupancy.

C. Eligibility.

1. Subject to the requirements of the Middle Housing Section, Middle Housing is allowed as a Principally Permitted Use on:

a. All lots zoned Suburban Ranch and Single Family Residential where the entire parcel is located within one mile of the designated Central Business District, excluding all Planned Area Development (PAD) and Planned Community District (PCD) Zoning Districts.

b. At least twenty (20) percent of the gross area of a new development of more than ten (10) contiguous acres.

2. The following areas are not eligible to construct Middle Housing:

a. Areas that are not served by water and sewer services;

- b. Areas that lack sufficient urban services;
- c. Any land within the territory in the vicinity of a public airport or of a Military Airport as defined in Title 28, Chapter 25 - Aviation, of the Arizona Revised Statutes.
- D. Application. A property owner seeking to develop Middle Housing on a property zoned for single-family residential use as defined by this Middle Housing Section shall provide Evidence of the following:
 - 1. That the proposed Middle Housing is eligible as a permitted use in accordance with this section; and
 - 2. Adequate existing public sewer and water service, and the ability to serve the proposed development; and
 - 3. Sufficient urban services are in place for the proposed development.
- E. Process. The development shall follow all applicable processes for single family residential dwellings.
- F. Property Development Standards. The development shall comply with the single-family residential dwelling development standards for the relevant district.

Section 3. Amend Chapter 21 - Zoning, Section 21-900 Parking and Loading, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 21-903. Parking Requirements

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.*

Parking Spaces Required		
Dwelling Type	With On-Street Parking	Without On-Street Parking
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	2.0 spaces/unit ^a
Three-family	2.0 spaces/unit	2.0 spaces/unit ^a
<u>Middle Housing</u>	<u>1.0 space/unit</u>	<u>1.0 space/unit</u>
Multi-Family^b		
Efficiency/Studio	1.0 spaces/unit	1.0 spaces/unit
One Bedroom	1.5 spaces/unit	1.5 spaces/unit
Two or More Bedrooms	2.0 spaces/unit	2.0 spaces/unit
^a In addition to the required spaces, .25 guest spaces per unit shall be included. ^b In addition to the required spaces, one (1) guest space for each ten (10) units shall be included. ^c MF Standards		