



PLANNING & ZONING COMMISSION

STAFF REPORT

Meeting Date: 2/19/2026

Agenda Item(s): 5R

TO: Planning and Zoning Commission
THROUGH: Chris M. Jacques, AICP, Planning Director
FROM: Eric Cook, Planner II
SUBJECT: Code Amendment: Chapter 21 (Zoning), Animal Shelters (TA25-03)

PURPOSE

This is an applicant requested code amendment to City of Peoria Zoning Ordinance Sections 21-503 “*Land Use Matrix*” and 21-505 “*Limitations on Uses*” to allow for the operation of Animal Shelters within the Intermediate Commercial (C-2) Zoning District, subject to limitations on use. The proposed modifications in each of these Sections are summarized below:

- Amend Section 21-503 “*Land Use Matrix*” to add animal shelters as a principally permitted use within the Intermediate Commercial (C-2) Zoning District.
- Section 21-505 “*Limitations on Uses*” to create standard use limitations for animal shelters within the Intermediate Commercial (C-2) Zoning District within.

Staff believe these code modifications are in alignment with the intent of the C-2 Zoning District and consistent with the variety of animal uses already commonly found within existing commercial centers. If approved, this adjustment would unify operational regulations for similar types of animal uses, and allow for smaller non-profit organizations to purchase or rent commercial spaces, thus expanding their outreach to the community.

BACKGROUND

The applicant is Barb’s Animal Rescue, which is a non-profit animal rescue that offers dog boarding, adoption facilities, grooming services, as well as pet thrift store. Within the Zoning Ordinance, animal rescue centers are classified as an “animal shelter”, which is a conditionally permitted use in General Commercial (C-4) and most industrial zoning districts within Peoria. With this proposal, the applicant is seeking to amend the Zoning Ordinance to allow “animal shelters” within the Intermediate Commercial (C-2) Zoning District, subject to meeting specific operational requirements.

For context, the Intermediate Commercial (C-2) Zoning District is the most common commercial zoning district within Peoria and is generally located around major intersections. Additionally, the C-2 zoning district provides the greatest range and access to goods and services to adjacent residential areas. Currently, there are several animal-related services / uses allowed within the C-2 Zoning District, as will be discussed in more depth below.

PROPOSED REGULATIONS

As identified in Exhibit A, the applicant proposes that “animal shelters” and “boarding kennels” be permitted to operate within the Intermediate Commercial (C-2) Zoning District, subject to the following limitations:

1. Boarding shall be limited to household pets.
 2. The commercial breeding of animals shall be prohibited.
 3. Operation of any outdoor play areas for the animals shall not occur between 7:00 p.m. and 6:00 a.m.
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4. All necessary improvements shall be made to the building(s) to ensure that it achieves a Sound Transmission Control Value of 50 or greater.
5. Any dumpster on site shall have a fully functioning lid that remains closed at all times except to dispose of items within the dumpster.
6. Solid waste resulting from the animals shall be picked up, double bagged, and disposed of immediately.
7. All outdoor play areas shall be sprayed down twice a day (both midday and at the end of the day) with a solution designed to neutralize the odor resulting from animal waste.
8. The walls of any exterior animal play areas shall be constructed of masonry block to a minimum height of six (6) feet.
9. No animals shall be kenneled in the exterior play areas.
10. No animals shall be permitted in the exterior play areas without staff supervision.

ANALYSIS

Currently within the C-2 Zoning District the following animal-related land uses are either “permitted by-right” or are “conditionally permitted” via obtaining a Conditional Use Permit (CUP) as noted below:

- Animal or Doggie Daycare (CUP);
- Boarding Kennel (CUP);
- Pet Shop (Permitted), and
- Vet Clinic (CUP)

In reviewing the operational characteristics of animal shelters, they have significant similarity to boarding kennels, which are allowed to operate in the C-2 Zoning District upon first obtaining a conditional use permit (CUP). While boarding kennels have specific use limitations identified within the Zoning Ordinance, conversely, animal shelters do not have any limitations identified. However, both types of facilities generate the same concerns when they are located adjacent to residential areas. Given their similarities, staff concurs that both animal shelters and boarding kennels should have similar use limitations.

When analyzing the question on whether an “animal shelter” should be permitted by right, or need to obtain a conditional use permit, it is essential to remember that conditional uses are effectively ‘*allowed uses*’, but subject to a slightly higher level of scrutiny through a separate process. This higher level of scrutiny may be necessitated by a greater intensity level compared to normal, the specific nature or type of use itself, or another operational facet that warrants potentially mitigation. In analyzing other animal related businesses/services within the C-2 Zoning District, staff observed all of them generally allowed the same levels of activity, except duration may be different between the uses. In particular, most to all allow animal adoption, grooming, vet services, and small animal daycare as ancillary or primary uses within retail establishments. Given this factor, the use of animal shelter, in and of itself, does not warrant an additional level of scrutiny through a conditional use permit process if the operational regulations sufficiently address potential concerns.

