



PLANNING AND ZONING COMMISSION REPORT

Meeting February 19, 2026

Date:

Agenda Item: 6R

Case Name: Code Amendment, Chapter 21 (Zoning), Code Modernization
(TA26-01)

General Application Information

Proposal:

A city-initiated Code Amendment pertaining to Sections 21-100, 21-200, 21-500, 21-600, and 21-700. Revisions to these sections are to enhance the ease of use through modernization of the Zoning Ordinance.

Location:

City-Wide

Project Acreage:

N/A

Applicant:

City of Peoria

ATTACHMENTS:

Description

Staff Report

Exhibit A - Draft Code



PLANNING & ZONING COMMISSION

STAFF REPORT

Meeting Date: 02/19/2026

Agenda Item(s): 6R

TO: Planning and Zoning Commission
THROUGH: Chris M. Jacques, AICP, Planning Director
FROM: Lorie Dever, Deputy Planning Director
SUBJECT: Code Amendment: Code Modernization (TA26-01)

PURPOSE

This is a city-initiated text amendment to Sections 21-100, 21-200, 21-500, 21-600, and 21-700. The proposed modifications in each of these Sections are summarized below:

- Amend Section 21-100 *"Introductory Provisions and Administration"* to clarify administrative and processing procedures related to specific case types;
- Amend Section 21-202 *"Definitions and Land Use Classification"* to consolidate and add definitions for common terms and various land use classifications cited throughout the Zoning Ordinance;
- Reformat and revise provisions in Sections 21-503 through 21-505. Specifically removing duplicative regulations, along with consolidating and renaming similar uses in alignment with defined industry practices and terms;
- Revise and enhance operational limitations and placement requirements for car washes and service stations in Section 21-505;
- Move and consolidate definitions within the Desert Lands Conservation Overlay and Hillside Development Overlay District within Section 21-600 *"Special Uses, Districts and Overlays"* into Section 21-202 *"Definitions and Land Use Classifications"*;
- Rescind the *"Senior Citizen Overlay Zoning District"* and reconcile prior adopted signage regulations within Section 21-700 *"Signage"*; and
- Update cross-references within individual regulations to point to new section numbers.

If approved, staff believe this code modification will consolidate, clarify and streamline provisions throughout the Zoning Ordinance for ease of use and adaptability.

BACKGROUND

In conjunction with revising the Zoning Ordinance to address adopted legislative changes, in 2024 staff undertook and completed the first phase of restructuring and modernizing the Zoning Code in preparation for future code amendments. Building upon those efforts, this city-initiated code modification seeks to further clarify existing provisions, consolidates and adds common definitions into one location where possible, and reorganizes the non-residential section for ease of use, among other refinements.

PROPOSED REGULATIONS AND ANALYSIS

The primary objective of the proposed changes is to add clarity, transparency, and consistency in enforcing the Zoning Ordinance regulations. Additionally, staff are proposing a moderate change to the operational limitations and regulations associated with car washes and services stations to address on-going concerns with

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proliferation and oversaturation. These were presented to the Planning and Zoning Commission at the February 5, 2026 meeting for feedback and discussion.

Service Stations

With regard to service stations, the proposed code allows up to three (3) service stations at all street intersections. As the number of service stations coming online has progressively increased throughout the city, public sentiment consistently included apprehension and concern with allowing three stations in close proximity, especially at major intersections. In response to those over saturation concerns, this proposal would set the maximum number allowed at Arterial/Arterial and Arterial/Limited Parkway intersections to two (2). **(Exhibit A)** For Arterial/Collector intersections, the maximum number of service stations permitted would be one (1). The existing provision to require at least a five-hundred-foot separation between stations on the same side of the street would be maintained. At the Commission Study Session, general concurrence with the modifications were indicated, and as such, no alteration to the original proposal was made.

Car Wash Facilities

As noted above, staff also proposed changes to the operational limitations and siting regulations associated with car washes with this amendment. While many of the proposed regulatory changes that are intended to increase compatibility with adjacent residential areas were well received, the proposed limitation on automotive uses in the Intermediate Commercial (C-2) Zoning District garnered considerable discussion. Although the proposed limitation within the C-2 Zoning District is not unique within other zoning ordinances in Arizona, it is not necessarily a common regulation at present. As such, Commission asked staff to conduct additional research to understand the impact of the proposed regulations. More specifically, Commission asked staff to: 1) Determine the number of facilities located less than a mile of another; and 2) Determine how many commercial centers under 25 acres have more than two automotive uses plus car wash onsite.

Staff's analysis and findings are noted in italics below.

Question 1: How many car wash facilities are located less than one mile from another car wash?

There are approximately 24 car washes within and immediately adjacent to Peoria's city limits.

- *Only seven (7) car wash facilities have a separation of greater than one (1) mile from the next closest facility. This equates to less than thirty percent (<30%) of the existing inventory.*
- *Of the seventeen (17) facilities not meeting the spacing separation, most typically have two or more car washes located less than one mile from them.*
- *Of the total 24 existing car washes, seven (7) are located within the Acacia Council District, and seven (7) are within the Palo Verde Council District.*
- *Four (4) of the seven (7) in the Palo Verde District had the closest spacing. All were located along Thunderbird Road between 79th to 88th Avenues, which is less than one-half mile apart.*

In analyzing the inventory further, only a small number of car wash locations have ceased operations, and of those, they primarily have been the smaller automatic tunnels which were co-located with service stations. While some loss in inventory has occurred, operators of older "full-service" car washes have pivoted to maintain relevancy and profitability. More specifically, the majority of existing full-service facilities have undergone major renovations; moving to a newer "self-service" model which requires minimal staffing. Likewise, the majority of all new car washes being constructed are "self-service" facilities, which is expected to continue to be the trend.

If the regulatory environment stayed status quo, staff would expect a similar saturation and development pattern to occur as infill and new development continues. However, should the spacing limitation of one (1) mile between facilities be approved, staff believe it would have an immediate impact

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on reducing potential oversaturation within infill and new growth areas, while still allowing for continued thoughtful industry expansion within the city. As such, staff is recommending this spacing provision be adopted as proposed.

Question 2: How many commercial centers under 25 acres have more than two automotive uses, of which one is a car wash?

Staff analyzed all commercial centers along Arterial/Arterial and Arterial/Limited Parkway intersections within Peoria; paying particular focus on C-2 zoned commercial centers, and centers zoned Planned Area Development with C-2 underlying zoning.

Results showed no existing commercial centers under 25 acres having more than two automotive uses and a car wash. Instead, it was observed that these smaller centers typically had only one (1) automotive use along with one (1) stand-alone car wash facility. In limited instances, the smaller commercial centers might have two (2) automotive uses with no car washes, and in other instances it was only a service station combined with a car wash on the corner. Additionally, it was noted in commercial centers under 10 acres in size, they frequently had no car wash and only one (1) auto-oriented use. In contrast, within the 'Auto District' on Bell Road, there were two car washes adjacent to multiple auto and vehicle uses. However, the Bell Road Auto District is zoned Planned Area Development (PAD), over 25 acres in size, and specifically regulated to allow numerous automotive and vehicle related industries to locate adjacent to one another.

Based on these observations, staff believes the proposed regulation limiting automotive uses within C-2 zoned commercial centers under 25 acres would have no real tangible impact on existing centers operating today. Thus, given the feedback at Commission and results of the analysis, staff does not believe further mitigation is needed beyond the one (1) mile spacing to address oversaturation at this time. As such, the proposed C-2 regulation has been removed from the draft code, which is reflected in Exhibit A. Should oversaturation of these uses continue to persist, additional mitigation measures may be explored upon further analysis and direction from City Council.

Allowances for Exceptions:

With regard to potential changes to regulations within the Zoning Ordinance, it is important to remember there are existing avenues within the Zoning Ordinance that allow a developer to pursue modified regulations where they seem appropriate. By way of example, should a developer wish to build a car wash facility, but cannot meet the minimum separation between facilities, the developer can always seek an exception via three avenues:

1. Rezone to a "Single use" Planned Area Development (PAD) and create customized standards; or
2. Modifying an existing PAD to specifically adjust the land use matrix and use-specific standards to allow this type of facility to be built at this specific location; or
3. Seek a variance to reduce or modify the spacing requirements for a specific location.

The first two avenues are the most common route taken by developers, such as seen in past self-storage cases presented to Commission in recent years. The third option goes before the Board of Adjustment, which has granted spacing deviations in the past when mitigating factors are present and/or physical characteristics of the site warrant further consideration. In granting the deviation to the spacing standard, the board recognized the business still meet the intent of the provisions, but the deviation caused no undue hardship on adjacent property owners.

As noted above, all options currently exist within the Peoria Zoning Ordinance and would continue to be available going forward should the code amendment, or some form thereof, be adopted by City Council. Therefore, staff believes there is sufficient options available to address site specific concerns should they arise.

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KEY FINDINGS

- 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:

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

Public Noticing:

The application was properly noticed pursuant to Table 21-146 and Section 21-154 of the Peoria Zoning Ordinance, which includes placing a legal ad in the Peoria Times at least 15 days prior to the Public Hearing. Additionally, the draft code was published on the City's website for review prior to the February 5, 2026 study session, then subsequently updated to address feedback received at Commission.

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 TA26-01 to the City Council as proposed in Exhibit A.

STAFF CONTACT

Lorie Dever
Deputy Planning Director
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Exhibit A

Modernization of Code

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 red strikethrough 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 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.

Provisions or regulations that are being relocated from one section of the code to another are in bold italic green text, like this: Provisions that are being added are shown in italic green underlined text.

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.

Section 1: Amend Chapter 21 - Zoning, Section 21-100, only as follows, leaving all sections, and subsections not specifically referenced unchanged:

Sec. 21-143. Development Application Review.

- A. *Pre-application Meeting.*** Before filing any applications described Sections 21-150 through 21-165 below, the applicant shall submit a preliminary description of the proposal for review and comment by City staff. This preliminary description shall include, at minimum, those items noted in the pre-application meeting guide, and contain sufficient scope and detail so as to allow a basic review of location, land area, land use, land use intensity, traffic generation and adjacent streets, stormwater drainage, utility service, and previous case history. The need for the conference and fee may be waived by the Zoning Administrator if it is determined sufficient information already exists regarding the request and case site.
- B. *Applicants.*** The following persons may file an application:
1. The owner of the subject property; or
 2. An agent representing the owner, duly authorized to do so in writing by the owner.
- C. *Applications.*** Applications required by this ordinance shall be filed with the office of the Planning Department and include all of the following:
1. An application, provided by the City.
 2. The required documents and information in a form acceptable to the Planning Department.
 3. Additional materials, as required. The Zoning Administrator may require the submission of supporting materials as part of the application, including but not limited to, statements, photographs, plans, drawings, renderings, models, material samples and other items necessary to describe existing conditions and the proposed project.
 4. The required fee.
- D. *Determination of Completeness.*** The Zoning Administrator, or designee, shall determine whether an application is complete.
1. *Incomplete Application.* If an application is deemed incomplete, notification to the applicant shall be provided in writing listing any additional forms, information, and/or fees that are necessary to complete the application within fourteen (14) days.
 2. *Complete Application.* When all necessary information has been provided, and fees have been paid, then the application is determined to be complete. A notation of the date shall be made on the application record and initiation of the review process may begin.
 3. *Request for Corrections.* During the review of the application, the Zoning Administrator or designee may issue a comprehensive written or electronic request for corrections, referred to herein this Section as the "Review Comment Letter." If after the Zoning Administrator or designee has conveyed a comprehensive written or electronic request for corrections, and the applicant has not provided the documentation or information corrected in a timely manner, the application may be deemed inactive and administratively withdrawn in accordance with Section 21-145.
- E. *Review and Decision.*** Review and decision criteria for each [development application](#) type is specified within Section 21-150 through 21-165 below.

Sec. 21-146. Notification Requirements.

The purpose of these requirements are to facilitate the provision of information to the impacted property owners, interested persons, government agencies, neighborhood and homeowner's association representatives that are registered with the City, the general public, and utilities (hereafter, the "Public") regarding development applications that have been submitted to the City, neighborhood meetings, and public hearings. In addition, the intent of these provisions are to provide opportunities to the Public to participate in neighborhood meetings and public hearings, and discuss an application with the applicant's representative(s) and City Staff during the City's application review process.

- A. **Requirement.** Notice shall be provided for applications identified in Table 21-146, and in accordance with the method(s) specified.
- B. **Notice to Impacted Associations, Entities, Governmental Agencies, Property Owners, and Interested Persons.**
1. When notices are required by the Zoning Ordinance, ~~F~~the following notices shall be sent by first-class mail:
 - a. Notice of Application;
 - b. Notice of Neighborhood Meeting;
 - c. Notice of Hearing; and
 - d. Notice of Decision.
 2. Unless otherwise specified within the Zoning Ordinance, ~~E~~each required notice shall be sent to the:
 - a. Owner of real property as last disclosed by County real estate tax records, situated wholly or partially within the notification distances for the application type specified in Table 21-146.
 - b. Neighborhood Association(s) and Home Owners Association(s) that have registered with the City and is affiliated with a neighborhood located within a one (1) mile radius of the subject property; and
 - c. Interested persons.
 3. Additional Notice Requirements for General Plan, Specific Area Plan and Rezoning Applications. In addition to the notices set in accordance with subsection B.2. of this section, a Notice of Application and Notice of Hearing shall be sent electronically, or another method approved by the Zoning Administrator, to:
 - a. The military airport or facility if the subject property is in the Territory in the Vicinity of the military airport or facility described in A.R.S. § 28-8461, as amended;
 - b. The planning agency for the municipalities and unincorporated areas of counties whose corporate area is situated wholly or partially within one (1) mile of the subject property; and
 - c. Any other governmental agency, school district or public utility required by the Zoning Administrator.
- C. **Notice Timeframes and Additional Requirements.**
1. **Notice of Application.** When the notice is required per ~~in~~ Table 21-146, it shall be mailed prior to the completion of the Department's first review of an application.
 2. **Notice of Neighborhood Meeting and Notice of Public Hearing.**
 - a. When the notice is required per ~~in~~ Table 21-146, it shall be sent at least fifteen (15) calendar days prior to a meeting and public hearing. The number of days stated herein excludes the day that the mailing is sent, and the day of the neighborhood meeting and public hearing.
 - b. The notice shall provide:
 - 1) A general description of the purpose of the application and property location map;
 - 2) Contact information (mailing address, telephone number, and email address) for City Staff and the applicant; and

- 3) The time, date, and place or method (e.g. electronic virtual meeting or hearing) that the meeting or hearing will be held.
 3. *Notice of Decision.* When the notice is required ~~per~~ in Table 21-146, it shall be mailed within ~~fourteen (14)~~ fifteen (15) calendar days of the last action on the application.
 4. *Newspaper Ad.*
 - a. When a newspaper notice is required ~~per~~ in Table 21-146, it shall be published in a newspaper of general circulation in the City at least fifteen (15) calendar days prior to ~~the hearing that item being heard at a public meeting, or an action being taken by the Zoning Administrator on a development application/permit as allowed within the Zoning Ordinance.~~ The number of days stated herein excludes the day of the publication, and the day of the hearing ~~or day the action was taken by the Zoning Administrator on the application/permit.~~ The notice shall provide:
 - 1) A general description of the purpose of the application and property location;
 - 2) Contact information (mailing address, telephone number, and email address) for City Staff and the applicant; and
 - 3) The time, date, and place or method (e.g. electronic virtual hearing) that the hearing will be held.
 - b. The newspaper notice shall be a "display ad" covering not less than one-eighth (1/8) of a full-page unless statutory notice is provided to each property owner directly governed by the proposed changes through first class mail.
 - c. The newspaper notice may be combined with and include other such development applications notices scheduled to be heard at the same public meeting.
 - d. Zoning Ordinance Text Amendment. The newspaper notice shall be a "display ad" covering not less than one- eighth (1/8) of a full-page. The proposed text of the amendment shall be provided in the notice or made available on the City's website at least fifteen (15) calendar days prior to the hearing, excluding the day of publication and the day of the hearing.
 - e. ~~All Other Applications. The notice shall be a "display ad" covering not less than one-eighth (1/8) of a full-page. The notice may be combined with other notices to be heard at the same hearing.~~
 5. *Site Posting.*
 - a. The subject property shall be posted in a conspicuous location with a minimum of one sign when it is required in Table 21-146. The Zoning Administrator may require additional signs for an application that is greater than ten (10) acres, abuts multiple streets, or requires additional sign area to provide application-related information. The sign shall conform with the site posting guide available from the Department.
 - b. The site posting, including any updates to the sign, shall be completed at least fifteen (15) calendar days prior to a neighborhood meeting and public hearing. The number of days stated herein excludes the day that the sign is posted, any day that the sign is updated, and the day of the hearing and neighborhood meeting. If the applicant is responsible for the posting and updating of the sign, the applicant shall provide the City with a photo exhibit and affidavit attesting to the posting and updating of the sign within the timeframe state herein.
 - c. All site postings required by this section shall be removed within fourteen (14) calendar days of the last action, withdrawal, or expiration of an application.
- D. Failure to Receive Notice.** In accordance with A.R.S. § 9-462.04.A.7, notwithstanding the notice requirements herein set forth, the failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.

Sec. 21-148 through 21-149 Reserved

Sec. 21-153. Rezoning.

D. Application for Rezoning.

~~1. All applications for rezoning, except those involving a Planned Area Development (PAD), Planned Community District (PCD), or detached or attached single-family units on individual lots, shall be accompanied by a Site Plan Review application prepared in accordance with this Section.~~

1. Rezoning may be initiated by the City Council, the Planning and Zoning Commission, the Department, or an owner or duly authorized agent of property proposed for rezoning. In the case of an application that includes property not owned by the applicant, and where the applicant is not the City Council, the Planning and Zoning Commission, or the Department, the application shall include the signatures of the real property owners representing at least seventy-five percent (75%) of the land in the subject area.
2. Any person or entity who seeks a rezoning shall submit an application on the official form provided by the Planning Department. Submittal requirements shall be as established administratively by the Planning Department, and shall include but not be limited to the legal description of the property, the present zoning classification, the recommended use of the property in the City's General Plan, a scaled diagram of the subject parcel and surrounding area, and a Citizen Participation Report.
3. The applicant shall present evidence of ownership or the type of controlling interest in the property (e.g., option to purchase) to the Planning Department. The applicant shall submit the application together with the applicable fee to the Planning Department.

E. Citizen Participation Process. The purpose of the Citizen Participation Process is to provide a forum for public involvement and resolution of concerns prior to the formal public hearing process. The Citizen Participation Process ("CPP") shall not be required for initial zoning cases per Section 21-117 and minor amendments to approved Planned Area Developments (PADs) and Planned Community Districts (PCDs).

1. *Number of Meetings.* The applicant shall hold at least one (1) neighborhood meeting with persons who may be impacted and/or have an interest in the application; said persons shall be notified pursuant to Section 21-146. The Zoning Administrator has the authority to require an additional neighborhood meeting as determined necessary.
2. *Venue.* The neighborhood meeting shall be held ~~in-person~~ at a neutral location within the general area of the request, unless an alternative meeting method, including but not limited to an electronic virtual meeting or similar method, is approved or required by the Zoning Administrator. ~~The Zoning Administrator may approve, or require the use of, an alternative meeting method in place of, or in addition to, an in-person meeting.~~ The notice of the neighborhood meeting, and the format and manner of the an alternative meeting method shall conform with the neighborhood meeting guide available from the Planning Department.
3. *Citizen Participation Report.* The applicant shall prepare and submit a "Citizen Participation Report" to the Planning Department that describes the meeting, numbers in attendance, any comments received at the meeting or any other form of communication received regarding the application, how these comments will be evaluated, and any mitigation issues identified as a result of the comments and concerns received.
4. *Timing of Neighborhood Meeting(s).* The required neighborhood meeting shall be conducted after the applicant receives notice that the Planning Department has completed its review of the first submittal of the application, and before the applicant's second submittal of the application.
4. Upon completion of the Department's review of the first submittal of an application, if the Zoning Administrator determines that a subsequent application submittal is not required, the applicant shall conduct a neighborhood meeting at least thirty (30) calendar days before the Planning and Zoning Commission's first public hearing.

5. *Validation of Report.* A hearing date shall not be scheduled until the applicant has held the neighborhood meeting and the applicant's Citizen Participation Report has been submitted and validated by the Planning Department.

Sec. 21-155. Conditional Use Permits.

- G. *Citizen Participation Process.* The purpose of the Citizen Participation Process is to provide a forum for public involvement and resolution of concerns prior to the formal public hearing process. The Citizen Participation Process ("CPP") shall be required if when written opposition to a Conditional Use Permit application is received by the Department within 21 days of the notice of application being mailed. ~~a neighborhood meeting shall be required as part of the process of identifying and addressing potential impacts that the proposed use may impose on the surrounding area.~~ The Citizen Participation Process ("CPP") shall include the following:

1. Number of Meetings. The applicant shall hold at least one (1) neighborhood meeting with persons who may be impacted and/or have an interest in the application; said persons shall be notified pursuant to Section 21-146.
2. Venue. ~~The applicant shall hold at least one neighborhood meeting.~~ The neighborhood meeting shall be held in a neutral location within the general area of the request unless an alternative meeting method, including but not limited to an electronic virtual meeting or similar method, is approved or required by the Zoning Administrator. The notice of the neighborhood meeting, and the format and manner of the meeting, shall conform with the neighborhood meeting guide available from the Planning Department.
2. ~~At a minimum, the applicant shall send written notice to interested and affected persons; said parties shall be notified according to the requirements of Section 21-146.~~
3. Citizen Participation Report. The applicant shall prepare and submit a report to the Department that describes the meeting, number of individuals in attendance, any comments received at the meeting or any other form of communication received regarding the application, how these comments will be evaluated, and any mitigation issues identified as a result of the comments and concerns received.
4. Validation of Report A hearing date shall not be scheduled until the applicant has held the neighborhood meeting and the applicant's Citizen Participation Report has been submitted and validated by the Planning Department.

Sec. 21-162. Appeal of a Zoning Administrator Decision or Interpretation.

- B. *General.* The Board of Adjustment (BOA) shall hear and decide any appeal in which it is alleged there is an error in an order, requirement, or decision made by the Zoning Administrator in the administration or enforcement of the Peoria Zoning Ordinance.

C. *Application.*

1. Applications for an appeal of a ~~n~~ zoning interpretation shall be filed in writing, with the Department, within thirty (30) days after the action appealed from, together with the applicable fee, and shall specify the grounds thereof. An appeal concerning interpretation ~~or administration~~ of this Ordinance may be filed by any office, department, board, or commission of the City or by an aggrieved person(s), which for the purpose at hand shall be deemed to be any persons(s) who demonstrate to the BOA substantial interest in the appeal or who receive a particular and direct impact from the interpretation that is distinguishable from the effects or impacts upon the general public.
2. Applications to appeal a Zoning Zdministrato~~r~~'s decision regarding development application type shall be filed in writing with the Department within the timeframe specified within the Zoning Ordinance for that development application, together with any applicable fee, and shall specify the grounds for appeal thereof. The ability to appeal such decision is limited to those parties specified within the Zoning Ordinance for that development application type.

- D. *Board of Adjustment Action.* Pursuant to A.R.S § 9-462.06, the Board shall reverse or affirm, wholly or partly, or modify the order, requirement or decision of the Department being appealed, and make such order, requirement, decision, or determination as necessary.

Sec. 21-163. Appeal of a Temporary Use Permit.

- A. *General.* The Board of Adjustment (BOA) shall hear and act upon an appeals for of a Zoning Administrator's decision of a Temporary Use Permit ~~temporary use permits~~ for those uses which are specifically authorized in this Ordinance. ~~The applicant or any party in interest aggrieved by the decision of the Department concerning a Temporary Use Permit may file a notice of appeal with the Board of Adjustment.~~
- B. *Application.*
1. An aggrieved person ~~who~~ shall be construed to be the applicant or any party in of substantial interest in the appeal or who receives a particular and direct impact from the decision that is distinguishable from the effects or impacts upon the general public. ~~may file an appeal with the Board for a decision of the Department on a Temporary Use Permit.~~
 2. Applications for the appeal shall be filed in writing, with the Department, on the official form provided by the Department, together with the applicable fee, within seven (7) days after the Department's decision, and shall specify the grounds for the appeal.
 3. The Department shall transmit to the Board all papers constituting the record upon which the action appealed from is taken to the next available BOA meeting upon completion of noticing in accordance with Table 21-146.
- C. *Board of Adjustment Action.*
1. Pursuant to A.R.S. § 9-462.06, the Board shall reverse or affirm, wholly or partly, or modify the order, requirement, or decision of the Department being appealed, and make such order, requirement, decision, or determination as necessary.
 2. As part of the terms of any temporary use permit, the Board may stipulate certain restrictions and limitations in accordance with Section 21-322 of this Ordinance.

Table 21-146. Notice Requirements¹						
Application Type	Notice of Application and Notification Distance	Notice of Hearing and Notification Distance	Newspaper Ad	Site Posting	Notice of Decision Notification Distance	Notice of Neighborhood Meeting and Notification Distance
Minor General Plan Specific Area Plan Amendment	Yes ^{3,4}	Yes ^{3,4}	Yes	Yes ²	No	Yes ^{2,3,4}
Zoning Ordinance Text Amendment	No	No	Yes	No	No	N/A
Zoning, Initial	No	Yes ^{3,4}	Yes	Yes	No	N/A
Rezoning (Non-PAD/PCD)	Yes ^{3,4}	Yes ^{3,4}	Yes	Yes ²	No	Yes ^{2,3,4}
PAD/PCD Major Amendment	Yes ^{3,4}	Yes ^{3,4}	Yes	Yes ²	No	Yes ^{2,3,4}
PAD/PCD Minor Amendment	Map Amendments only (300-FT)	Yes ^{3,4}	Text Amendments Only	No	No	N/A
Preliminary Plat	300-FT	Yes, if appealed, 300-FT	Yes, if appealed	No	300-FT	N/A
Site Plan and Site Plan Amendments	300-FT	Yes, if appealed, 300-FT	Yes, if appealed	No	300-FT	N/A
Conditional Use Permits	600-FT	600-FT	Yes	Yes ²	No	If a meeting is required, 600-FT
Temporary Use Permits	No	If a BOA hearing is required, 300-FT	If a BOA hearing is required	Yes ⁵	No	N/A
Administrative Relief⁶	Abutting Properties only	N/A	No	No	Abutting Properties only	N/A
Hillside Appeal	No	300-FT	Yes	Yes	No	N/A
Variance	No	300-FT	Yes	Yes ²	No	N/A
Notes:						
1. The Department shall provide the required notices and site postings unless Table 21-146 indicates that they are to be provided by the applicant.						
2. The applicant is to provide the site posting.						
3. Notification distance for a site area less than or equal to forty (40) acres: 600 feet.						
4. Notification distance for a site area greater than forty (40) acres: 1,320 feet.						
5. A sign shall be posted on the subject property for those temporary uses that operate during the qualifying hours specified in Section 21-160.E.						
6. Subject to the notification requirements outlined in Section 21-164.E.						

Table 21-146. Notice Requirements

Application Type	Notice of Application			Neighborhood Meeting			Site Posting		Legal Ad	Notice of Hearing			Notice of Decision		
	Required	Radius / Range	Responsibility	Required	Radius / Range	Responsibility	Required	Responsibility		Required	Radius / Range	Responsibility	Required	Radius / Range	Responsibility
Administrative Relief	Yes	Abutting Properties	City	No			No		No	No			Yes	Abutting Properties	City
Conditional Use Permits	Yes	600 FT	City	No ²	600 FT	Applicant	Yes	Applicant	Yes	Yes	600 FT	City	No		
Hillside Appeal	No			No			Yes	City	Yes	Yes	300 FT	City	No		
Initial Zoning	No			No			Yes	City	Yes	Yes	Acreage + HOA ¹	City	No		
General Plan, Major Amendment	<i>Refer to Notification Requirements within the Peoria General Plan</i>														
General Plan, Minor Amendment	Yes	Acreage + HOA ¹	City	Yes	Acreage + HOA ¹	Applicant	Yes	Applicant	Yes	Yes	Acreage + HOA ¹	City	No		
PAD/PCD, New and Major Amendment	Yes	Acreage + HOA ¹	City	Yes	Acreage + HOA ¹	Applicant	Yes	Applicant	Yes	Yes	Acreage + HOA ¹	City	No		
PAD/PCD, Minor Amendment	No			No			No		Yes	No			No		
Preliminary Plat	Yes	300 FT	City	No			No		No	No			Yes ⁴	300 FT	City
Rezoning (Non PAD/PCD)	Yes	Acreage + HOA ¹	City	Yes	Acreage + HOA ¹	Applicant	Yes	Applicant	Yes	Yes	Acreage + HOA ¹	City	No		
Site Plan, New and Amendments	Yes	300 FT	City	No			No		No ⁴	No ⁴	300 FT	City	Yes	300 FT	City
Specific Area Plan (SAP), New and Amendments	Yes	Acreage + HOA ¹	City	Yes	Acreage + HOA ¹	Applicant	Yes	Applicant	Yes	Yes	Acreage + HOA ¹	City	No		
Temporary Use Permits	No			No			No ³	City	No ⁴	No ⁴	300 FT	City	No		
Wall Waiver	Yes	Abutting Properties	City	No			No		No	No			Yes	Abutting Properties	City
Variance	No			No			Yes	Applicant	Yes	Yes	300 FT	City	No		
Zoning Administrator, Decision Appeal	No			No			No		Yes	Yes	300 FT	City	No		
Zoning Ordinance Text Amendment	No			No			No		Yes	No			No		

Notes

1. Radius is based on Project Acreage: Less than or equal to forty (40) Acres = 600 feet; Greater than forty (40) Acres = 1,320 feet; *Plus* all registered HOA and Neighborhood Associations within one (1) mile of Project

2. No meeting required unless written opposition is received within specified deadline, then neighborhood meeting is required to be held by Applicant.

3. No signage is required unless temporary use is to operate outside of qualifying hours specified in Section 21-160.E, then event is to be signed by city.

4. If valid appeal is received within specified timeframe (after decision made on application), then Legal Ad and Notice of Hearing is required to be completed in advance of application being heard by the appeal body.

Sec. 21-155. Conditional Use Permits.

F. Findings. Prior to approving a conditional use permit, the Planning and Zoning Commission shall make the following findings.

1. The proposed use is consistent with ~~the General Plan and~~ all applicable provisions of this Zoning Ordinance, and applicable state and federal regulations;
2. The proposed use is consistent with the purpose and intent of the zoning district in which it is located and meets any applicable use-specific standards within this Zoning Ordinance;
3. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (such as, but not limited to, hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
4. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
5. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;
6. Adequate assurances of continuing maintenance have been provided; and
7. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practicable.

Sec. 21-156. Site Plan.

H. Building Permits Based upon Approved Site Plan.

1. For all development subject to Site Plan review, an approved Site Plan and proper zoning are required prior to the commencement of any vertical construction ~~or development~~ on the site.
2. The applicant shall obtain the necessary building and/or construction permits within eighteen (18) months of the date of approval of the Site Plan application. If not obtained within the eighteen (18) month time frame, the applicant may, prior to the date of expiration, file a request for an extension, whereupon the Zoning Administrator may authorize a one-time, six (6) month extension in accordance with Section 21-145. If the time frame has expired, the applicant shall submit a new Site Plan, together with the applicable documents and fees as stipulated in the above provisions.

I. Amendments to Approved Site Plans.

1. When a ~~s~~Site ~~p~~Plan has been previously approved and alterations to the proposed buildings or site improvements are desired, a site plan amendment will be required if those changes are deemed by the Zoning Administrator or designee to be substantial in nature.
2. Substantial changes may include, but not be limited to a ten (10) percent increase in a project gross land area, a building or buildings' square footage, or a multi-family project's density, or a material change to the project's land use, or an alteration to the project's circulation pattern.
3. ~~A~~A~~s~~site ~~p~~Plan amendments shall be submitted, reviewed and approved in accordance with the same Site Plan approval criteria as identified herein.
4. Any modification which does not substantially change the approved ~~s~~Site ~~p~~Plan, shall ~~be~~ not require the applicant to obtain new site plan approval and may be addressed through the building permit process.

Section 2: Amend Chapter 21 - Zoning, Section 21-200 as follows, leaving all other definitions, sections and subsections not specifically referenced unchanged:

21-202. Definitions and Land Use Classifications.

A

Alteration means any addition or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

Animal Shelter means a facility where household pets are received, kept, and provided temporary care for the primary purpose of adoption or retail sale. This classification includes customary shelter operations such as housing, feeding, basic grooming, and the provision of veterinary services akin to the examination, treatment, vaccination, or sterilization of animals housed at the facility. All overnight accommodations shall occur entirely within an enclosed building. This classification excludes veterinary clinics, and facilities engaged in the breeding or raising of animals for sale.

Archaeologist, Qualified means a person or firm meeting the Arizona State Museum's standards and professional qualifications.

Archaeological Resources, also referred to as Cultural Resources, means any material remains of past human life or activities which are at least fifty (50) years old and of historic or pre-historic significance. Such materials include, but are not limited to petroglyphs, pictographs, paintings, ornaments, jewelry, textiles, ceremonial objects, armaments, vessels, ships, vehicles, human skeletal remains, rock art, pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, water-control devices, pit houses, rock paintings, rock carvings, intaglios, graves, personal items and clothing, household or business refuse, printed matter, manufactured items, or any piece of any of the forgoing items.

Archaeological Site, also referred to as a Cultural Site, means a concentration of archaeological resources inferred to be locations used for past specific human activities.

Archaeological Site, Recorded means an archaeological site in Arizona that has been identified by a qualified archaeologist and has been recorded in a database at the Arizona State Museum and/or the State Historic Preservation Office (SHPO) so that the location is mapped and documentation on the archaeological resources found at the location or collected from the location is available for research use.

Artisan / Makerspace means a collaborative workspace in which the application, teaching, making, or fabrication of crafts or products by an artist, artisan or craftsperson occurs either by hand or with minimal automation. Direct sales to consumers may also occur. Activities within the workspace produce little to no vibration, noise, fumes, or other nuisances.

ATM/ Window Teller means a banking and financial institutions that provide a driveway approach for automobiles to serve patrons remaining in an automobile, including stand-alone automated teller machines, automated teller machines attached to a building or structure, and service windows on a building or structure.

Automobile Auction means a premise where automobiles and other motor vehicles are stored, readied, and displayed for periodic wholesale sales.

Automobile Display Space means any permanently maintained space so located and arranged as to permit the display of a motor vehicle, including passenger vehicles, automobiles, trucks, motorcycles, and self-propelled off-road equipment.

Automobile/Vehicle Rentals means a rental of automobiles and recreational utility vehicles including storage and incidental maintenance.

Automobile/Vehicle Sales and Leasing means a sales or leasing of automobiles, motorcycles, trucks, and motor homes, including storage and incidental maintenance.

Automobile/Vehicle Repair, Major means the repair of automobiles, boats, trucks, motorcycles, motor homes, and Recreational Vehicles generally on an overnight basis, and includes ancillary sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, muffler shops, transmission shops, but excludes vehicle dismantling or salvaging and tire re-treading or recapping.

Automobile/Vehicle Service and Repair, Minor means the service and repair of automobiles, light-duty trucks, and motorcycles, including ancillary sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, auto glass services, and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles are stored overnight exterior to the building. This classification excludes establishments providing engine repair, body and fender work, vehicle painting, or towing. It also excludes repair of heavy trucks or construction vehicles.

Automobile/Vehicle Washing means the washing, waxing, vacuuming, or cleaning of automobiles or similar light vehicles, including automatic, self-serve and hand washing facilities.

B

Bay Door or Bay Entry means the openings into a building wider than 6-feet, and designed for use principally by a vehicle to access a building, typically for vehicle parking, storage, repair or maintenance, or to access a building such as a warehouse or factory.

Buffer means to promote separation and compatibility between land uses of different intensities. The term buffer may also be used to describe the methods used to promote compatibility, such as a landscape buffer.

C

Caretaker means a person residing on the premises of an employer, and who is receiving meaningful compensation to assume the primary responsibility for the necessary repair, maintenance, supervision or security of the real or personal property of the employer which is located on the same or contiguous lots or parcels of land.

Caretaker Unit means a dwelling unit designed for use solely by a watchman, manager, or caretaker of a permitted use that requires 24-hour supervision. It is typically on the same lot as the permitted use.

Chemical Production and Allied Products encompass the manufacturing of basic chemicals (acids, alkalis, salts, organics), intermediate materials (plastics, synthetic fibers, pigments), and finished goods (drugs, soaps, paints, fertilizers) using chemical processes.

~~**Church, Synagogue Or Temple** means a permanently affixed building, where one of the principal uses is for religious worship. See Places of Worship.~~

~~**College or University Campus** means an educational or vocational institution on an area consisting of at least 10 acres and/or with multiple buildings.~~

~~**College or University Facilities** means an educational institution occupying less than 10 acres and without on-site housing offering academic courses beyond the high school level and awarding associates, baccalaureate or higher degrees.~~

Colleges and Trade Schools, Public or Private means post-secondary educational institutions providing curricula of a general, religious or professional nature, typically granting recognized certification of professional training and/or accredited degrees. This classification includes business and computer schools, management training, technical, and Trade Schools, but excludes personal instructional services, such as music lessons. Incidental

training or instruction done in conjunction with an on-site business use which is permitted as a “principal use” shall not be considered a business or Trade School.

1. **Colleges or Universities, Public or Private** means post-secondary institution of higher learning that grants associate and/or bachelor's degrees, and may also have research facilities and/or professional schools that grant master and/or doctoral degrees. This classification includes community colleges that grant associate degrees, and/or certificates of completion in business or technical fields.
2. **Commercial Trade Schools, Public or Private** means schools established to provide teaching of clerical, managerial, or artistic skills, such as accounting, data processing, or computer repair. This classification excludes establishments providing training for activities that are not otherwise allowed in the zoning district.
3. **Industrial Trade Schools, Public or Private** means schools offering training in industrial trades, such as welding or metal fabrication.

Commercial Laundry and Dyeing Plant is a specialized, industrial-scale facility designed for high-volume cleaning, finishing, and coloring of fabrics, garments, and textiles. Unlike retail laundromats, these plants operate as production centers that service business clients (such as hospitals, hotels, and restaurants) rather than the general public.

Condition of Use means a development standard or operational restriction determined to be necessary to permit harmonious classification of a use as listed in a zoning district or in applicable use specific standards, and therefore a prerequisite to place or operate such use.

Conservation Features or Areas means individual conservation features, ~~defined above,~~ and/or areas of the highest significance and preservation priority as outlined within the Desert Lands Conservation Overlay.

Construction Envelope means one (1) or more specified areas on a lot or parcel within which all structures, driveways, parking, nonnative landscaping, water surfaces, decks, walks, walls, and recreation areas are located.

~~**Convenience Food Restaurant** means an establishment whose principal business is the sale of foods, frozen desserts, or beverages to the consumer in a ready-to-eat state for consumption either on or off the premises and whose design or principal method of operation includes both of the following characteristics:~~

- ~~1.— Foods, frozen desserts or beverages are usually served in edible containers or in paper, plastic, or other disposable containers.~~
- ~~2.— The customer is not served food at his/her table by an employee but receives it at a counter, window, or similar facility for carrying to another location for consumption on or off the premises.~~

Cosmetic Tattooing, also known as “micro-pigmentation” or “permanent makeup”, means to implant semi-permanent pigment by instrument or needles into the subcutaneous level layer of the skin for aesthetic enhancement. This is distinct from traditional tattooing given the differences in licensing, application methods using “micropigment implantation” or “dermagraphics”, and the non-permeance of the ink. This use is typically ancillary to and analogous with a “Tanning Salon, Nail Salon, Barber Shop, Beauty Parlor and similar uses”, but may also be operated as a stand-alone establishment.

Cultural Institutions is traditionally a public or non-profit institution engaged primarily in the display or preservation of objects of interest in the arts or sciences that are open to the public on a regular basis. This classification includes performing arts centers for theater, dance, and events; libraries; museums; historical sites; aquariums; art galleries; and zoos and botanical gardens.

~~**Cut-A**~~ means a land surface, which is shaped through the removal of soil, rock, or other materials.

D

~~Desert Lands Conservation Report (DLCR)~~ means a submittal required with any development application to the City for property within the Desert Lands Conservation Overlay, ~~and which contains the following individual documents: Project Identification and Descriptive Data, Project Narrative and Overview, and Existing Conditions Data Report.~~

Developer means a person or entity involved in the planning, construction or improvements on land.

~~Disturbed Area~~ means that area of natural ground that has been or is proposed to be altered through grading, construction, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation.

~~Disturbed Area, Reclaimed.~~ See Revegetated Area.

E

Easement means a portion of land created by grant or agreement for specific purpose; an easement is the right, privilege or interest which one party has in the land of another.

Equipment Cabinet or Enclosure means a cabinet or structure used to house equipment associated with any utility.

Extraction and Refining Processes means both the processes and industries associated with extraction and refining, such as ore reduction and smelting, and the production/refining of petroleum, gas, or hydrocarbons, including operating coke ovens.

F

Fabrication, Assembly and Processing of Wood and Metal shall mean the following subsets of manufacturing, excluding heavy upstream extractive or refining processes such as ore reduction and smelting, or production/refining of petroleum, gas, or hydrocarbons: 1) Fabrication of metal products, such as the forging, stamping, bending, forming, and welding to create final metal products (e.g., tanks, structural metal, cutlery); 2) Fabrication of machinery, such as manufacturing industrial/commercial machinery; 3) Assembly such as in primary metal industries where rolling, drawing, extruding, or casting of metal is conducted make basic shapes; and 4) Wood processing, shall as in sawing, planing, shaping, laminating, and assembly (e.g., plywood, trusses, containers). (For extractive or refining processes, see Extractive or Refining Processes.)

~~Fill~~ means the deposition of soil, rock or other materials place by man.

G

~~Gas Service Station~~ means any facility or establishment retailing motor fuel on the premises, whether self-service or otherwise and whether or not service is performed from the premises as described in Section 21-505.A.5.

General Plan means the Peoria General Plan, and all elements thereof.

GRADE RELATED DEFINITIONS:

Grade, Average means the average level of the finished ground surfaces surrounding a building or structure, within a distance of twenty (20) feet.

Grade, Below means the location of any facility or part of a facility located underground or beneath ground level.

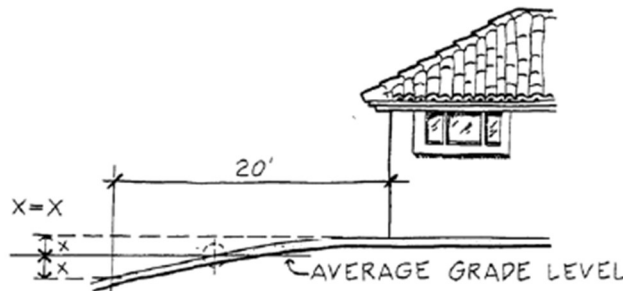
Grade, Existing means the elevation of a lot or parcel prior to approved demolition, excavation, fill, construction or modification.

Grade, Finished means the final elevation of the lot or parcel, paved or unpaved, when all construction and landscaping are complete. Grade refers to finished grade unless otherwise stated.

Grade, Finished Floor means the elevation of the ground floor of the building after grading has been completed.

Grade, Natural means the elevation of a lot or parcel unaffected by construction techniques such as fill, excavation, landscaping or berming.

Grading-A means any excavating, or filling or combination thereof, including the conditions resulting from an excavation or fill.



H

Hazardous Materials means any substance characterized as flammable solids, corrosive liquids, radioactive materials, oxidizing material, highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric materials and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means.