In this situation, staff believes the proposed operational limitations for both boarding kennels and animal shelters, as shown in Exhibit A, sufficiently addresses noise and odor, especially given potential adjacency to residential areas. As such, staff concurs with the proposed changes as presented.

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KEY FINDINGS

- Similarly related animal uses, boarding and training kennels, have been previously found to be appropriate uses for the Intermediate Commercial (C-2) Zoning District and thus have been allowed within the zoning district specific limitations on use.
- Animal shelters being akin to boarding and training kennels would also be an appropriate use within the Intermediate Commercial (C-2) Zoning District, with the same limitations on use applied with additional limitations to ensure safe, healthy, and responsible operation.

COMMUNITY INVOLVEMENT

Public Meetings:

- Planning and Zoning Commission Study Session on February 5, 2026.

Public Noticing:

The application was properly noticed pursuant to Section 21-146 of the Peoria Zoning Ordinance, which includes placing a legal ad in the Peoria Times at least 15 days prior to the Public Hearing.

Support / Opposition:

There have been no submittals in support or opposition of this proposal.

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 TA25-03 to the City Council as proposed in Exhibit A.

STAFF CONTACT

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TA25-03 Animal Shelters City Code Amendment

Amendment for Adoption to the Peoria City Code, Chapter 21

HOW TO READ THIS DOCUMENT

Applicable Sections of the Zoning Ordinance are denoted by **highlighted bold text** for ease of readability during the drafting process.

Unless otherwise stated, provisions or regulations being deleted are shown in bold red strikethrough text or a line through the graphic, like this: ~~Provisions that are being deleted are shown with a bold red strikethroughs text~~. Graphics containing bold red strikethrough are intended to remove the graphic in its entirety as well as any text that is embedded in the graphic.

Provisions or regulations 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. Graphics containing a bold double blue box are intended to add the graphic in its entirety as well as any text that is embedded in the graphic.

Only those changes noted through the above methods for the specific sections and subsections of the code identified shall be made. When regulations, graphics or other text is omitted, or is shown unchanged in adjoining sections or subsections of the code, it shall remain unchanged.

Exhibit A

City Code Amendment

Amendment for Adoption to the Peoria City Code, Chapter 21

Section 1. Amend Chapter 21 - Zoning, Section 21-503 Land Use Matrix, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 21-503. Land Use Matrix.

Table 21-503 Land Use Matrix

P = Permitted Use 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												
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 #	-	-	-	-	- <u>P</u>	-	C	-	-	C	C	C

Section 2. Amend Sec. 21-505 Limitations on Uses, K. Personal Services, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 21-505 Limitations on Uses

K. Personal Services.

1. Body Piercing Studios, Tattoo Studios, Retail Liquor Stores, Plasma Center, Non-Chartered Financial Institutions, and Pawnshops shall be subject to all of the following additional requirements:
 - a. All vehicular access shall be from arterial streets.
 - 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, 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.
 - 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.

3. Animal Shelters and Boarding and Training Kennels- ~~l~~ in the C-2 Zoning District, shall comply with the following limitations: ~~shall apply:~~
- a. Boarding shall be limited to household pets.
 - b. The commercial breeding of animals shall be prohibited.
 - c. Operation of any outdoor play areas for the animals shall not occur between 7:00 p.m. and 6:00 a.m. ~~The hours of operation for outdoor areas shall be limited to between the hours of 6:00 a.m. and 7:00 p.m.~~
 - d. All necessary improvements shall be made to the ~~indoor facilities shall be completely enclosed and building(s) to ensure that it shall be designed and constructed to~~ achieves a Sound Transmission Control Value of 50 or greater.
 - e. Any solid waste containers utilized shall have lids that remain closed at all times except to dispose of items within the dumpster. ~~All refuse shall be stored within an airtight container, or within a completely enclosed building. f.~~
 - f. Solid waste resulting from the animals shall be picked up, double bagged, and disposed of immediately.
 - g. All outdoor play areas shall be sprayed down twice a day (both midday and at the end of the day) with a solution designed to neutralize the odor resulting from animal waste.
 - h. The walls of any exterior animal play areas shall be constructed of masonry block to a minimum height of six (6) feet.
 - i. Kenneling animals in exterior play areas shall be prohibited.
 - j. No animals shall be permitted in the exterior play areas without staff supervision.
 - ~~f. Facilities shall be constructed, maintained, and operated so that the smell of boarded animals does not create a nuisance off site.~~
 - ~~g. A Boarding Facility Management Plan shall be provided with the Conditional Use Permit Application indicating the specific operational plans for the facility, including management of noise and odor on the site.~~
4. Massage Establishment.
- a. Hours of operation shall be limited to 8:00 a.m. to 10:00 p.m.