Height of Building or Structure: See Building Height.

Hillside Development Area-B means building areas, or other than sloped areas within washes and rivers, with a building site slope of ten percent (10%) or greater, measured as a vertical rise of ten (10) feet in a horizontal distance of one hundred (100) feet.

I

Illegal Use means any use of land or building that does not have the currently required permits and/or was originally constructed and/or established without permits required for the use at the time it was brought into existence.

K

Kenel means a facility where multiple household pets are boarded, trained, or bred for compensation. This classification applies to both indoor and outdoor operations, and includes facilities providing long-term or overnight care. Overnight accommodation shall be provided entirely within an enclosed building. This classification excludes pet shops, veterinary clinics, or animal shelters providing incidental boarding.

L

Large-Scale Retail (LSR) means the following:

- 1) Single Establishment. Any retail establishment accommodating one-hundred thousand (100,000) square feet gross floor area (G.F.A.) or more for either a single tenant or for multiple tenants sharing a common building entrance and common interior space; and/or
- 2) Site. A site containing multiple retail establishments with more than five-hundred thousand (500,000) square feet gross floor area (G.F.A.) of interior space in the aggregate, ~~b.Site means that area~~ as shown on the site plan for which the Conditional Use Permit is issued, inclusive of all amendments.

Large Vehicle and Equipment Sales, Service, and Rental means the sales, servicing, rental, fueling, and washing of large commercial and semi-trucks, trailers, tractors, and other equipment used for personal, construction, agricultural, or landscape gardening activities. Includes large vehicle operation training facilities. Sales of new or used automobiles or trucks are excluded from this classification.

Light Design/Production/Assembly means the design, production, fabrication and assembly of finished products or assemblies taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. Includes research and design of products, or putting together, fabricating, or making minor modifications to pre-manufactured items as a last step for items intended to be sold as finished products

Light Reflective Value (LRV) means the measurement of the amount of light reflected by a paint color.

Lighting Shield is the internal or external louvers, visors, or other barrier integral to a luminaire that obscures the light source.

LOT RELATED DEFINITIONS:

Lot means a place or parcel of land separated from every other piece or parcel by description, as in a subdivision or on a recorded survey map, or by metes and bounds, for purpose of sale or separate use.

- ~~1.—Corner lot means a lot abutting on two or more intersecting streets having an interior angle of intersection not exceeding one hundred thirty five degrees.~~
- ~~2.—Interior lot means a lot having only one side abutting on a street.~~
- ~~3.—Key lot means an interior lot, one side of which abuts the rear lot (line) of a corner lot, or is separated therefrom by an alley.~~
- ~~4.—Double frontage lot means a lot abutting on two or more or less parallel streets.~~
- ~~5.—Flag lot means an interior lot in which the buildable area is located to the rear of a lot abutting a street, and which has access to the same street by means of a narrow driveway.~~

Lot Area means the total area of a lot within the lot lines as measured on a horizontal plane.

Lot Coverage means the portion of a lot occupied by a principal (and) or accessory building's roof structure.

1. Calculations of lot coverage shall exclude up to the first two (2) feet of roof eave/overhang. There shall be no credit where less than a 2 foot eave/overhang exists.
2. Lattice or similar open air roof structures shall be calculated at fifty percent (50%) lot coverage for the area covered by the open air roof structure for a maximum coverage of two hundred (200) square feet. Anything over two hundred (200) square feet is counted at 100% covered (there would be a maximum of a 100 square foot reduction).

Lot, Corner means a lot abutting on two or more intersecting streets having an interior angle of intersection not exceeding one hundred thirty-five degrees.

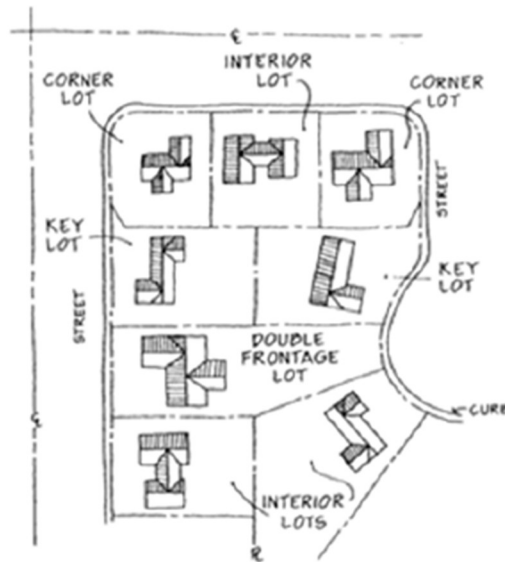
Lot Depth means the horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.

Lot, Double Frontage means a lot abutting on two or more or less parallel streets.

Lot, Flag means an interior lot in which the buildable area is located to the rear of a lot abutting a street, and which has access to the same street by means of a narrow driveway.

Lot, Interior means a lot having only one side abutting on a street.

Lot, Key means an interior lot, one side of which abuts the rear lot (line) of a corner lot, or is separated therefrom by an alley.



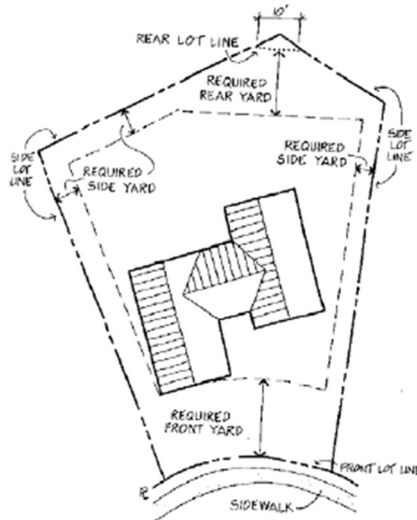
Lot Line means a line bounding a lot; synonymous with street line when a lot line coincides with a right-of-way line of an abutting street.

- ~~1. **Front Lot Line:** For interior lots, the lot line abutting on a street; for corner lots, the shorter lot line abutting on a street. When a corner lot or double frontage lot has nearly equal frontage on two streets, designation of the front line shall be at the discretion of the owner.~~
- ~~2. **Rear Lot Line:** The lot line opposite and farthest from the front lot line. For a pointed or irregular lot, the rear lot line shall be an imaginary line, parallel to and farthest from the front lot line, not less than ten (10) feet long, and wholly within the lot.~~
- ~~3. **Side Lot Line:** means any lot line other than a front or rear lot line; in the case of a corner lot, the lot line abutting the side street is termed an exterior side lot line; all other side lot lines are termed interior side lot lines.~~

Lot Line, Front. For interior lots, the lot line abutting on a street; for corner lots, the shorter lot line abutting on a street. When a corner lot or double frontage lot has nearly equal frontage on two streets, designation of the front line shall be at the discretion of the owner.

Lot Line, Rear means the lot line opposite and farthest from the front lot line. For a pointed or irregular lot, the rear lot line shall be an imaginary line, parallel to and farthest from the front lot line, not less than ten (10) feet long, and wholly within the lot.

Lot Line, Side means any lot line other than a front or rear lot line; in the case of a corner lot, the lot line abutting the side street is termed an exterior side lot line; all other side lot lines are termed interior side lot lines.



M

Maintenance and Repair Services. The on-site maintenance or repair of office machines, household appliances, and similar items. This classification excludes maintenance and repair of vehicles or boats (See Automotive Sales and Services) and personal apparel (See Personal Services).

Manufacturing: The mechanical or chemical transformation of materials or substances into new products, including the assembling of component parts, the manufacturing of products, and the blending of materials, such as lubricating oils, plastics, resins, or liquors.

MARIJUANA RELATED DEFINITIONS:

Cultivate and Cultivation of Marijuana means to propagate, breed, grow, prepare, and package marijuana.

Dual Licensee means an entity that holds both a non-profit medical marijuana dispensary registration and a marijuana establishment license.

Marijuana Manufacturing means to compound, blend, extract, infuse, or otherwise make or prepare a marijuana product.

Marijuana Manufacturing, or Cultivation Facility means a Marijuana Establishment, as defined in A.R.S. § 36-2850, licensed by the State of Arizona that is located in a building, structure, or premises where Marijuana is cultivated or stored and which is physically separate from a Qualifying Marijuana Dispensary. Such Marijuana Manufacturing or Cultivation Facility may only provide Marijuana or Marijuana Products to Qualifying Marijuana Dispensaries. Requirements for mixed-use occupancy will be based upon the adopted building codes.

Marijuana Testing Facility is an entity licensed by the State of Arizona to analyze the potency of marijuana and test marijuana for harmful contaminants.

Medical Marijuana Cardholder is a natural person who is a Qualifying Patient, Designated Caregiver or Nonprofit Medical Marijuana Dispensary Agent or an independent third-party laboratory agent who has been issued and possesses a valid Registry Identification Card pursuant to A.R.S. § 36-2801, et seq.

Medical Marijuana Statute is the Arizona Medical Marijuana Act codified at A.R.S. § 36-28.1. All definitions set forth in the Medical Marijuana Statute are hereby incorporated by reference into the City of Peoria Zoning Ordinance and City Code (1992), unless specified otherwise.

Personal Cultivation or Processing means cultivating or processing of not more than six marijuana plants for personal use at an individual's primary residence, or not more than twelve plants where two or more individuals reside at one time. In this instance, individual shall mean a person of at least twenty-one years of age.

Qualifying Marijuana Dispensary means:

1. A non-profit Marijuana Dispensary defined in A.R.S. § 36-2801(12) that sells, distributes, transmits, gives, dispenses, or otherwise provides Marijuana for medical use and related supplies to Qualifying Patients. Included in the manufacture and creation of products for individual sale where Marijuana is incorporated into the product for consumption by an individual who is a valid Medical Marijuana Cardholder and the sale of not more than twelve living Marijuana plants to an individual Medical Marijuana Cardholder authorized pursuant to A.R.S. § 36-2801, et seq.; or
2. A dispensary operated pursuant to A.R.S. § 36-2858 by a Dual License as defined by A.R.S. § 36-2850 and Section 11-75 of the City Code which sells, distributes, transmits, gives, dispenses, or otherwise provides Marijuana and Marijuana Products and related supplies for (1) medical use to Qualifying Patients; and (2) for general non-medicinal use to individuals who are at least twenty-one years of age as permitted by A.R.S. § 36-2852.

Master Conservation Plan (MCP) ~~is~~ means a submittal required with any site plan or subdivision plat application to the City for property within the Desert Lands Conservation Overlay, and which contains the identification of conservation features, native plants to be preserved, development areas, and conservation areas.

Mature Trees. Healthy, full-bodied trees with a shape characteristic of the species and of the following minimum sizes: Ten (10) feet-twelve (12) feet height times six (6) inches-eight (8) inches wide or two-inch single trunk caliper or one-inch average trunk caliper for a multiple trunk tree.

Metallurgy means the reduction or extraction of metals from their ores by mechanical, physical or chemical methods, including their refinement and preparation for use as raw materials.

Mining means the extraction from the earth of gravel, stone, sand and metallic or non-metallic ore, and the crushing, washing, grading, storage and loading for transportation thereof.

Mitigation Plan means a plan for the recovery or protection of discovered archaeological resources.

Monument Sales and Engraving is a shop that specializes in the wholesale distribution of monuments, gravestones, and similar memorial products. These shops typically offer a range of services, including engraving and serve various customers, including funeral homes, cemeteries, and monument retailers.

Mountain Top Ridge Line means the line running along the highest elevation between mountain peaks.

N

Natural Open Space. Areas dedicated for public ownership or retained in private ownership containing naturally occurring conservation features in the Sonoran Desert that have not been altered except to allow decomposed granite trails (private or public) in accordance with ADA guidelines, roadways and utility easements as necessary.

Native Plant Permit. A permit issued by the city pursuant to the provisions of this Section for the purpose of removing from the premises, relocating on the premises, or destroying any protected native plant.

Native Plant Preservation Plan. A development plan specifying the proposed treatment of plants with Protected Plant Status for which a native plant permit is required.

O

Outdoor Storage means screened exterior storage of material, goods, or equipment with restricted public access. **Automobile/Vehicle Sales and Leasing Dealerships, Automobile/Vehicle Rental Facilities, Self-Storage Facilities, and Boat & Recreational Vehicle & Trailer Storage** are excluded from this classification.

P

Parks and Recreation Facilities, Public. Parks, playgrounds, recreation facilities, trails, wildlife preserves, and related open spaces, all of which are noncommercial. This classification also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, and golf courses, botanical gardens, as well as related food concessions or community centers within the facilities.

Parking, Commercial means surface lots and structures offering parking to the public for a fee when such use is not incidental to another activity.

Parking Area, Public means an open area, other than a street or alley designated for use, or used, as temporary parking ~~of four (4) or more vehicles~~ when available for public use, whether free or for compensation or as an accommodation for clients or customers.

Pet Shop means retail sales of animals and/or services, including grooming, veterinary care, training, and ancillary overnight boarding services for animals on a commercial basis. This classification excludes dog walking and similar pet care services not carried out at a fixed location.

Places of Worship means a facility for religious worship and incidental religious education and offices, and may include private schools for primary or secondary education. This classification includes churches, temples, and other facilities used primarily for religious services or activities.

Plant Nursery means an establishment primarily engaged in retailing nursery and garden products - such as trees, shrubs, plants, seeds, bulbs, and sod - that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. This classification includes wholesale and retail nurseries offering plants for sale.

Plant Protection. Any project which affects any indigenous plant from the specified Protected Native Plant List is required to submit a Native Plant Preservation Plan detailing the existing location and proposed treatment of each protected plant. Protected plants should, at the most optimal situation, remain in place.

Plant Salvaging. Those plants which must be disturbed due to construction are required to be salvaged unless the applicant can demonstrate how conditions such as poor health or orientation make successful relocation impossible. Salvaged plants are to be replanted within the project.

~~**Public Park** means land owned and operated by a governmental entity for private and public recreation that is open to all citizens on an equal basis, requires no membership, and does not include facilities operated by a private or public entity providing goods or services for compensation similar to those provided by non-governmental businesses, regardless of property ownership. Examples of facilities providing goods or services for compensation similar to those provided by non-governmental businesses include (without limitation):~~

- ~~• Marina supply or services;~~
- ~~• Hotel or resorts;~~
- ~~• Race tracks;~~
- ~~• Aviation facilities; and~~
- ~~• Amusement parks.~~

R

Recycling Collection Facility means a structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, re-manufacturing and shredding.

Research and Development means establishments that are primarily engaged in scientific research, and the design, development, engineering, and testing of high-technology electronic, industrial or scientific products in advance of product manufacturing. The production of products, plans, or designs may be part of this classification when the primary purpose of such production is research, development, or evaluation, rather than sale. Typical uses include biotechnology firms, electronic research firms, or pharmaceutical research laboratories.

Retail Sales, General. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes, but is not limited to, department stores, clothing stores, furniture stores, pet supply stores, small hardware stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, video rental, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs. This classification includes secondhand and wholesale stores.

~~**Retaining Wall.** A retaining wall is a wall used solely to retain more than twelve (12) inches of material but not to support or to provide a foundation or wall for a building.~~

Revegetated Area means the land restored through the process of revegetation.

Revegetation means the restoration of disturbed or damaged land by planting of trees, shrubs, cacti, groundcover or other plants, consistent with the same species, size, density and placement of the natural desert. Re-contouring may be necessary; however, limited to the minimum amount necessary to achieve similar nearby slopes

S

Salvage and Wrecking means the storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage or exchange, or sale of goods including, but not limited to, scrap metal, used building materials, used containers or steel drums, used tires, and similar or related articles or property.

~~Schools, Business, Trade or Vocational means a school, which may be operated as a commercial venture which, is primarily established to teach students skills to be used in a specific trade or occupation. Such facilities may not include lodging for students or faculty. ;b1; Schools, Instructional means a school or instructional institution established to provide instruction in recreational or other types of instruction such as swimming, dance, music, martial arts, and similar craft type activities.~~

~~Schools, Private means a private place of general instruction including but not limited to charter, parochial, religious or charitable institutions certified by the Arizona Department of Education, State Board of Charter Schools or Arizona Board of Regents including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes. Such facilities do not include trade or vocational schools. Such facilities may include lodging and services for students or faculty but shall not include day care centers, business, trade or vocational schools or instructional schools as defined herein.~~

~~Schools, Public/Charter means a public place of general instruction, including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes, providing primary or secondary instruction, certified by and meeting all of the compulsory education laws of the State of Arizona and the State Board for Charter Schools where applicable. Such facilities may include lodging and services for students or faculty but shall not include day care centers, business, trade or vocational schools or instructional schools as defined herein.~~

Schools, Public or Private. Facilities for primary or secondary education, including public schools, charter schools, and private institutions having curricula of general academic education consistent with the academic requirements of the State of Arizona, including kindergarten, elementary, junior high school, and high school, including accessory facilities traditionally associated with schools, such as athletic stadia, cafeterias and libraries.

Service Station. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing repair services; selling automotive oils, replacement parts, and accessories; and/or providing food services.

Sexually Oriented Business, see Adult Uses.

Site Disturbance Activity, see Disturbed Area. Any action which results in a cutting of the natural soil grade, creation of an un-natural soil fill or movement of a significant natural landscape feature. A Site Disturbance Activity may include, but not be limited to the following activities: digging, trenching, filling, drilling, grading or clearing.

Slope Category Determination Study. A detailed study of the topography and slope of a development site, parcel or property. The study shall include a detailed graphic showing all slope areas on the site utilizing the methodologies established in the Hillside Development Overlay District ~~this Section~~ and shall be composed of both graphical, numerical and textual information.

Small Animal Day Care. Facilities in which owners of small animals, principally dogs and cats, may contract with the operator for the keeping of pets for short, temporary periods, usually 1 day or less, but occasionally up to a week or so while the pet owner(s) are unable to care for the animals.

V

Veterinary Services. Medical care for small and large animals on a commercial basis. This classification allows 24-hour accommodation of animals receiving medical or grooming services but does not include kennels. This classification includes animal hospitals and clinics providing services such as medical examinations, diagnosis, and procedures; dispensing of medications for animals; providing surgical procedures, and space for supervised recuperation from medical and surgical procedures.

Section 3: Amend Chapter 21 - Zoning, Section 21-500 as follows, leaving all other sections and subsections not specifically referenced unchanged:

Sec. 21-503. Land Use Matrix

Table 21-503 indicates land uses allowed within the base commercial and employment zoning districts. Specific uses are further defined in Section 21-200 ("Definitions").

A. Explanation of Table Abbreviations.

1. Permitted Uses.

- a. "P" in a cell indicates that the use is allowed by right. Permitted uses are subject to all other applicable regulations of this Zoning Ordinance, including the use-specific standards in Section 21-505, along with compliance with the Peoria Community Design Guidelines.
- b. "P Δ " in a cell indicates that the use is allowed by right, unless it is located within two hundred (200) feet of a residential use or lot, unless otherwise identified in 21-505, than it shall be deemed as a "Conditional Use" which shall be permitted upon receiving a Conditional Use Permit (CUP) as defined below.

2. Conditional Uses.

- a. "C" in a cell indicates that in the respective zoning district the use is allowed only if reviewed and approved in accordance with the procedures of Section 21-155, Conditional Use Permits. Conditional uses are subject to all other applicable regulations of this Zoning Ordinance, including the use-specific standards in Section 21-505, along with compliance with the Peoria Community Design Guidelines.
 - b. The "C" designation in Table 21-503 does not constitute an authorization or an assurance that such use will be permitted. Rather, each conditional use permit application shall be evaluated as to its probable effect on adjacent properties and surrounding areas, among other factors, and may be approved or denied pursuant to the procedures in Section 21-155, Conditional Use Permits.
3. Special Uses. "SU" in a cell indicates that use would normally be prohibited in the respective zoning district except if it is reviewed and approved with the procedures of Section 21-157, Special Use Permit. Special Uses are subject to all other applicable regulations of this Ordinance, including use-specific standards in Sections 21-505, and 21-681.
4. **Prohibited Uses.** "-" in a cell indicates that the use is prohibited in the respective zoning district.
5. **Use-Specific Standards.** Regardless of whether a use is allowed by right or as a conditional use, there may be additional standards that are applicable to the use. Use-specific standards are noted through a cross-reference in the last column of the table. Cross-references refer to Section 21-505 Use-Specific Standards and apply to all districts unless otherwise specified.

- B. **Table Organization.** In Table 21-503, land uses and activities are classified into general "use categories" and specific "use types" based on common functional, product, or physical characteristics such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. This classification provides a systematic basis for assigning present and future land

uses into appropriate zoning districts. This classification does not list every use or activity that may appropriately exist within the categories. Certain uses may be listed in one category when they may reasonably have been listed in one or more other categories. The use categories are intended merely as an indexing tool and are not regulatory.

- C. ***Use for Other Purposes Prohibited.*** Approval of a use listed in Table 21-503, and compliance with the applicable use-specific standards for that use, authorizes that use only. Development or use of a property for any other use not specifically allowed in Table 21-503 is prohibited.
- D. ***Classification of New and Unlisted Uses.*** When application is made for a use category or use type that is not specifically listed in Table 21-503, the following procedure shall be followed:
 - 1. The Zoning Administrator shall provide an interpretation of the Ordinance in accordance with Section 21-112 as to the use category and/or use type into which such use should be placed, to making such interpretation, the Zoning Administrator shall consider its potential impacts, including but not limited to: the nature of the use; sales; processing; type of product, storage and amount, and nature thereof; enclosed or open storage; anticipated employment; transportation requirements; the amount of noise, odor, fumes, dust, toxic material, and vibration likely to be generated; and the general requirements for public utilities such as water and sanitary sewer.
 - 2. Appeal of the Zoning Administrator's decision may be made to the Board of Adjustment following procedures under Section 21-162 of this Zoning Ordinance.

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	Commercial Districts								Employment Districts				Use-Specific Standards	Notes
	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2		
A. Adaptive Reuse and Lodging Uses <i>Lodging and Adaptive Reuse</i>														Main Category renamed and land uses moved
<u>Bed and Breakfast Inn #</u>	-	-	-	-	-	C	-	-	-	-	-	-	21-505.A.1	Existing land use, moved due to renaming of category
<u>Caretaker Unit</u> <i>Living quarter for night guards #</i>	-	-	-	-	-	-	A	-	A	A	A	A	21-505.A.2	Renamed and definition added
<u>Hotel or Motel #</u>	-	-	-	P	P	P	P	P	P	-	-	-	21-505.A.3	Existing land use, moved due to renaming of category
<u>Mobile Home Sales</u>	-	-	-	-	-	-	C	-	-	P	P	P		Moved from Intense Retail
<u>Multi-Family Residential Development Adaptive Reuse</u>	P	P	P	P	P	P	P	P	-	-	-	-	21-450	Existing land use, moved due to renaming of category
<u>Resorts</u>	-	-	-	-	P	P	P	P	-	-	-	-		Moved from Entertainment & Recreation
B. Animal Related Uses														New Main Category and Consolidation of Uses
<u>Animal Shelter, Kennels, Small Animal Day Care</u>	-	-	-	-	P	-	C	-	-	C	C	C	21-505.B.1	Moved from Personal Services
<u>Boarding and Training Kennels #</u>	-	-	-	-	€	-	€	-	-	€	€	€		See category above
<u>Pet Shop #</u>	-	-	P	P	P	P	P	P	-	-	-	-	21-505.B.2	Moved from Personal Services, New definition
<u>Veterinary Services Hospital #</u>	-	-	-	-	C	C	C	C	P	P	P	P	21-505.B.3	Consolidation of veterinary hospital and clinic
<u>Veterinary Offices and Clinics, excluding animal boarding #</u>	-	-	-	-	€	€	€	€	P	P	P	P		
C. Automotive and Vehicle Related Uses <i>Automobile Related</i>														Main Category renamed
<u>Automobile Rental Facility, limit to six (6) vehicles #</u>	-	-	C	C	C	C	P	P	-	-	-	-	21-505.C.1	New Definition
<u>Automobile/Vehicle Auction</u>	-	-	-	-	-	-	C	-	-	P	P	P	21-505.C.2	Renaming of use category
<u>Automobile/Vehicle Repair, Major</u> <i>Auto Dismantling, Scrap Dealers, Recycling Centers</i>	-	-	-	-	-	-	C	C	-	-	P	P	21-505.C.3	New Def, Consolidation of Similar LU Categories
<u>Automobile/Vehicle Repair, Minor</u> <i>Automobile Diagnostic and/or Service Establishment, include engine and transmission overhaul, repair facilities and similar services #</i>	-	-	-	-	PΔ	C	PΔ	PΔ	-	PΔ	PΔ	PΔ	21-505.C.3	New Def, Consolidation of Similar LU Categories
<u>Automobile/Vehicle Sales and Leasing</u> <i>Automobile Dealerships, Boat, RV, or Motorcycle Sales, including Outdoor Sales and Rental</i>	-	-	-	-	-	-	PΔ	PΔ	-	-	PΔ	PΔ	21-505.C.1	New Def, Consolidation of Similar LU Categories
<u>Auto Parts and Accessory Store</u>	-	-	P	P	P	P	P	P	-	-	-	-		See Retail, General
<u>Autobody Repair and Painting Facilities #</u>	-	-	-	-	-	-	P	-	-	P	P	P		See Automobile/Vehicle Repair, Minor
<u>Auto Sound System Installation, Auto Glass Tinting and Repair and similar uses #</u>	-	-	-	-	€	€	P	P	P	P	P	P		See Automobile/Vehicle Repair, Minor
<u>Boat & RV Repair</u>	-	-	-	-	-	-	€	€	-	€	€	P		See Automobile/Vehicle Repair, Major
<u>Automobile/Vehicle Washing</u> <i>Car Wash, Automated, Self-Service</i>	-	-	-	-	C	€	C	C	-	-	P	P	21-505.C.4	New definition and renaming of category
<u>Emissions Testing Facility</u>	-	-	-	-	-	-	P	-	P	P	P	P		No change
<u>Large Vehicle and Equipment Sales, Service and Rentals</u> <i>Truck Stop, including Wash</i>	-	-	-	-	-	-	-	PΔ	-	-	PΔ	PΔ		New definition and renaming of category

Land Use	Commercial Districts								Employment Districts				Use-Specific Standards	Notes	
	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2			
C. Automotive and Vehicle Related Uses Automobile-Related													Main Category renamed		
Parking														New sub-category and consolidation of uses	
<u>Commercial Parking Lot and Garages</u> Auto Parking Lot or Garage as Principal Use	P	-	P	P	P	P	P	P	P	P	P	-	-	21-505.C.5	Renaming of use category
Parking with Electric Vehicle Charging Equipment	A	A	A	A	A	A	A	A	A	A	A	A	A		Relocation of use
<u>Public Parking, Surface or Garage</u>	A	A	A	A	A	A	A	A	A	A	A	A	A	21-900	New Category
Gas Service Station #	-	-	€	€	C	€	C	C	-	-	-	-	-	21-505.C.6	Refined Definition
Tire Sales, Repair and Mounting #	-	-	-	-	€	€	€	€	-	-	-	-	-		See <i>Automobile/Vehicle Repair, Minor</i>
<u>Automobile Towing and Impound Facilities</u>	-	-	-	-	-	-	C	-	-	P Δ	P Δ	P Δ			Renaming of use category
D. Eating and Drinking Establishments													No Change		
Catering <u>Service Establishment</u>	P	P	P	P	P	P	P	P	P	P	P	P	P		Renamed to match definition
<u>Microbrewery, Microwinery, or Distillery</u>	=	=	C	C	C	C	C	C	=	=	=	=	=	21-505.D.1	New Category, matches Tavern, Bar, Lounge
Mobile Food Unit#	A	A	A	A	A	A	A	A	A	A	A	A	A	21-505.D.2	No Change
Outdoor Dining and Seating Areas#	C	C	C	C	C	C	C	C	C	C	C	C	C	21-505.D.3	No Change
Restaurants, <u>including Full Service / Limited Service / Walk Up</u>	P	P	P	P	P	P	P	P	A	A	A	A	A		Renamed to match definition
Restaurants, <u>Fast Food with Drive Through or / Drive-In or Drive-Up#</u>	-	P Δ	P Δ	P Δ	P Δ	-	P Δ	P Δ	-	-	-	-	-	21-505.D.4	Renamed to match definition
Tavern, Bar, Lounge#	-	-	C	C	C	C	C	C	-	-	-	-	-	21-505.D.1	No Change
E. Entertainment and Recreation													No Change		
<u>Banquet and Conference Centers</u> Wedding and Reception Center#	C	C	-	C	C	C	C	C	-	-	-	-	-	21-505.E.1	Renamed to match definition
<u>Commercial Entertainment Theater, indoor</u>	-	-	P	P	P/SU	P	P/SU	P/SU	-	-	-	-	-	21-681	Renamed to match definition
<u>Commercial Recreation, Large-Scale Outdoor Recreation including Tennis, Racquet Clubs, Miniature Golf and similar uses</u>	-	-	-	-	C/SU	-	P/SU	P/SU	-	-	-	-	-	21-505.E.3, 21-681	Renamed to match definition and uses consolidated
<u>Commercial Recreation, Small-Scale Health and Exercise Center#</u>	P	P	P	P	P	P	P	P	P	P	P	P	P	21-505.E.2	Renamed to match definition and uses consolidated
Convention, Exhibition Centers and similar uses	-	-	-	-	C	C	C	C	C	-	-	-	-		No Change
Dance, Theatrical, Art, Music Studio and similar uses	-	-	P	P	P	P	P	P	P	P	P	P	P		See Comm Rec Small-Scale; Public Facility = Civic
Golf Courses	-	-	-	-	€	-	P	P	-	-	-	-	-		See <i>Commercial Recreation, Large-Scale</i>
Indoor Recreation/Entertainment include Bowling Alleys, Game Rooms, Video Arcades, Ice & Roller Skating Rinks, Shooting Ranges, Pool & Dance Halls, Bingo Halls, and similar uses. Excludes Adult Uses; Taverns Bars, and Lounges	-	-	P	P	P	P	P	P	-	-	-	-	-		See <i>Commercial Recreation, Large-Scale</i>
<u>Sightseeing Tour Companies</u>	-	P	P	P	P	P	P	P	P	P	P	-	-		Moved from Personal Services
<u>Zoo, Private / Public</u>	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	21-681	Existing, Added to Table
F. Financial Institutions and Services Administrative and Financial													Main Category renamed		
Automatic Teller Machine (ATM) / Window Teller	A-P	A-P	A-P	A-P	A-P	A-P	A-P	A-P	A-P	A-P	A-P	A-P	A-P		New Definition
<u>Banks and Financial Institution, With Drive-Through</u>	-	-	-	P	P	P	P	P	P	-	-	-	-	21-505.F.1	Add definition / land use classification
<u>Banks and Financial Institution, Without Drive-Through</u>	P	P	P	P	P	P	P	P	P	-	-	-	-		Add definition / land use classification

Land Use	Commercial Districts								Employment Districts				Use-Specific Standards	Notes
	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2		
F. Financial Institutions and Services Administrative and Financial													Main Category renamed	
Bonding Companies & Non-Chartered Financial Institutions	-	-	-	-	C	C	C	C	-	C	C	-	21-505.L.1	Revised to match definition
G. General Commercial & Employment Industrial & Manufacturing													Main Category renamed	
Boat, Recreational Vehicle (RV) & Trailer Storage	-	-	-	-	-	-	P Δ	P Δ	-	P Δ	P Δ	-	21-505.G.1	No Change
Call Center	-	-	-	-	-	-	C	P	P	P	P	P		No Change
Data Center	-	-	-	-	-	-	-	-	P	P	P	P		No Change
Donation Center#	-	-	-	-	C	-	C	C	P	P	P	P	21-505.G.2	No Change
Day Labor Hiring Centers	-	-	-	-	-	-	C	-	-	C	C	C		Moved from Personal Services
Donation / Recycling Drop-Off Boxes #	-	A	A	A	A	A	A	A	-	-	-	-	21-350	No Change
Maintenance and Appliance Repair Services	-	-	-	-	-	-	P	-	-	P	P	P	21-505.G.3	Moved from Personal Services
Marijuana Manufacturing or Cultivation Facility#	-	-	-	-	-	-	-	-	C	C	C	C	21-505.G.6	No Change
Marijuana Testing Facility	-	-	-	-	-	-	-	-	C	C	C	C	21-505.G.6	No Change
Monument Sales and Engraving Shop	-	-	-	-	P	P	P	P	P	P	P	P		Moved from Intense Retail, added definition
Moving Company Storage and Transfer Facility	-	-	-	-	-	-	P Δ	-	-	P Δ	P Δ	P Δ		No Change
Moving Truck, Trailer and Equipment Rental#	-	-	-	A	A	-	P Δ	P Δ	-	P Δ	P Δ	P Δ	21-505.G.4	No Change
Outdoor Storage	-	-	-	-	-	-	C	C	-	P Δ	P Δ	P Δ	21-505.G.5	No Change
Parcel Delivery Service	-	-	-	-	-	-	-	-	P	P	P	P		Removed
Pest Control Service	-	-	-	-	-	-	P	-	-	P	P	P		Moved from Personal Services
Printing and Publishing Facilities	-	-	-	-	-	-	-	P	P	P	P	P		See Office and Business Services
Qualifying Marijuana Dispensary#	-	-	-	-	C	-	C	C	-	-	-	-	21-505.G.6	Moved from Intense Retail
Self Storage, Indoor and Drive-Up	-	-	-	-	C	-	P Δ	P Δ	-	P	P	-	21-505.G.1	No Change
Upholstery Shop	-	-	-	-	-	-	P	P	-	-	P	P		Moved from Intense Retail
H. Heavy Industrial													New Category	
Bulk Fuel Sales and Storage	-	-	-	-	-	-	-	-	-	-	-	P Δ	21-505.H	No Change
Cement and Asphaltic Concrete Batch Plants	-	-	-	-	-	-	-	-	-	-	-	C	21-505.H	No Change
Chemical Production Manufacturing of chemical and Allied Products, petroleum and coal products, leather and tanning, wool pulling/scouring, explosives, fertilizers, detergents, soaps and animal fat by products, sugar, starches, serums, toxins and viruses, oils and fats, animal and vegetable	-	-	-	-	-	-	-	-	-	-	-	C	21-505.H	New definition / land use classification
Commercial Laundry and Dyeing Plant	-	-	-	-	-	-	-	-	-	P	P	P	21-505.H	Fixed typo and added definition
Commercial Livestock Feeding, Hog Ranches, Poultry Hatcheries, Dairy Farms, Cattle Sales, and Livestock Auctions	-	-	-	-	-	-	-	-	-	-	-	C	21-505.H	Reduced name
Commercial Slaughtering, Lard & Tallow Rendering, Meat Packing, Poultry & Game Dressing and Packing	-	-	-	-	-	-	-	-	-	-	-	C	21-505.H	New Definition and reduce name
Cotton Ginning and Baling, Wood Preserving by pressure impregnation, Rubber or Oil Reclaiming	-	-	-	-	-	-	-	-	-	-	-	C	21-505.H	No Change
Drilling, Production, Refining of Petroleum, Gas or Hydrocarbons	-	-	-	-	-	-	-	-	-	-	-	C	21-505.H	No Change

Land Use	Commercial Districts								Employment Districts				Use-Specific Standards	Notes	
	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2			
H. Heavy Industrial														New Category	
Environmental Remediation Facility	-	-	-	-	-	-	-	-	-	-	-	C	C		No Change
<u>Extraction and Refining Processes</u>	-	-	-	-	-	-	-	-	-	-	-	-	<u>C</u>		New Definition
Incineration or Reduction of offal, garbage or refuse when conducted entirely within an approved enclosed facility	-	-	-	-	-	-	-	-	-	-	-	-	C		Add to Specific Use Restrictions
<u>Fabrication, Assembly and Processing of Wood and Metal</u> Manufacturing of lumber and wood products, primary metal industries, fabricating metal products, machinery, and transportation equipment excluding ore reduction and smelting, production or refining of petroleum, gas or hydrocarbons	-	-	-	-	-	-	-	-	-	-	-	-	P		New Definition
Processing and Compounding to reform recyclable materials into a useable state	-	-	-	-	-	-	-	-	-	-	-	-	C		See "Processing Facility"
Railroad Shops and similar heavy service facilities	-	-	-	-	-	-	-	-	-	-	-	-	P		No Change
Recycling Collection Facility #	-	-	-	-	-	-	-	-	-	-	€	€	C	21-505.H.1	New Definition and alignment with adopted practice
Salvage and Wrecking Storage, Processing, and Sale of scrap metal and junk	-	-	-	-	-	-	-	-	-	-	-	-	P		New Definition
<u>Sand and Gravel, Rock Quarrying, and Similar Mining Uses</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	21-681	Existing, Added to Table
<u>Sanitary Landfill</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	<u>SU</u>	21-681	Existing, Added to Table
I. Manufacturing, Warehousing, and Distribution														New Category	
<u>Artisan / Makerspace</u> Commercial Service Establishments combining retail, showroom with workshop#	-	-	-	<u>C</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	-	-	-	-	-	21-505.I	Moved from Intense Retail, New Definition
<u>Light Design/Production/Assembly</u> Cabinet and Carpentry Shop	-	-	-	-	-	-	P	-	-	P	P	P	P	21-505.I	Moved from Personal Services, New Definition
Machine Shops	-	-	-	-	-	-	-	-	P	P	P	P	P	21-505.I	
Manufacturing, Fabrication and Processing of Goods	-	-	-	-	-	-	-	-	P	P	P	P	P	21-505.I	
Wholesaling, Warehousing, <u>and Distribution</u> ing, Repair, Rental and Servicing of any commodity. Excludes live animals, explosives and storage of flammable liquids and gases.	-	-	-	-	-	-	-	-	P	P	P	P	P	21-505.I	
J. Medical and Health Uses														Main Category Renamed	
Ambulance Service Facility	-	-	-	-	C	C	P	P	-	P	P	P	P		No Change
Emergency Medical Care Facility#	-	-	-	-	C	C	P	<u>P/SU</u>	-	P	<u>P/SU</u>	<u>P/SU</u>	<u>P/SU</u>	21-505.J.1	No Change
Hospitals	-	-	-	-	-	-	-	<u>P/SU</u>	-	-	-	-	-	21-505.J.1	No Change
Medical, Dental, Optician or Health, Clinics and Laboratories	P	P	P	P	P	P	P	P	P	P	P	P	P		No Change
<u>Plasma Center#</u>	-	-	-	-	C	-	C	C	-	C	-	-	-	21-505.L.1	Moved from Personal Services
<u>Substance Abuse Detoxification and Treatment Centers</u>	-	-	-	-	-	-	C	-	-	P	P	P	P		Moved from Institutional
K. Offices and Business Services														New Category	
<u>Business Services</u> Copy Center	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		Copy Center, Blueprint shop, UPS Satellite
<u>Employment Agencies</u> , not including Day Labor Hiring Centers	-	-	P	P	P	P	P	P	P	P	P	P	P		Moved from Personal Services
<u>Message Delivery Service</u>	P	P	P	P	P	P	P	P	P	-	-	-	-		Moved from Personal Services
Professional, Administrative or Business Offices	P	P	P	P	P	P	P	P	P	P	P	P	P		No Change

Land Use	Commercial Districts								Employment Districts				Use-Specific Standards	Notes
	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2		
K. Offices and Business Services													New Category	
Research Laboratories #	-	-	-	-	-	-	-	-	P	P	P	P	21-505.K.1	
L. Personal Services													No Change	
Blueprint Shop	-	-	-	-	-	-	P	P	P	P	P	P		See Business Services under Office Business Services
Custom Dressmaking, Furrier, Millinery or Tailor Shop #	-	-	-	-	-	-	P	P	P	P	P	P		See Shoe and Clothing Alteration
Dry Cleaning and Laundry Service Establishment	-	P	P	P	P	P	P	P	-	-	-	-		
Laundromat, self-service	-	P	P	P	P	P	P	P	-	-	-	-		See Dry Cleaning and Laundry Service
Massage Establishment #	P	P	P	P	P	P	P	P	-	-	-	-		No Change
Palm Readers, Phrenologists, Fortune Tellers and Astrologers	-	-	P	P	P	P	P	P	-	-	-	-		No Change
Pet Grooming Shop#	-	-	P	P	P	P	P	P	-	-	-	-		See Pet Shop in Animal Services
Photographic Developing and Printing	P	P	P	P	P	P	P	P	P	P	P	P		See Retail, General
Photographic Studio	-	-	P	P	P	P	P	P	-	-	-	-		See Retail, General
Radio and Television Sales and Service	-	-	P	P	P	P	P	P	-	-	-	-		See Retail, General
Recording Studio	-	-	-	P	P	P	P	P	P	P	P	P		
Remote Mail Service	P	P	P	P	P	P	P	P	-	-	-	-		See Business Services
Shoe and Clothing Alteration	-	-	P	P	P	P	P	P	-	-	-	-		No Change
Tanning Salon, Nail Salon, Barber Shop, Beauty Parlor and similar uses	-	-	P	P	P	P	P	P	P	P	P	P		No Change
Plasma Center, Tattoo & Body Piercing Studio #	-	-	-	-	C	-	C	C	-	C	-	-	21-505.L.1	Plasma Center moved to Medical and Health Uses
Ticket and Travel Agency	P	P	P	P	P	P	P	P	P	-	-	-		See Retail, General
Watch and Clock Repair	-	-	-	-	P	P	P	P	P	P	P	P		See Retail, General
M. Public, Civic, and Institutional Uses													Main Category Renamed	
Art Gallery	P	P	P	P	P	P	P	P	-	-	-	-	-	See Cultural Institution
Cemetery, Crematorium, Mausoleum, Funeral Homes, Columbarium	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	21-681	Existing, Added to Table
Clubs and Lodges Recreation and Social Clubs #	-	-	P	P	P	P	P	P	P	-	-	-	21-505.M.1	Renamed to match definition
Community Center	=	=	P	P	P	P	P	P	P	=	=	=		Added definition
Correction, Detention, Holding and Release Facility	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	21-681	Existing, Added to Table
Cultural Institutions	P	P	P	P	P	P	P	P	P	-	-	-	21-505.M	Add definition and consolidated like uses
Day Care Centers or Pre-school Centers #	P	P	P	P	P	P	P	P	-	-	-	-	21-505.M.2	
Education														
Colleges or Universities, Public or Private	-	-	-	-	SU	-	SU	SU	SU	SU	SU	SU	21-505.M.3	New definitions, consolidated like uses
Commercial Trade School, Public or Private	=	=	=	=	P	P	P	P	P	P	P	P	21-505.M.3	
Industrial Trade School, Public or Private	=	=	=	=	P	P	P	P	P	P	P	P	21-505.M.3	
Schools, Public or Private	P	P	P	P	P	P	P	P	P	P	P	P	21-505.M.3	
Group Care Facility or Community Residential Facility#	-	-	-	-	C	-	P	P	-	-	-	-	21-505.M.4	No Change

Land Use	Commercial Districts								Employment Districts				Use-Specific Standards	Notes	
	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2			
M. Public, Civic, and Institutional Uses														Main Category Renamed	
Homeless Shelter and similar uses	-	-	-	-	-	-	-	-	-	-	-	P	P		No Change
Libraries and Museums	P	P	P	P	P	P	P	P	P	-	-	-	-		See <i>Cultural Institution</i>
Non-profit Social services#	P	P	P	P	P	P	P	P	P	P	P	P	P	21-505.M.5	No Change
Nursing or Convalescent Home, Long term Care Facility #	P	P	-	-	C	-	P	P	-	-	-	-	-	21-505.M.6	No Change
Places of Worship Religious Institutions and similar places of worship#	P	P	P	P	P	P	P	P	<u>P-</u>	<u>P-</u>	<u>P-</u>	<u>P-</u>	<u>P-</u>	21-505.M.7	Renamed to match definition
Public Buildings#	P	P	P	P	P	P	P	P	P	P	P	P	P		Gov Buildings vs MOU, vs Public Safety, vs Wells
Public/Private Schools, Charter Schools, College and University Facilities excluding College and University Campuses#	P	P	P	P	P	P	P	P	P	P	P	P	P		See <i>Education</i> above
N. General Retail														Main Category Renamed	
Accessory Outdoor Garden Centers	-	<u>A-P-A</u>	<u>A-P-A</u>	<u>A-P-A</u>	<u>A-P-A</u>	<u>A-P-A</u>	<u>A-P-A</u>	<u>A-P-A</u>	<u>A-P-A</u>	-	-	-	-		Moved from Intense Retail
Antiques, Crafts, and Collectibles Sales	-	-	P	P	P	P	P	P	P	-	-	-	-		See <i>General Retail Sales</i>
<u>Auction Houses and Estate Sales</u>	-	-	-	-	-	-	P	-	-	-	P	P	P		Moved from Personal Services
Bait and Tackle Shops	-	-	P	P	P	P	P	P	-	-	-	-	-		See <i>General Retail Sales</i>
Book, Stationery and Greeting Card Store	P	P	P	P	P	P	P	P	P	-	-	-	-		See <i>General Retail Sales</i>
Candy and Ice Cream Store	P	P	P	P	P	P	P	P	P	-	-	-	-		See <i>General Retail Sales</i>
Carpet and Floor Covering Store	-	-	-	-	P	P	P	P	-	-	-	-	-		No Change
Equipment Sales, Rental and Storage Yard	-	-	-	-	-	-	P	P	P	P	P	P	P		Moved from Intense Retail
Florist	P	P	P	P	P	P	P	P	P	-	-	-	-		See <i>General Retail Sales</i>
<u>General Retail Sales</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-	-	-		New definition added
Gift, Novelty and Souvenir Shop	P	P	P	P	P	P	P	P	P	-	-	-	-		See <i>General Retail Sales</i>
Hardware and Home Improvement Store		P	P	P	P	P	P	P	P						Moved from Intense Retail
Hardware and Home Improvement Store with outdoor storage and/or garden center	-	-	C	C	C	C	C	C	C	-	-	-	-		Moved from Intense Retail
Hobby, Stamp and Coin Shop	P	P	P	P	P	P	P	P	P	-	-	-	-		See <i>General Retail Sales</i>
Large-Scale Retail#	-	-	-	-	C	-	C	C	-	-	-	-	-	21-505.N.1	Moved from Intense Retail
<u>Locksmith</u>	-	-	P	P	P	P	P	P	P	P	P	P	P		Moved from Personal Services
Mobile Merchandise Unit#	A	A	A	A	A	A	A	A	A	A	A	A	A	21-505.D.2	No Change
Newsstand	P	P	P	P	P	P	P	P	P	P	A	A	A		No Change
<u>Open-Air Farmers Markets</u>	-	-	-	-	-	-	P	-	-	-	P	P	P		Renamed to match definition
<u>Outdoor Sales and Display Area#</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>	<u>P</u>	<u>P</u>	<u>P</u>	21-505.N.2	Moved from Intense Retail
Pawn Shop#	-	-	-	-	C	-	C	C	-	-	-	-	-	21-505.L.1	No Change
Permissible Consumer Fireworks Sales#	-	P	P	P	P	P	P	P	P	-	-	-	-	21-505.N.3	No Change
<u>Plant Nursery, Retail</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>C</u>	<u>-</u>	<u>P</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>P</u>	<u>P</u>		Moved from Intense Retail
<u>Plant Nursery, Wholesale</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>P</u>	<u>P</u>	<u>P</u>		Moved from Intense Retail

Land Use	Commercial Districts								Employment Districts				Use-Specific Standards	Notes
	O-1	C-1	PC-1	PC-2	C-2	C-3	C-4	C-5	BPI	PI-1	I-1	I-2		
<u>N. General Retail</u>													Main Category Renamed	
Plumbing, Heating, and Air-conditioning Sales and Service	-	-	-	-	-	-	P	-	-	P	P	P		
Retail Decorative Rock Sales	-	-	-	-	C	-	P	-	-	P	P	P		
Retail Sales of New and Used Merchandise, Indoor. Excludes Sale of Automobile, Boats RVs and Motorcycles	-	P	P	P	P	P	P	P	A#	-	-	-		See General Retail Sales
Retail Liquor Store#	-	-	-	-	C	-	C	C	-	-	-	-	21-505.L.1	
Retail Sales of lumber and Building Materials#	-	-	-	-	-	-	C	-	-	P	P	P	21-505.N.4	
Sales and Storage of grain, feed, seed, fertilizer, farm and garden supplies	-	-	-	-	C	C	P Δ	-	-	P Δ	P Δ	P Δ		No change
Swap Meet, Indoor	-	-	-	-	-	-	P	-	-	-	-	-		No change
<u>Swap Meet, Outdoor</u>	-	-	-	-	-	-	SU	SU	SU	SU	SU	SU	21-681	Existing, Added to Table
Swimming Pool and Spa Sales	-	-	-	-	C	-	P	-	P	P	P	P		No change
Tobacco Retailer	-	P	-	-	P	P	P	P	-	-	-	-		See General Retail Sales
Video Rental Store	P	P	P	P	P	P	P	P	-	-	-	-		See General Retail Sales
Watch and Clock Repair Shop	-	-	-	-	P	P	P	P	P	P	P	P		See General Retail Sales
Water and Ice Store	-	P	P	P	P	P	P	P	-	-	-	-		No change
Wholesale Produce Storage or Market	-	-	-	-	-	-	C	-	C	P	P	P		No change
<u>Intense Retail</u>													Deleted Main Category	
Appliance, Furniture, and Household Equipment Sales and Rentals	-	-	P	P	P	P	P	P	P	-	-	-		See General Retail Sales
Department Store	-	-	P	P	P	P	P	P	-	-	-	-		See General Retail Sales
Office Supply and Machine Sales & Service	-	-	P	P	P	P	P	P	P	-	-	-		See Business Services
<u>O. Sexually Oriented Uses</u> Adult Uses #	-	-	-	C	C	-	C	C	-	C	C	C	21-505.O	Renamed
<u>P. Transportation, Marine and Aviation Facilities</u>													Revised Category Name	
<u>Airport, Heliport, or Helistop, Public/Private</u>	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	21-681	Existing, Added to Table
Aviation uses such as Aircraft Repair, Aircraft Sales and Air Charter Services	-	-	-	-	-	-	-	-	-	P Δ	P Δ	P Δ		No change
Bus Terminals	-	-	-	-	C	C	C	-	-	P Δ	P Δ	P Δ		No change
<u>Marine and Boat Charter</u>	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	21-681	Existing, Added to Table
Marine Fuel Facility	-	-	-	-	-	-	-	-	-	-	-	P Δ		No change
Rail and Motor Freight Terminals and Facilities	-	-	-	-	-	-	P	-	-	P	P	P		No change
School Bus Parking and Maintenance Facilities#	C	C	C	C	C	C	C	C	C	P Δ	P Δ	P Δ	21-505.P.1	No change
<u>Q. Utilities and Communication</u>													New Category and Consolidation of Uses	
<u>Commercial Radio and Television Transmission Tower</u>	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	SU	21-681	Existing, Added to Table
<u>Essential Public Service or Utility Installation</u>	P	P	P	P	P	P	P	P	P	P	P	P		Moved from General Industrial and Manufacturing
<u>Electric Power Generating Plants, Transformer Stations and Substations, Gas Pumping Plants</u>	-	-	-	-	-	-	-	-	-	-	-	P		Moved from General Industrial and Manufacturing
<u>Public Utility Buildings, Structures, Uses, Facilities and Equipment#</u>	P	P	P	P	P	P	P	P	P	P	P	P	21-505.Q.1	Moved from Intuitional

21-504 General Regulations for Non-Residential Districts O-1, C-1, PC-1, PC-2, C-2 and C-3

~~In Zoning Districts O-1, C-1, PC-1, PC-2, C-2, and C-3, The~~ following general regulations shall apply:

A. All activities, except as otherwise permitted herein, shall be conducted entirely within enclosed buildings.

~~B. Outdoor storage of goods and materials shall be prohibited.~~

BC. Warehousing or indoor storage of goods or material beyond that normally incidental to permitted uses shall be prohibited.

21-505 Use-Specific Standards ~~Limitations on Uses~~

A. Adaptive Reuse, Lodging and Residential Uses

1. Bed and Breakfast Inns as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~shall be subject to all the following additional requirements:~~

- a. Maximum building height shall be thirty (30) feet or two (2) stories, whichever is greater.
- b. Paved areas shall be reduced to the smallest area commensurate with efficient operation and function of the site. All unpaved areas shall be maintained in lawns or landscaping.
- c. Short-term lodging for the purposes of a Bed and Breakfast Inn shall be for a period not exceeding fourteen (14) consecutive days.
- d. Meals shall be restricted to registered guests.

2. Caretaker as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:

- a. A Caretaker Unit is only allowed if the primary use is non-residential;
- b. The primary non-residential use reasonably requires an on-site resident for security, maintenance or other similar purposes, and
- c. Only one (1) Caretaker Unit shall be allowed per principal use, and shall be ancillary in size to the primary non-residential use.

3. Hotels and Motels shall be subject to all of the following additional requirements:

- a. All direct vehicular access shall be from an abutting arterial or collector street.
- b. Paved areas shall be reduced to the smallest area commensurate with the efficient operation and function of the site.

B. Animal Related Uses

1. Animal Shelters, ~~Boarding / Training Kennels, and Small Animal Day Care,~~ In the C-2 Zoning District, each as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~shall comply with the following limitations:~~

- 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.

- d. All necessary improvements shall be made to the building(s) to ensure that it 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.
 - 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..
2. Pet Shops, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~including commonly associated accessory uses such as grooming, veterinary care, training, pet day camp services and the boarding of household pets, shall be subject to the following conditions:~~
- a. Veterinarian and grooming services shall be restricted to the care and treatment of small animals, and occur only during regular business hours.
 - b. The commercial breeding of animals shall be prohibited.
 - c. All activities shall be completely contained within enclosed buildings; the building shall be designed and constructed to achieve a Sound Transmission Control Value of 50 or greater.
 - d. All refuse shall be stored within a completely enclosed building.
 - e. Outdoor runs or exercise pens shall be prohibited.
 - f. Overnight boarding services for household pets may be operated as an accessory use, provided no more than twenty-five percent (25%) of the total square footage of the establishment may be used as sleeping quarters for the boarded pets; and the area shall be constructed, maintained or operated so that the smell of the boarded animals does not create a nuisance off- site.
- ~~3. 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.~~
- ~~4. Veterinary Services Hospitals shall have no outdoor runs, pens or enclosures. Veterinary Hospitals shall not be located closer than one hundred (100) feet to any street, residential district or existing restaurant, hotel or motel.~~
3. Veterinary Services, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~Offices and Clinics (excluding animal boarding) shall be subject to all of the following additional requirements:~~

- a. Clinic Activities shall be restricted to the medical care and treatment of small animals during regular office hours. The confinement of such animals on the premises shall be limited to essential and occasional overnight care.
 - b. Facilities shall have no outdoor runs, pens or enclosures. Veterinary service facilities Hospitals shall not be located closer than one hundred (100) feet to any street, residential district or existing restaurant, hotel or motel.
 - c. The boarding and breeding of animals shall be prohibited.
 - d. Clinic Activities shall be completely contained within enclosed buildings; the building or suite containing the clinic shall be designed and constructed to achieve a Sound Transmission Control Value of 50 or greater.
 - e. All refuse shall be stored within a completely enclosed building.
 - f. Outdoor runs or exercise pens shall be prohibited.
- C. Automotive and Vehicle Related Uses. ~~Automobile-Related.~~
1. Automobile Rental, Automobile/Vehicle Sales and Leasing, each as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~Facility, excluding moving truck, trailer and equipment rental, shall be subject to all of the following additional requirements~~
 - a. The facility shall be located within a developed commercial center or building.
 - b. Automobile storage shall be limited to hard surfaced areas.
 - c. The automobile storage area shall not occupy required parking spaces or access lanes.
 - d. In C-2, Automobile Rentals are limited to ~~N~~no more than six (6) vehicles shall be stored on site in association with the office location.
 2. Automobile / Vehicle Auction as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. New Automobile / Vehicle Auction facilities shall be located five hundred (500) feet or more from the nearest residential use existing at the time of application.
 - b. Except in I-1 and I-2, the use shall be operated within an enclosed area with no outdoor displays.
 - c. Outdoor public address or loudspeaker systems are prohibited.
 3. Automobile/Vehicle Repair, Major and Minor, each as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~Automotive Diagnostic and/or Service Establishments, including those that perform automotive repairs, engine and transmission overhaul, lubrication; tire repair and/or replacement and wheel balancing and alignment; muffler repair or replacement; brake service, repair or replacement; shall be subject to the following additional requirements:~~
 - a. No outdoor displays or storage shall be permitted, except for merchandise normally sold from the premises that is displayed during normal business hours.

- b. No temporary parking of vehicles waiting for repair shall be permitted except within the a service bay or garage. ~~or For Major Automobile/Vehicle Repair Establishments located within the C-4, C-5, P1-1, I-1, and I-2 zoning dDistricts,~~ permanent parking/storage area for vehicles awaiting service may be permitted outside of the facility if said area is secured and. ~~The parking area shall be~~ fully screened from public view.
- c. All activities shall be performed entirely within an enclosed building. All body and fender work, or similar noise-generating activity, shall be enclosed in masonry or similar building with sound attenuating measures incorporated into the building design and construction to absorb noise to comply with the Peoria City Code. Compressors, and similar equipment shall be located within separately enclosed, sound attenuated rooms.
- ~~d. High-speed washing, body repair, machining of auto parts, painting, vehicle or trailer rental shall be expressly prohibited.~~
- d. Paved areas shall be reduced to the smallest area commensurate with efficient operation and function of the site. All unpaved areas shall be maintained in landscaping. ~~All exterior design shall be compatible with surrounding developments.~~
- ~~3. Autobody Repair and Painting, Tire Sales, Repair and Mounting, and Auto Sound System Installation, Auto Window Tinting, Auto Glass Repair and similar uses shall have no outdoor displays other than merchandise normally sold from the premises that is displayed during normal business hours. No outdoor storage shall be permitted.~~
- ~~4. Auto Sound System Installation, Auto Window Tinting, Auto Glass Repair and similar uses shall be conducted within enclosed buildings.~~
- 4. Automotive/Vehicle Washing, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. Allowed on sites, either as a standalone pad or within a commercial center, with at least one frontage along a street classified as Arterial or Limited Access Parkway in the Peoria General Plan.
 - b. Minimum separation distance from another Automotive/Vehicle Washing facility is one (1) mile measured from the property line.
 - c. All buildings and associated appurtenances shall be setback a minimum two hundred (200) feet from residentially zoned district.
 - d. Sound attenuating measures shall be incorporated into the building design and construction to absorb noise to where the sound levels at the street and at interior property lines are no more than 55 decibels.
 - e. Mechanical equipment for centralized vacuum equipment shall be housed in an enclosed room.
 - f. Hours of operation are limited to 6:00 a.m. to 10:00 p.m.
- 5. Parking, Commercial Parking Lots and Garages as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:

- a. [Commercial Parking Lots and Garages](#) shall be located outside of the landscape buffer for that Zoning District, as identified in Section 21-800.
 - b. No overnight parking is permitted.
 - c. All parking areas must consist of a “dust free” surface as required by the Peoria Engineering Standards Manual. Alternative dust-free surfaces may be approved by the Zoning Administrator and City Engineer.
 - d. Parking areas shall be stripped or marked to indicate parking spaces.
 - e. Parking spaces shall be sized in conformance with Section 21-900 of the Zoning Ordinance.
 - f. An effective three (3) feet visual screen is required in front of all parking areas that are visible from the public.
6. ~~Gas Service Station~~, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~s shall be subject to all of the following additional requirements:~~
- a. The maximum number of service stations allowed at Arterial/Arterial and Arterial/Limited Parkway intersections is two (2). For Arterial/Collector intersections, the maximum number of service stations permitted shall be one (1).
 - b. Minimum frontage of one hundred-eighty (180) feet on one arterial street is required.
 - c. No part of any canopy, fuel dispenser, or fuel storage tank shall be within 200 feet of any ~~single-family~~ residentially zoned parcel or lot, not including common area tracts.
 - ~~e. d.~~ A minimum of 500 feet of separation is required between ~~gas~~ service stations located on the same side of the street. ~~Gas Service Stations separated by arterial streets are not subject to this requirement.~~
 - ~~d.~~ ~~All of the following development standards shall apply:~~
 - ~~1)~~ e. All fuel pump mechanism and any accessory equipment dispensing fuel shall be covered by canopies.
 - ~~2)~~ f. Under canopy mounted lights shall be flush with the underside of the canopy and not allow the light source to be visible from the property line.
 - ~~3)~~ g. Fuel tanks larger than 1,000 gallons must be located underground. Above ground tanks shall be screened from street view, shall not exceed 6-feet in height, and shall be setback at least 25-feet from any public street.

D. Eating & Drinking Establishments.

1. Microbrewery, Microwinery, or Distillery, and Tavern, Bar, and Lounge, each as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. The exterior building walls, and any associated patio, shall be located at least two-hundred (200) feet from a residentially zoned property, not including common areas tracts and rights of way.
 - b. If a patio is provided and not directly attached to the main building, it must be within 30 feet and separated only by a walkway or driveway.

- c. [The outdoor patio must be ancillary to the establishment, and comply with the use-specific standards for **Outdoor Dining and Seating Area** within this Section.](#)
 2. **Mobile Food/Merchandise Unit** and all accessory equipment ("use") [as described in Section 21-200](#), shall be [located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:](#) ~~subject to the following additional requirements:~~
 - a. Location.
 - 1) The vendor shall obtain written permission from the property owner or an authorized agent.
 - 2) The use shall not be located within 250 feet of a single-family residentially zoned lot, not including common area tracts.
 - 3) The use shall not cause the site to fall below minimum required parking for the site.
 - 4) The use shall be located on a dustproof surface.
 - 5) The use shall not obstruct pedestrian or vehicle circulation, or be located within drive aisles, fire lanes, loading zones, or any location that may cause hazardous conditions, or constitute a threat to the public health, safety and welfare.
 - 6) The site shall be restored to its previous condition after each use. Permanent alterations to the site are prohibited.
 - b. Operation.
 - 1) The use shall not be present at the site or center for a period exceeding eight (8) consecutive hours within a 24-hour period. This period includes for set-up, operation and takedown.
 - 2) Unless a Temporary Use Permit has been issued pursuant to Section [21-155](#), the operation shall not occur between the hours of 10:00 pm and 7:00 am, unless the mobile food unit is acting as an auxiliary kitchen for an existing bar, tavern, or restaurant, in which case the use shall be limited to the hours of operation for that primary business.
 - 3) Mobile restrooms are prohibited.
 - 4) The site shall be properly lit, provided that any temporary lighting be directed downward and shielded in a manner that the illumination source is not be visible from any adjacent property.
 3. **Outdoor Dining and Seating Areas** [as described in Section 21-200](#), shall be [located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:](#)
 - a. No Conditional Use Permit is required when the exterior wall or area of the patio or seating area is located at least two-hundred (200) feet from the nearest residentially-zoned lot, not including common area tracts [and rights of way](#).
 - b. Such areas shall be located adjacent to the restaurant or establishment to which it is an accessory use.
 - c. The use shall not interfere with pedestrian access, fire lanes, driveways, or traffic visibility at driveways or street intersections.

~~d. Through the Conditional Use Permit (CUP) process, the conditions considered for imposition by the Planning and Zoning Commission may include, but is not limited to, a restriction on operating hours, additional screening, re-location of the outdoor dining and seating area, noise and visual mitigation and other measures appropriate to the relevant circumstances.~~

4. *Restaurants with Drive-Through* as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:

- a. All drive-through lanes, menu boards, speaker box, and other related elements shall be located at least 50 feet from any residentially zoned property or use.
- b. Speakers at a drive-through shall not be audible from residentially zoned property. Sound shall be mitigated through the use of sound attenuation walls, landscaping, or other measures.
- c. The drive-through lane shall be separated from parking areas and driving lanes by a minimum 5-foot wide landscaping island or other alternative as approved by the Zoning Administrator.
- d. Drive-through canopies and other appurtenances shall be architecturally compatible with the principal building.
- e. [Drive-through lane\(s\) shall not exit directly onto a public right-of-way.](#)
- f. [Drive-through queuing length shall be in accordance with Section 21-900.](#)
- g. [Clearly marked pedestrian crosswalks shall be provided for each walk-in customer access point to the facility that is located adjacent to a drive-through lane\(s\).](#)

~~d. Through the Conditional Use Permit (CUP) process, the conditions considered for imposition by the Planning and Zoning Commission may include, but are not limited to, a restriction on operating hours, additional screening, relocation of the drive through, modification of the minimum drive through stacking requirements, noise and visual mitigation, and other measures appropriate to the relevant circumstances.~~

5. *Tavern, Bar, or Lounge*:

- ~~a. The exterior building wall shall not be located within one thousand (1,000) feet of the property lines of a state-designated Local Alcohol Reception Center.~~
- ~~b. The exterior building walls of the use shall be located at least two hundred (200) feet from a residentially zoned property.~~
- ~~c. Through the Conditional Use Permit (CUP) process, the conditions considered for imposition by the Planning and Zoning Commission may include, but are not limited to, a restriction on operating hours, additional screening, relocation of any outdoor patio areas, live entertainment standards, noise and visual mitigation, and other measures appropriate to the relevant circumstances.~~

E. Entertainment & Recreation.

- 1. ***Banquet and Conference Centers*** as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards. ~~Wedding Reception Centers shall be subject to both of the following additional requirements:~~

- a. All event parking shall occur on-site unless a permanent **Off-Site Parking** agreement that meets the requirements of Section 21-900 is approved by the Zoning Administrator. Temporary overflow parking for a specific event may be approved through the Temporary Use Permit process, as outlined in Section 21-160. ~~Maximum building height shall be thirty (30) feet or two (2) stories, whichever is greater.~~
- b. Unless otherwise approved as part of the Conditional Use Permit process, outdoor activities ~~Outdoor events are prohibited~~ between the hours of 10:00 p.m. and 7:00 a.m. ~~shall require a temporary use permit.~~
2. **Small Scale Commercial Recreation** as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards ~~Health and Exercise Center shall be subject to the following conditions:~~
 - a. The total building floor area shall not exceed 5,000 square feet in the O-1, C-1, PC-1, and PC-2 Districts.
 - b. Hours of operation in the O-1, C-1, PC-1, and PC-2 shall be limited to 5:00 a.m. to 7:00 p.m.
3. **Large Scale Commercial Recreation** as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards, unless otherwise approved through a Conditional or Special Use Permit:
 - a. Within two hundred (200) feet of residential zoned districts, excluding common tracts and right-of-way:
 - i. Sound attenuating measures shall be incorporated into the construction of the outdoor activity area to absorb noise to where the sound levels at the property line are no more than 55 decibels.
 - ii. Operations within outdoor areas shall not occur between 7:00 p.m. and 6:00 a.m.

F. Financial Institutions and Services.

1. **Banks and Financial Institutions with Drive-Through** shall be located, developed, and operated in compliance with the land use regulations in Section 21-500 and the following standards:
 - a. The drive-through lane shall be screened from adjacent view of public streets, pedestrian activity areas or adjoining residential properties by a minimum three (3) foot solid wall.
 - b. A shade canopy shall be provided over any stand-alone ATM, or Window Teller area.
 - c. Drive-through lane(s) shall not exit directly onto a public right-of-way.

G. General Commercial & Employment. ~~Industrial & Manufacturing.~~

1. All **Boat & RV Storage**, as well as **Self-Storage, Indoor and Drive-Up** uses, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. Applicability: These use-specific standards herein shall be applicable to facilities in all zoning districts including in Planned Area Development (PAD) and Planned Community Development (PCD) districts where the approved land use table refers to a City underlying Non-Residential Zoning District.
 - b. Maximum Acreage: Self Storage, Indoor and Drive-Up facilities are limited to a maximum five (5) gross acres in size.

c. Location Siting Requirements:

- 1) Vehicular access shall only be from a street classified on the City's General Plan Circulation Map as an Arterial or Collector. No access is permitted onto streets classified as local, or Limited Access Parkway and above.
- 2) Minimum separation distance from another Boat and RV Storage or Self-Storage facility is one (1) mile as measured from the site property line.
- 3) Minimum distance from an Arterial/Arterial intersection is six hundred and sixty (660) feet as measured from the center of the radius of the intersection curb return.

d. Development Standards and Design Requirements:

The following development standards and requirements are in addition to the underlying zoning district requirements only for those standards noted below.

- 1) When the facility is abutting a residentially-zoned lot, windows fronting onto the residential area shall be clerestory (or faux windows).
- 2) Doors of the storage areas shall not front on, or be visible from, any public street.

e. Operational Requirements:

- 1) All Self-Storage uses must be conducted entirely within the facility, with no outside storage or display allowed regardless of screening.
- 2) Conducting sales or operating a business from the storage area or unit is prohibited.
- 3) Residing within an RV or Self-Storage unit is prohibited; however, a single caretaker residence for the facility is allowed as an accessory use.
- 4) Vehicle maintenance is prohibited on site.
- 5) A detailed operations plan shall be provided which outlines:
 - i. Operational Hours;
 - ii. Security;
 - iii. Lighting;
 - iv. Odor mitigation from any dumping stations;
 - v. General clean-up of the site; and
 - vi. Procedures on addressing improper behavior, dumping of trash, and other nuisance concerns.

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

~~a. Applicability: These use-specific standards herein shall be applicable to facilities in all zoning districts including in Planned Area Development (PAD) and Planned Community Development (PCD) districts where the approved land use table refers to a City underlying Non-Residential Zoning District.~~

~~b. Maximum Acreage: Self-Storage, Indoor and Drive-Up facilities are limited to a maximum five (5) gross acres in size.~~

~~c. Location Siting Requirements:~~

- ~~1) Vehicular access shall only be from a street classified on the City's General Plan Circulation Map as an arterial or collector. No access is permitted onto streets classified as local, or~~

- ~~Limited Access Parkway and above.~~
- ~~2) Minimum separation distance from another Boat and RV Storage or Self Storage facility is one (1) mile as measured from the site property line.~~
 - ~~3) Minimum distance from an Arterial/Arterial intersection is six hundred sixty (660) feet as measured from the center of the radius of the intersection curb return.~~
- ~~d. Development Standards and Design Requirements: The following development standards and requirements are in addition to the underlying zoning district requirements only for those standards noted below.~~
- ~~1) When the facility is abutting a residentially-zoned lot, windows fronting onto the residential area shall be clerestory (or faux windows).~~
 - ~~2) Doors of the storage areas shall not front on, or be visible from, any public street.~~
- ~~e. Operational Requirements:~~
- ~~1) All Self Storage uses must be conducted entirely within the facility, with no outside storage or display allowed regardless of screening.~~
 - ~~2) Conducting sales or operating a business from the storage area or unit is prohibited.~~
 - ~~3) Residing within an RV or Self Storage unit is prohibited; however, a single caretaker residence for the facility is allowed as an accessory use.~~
 - ~~4) Vehicle maintenance is prohibited on site.~~
 - ~~5) A detailed operations plan shall be provided which outlines:~~
 - ~~i. Operational Hours;~~
 - ~~ii. Security;~~
 - ~~iii. Lighting;~~
 - ~~iv. Odor mitigation from any dumping stations;~~
 - ~~v. General clean up of the site; and~~
 - ~~vi. Procedures on addressing improper behavior, dumping of trash, and other nuisance concerns.~~
- ~~f. A wall with a minimum height of six (6) feet and a landscaping buffer in accordance with Section 21-818.A.3, or as approved by the Planning and Zoning Commission, shall be constructed along the site boundary devoted to such use where abutting a residential use or residentially-zoned vacant property.~~
- ~~g. All direct vehicular access shall be from an abutting arterial street.~~
- ~~h. The locations of the driveways, wall, landscaping, and buildings shall be so arranged as to minimize traffic disruptions.~~
- ~~i. A wall with a minimum height of six (6) feet and a landscaping buffer in accordance with Section or as approved by the Planning and Zoning Commission, shall be constructed along the site boundary devoted to such use where abutting a residential use or residentially-zoned vacant property.~~
- ~~j. All vehicle storage shall be limited to hard surfaced areas.~~
- ~~k. Lighting shall be directed toward the site and shall not cause undesirable glare to nearby residential properties.~~
2. Donation Centers as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards shall be subject to the following conditions:
- a. Donation drop off shall be limited to business hours only.
 - b. Drop off location shall be at the rear of the building and shall be fully screened from view.
 - c. No drop off items shall be stored outside the screened area.

3. Maintenance and Repair Services as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. No outside display or storage is allowed.
 - b. Any Maintenance and Repair Services establishment over one-hundred thousand (100,000) square feet gross floor area shall be considered Large Scale Retail.
4. Moving Truck, Trailer, and Equipment Rental as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards ~~shall be subject to the following additional requirements:~~
 - a. In the C-2 and PC-2 Zoning Districts, **Moving Truck, Trailer, and Equipment Rental** shall be allowed as an Accessory Use to Self-Storage and Boat, and Recreational Vehicle & Trailer Storage ~~Mini-Storage Warehouses, RV, Boat, and Trailer Storage~~ indoor, and/or screened only, Hardware and Home Improvement Store, and Hardware and Home Improvement Store with outdoor storage and/or garden center.
 - 1) No more than six (6) vehicles shall be stored on site in association with the **Moving Truck, Trailer, and Equipment Use**.
 - 2) Outdoor storage of vehicles and equipment associated with the **Moving Truck, Trailer, and Equipment** rental shall be fully screened from public view or located a minimum of 200 feet from the right of way.
 - 3) Outdoor storage of vehicles and equipment associated with the **Moving Truck, Trailer, and Equipment** rental shall not occupy required parking spaces or access lanes.
 - 4) Moving Truck, Trailer, and Equipment ~~Moving trucks, trailers, and equipment~~ shall be stored in a designated area of the site. For multi-tenant sites, or sites with multiple uses, the designated area shall be proximate to the associated principal use.
 - 5) No fueling shall occur on-site in conjunction with this use.
 - 6) Moving trucks and trailers which require a Commercial Drivers License for their operation shall be prohibited.
 - 7) A Site Plan application (or Site Plan Amendment application for sites with a previously approved Site Plan) shall be required.
5. Outdoor Storage as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. All outdoor storage for items such as building materials, racking, equipment, or other similar items shall be screened from public view, public uses, and public open spaces. Such screening shall consist of a solid wall with a minimum height of eight feet, or a height that will adequately screen the stored items as determined by the Zoning Administrator.
 - b. Storage shall occur outside of applicable front, side, rear, corner and interior setbacks for that Zoning District.
 - c. Landscaping outside of the outdoor storage area shall be provided in accordance with Section 21-700. No landscaping shall be required interior to the storage area.

- d. A 'dust proof' surface shall be provided in accordance with the Peoria Engineering Standards Manual.
6. Qualifying Marijuana Dispensaries, ~~and~~ Marijuana Manufacturing or Cultivation, and Testing Facilities as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
- a. General Requirements.
 - 1) For the purposes of measuring separation distances, the measurements will be taken in a straight line from the exterior wall of the building, suite, or premises housing the use without regard to intervening buildings or political boundaries.
 - 2) Marijuana remnants or by-products shall be disposed of according to an approved plan and not placed within the facility's exterior refuse containers.
 - 3) There shall be no inordinate emission of dust, fumes, vapors or odors into the environment from the premises.
 - 4) Signage for Qualifying Marijuana Dispensaries and/or Marijuana Manufacturing, Cultivation, and Testing facilities shall be limited to the name of the business only, and no advertising of the goods and/or services shall be permitted.
 - 5) Qualifying Marijuana Dispensaries and/or Manufacturing, Cultivation, and Testing Facilities shall be located in a permanent building on an established foundation adhering to Peoria building codes and shall not include any temporary, portable, or self-powered mobile facilities.
 - 6) An active Security Management Plan shall be approved by the Police Department. The Plan shall include, but is not limited to, the following:
 - i. Security cameras shall be installed and maintained in good condition, and used in an on- going manner. Recordings shall be retained for a minimum of 60 days and comply with any additional standards defined by the Security Management Plan.
 - ii. The business space shall be alarmed with an alarm system that is operated and maintained by a recognized security company.
 - iii. A security guard shall be provided at the main entrance during all hours of operation. For the purposes of this Section, "security guard" shall mean licensed and duly bonded security personnel registered pursuant to A.R.S. § 32-601.
 - iv. Before commencing marijuana delivery operations, a qualifying marijuana dispensary shall obtain approval of a new or updated security management plan from the Police Department addressing its marijuana delivery procedures.
 - 7) For the purposes of this section, qualifying zoning districts for Qualifying Marijuana Dispensaries, Manufacturing, Cultivation, and Testing Facilities does not include Planned Area Development (PAD) or Planned Community District (PCD) that points to or references such standard zoning districts identified herein.
 - 8) The operation of a licensed Marijuana Establishment for retail sales is prohibited in the City except as a Dual Licensee, pursuant to Section 11-75 of the City Code (1992).

b. Qualifying Marijuana Dispensaries.

- 1) Operations for the dispensing of Medical Marijuana, and related supplies, to qualified patients and the sale of non-medicinal Marijuana and Marijuana Products shall be conducted cooperatively in a shared location.
- 2) Vehicular access into the center or site containing the dispensary shall be from an arterial roadway as identified on the Peoria General Plan.
- 3) The use shall not be located within 2,640 feet of another Qualifying Marijuana Dispensary or Marijuana Manufacturing, Cultivation, and Testing Facility.
- 4) The use shall not be located within 1,000 feet of the property line of Day-Care Facilities, Pre-Schools, Public/Charter or Private Schools.
- 5) The use shall not be located within 1,000 feet of a Retail Liquor Store; Tavern, Bar or Lounge; Adult Use; Substance Abuse Treatment Centers; or State Local Alcohol Reception Center.
- 6) The use shall not be located within 500 feet of the property line of a residentially-zoned property.
- 7) The product offered for retail sales shall be inaccessible to the public entering the Qualifying Marijuana Dispensary. All product provided for retail sales shall be located behind a counter staffed by a Marijuana Dispensary or Facility Agent registered by the State of Arizona.
- 8) The Dispensary shall have operating hours not earlier than 7:00 a.m. and not later than 10:00 p.m.
- 9) The manufacturing, cultivation, and testing of Marijuana is prohibited.
- 10) Drive-through services and sales are prohibited.
- 11) Alcoholic beverages shall not be sold, stored, distributed or consumed on the premises.
- 12) The Dispensary shall not have outdoor seating areas, but shall have adequate indoor seating to prevent outside loitering.
- 13) The business entrance and all window areas shall be illuminated during evening hours and shall comply with the City's lighting standards regarding fixture type, wattage, illumination levels, shielding, etc.
- 14) The windows and/or entrances shall not be obstructed and must maintain a clear view into the premises during business hours.
- 15) No consumption of Marijuana or any product containing Marijuana shall occur on the premises of a Qualifying Marijuana Dispensary.
- 16) The Tenant Improvement Plan shall ensure that ventilation, air filtration, building and design standards are compatible with adjacent uses and the requirements of adopted building codes.

c. Marijuana Manufacturing, Cultivation, or Testing Facility.

- 1) Other than for delivery to an authorized Qualifying Marijuana Dispensary, distributing, transmitting, dispensing, giving, selling, or providing Marijuana is prohibited.

- 2) All cultivation, manufacturing, testing and storage of Marijuana and Marijuana plants shall occur within secured, enclosed buildings and structures.
- 3) The use shall not be located within 2,640-feet of another Marijuana Manufacturing, Cultivation, or Testing Facility.
- 4) The use shall not be located within 1,000-feet of the property line of Day-Care Facilities, Pre-Schools, Public/Charter or Private Schools.
- 5) The use shall not be located within 500-feet of the property line of a residentially-zoned property.
- 6) There shall be no signage advertising the location of Qualifying Marijuana Dispensaries or retail sales of Marijuana on the premises.
- 7) The Zoning Administrator may require additional ventilation and air filtration necessary to ensure compatibility with adjacent uses.

H. Heavy Industrial

1. Recycling Collection Facility and similar establishments, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. ~~shall~~ Shall not be engaged in any processing or compounding to reform materials into a useable state. The Planning and Zoning Commission may require screening, landscaping, and the restriction of use/materials to enclosed structures.

I. Manufacturing, Warehousing, and Distribution

All uses within this general category shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:

- a. Retail sale of merchandise exterior to the building is prohibited.
- b. Outdoor activity and storage shall be screened from public rights-of-way by a solid wall, no less than eight (8) feet in height, unless otherwise approved by the Zoning Administrator.
- c. Outdoor storage shall occur on a 'dust proof' surface in accordance with the Peoria Engineering Standards Manual.

J. Medical and Health Uses

1. Emergency Medical Care Facilities and Hospitals, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. ~~shall have a~~ All facilities shall have direct vehicular access from an abutting arterial street.
 - b. Emergency Medical Care Facilities ~~The site~~ shall contain a net land area totaling at least four (4) acres for the first one hundred beds or less, plus one additional acre for each additional twenty-five beds.
 - c. Heliports are permitted in conjunction with an Emergency Medical Care Facility or Hospital within the C-5, I-1 and I-2 Zoning Districts, subject to obtaining a Special Use Permit. Heliports shall be situated to minimize noise impacts on abutting residential uses to the greatest extent possible.

K. Offices and Business Services

1. Research Laboratories whose principal function is basic research, design and pilot or experimental product development shall have all activities conducted within a completely enclosed building.

L. Personal Services.

1. Body Piercing Studios, Tattoo Studios, Retail Liquor Stores, Plasma Center, Non Chartered Financial Institutions, and Pawnshops, each one as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: ~~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. **Massage Establishment**~~

- ~~a. Hours of operation shall be limited to 8:00 a.m. to 10:00 p.m.~~

M. Public, Civic, and Institutional Uses.

1. ~~Recreation, Social Clubs and Lodges similar establishments~~ shall have vehicular access to the site only from arterial or collector streets.
2. **Day Care Centers** or **Pre-school Centers** shall be permitted in accordance with State Department of Health Care Services regulations.
3. **Education.**
 - a. Public/charter schools, private schools, colleges, universities or instructional, business, technical or vocational schools shall have direct vehicular access to an arterial or collector street.
4. **Group Care Facility** or **Community Residential Setting Facility** shall be located, developed, and operated in compliance with the land use regulations within ~~in accordance with~~ Section 21-330.
5. **Non-profit Social Services** shall be permitted provided that their primary activities are administrative and clerical rather than residential in nature.
6. **Nursing or Convalescent Home, Long Term Care Facility** and **Hospices** shall have all vehicular access from an abutting arterial or non-residential collector street. The site shall contain a net land area of at least one thousand (1,000) square feet per dwelling unit.

7. Places of Worship Religious institutions, similar places of worship and related facilities, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards:
 - a. ~~Shall have v~~ Vehicular access shall be reviewed and approved by the City Engineer.

N. General Retail

~~3. Indoor retail sales of new and used merchandise~~ excluding sale of automobiles, boats, RVs, and motorcycles as an Accessory Use within the BPI Zoning District shall be no greater than 20% of the overall gross floor area (G.F.A.) of the establishment and shall not exceed 1,000 square feet in area.

1. Large-Scale Retail (LSR), as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards. ~~Large-scale retail must adhere to all requirements of this Section in addition to all other applicable requirements of this Ordinance. In the event of conflicting requirements, the more restrictive shall govern.~~

a. Definitions:

- a. ~~Large Scale Retail (LSR) means the following:~~

- 1) ~~Single Establishment. Any retail establishment accommodating one hundred thousand (100,000) square feet (G.F.A.) or more for either a single tenant or for multiple tenants sharing a common building entrance and common interior space; and/or~~
- 2) ~~Site. A site containing multiple retail establishments with more than five hundred thousand (500,000) square feet (G.F.A.) of interior space in the aggregate.~~

- b. ~~Site means that area as shown on the site plan for which the Conditional Use Permit is issued, inclusive of all amendments.~~

- c. ~~Vacancy means ceasing of the type and/or level of use as established in the Conditional Use Permit. Said vacancy shall apply to the principal LSR establishment, and/or any portion thereof, and/or accessory facilities or operations.~~

a. Applicability of Provisions.

- 1) Provisions of this ordinance shall apply to 1) any single LSR establishment, ~~as defined above,~~ and 2) the entire site on which any LSR meeting the criteria set forth ~~above for "Single Establishment" LSR or "Site"~~ in the LSR definition.

- 2) Except as provided above, in Subsection 21.a., provisions herein do not apply to the following buildings, so long as said buildings are not accessory to a Single Establishment LSR, as defined above: individual pad buildings, shop buildings, or similar commercial establishments.

- b. Location. Large-Scale Retail development is permitted only with a Conditional Use Permit in only those areas with a Land Use designation of Commercial, Mixed Use Neighborhood Village, Community Commercial (CC) or Regional Commercial (RC) Mixed Use Community District in the General Plan.

- c. Vacancy. During any period of vacancy, the property owner must maintain the property in a safe, sanitary, and aesthetically pleasing condition. Vacancy means ceasing of the type and/or

level of use as established in the Conditional Use Permit. Said vacancy shall apply to the principal LSR establishment, and/or any portion thereof, and/or accessory facilities or operations.

- 1) All landscaping must be maintained professionally.
 - 2) The site must remain externally lit in the same manner as when the facility was fully operational, to maintain the premises in a safe condition and to avoid the appearance of neglect.
 - 3) All architectural elements, including but not limited to building exteriors, roofs, signs, walkways, accessory structures, monuments, etc., must be maintained in good repair and functional condition as when the facility was fully operational.
 - 4) Within thirty (30) days of vacating a facility, all signage for said facility must be removed from the building(s) and premises. Any walls or areas behind signs must be repainted; or, in the case of internally lit monument signs, a blank panel must be used as a temporary sign replacement.
2. ***Outdoor Display and Sales Area*** shall be subject to all the following requirements:
- a. No merchandise shall be located beyond eight (8) feet from the principal building of the business.
 - b. A four (4) foot unobstructed walkway containing at least seven (7) feet of vertical clearance shall be maintained at all times.
 - c. Outdoor Display shall not be located in or interfere with any landscaped area, setback area, required yard, required parking space, parking aisle, easement or drainage facility.
 - d. Outdoor Display shall be limited to products and services sold or provided inside the principal building.
 - e. Outdoor Display shall be limited to an area equal to 10% of the gross floor area of the principal building.
 - f. The setback of an outdoor display area from any residentially-zoned property shall be twenty five (25) feet. Such setback shall include a six (6) feet block wall at the property line separating the commercial and residential use districts.
 - g. All merchandise and equipment used in an outdoor display shall be removed and stored inside the principal building at the close of business.
 - h. Outdoor Display in the Old Town Mixed Use Districts (OTMU) shall be subject to the following additional conditions:
 - 1) Outdoor Display may be conducted on a public sidewalk where the principal building of the use is located immediately adjacent to the public sidewalk, subject to the liability and insurance requirements of the City Engineer.
 - 2) Evidence of insurance shall be submitted and approved by the City Engineer prior to placement of any merchandise or materials in the public right-of-way.
 - i. No merchandise shall be located beyond three (3) feet from the principal building of the business.

- j. Swimming Pool and Spa Sales with outdoor swimming pool display shall be subject to the following conditions:
 - 1) All outdoor swimming pool and spa models shall be displayed on a horizontal position.
 - 2) No models displayed outdoor shall be located in the required setback or landscaped areas.
 - 3) All sales services shall be conducted in the principal building.
 - 4) Outdoor storage and display of equipment and pool supplies are prohibited.
3. Permissible Consumer Fireworks Sales, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: shall be subject to the following conditions:
 - a. Signage shall be displayed at the point-of-sale in accordance with Peoria City Code Section 9-421-50.
 - b. Sales may only occur in buildings classified with a mercantile building occupancy code.
4. Retail Sales of Lumber and Building Materials shall have no outdoor storage, repair, processing or manufacturing activities.

H. Intense Retail.

- ~~1. Commercial Service Establishment combining retail, office, showroom with workshop, such as interior decorator, custom dressmaking or tailor, photographer, minor household appliance repair and similar activities shall be subject to the following conditions:
 - ~~a. Maximum size of building shall not exceed 15,000 thousand square feet. No more than fifty percent (50%) of the usable floor area shall be used for workshop activities.~~~~

O. Sexually Oriented Uses.

1. Adult Uses, as described in Section 21-200, shall be located, developed, and operated in compliance with the land use regulations within Section 21-500 and the following standards: which are subject to the provisions of Special Conditional Use Permits section of this Ordinance shall be subject to all of the following additional requirements:
 - a. In the development and execution of this Section, the City recognizes that there are some uses which, because of their very nature, have serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area. Adult Uses subject to these regulations and development standards are as follows:
 - Adult Arcade
 - Adult Bookstore, Adult Retail Store or Adult Video Store
 - Adult Cabaret
 - Adult Motel
 - Adult Motion Picture Theater
 - Adult Theater
 - Nude Model Studio

- Sexual Encounter Center
 - Any combination of classifications listed above.
- b. Any person who intends to establish any of the Adult Uses shall submit an application in the same manner as all other Conditional Uses.
- c. For purposes of this Section, the maintenance of two or more Adult Uses in a single building that are not at least 51% owned by the same entity shall be treated as two separate Adult Uses for purposes of applying the locational provisions of this Section.
- d. An Adult Use shall meet the locational criteria prescribed in this Section. The Board of Adjustment shall not have the jurisdiction to grant variances from these locational criteria. For the purpose of measuring separation distances required in this Section, the measurements shall be taken in a straight line from the closest exterior building walls of an Adult Use to the affected structures, property line or district boundary line, as the context indicates, without regard to intervening structures, objects, or jurisdictional boundaries.
- e. The exterior building wall of Adult Use shall not be located within one thousand (1,000) feet of the exterior property lines of any one or more of the following uses:
- 1) Preschool, kindergarten, elementary, or secondary school.
 - 2) Public library, service club, neighborhood or community public park, or publicly owned and operated swimming or aquatics facility.
 - 3) A state designated Local Alcohol Reception Center.
 - 4) A community residential facility or release facility.
 - 5) Tavern, bar, lounge or an establishment that sells beer or intoxicating liquor for consumption on the premises.
 - 6) Vacant land acquired and owned by the state or a political subdivision for one of the purposes identified in (1) to (5) of this Subsection.
- f. The exterior building wall of an Adult Use shall not be located within five hundred (500) feet of an existing residential district boundary line. A residential district for the purposes of this Section shall include the following zoning districts: AG, SR-43, SR-35, R1-43, R1-35, R1-18, R1-12, R1-10, R1-8, R1-7, R1-6, RM-1, RMH-1, RMH-2, or residentially designated property within a P.A.D., P.U.D. or P.C. zoning district.
- g. An Adult Use shall not be located within one thousand (1,000) feet of any other Adult Use, measured from exterior building wall to exterior building wall.
- h. An Adult Use lawfully operating is not rendered in violation of these provisions by the subsequent location of a preschool, kindergarten, elementary, or secondary school, public library, service club, neighborhood or community public park publicly owned and operated swimming or aquatics facility; community residential facility or release facility. An Adult Use lawfully operating is not rendered in violation of these provisions by the subsequent rezoning of land to a residential zoning district.
- i. For the purposes of calculating the locational requirements in this Section, the distance shall be measured from the exterior surface of the walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted to a point which is the required distance apart, in a straight line, not taking into account any buildings, natural or

artificial obstructions or structures including the rights-of-way of any public or private roadway or easements.

- j. For the purposes of calculating the locational requirements in this Section, the distance measured shall include those areas of unincorporated Maricopa County that are entirely surrounded by the City of Peoria or the City of Peoria and some other incorporated City. The locational requirements in this Section shall also apply to the itemized list of sensitive uses regardless of whether their distance from a proposed Adult Use places them within a county island of unincorporated Maricopa County, unincorporated Maricopa County or an adjacent incorporated City.
- k. Prior to the granting of a Special Conditional Use permit for any Adult Use, the Planning and Zoning Commission may impose only those conditions or limitation upon the establishment, location, construction, maintenance or operation of the Adult Use specifically authorized under Section 21-321 and this Section.
- l. No person may resubmit an application for an Adult Use which City has been denied in whole or in part for a period of one (1) year from the date of the denial.
- m. An applicant may appeal a denial of a Special Conditional Use permit by the City Council in accordance with A.R.S. § 12-7.6.

P. Transportation Facilities.

- 1. ***School Bus Parking and Maintenance Facilities*** shall provide primary access from an arterial or collector street. Parking areas for school buses shall be screened from adjacent streets or property lines by an eight-foot high solid wall.

Q. Utilities

- 1. **Public Utility Buildings, such as** water pumping plants, ~~and~~ storage tanks, and electric substations wherein service to district residents requires location within the district shall have no repair or storage facilities.

Section 4: Amend Chapter 21 - Zoning, Section 21-600, only as follows, leaving all sections, and subsections not specifically referenced unchanged:

Sec. 21-623. Use Specific Standards for Downtown.

In the D/CM and D/RM Zoning Sub-Districts, uses identified in Table 21-622 are subject to limitations outlined in Sections 21-505 of the Peoria Zoning Ordinance except as modified herein:

A. Residential Land Uses.

1. Residential uses are prohibited on the first floor of all buildings located along or abutting Washington Street ~~and~~ between 83rd Avenue and 84th Avenue.
2. Accessory buildings for single-family residences shall be subject to the limitations contained in Section 21-315 of this Ordinance.

Sec. 21-650. Hillside Development Overlay District (HDOD).

Sec. 21-651. ~~Definitions.~~ Reserved.

~~*Alter the Mountain Top Ridge Line.* Means to alter or change the view or appearance of an established ridge line or ridge line of significance with cuts, fills or structures when viewed from a distance.~~

~~*Construction Envelope.* A specific area defined by the sum of the maximum allowable disturbed area plus the maximum coverage allowed for the lot or parcel.~~

~~*Cut.* The land surface which is shaped through the removal of soil, rock, or other materials.~~

~~*Disturbed Area.* That area of natural ground that has been or is proposed to be altered through grading, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation.~~

~~*Fill.* The deposit of soil, rock, or other materials placed by man.~~

~~*Finished Grade.* The final grade and elevation of the ground surface after grading is completed.~~

~~*Grading.* Any excavating, or filling or combination thereof, including the conditions resulting from any excavation or fill.~~

~~*Hillside Development Area.* Building areas, other than sloped areas within washes and rivers, with a building site slope of ten percent (10%) or greater, measured as a vertical rise of ten (10) feet in a horizontal distance of one hundred (100) feet.~~

~~*Natural Grade.* The grade and elevation of the ground surface in its natural undisturbed state.~~

~~*Natural Open Space.* Areas dedicated for public ownership or retained in private ownership containing naturally occurring conservation features in the Sonoran Desert that have not been altered except to allow decomposed granite trails (private or public) in accordance with ADA guidelines, roadways and utility easements as necessary.~~

~~*Retaining Wall.* A retaining wall is a wall used solely to retain more than twelve (12) inches of material but not to support or to provide a foundation or wall for a building.~~

~~*Site Disturbance Activity.* Any action which results in a cutting of the natural soil grade, creation of an un-natural soil fill or movement of a significant natural landscape feature. A Site Disturbance Activity may include, but not be limited to the following activities: digging, trenching, filling, drilling, grading or clearing.~~

~~*Slope Category Determination Study.* A detailed study of the topography and slope of a development site, parcel or property. The study shall include a detailed graphic showing all slope areas on the site utilizing the~~

~~methodologies established in this Section and shall be composed of both graphical, numerical and textual information.~~

~~Spill. To cause or allow earth or other material to fall, flow or run down a slope, thereby creating a change in the natural appearance and topography.~~

~~Transitional Area. A landscaped area consisting of open backyards, commercial and public areas, streetscapes and common areas where use of Arid Zone plants is generally limited to 30% by area and where a buffer of Native Sonoran Zone plants is required at the perimeter of the lot or parcel or between the Disturbed Area and Natural Open Space.~~

Sec. 21-656. Disturbed Area Calculations for Individual Hillside Lots.

Lots shall be developed to provide for the minimum amount of ground disturbance during the time of construction so as to prevent rock slides and falls, erosion and seepage. At final construction, disturbed areas shall be hidden or supported by retaining walls, buildings, finished surfaces or restored and landscaped to its original natural condition to the extent possible. All cut and fill areas visible from off-site locations shall be treated with a natural staining or aging agent.

- A. Hillside properties north of Pinnacle Peak Road must also comply with Section ~~21-726~~ [21-670](#) Desert Lands Conservation Overlay.

Sec. 21-659. Perimeter Walls, Privacy Walls, Retaining Walls, and Edge Treatments.

Retaining Walls

- H. The total vertical wall face (including view fencing) visible from any street, adjacent property line or publically-accessible open space for any single lot shall not exceed twenty-five (25) feet in height. Terraced walls shall be constructed with decorative products and terraces shall be landscaped to minimize their visual impact. Terracing shall be conducted in accordance with Section ~~21-805~~ [21-312](#) of this Ordinance.

Sec. 21-670. Desert Lands Conservation Overlay (DLCO).

Sec. 21-672. ~~Definitions.~~ [Landforms, Landscape Character Zones, and Landscape Development Areas.](#)

~~Archaeologist. A person engaged in the study of human activity, primarily through the study of its material remains, which includes structures still standing, and has received certification from the Register of Professional Archaeologists.~~

~~Alter. Change or modify natural vegetation and/or topography by removal, cuts, fills, grading or the building of structures.~~

~~Conservation Features or Areas. Individual conservation features, defined above, and/or areas of the highest significance and preservation priority.~~

~~Cut. A land surface, which is shaped through the removal of soil, rock, or other materials.~~

~~Desert Lands Conservation Report (DLCR). A submittal required with any development application to the City for property within the Desert Lands Conservation Overlay, and which contains the following individual documents: Project Identification and Descriptive Data, Project Narrative and Overview, and Existing Conditions Data Report.~~

~~Destroy. To kill, or cause the death of any protected native plant by any means.~~

~~*Developer.* The property owner or his representative that is undertaking the development of land subject to the Desert Lands Conservation Overlay District.~~

~~*Disturbed Area.* That area of natural ground that has been or is proposed to be altered through grading, construction, cut and fill, removal of natural vegetation, placement of material, trenching, or by any means that causes a change in the undisturbed natural surface of the land or natural vegetation. The Disturbed Area is coterminous with the Disturbed Area identified in the Hillside Development Overlay District of this code and shall be subject to the same requirements of that Section.~~

~~*Disturbed Area, Reclaimed.* Disturbed areas that have been restored to their natural contours, vegetation and colors to the satisfaction of the City of Peoria.~~

~~*Fill.* The deposition of soil, rock or other materials place by man.~~

~~*Finished Grade.* The final grade and elevation of the ground surface after grading is completed.~~

~~*Grade, Natural.* The elevation through any section of a site on an undisturbed lot at the time of adoption of this overlay by City Council. On lots that have been disturbed previously, the natural grade is the pre-existing grade if it can be determined; otherwise it shall be determined by an average of off site elevations at points taken around the boundary of the site. All determinations shall have been made by an engineer or land surveyor licensed to practice in the state of Arizona.~~

~~*Grading.* Any excavating, or filling or combination thereof, including the conditions resulting from an excavation or fill.~~

~~*Habitat Value.* The suitability of the landscape to support wildlife, considering site conditions. Suitability shall be ascertained by comparing similar sites and conditions and may require returning the habitat as closely to its original condition as possible when natural conditions have been changed.~~

A. Landform Types.

- ***Bajada Landform Type.*** Characterized as the irregular terrain near or at the base of mountain ridges or isolated mountain outcrops. This area is located in the transition zone between the Desert Floor and the Hillside landform types and exhibits relatively high vegetation density and diversity. The lower portions of alluvial fans dominated by palo verde and mixed cacti vegetation typify this area, such as the bases of low mountain ranges. Saguaro is a visually dominant and important component of this area. Higher density and diversity of vegetation results in higher wildlife density and diversity that is dispersed between both wash and upland areas. It is comprised primarily of bedrock materials with land slopes generally in the range of ten (10) to fifteen (15) percent. Drainage courses are typically well incised. Typical hazards include boulder rolling, rock falls, debris movement and general slope instability. The surface movement of materials occurs as a result of both gravity and water transport. The surface material size includes large boulders, rocks and gravel, as well as grainy soil materials.
- ***Desert Floor Landform Type.*** Characterized in general by level plains and expanses that typically occupy the broad lowlands floodplains between desert mountain ranges. The area is dominated by low growing shrubs, such as creosote and bursage, and supports larger shrubs and trees, such as palo verde and ironwood, and cacti, such as saguaro. Because the uplands support a greater diversity and density of plants, wildlife density and diversity are higher and important wildlife resources occur in both wash and upland areas. The terrain is relatively flat, with typical slopes of less than five (5) percent, although the slope of this landform classification extends up to ten (10) percent. Soils are generally deep and alluvial.

The more numerous smaller washes that are found in more sloped areas are consolidated into fewer, but larger washes. Because of the flatter terrain, streambeds are typically sandy bottomed, wide braided channels that carry high volumes of floodwaters.

- **Hillside Landform Type.** Consists of the higher elevation rugged areas, with relatively steep slope and high vegetation density and diversity. These areas include mountains, hills, buttes, or escarpments predominantly composed of bedrock materials. The slope is greater than fifteen (15) percent, and in many cases is greater than thirty-five (35) percent. Upper portions of alluvial fans and the foothills of low mountains dominated by palo verde and mixed cacti vegetation typify this area. The saguaro is a visually dominant and important component of this area and higher density and diversity of vegetation results in higher wildlife density and diversity. Streambeds are typically narrow, rocky and incised. Drainage courses are relatively poorly defined on the slopes, but collect into deep canyon bottom courses strewn with large-sized rubble. Typical hazards include boulder rolling, rock falls, debris movement and general slope instability. Soils are generally shallow and rocky. Cultural resource sites are smaller and more scattered. There are a greater number of petroglyphs and few sites related to prehistoric agricultural uses.

B. Landscape Character Zone. An association of plants that create an identifiable landscape character, and further defined by specific plant palettes found in the Desert Lands Conservation Guide.

- **Native Sonoran Zone.** Landscape character zone that represents indigenous plants typically found in the desert of the northern Phoenix metropolitan areas.
- **Sonoran Character Zone.** Landscape character zone with an associated plant list which represents plants that are generally native to the southwest deserts or have the appearance of being native to those deserts.
- **Arid Character Zone.** Landscape character zone where plants are generally compatible with the look of an arid landscape. The associated plant list is a broader representation of drought tolerant plants and includes non-natives that are considered appropriate for the area.
- **Exotic Zone.** Landscape character zone where plants are permitted which are not included on the other landscape character zone lists, as long as they are not on the prohibited plants list. The use of these plants is limited to Oasis Landscape Development Areas and areas included in the Disturbed Area.

C. Landscape Development Areas. Areas within a site with different recommended plant palettes based on their proximity to natural open space, soil stabilization attributes and the desired visual character for the area.

- **Oasis Area.** A landscaped area consisting of enclosed courtyards, similar semi-private areas and other areas located within the Disturbed Area where the use of Native Sonoran, Sonoran Character and Arid Zone plants are strongly encouraged, but where Exotic Zone plants are also allowed.
- **Transitional Areas.** A landscaped area consisting of open backyards, commercial and public areas, streetscapes and common areas where use of Arid Zone plants is limited to 30% by area and where a buffer of Native Sonoran Zone plants is required at the perimeter of the lot or parcel or between the Disturbed Area and Natural Open Space.
- **Buffer Area.** A landscaped area consisting of open areas adjacent to preserved wash corridors and natural open space areas where the use of plants is limited to the Native Sonoran Zone palette.

~~*Master Conservation Plan (MCP).* A submittal required with any site plan or subdivision plat application to the City for property within the Desert Lands Conservation Overlay, and which contains the identification of conservation features, native plants to be preserved, development areas, and conservation areas.~~

~~*Mature Trees.* Healthy, full-bodied trees with a shape characteristic of the species and of the following minimum sizes: Ten (10) feet twelve (12) feet height times six (6) inches eight (8) inches wide or two-inch single trunk caliper or one-inch average trunk caliper for a multiple trunk tree.~~

~~*Mutilate.* To deface, maim, damage or disfigure any protected native plant by shooting, chopping, pushing over, burning, cutting or any other means.~~

~~*Native Plant Permit.* A permit issued by the city pursuant to the provisions of this Section for the purpose of removing from the premises, relocating on the premises, or destroying any protected native plant.~~

~~*Native Plant Preservation Plan.* A development plan specifying the proposed treatment of plants with Protected Plant Status for which a native plant permit is required.~~

~~*Natural Open Space.* Areas dedicated for public ownership or retained in private ownership containing naturally occurring conservation features and accreted Sonoran Desert that have not been altered except to allow decomposed granite trails (private or public) in accordance with ADA guidelines, roadways and utility easements as necessary.~~

~~*Plant Protection.* Any project which affects any indigenous plant from the specified Protected Native Plant List is required to submit a Native Plant Preservation Plan detailing the existing location and proposed treatment of each protected plant. Protected plants should, at the most optimal situation, remain in place.~~

~~*Plant Salvaging.* Those plants which must be disturbed due to construction are required to be salvaged unless the applicant can demonstrate how conditions such as poor health or orientation make successful relocation impossible. Salvaged plants are to be replanted within the project.~~

~~*Private Buffer.* An area located adjacent to a public or private preserve open space edge that is used as an undisturbed or enhanced landscape setback. The buffer may be platted as common open space for the development or as individual lots. The area shall contain no improvements or be used for any purpose other than a landscaped setback.~~

~~*Protected Plant Status.* Native cacti which are three (3) feet or greater in height and native trees which are four (4) inches or greater in caliper.~~

~~*Relocate.* To transplant a protected native plant to another location on the premises.~~

~~*Remove.* To transport a protected native plant from the premises on which it has been growing.~~

~~*Restore.* To replant areas of burned, damaged or disturbed naturally occurring Sonoran Desert vegetation and topographical features with trees and plants of the same species, size, density and placement as the surrounding area; and re-contour, if necessary, to appear similar to nearby slopes.~~

~~*Retaining Wall.* A wall used solely to retain more than eighteen inches (18") of material but not to support or to provide a foundation or wall for a building.~~

~~*Ridge Line.* That line running along the highest elevation between mountain peaks.~~

~~*Rip Rap.* A bank protection measure composed of fractured rock of differing sizes. Undisturbed natural desert: Naturally occurring Sonoran Desert vegetation and topographical features, including washes, are not altered~~

~~except to allow decomposed granite natural trails or as necessary for utility easements. Vegetation is not pruned or removed and allows natural habitat for native animal species. Dead trees or cacti also form an integral part of the wildlife habitat.~~

~~Spill. To cause or allow earth or other material to fall, flow or run down a slope, thereby creating a change in the natural appearance and topography.~~

~~Unique Feature. A unique and identifiable feature that varies from the immediate surroundings, such as springs, tanks, saddles, expansive saguaro or cholla forests, etc.~~

~~Unsalvageable Plant. A protected native plant that cannot be successfully relocated due to any of the following:~~

- ~~• Deteriorated health from disease, infestation, or natural causes; or~~
- ~~• Physical constraints related to plant location, orientation, or general condition which obstruct and/or prevent the application of approved relocation techniques.~~

Sec. 21-674. Conservation Standards.

In order to protect the public health, safety and welfare, preserve sensitive environmental conditions, retain and protect meaningful desert open space, and conserve ecological and aesthetic resources; all development within the DLCO shall be subject to requirements for the preservation of Natural Open Space and native plants. In Hillside Areas, requirements of the Hillside Overlay District and the DLCO shall be coordinated as specified below. Individual residential lot developments not part of any subdivision, or part of a subdivision with final plat approval prior to September 14, 2004, shall be exempt from the requirements of the following NOS Slope/Landform Matrix. The NOS area shall not exceed the percentages shown in the following NOS Slope/Landform Matrix.

A. Natural Open Space.

1. Natural Open Space (NOS) within each development shall be preserved according to slope and landform type as provided in the following NOS Slope/Landform Matrix:
2. The required NOS shall be comprised of the conservation features listed and defined in this Section. If the total acreage of these elements does not meet the minimum NOS requirements, then areas with 25% or greater slope shall be added in such a manner as to expand or extend the NOS until the required percentage is achieved. If after incorporating all areas with slopes of 25% or greater and the minimum NOS requirement is still not met, then additional open space shall be provided in the following priority:
 - a. Expands or extends a regional open space corridor;
 - b. Increases the size of an existing or adjacent open space area;
 - c. Creates a linkage to an existing or planned trail; or,
 - d. Provides a public access point to existing or planned natural open space.
3. In the event that the combined area of all required NOS exceeds the maximum required acreage, the following criteria listed in priority order shall be used to guide the determination of which features shall be preserved:
 - a. Conservation Features;
 - b. Land that expands or extends a regional open space or drainage corridor;
 - c. Land that abuts existing and/or planned open space;
 - d. Land that allows opportunity to provide a link to existing or future trail systems; and,
 - e. Land that provides a non-motorized access route from the nearest public right-of-way to an open space area.
4. The minimum contiguous area for NOS is 7,500 square feet, provided that not more than 15% of the

- required NOS shall be included in areas less than 10,000 square feet.
5. The minimum horizontal dimension for NOS is seventy-five (75) feet.
 6. Where the minimum finished lot size is twenty-four thousand (24,000) square feet or less, NOS shall not be allowed on individual lots and must be placed in common tracts.
 7. If land designated as NOS is located in a common tract owned by a homeowners association, the property shall be maintained through a common maintenance agreement.
 8. Any NOS being considered for dedication to the City of Peoria, regardless of size and location, will be reviewed by the Community Services Director and staff for a recommendation as to the acceptance or rejection of the dedication.
 9. Whether the NOS is located on individual lots or in common tracts, the boundaries of Disturbed Areas shall be delineated in the field with permanent markers in order to prevent encroachment into NOS areas.
 10. Areas not specifically identified as Disturbed Area or NOS shall be considered Transition Areas.
 11. Identification of NOS shall be coordinated with the Peoria Hillside Overlay District, Section ~~21-710~~[21-650](#), and the planning of NOS shall specifically consider transfer of density and disturbed area. For Hillside Areas, NOS shall be located in areas planned to be undisturbed.
 12. Within areas identified as NOS, no grading or other disturbance shall occur except the minimum grading required for trails, roadways and utility easements. No walls are permitted within the NOS. Restoration of the Disturbed Area not used to support buildings or Oasis or Transitional Landscape Areas is mandatory and shall follow plans reviewed and approved by the City.
 13. For residential lots, the area between the buildings and the street and, for lots in excess of 24,000 square feet in size, side yard setback areas not utilized for driveways or parking areas shall be improved with landscaping using indigenous plant materials and groundcovers in addition to the NOS. In addition:
 - a. Perimeter walls or privacy walls shall be allowed in accordance with the provisions of Section ~~21-710~~[21-650](#); and,
 - b. The location of all buildings shall be within the delineated boundaries of the Disturbed Area.
 14. Developments abutting any public NOS shall provide an access plan for public entry onto the NOS. The plan may take into consideration all points of visual and physical access to the NOS from any public or private property. A minimum of 40% of the linear distance along the edge of any public NOS shall consist of one or a combination of the following:
 - a. A public or private street;
 - b. A public or private improved open space having public access with minimum dimensions of 100 feet in length and 75 feet in depth along the NOS;
 - c. A minimum length of 100 feet along the frontage of a public or private street directly connecting the NOS to the street;
 - d. A termination of a public or private street in a configuration that provides on-street parking for four (4) vehicles and sufficient width for maneuvering; or,
 - e. An equivalent creative alternative as approved by the City that provides visual and physical access and results in diversity of the edge treatment.
 15. The total length of lots backing up to the NOS shall not exceed 1,000 feet without incorporating one of the edge treatments described in this Section or providing a trail access point to the NOS.

Section 5: Amend Chapter 21 - Zoning, Section 21-700 as follows, leaving all other sections and subsections not specifically referenced unchanged:

~~SENIOR CITIZEN OVERLAY ZONING DISTRICT (SC)~~

Sections 21-700 through 21-709 are removed in their entirety and replaced with the following:

Sec. 21-700.SIGNAGE.

Sec. 21-~~701~~⁸²⁷. Applicability

Any sign erected, altered, or maintained after the effective date of this Section, referred to herein as the Sign Code or Section, shall conform to the following regulations within Sections 21-~~700~~⁸²⁷ through 21-~~711~~⁸³⁷ of the Zoning Ordinance. Where other regulations apply, such as property located within an approved Planned Area Development (PAD) or Planned Community District (PCD), or where property is subject to an approved Comprehensive Sign Plan (CSP) existing at the time of the adoption of this Ordinance, the time, place and manner provisions of said PAD, PCD, or CSP shall apply. Whenever an approved PAD, PCD or CSP is silent on a matter relating to signage, the provisions of this Section shall apply to the extent that such provisions are not in conflict with the provisions of the approved PAD, PCD, or CSP.

Sec. 21-~~702~~⁸²⁸. Purpose

Signs perform an important function in identifying and promoting properties, businesses, services, residences, events, and other matters of interest to the public; however; they may obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation.

- A. The purpose of this Section is to regulate the size, color, illumination, movement, materials, location, height and condition of signs placed on private property for exterior observation, thus ensuring the stability of the community, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment on historic convenience to citizens, and encouraging economic development. This Section allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This Section must be interpreted in a manner consistent with the First Amendment guarantee of free speech.
- B. The intent of this Section is to regulate signs within the City of Peoria to ensure that they are appropriate for their context, in keeping with the appearance of the affected property and surrounding environment, and protective of the public health, safety, and general welfare. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City of Peoria.
- C. A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein must be deemed to be an integral but accessory and subordinate part of the principal use of land or building. Therefore, the intent of this Section is to establish limitations on signs in order to ensure they are appropriate to the building, use, or status of the land to which they are appurtenant and are adequate for their intended purpose while balancing individual and community interests.
- D. These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and

appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

- E. These regulations do not regulate every form and instance of visual communication that may be displayed anywhere within the jurisdictional limits of the City of Peoria. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- F. These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.
- G. These regulations are not intended to and do not apply to signs erected, maintained or otherwise posted, owned or leased by the government of the United States, the State of Arizona, or the City of Peoria. The inclusion of "government" in describing some signs does not intend to subject the government to regulation, but instead helps illuminate the type of sign that falls within the immunities of the government from regulation.
- H. Graphical representations are often used throughout this Section to further clarify the intent of the text and serve as examples. However, whenever there is a conflict between the text and the illustration, the language of the text shall prevail.

Sec. 21-~~703~~829. Severability

- A. If there is a conflict between provisions of this Section and other provisions of the Zoning Ordinance or other regulations/ordinances of the City of Peoria, the more restrictive provisions shall apply.
- B. The provisions of this Section shall apply to the erection, design, construction, alteration, use, location and maintenance of all signs within the City of Peoria, except as specified in this Section.

Sec. 21-~~704~~830. Nonconformity and Modification

A sign lawfully in existence on the date of adoption of this Section, and which does not conform to the provisions of this Sign Code, but which was in compliance with applicable regulations at the time it was constructed, erected, affixed or maintained shall be regarded as a legal nonconforming sign.

- A. Reasonable repairs may be made to legal nonconforming signs. However, to the extent any legal nonconforming sign is: 1) damaged in any manner and that damage exceeds fifty percent (50%) of the reproduction cost according to an appraisal by licensed appraisers or fair market cost, 2) is destroyed, or 3) is removed by any means whatsoever, including acts of God or other calamities, then such sign may be restored, reconstructed, or altered only in conformance with the provisions of this Sign Code.
- B. Any sign which does not fall within the provisions of 21-~~704~~830 shall be brought immediately into compliance with all provisions of this Sign Code.

Sec. ~~705~~831. Definitions

Words and terms used in this Sign Code shall have the meanings given here, or in Section 21-202, Definitions if not defined herein. Unless expressly stated otherwise, any pertinent word or term not part of this listing or Section 21-202, but vital to the interpretation of this Section, shall be construed to have its legal definition, or in absence of a legal definition, their commonly accepted meaning, unless its context makes clear otherwise.

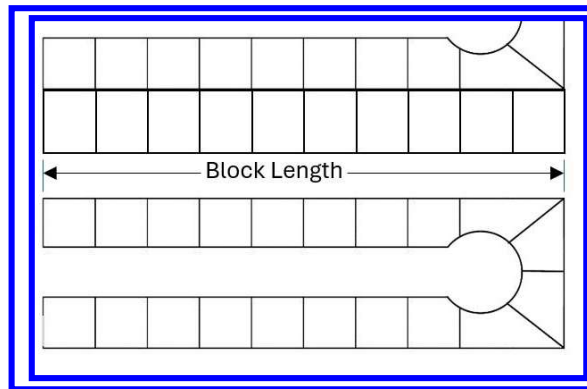
List of Defined Terms

A – B

Awning Sign. See [“Canopy Sign” Definition.](#)

Backlit Sign. Also described as a sign that is internally illuminated, or has indirect lighting. A sign that is illuminated by a light source hidden by the sign itself so that illumination shines from behind the sign, creating a halo around the sign. Reverse pan-channel letters are an example of a backlit sign.

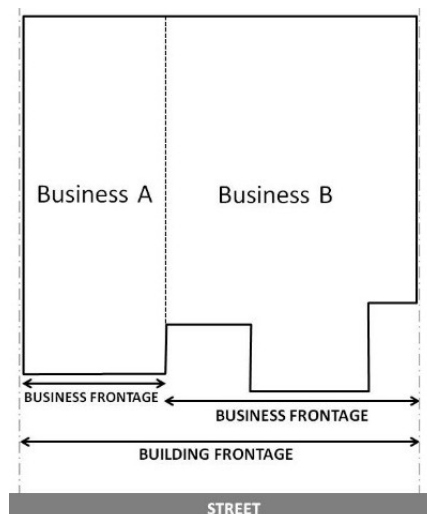
Block Length. [The distance along a street between the centerline of two intersecting through-streets. Intersecting alleys or cul-de-sacs shall not be considered through streets.](#)



Blade Sign. [A sign attached to a thin or narrow architectural feature of a building façade that projects from the building façade, typically at a ninety-degree \(90°\) angle. Blade signs are generally used as tenant signage.](#)

Business. The word “business” includes organizations and other entities, whether for-profit or non-profit that may occupy a building or suite within a building.

Building Frontage. [Means the total linear business frontage associated with multiple “in-line” suites or businesses that are attached by sharing one or more walls, but have a separate entrance for each business.](#)



Business Frontage. Means the lineal distance of the building space (suite or whole building) occupied by the particular business or use measured on a straight line parallel to the street. In the event that a business fronts on two (2) or more streets, the property owner shall be given the option of selecting one (1) street frontage for the purpose of computing allowable sign area. Where a business does not parallel a street, the frontage shall be measured along the exterior of the building space occupied by the particular business or use.

C – D

Canopy Sign. A sign installed, attached, or otherwise applied to or located directly on the roof of a canopy or awning.

Cabinet Sign. A sign that contains all sign copy within a single enclosed cabinet that is mounted to a wall or other surface.

Changeable Copy Sign. A sign that is static and changes messages by any means, including electronic process or remote control.

Commercial Campus. Refer to “**Commercial Center**” definition.

Commercial Center. Means one or more parcels which contain a combination of individual pads, and/or multi-tenant buildings, that together have a common branding or location specific name which is generally understood by the public to refer to that specific group of properties and/or buildings. Characteristics that define the Commercial Center may include shared ingress and egress driveways, shared parking areas, and /or common street frontage.

1. **Commercial Center, Small** means a Commercial Center that occupies less than twenty (20) acres. Typically these centers may contain a collection of smaller commercial or retail uses, which may be anchored by a single medium to large sized commercial / retail user.
2. **Commercial Center, Large** means a Commercial Center that occupies twenty (20) acres or larger. Typically these centers may be contain a combination of small, medium and up to multiple large-sized commercial, retail, or employment users.

E – F

Electric Sign. Any sign containing electric wiring. This does not include signs illuminated by an exterior floodlight source.

Electronic Message Center or Board. A sign that is static and changes messages by any electronic process or remote control.

Flag. A piece of fabric or other flexible material attached to a permanently installed pole, which may be ground mounted or affixed to a building or other structure.

Flashing Sign. Any illuminated sign on which the artificial light is not maintained stationary or constant in intensity and color at all times when such sign is in use. For the purpose of this Sign Code, a message change no more frequently than twice per day is not considered flashing for electronic message boards.

Freestanding Sign. A sign erected and maintained on its own self-supporting permanent structure or base, not attached to any building.

Freeway Monument Sign. A freestanding sign with a monument base (width of base is at least 50% width of the sign) that is erected and maintained on property adjacent to and within the view of motorists who are driving on a freeway recognized by the City of Peoria.

G – H

Government Sign. A sign that is constructed, placed, maintained, or required by law by the federal, state, county, or city government either directly or to enforce a property owner's rights.

Graffiti. Any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization, is otherwise deemed a public nuisance by the City.

Grand Opening/New Business Sign. A sign displayed at a new business, store, shopping center, office, or other use, or one that has changed ownership, within the first six months of receiving a valid business license.

[Hanging Sign.](#) [A sign that is attached to and suspended entirely under a covered porch, covered walkway, or awning. Hanging signs are generally used as tenant storefront signage and hung perpendicular or parallel to the face of the building.](#)

I – L

(None)

M – N

Monument Sign. A freestanding sign with a base that is at least 50 percent of the width of the sign.

[Mural.](#) [See "Original Art Display" definition.](#)

O – P

Original Art Display. A hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of a structure with the permission of the property owner. An original art display does not include mechanically produced or computer generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display.

Permanent Sign. Any sign that is intended to be, and is constructed to remain unchanged in character and position and affixed to features such as the ground, a wall, or building for one (1) year or more. A temporary sign left in place for one (1) year or more does not become a permanent sign.

Portable Sign. Any structure without a permanent foundation or otherwise not permanently attached to a fixed location. This does not include Vehicle Signs.

Projecting Sign. A sign that is attached to ~~and or~~ supported by a building or other structure, column, awning, or other building feature. ~~which projects more than 14 inches beyond the building~~ The primary sign faces of a projecting sign are generally perpendicular and are not parallel to the wall from which it projects.

Q – R

Roof-Mounted Sign. A sign located on or above the roof of any building, but does not include a false mansard roof, canopy, or other fascia. Signs located on these elements shall not project above the roof or the roofline.

S – T

Sign. A name, identification, description, display or illustration, which is affixed to, painted or represented directly or indirectly upon a building or other outdoor surface which directs attention to or is designed or intended to direct attention to the sign face or to an object, product, place, activity, person, institution, organization or business. Signs located completely within an enclosed building, and not exposed to view from a street, shall not be considered a sign. Each display surface of a sign or sign face shall be considered to be a sign.

Sign Area. The space enclosed within the extreme edges of the sign for each sign face, not including the supporting structure. Where attached directly to a building wall or surface, the space within the outline enclosing all the characters of the words, numbers, or design, including any background panel or distinctively painted area installed as a background for the sign.

Sign Area Calculation

Sign Copy. The words, letters, symbols, illustrations, or graphic characters used to convey the message of a sign.

Sign Face. The entire display surface area of a sign upon, against or through which copy is placed.

Sign Walker. A person who wears, holds, or balances a sign that conveys a commercial message, including a costume sign. A “costume sign” is defined as clothing that is integral to the conveyance of a commercial message. Commercial logos and other commercial identification on shirts, hats, and other aspects of personal appearance are not costume signs.

Street Frontage. [See “Lot Line” definition in Section 21-202 of the Zoning Ordinance.](#)

Temporary Sign. A banner, pennant, poster or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood or other like materials and that appears to be intended or is determined by the code official to be displayed for a limited period of time.

U – Z

Vehicle Sign. A sign that can be carried, towed, hauled or driven and is primarily designed to be mobile rather than be limited to a fixed location regardless of modifications that limit its mobility. This

includes, but is not limited to signs mounted, attached, or painted on trailers, boats, or vehicles, or any sign attached to or displayed on a vehicle.

Sec. 21-706~~832~~. Prohibited Signs

The following signs are unlawful and are prohibited unless constructed pursuant to a valid building permit when required under this Sign Code, or are otherwise specifically authorized under this Sign Code:

- A. All signs mounted on, or applied to trees, utility poles, rocks, or City owned property, except as otherwise provided [in this Section](#).
- B. Any sign placed on private property by someone other than the property owner or their authorized representative without the property owner's written approval.
- C. Billboards.
- D. Cabinet signs over six (6) square feet in area, unless cabinet is a stylized, non-rectangular shape to accommodate the sign copy.
- E. Changeable copy signs, except as otherwise specifically permitted by this ordinance.
- F. Any exposed light bulbs or unshielded tube lighting such as neon, [unless otherwise permitted by this Section](#). Light Emitting Diodes (LEDs) are not considered to be light bulbs.
- G. Freestanding signs within public utility easements, unless otherwise approved by the City Engineer.
- H. Portable signs that do not comply with the location, size, or use restrictions of this Sign Code.
- I. Pylon or pole signs (without pole cover) over 3 feet in height.
- J. Roof mounted signs.
- K. Signs in the existing and future public right-of-way, as defined in the Peoria General Plan or the Peoria Street Classification map, whichever is more restrictive, except as may otherwise be provided in this Ordinance.
- L. Signs that have blinking, flashing or fluttering lights, or other illuminating devices that exhibit movement.
- M. Signs of a size, location, movement, coloring, or manner of illumination which may be confused with or construed as a traffic control device, or which hide from view any traffic or street sign or signal.
- N. Signs which contain or consist of balloons, banners, beacons, flags, inflatable signs, pennants, posters, ribbons, search lights, strobe lights, streamers, strings of light bulbs, spinners, or other similarly moving devices or signs which may move or swing as a result of wind pressure, except as otherwise provided. These devices when not part of any sign are similarly prohibited, except as otherwise specifically permitted by this ordinance.
- O. Vehicle signs. Vehicle signs are exempt if the vehicle is consistently used in the normal daily conduct of the business (e.g. delivery or service vehicle). The vehicle shall be operable, properly licensed, and parked in a lawful manner. The intent of these regulations is to prohibit the use of vehicle signs as permanent freestanding signs in order to protect the aesthetic qualities of the City's built environment and promote the effectiveness of permitted signs as provided for in this Section.

Sec. 21-707~~833~~. Authorized Signs, All Zoning Districts – No Permit Required

The following signs are authorized within the City:

- A. Government Signs. The signs described herein, are an important component of measures necessary to protect the public safety and serve the compelling governmental interest of protecting traffic safety, serving the requirements of emergency response and protecting property rights or the rights of persons on property. Government signs, including, but not limited to the following:
 - 1. Address Signs. Numerals that identify the street address of a property for public safety purposes as required and regulated by applicable Building and Fire Codes adopted by the City of Peoria.
 - 2. Emergency or Warning Signs. Where a federal, state or local law requires a property owner to post a sign on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically, the owner must comply with the federal, state or local law to exercise that authority by posting a sign on the property.
 - 3. Government Flags. Flags that have been adopted by the federal government, this State, or the City of Peoria may be displayed as provided under the law that adopts or regulates its use.
 - a. The flags described in this Section are permitted to serve a compelling governmental interest in promoting the rule of law by establishing symbolic representations of the governments who pass, protect and preserve those laws.
 - 4. Traffic Signs. Traffic signs and traffic control devices installed and maintained in compliance with the regulations of an authorized public agency.
 - 5. Official Notices or advertisements posted or displayed by or under the direction of any public or court officer in performance of official or directed duties; provided that all such signs must be removed by the property owner no more than ten (10) days after their purpose has been accomplished or as otherwise required by law.
- B. Grave markers, headstones, statuary, or similar remembrances of persons.
- C. Holiday and Seasonal Decorations. Temporary, non-commercial decorations or displays associated with the celebration of a particular civic, patriotic, or religious holiday or season. Such decorations shall be displayed for a maximum of 60 days total during the relevant season, and must be maintained in good condition (e.g. not torn, soiled, or faded). Such decorations shall not be displayed in such a manner as to constitute a hazard to pedestrian or vehicular traffic.
- D. Interior Signs. Signs located inside a building, or other enclosed facility, which are not intended to be viewed from the outside.
- E. Memorials, public monuments, or historical identification signs installed in accordance with all applicable regulations, including historical markers up to three (3) sq. ft. in area.
- F. Original Art Displays approved by the Peoria Arts Commission or other authorized City of Peoria department or agency.
- G. Signs not located in an enclosed building and not visible to the naked eye from a street or public right of way so long as the signs do not pose a hazard.
- H. Temporary Signs for Exterior Sales where the property is one (1) acre or greater in size. Signs located on the premises where most of the business is conducted, or items are displayed, in an open exterior area in compliance with all City Codes. For this allowance, temporary signs may include banners, balloons (under 24 inches in diameter), flags, streamers, or pennants. These signs shall be limited in duration from Friday through Sunday, and on recognized holidays. Such signs shall meet all other General Requirements for Temporary Signs (Section 21-~~710.A836.A~~).

- I. Utility Signs. Signs installed or required by utilities, including traffic, safety, railroad crossings signs, as well as, identification or directional signs for public facilities [and public parking](#).
- J. Vending Machine Signs. Signs integral to a legally located vending machine.

Sec. 21-708~~834~~. General Provisions

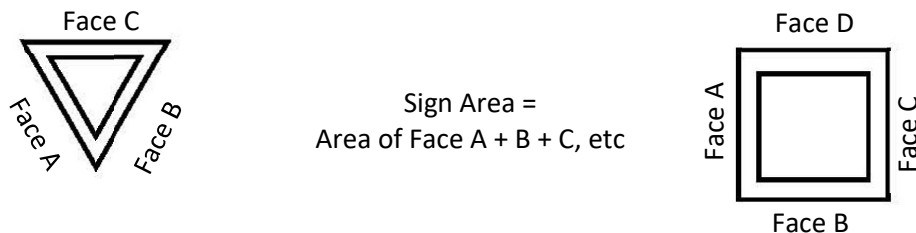
A. Noncommercial Speech. Signs containing noncommercial speech are permitted anywhere that other signs are permitted, and are subject to the same regulations applicable to such signs.

B. Sign Area Calculations.

1. Building Wall Signage. A building owner may choose to have the entirety of a building used for computing sign area, even if it is divided into multiple suites occupied by separate tenants. In this case, it is the responsibility of the building owner to determine the percentage of total allowable signage that shall be allocated to every business/tenant. Signage for individual businesses/tenants in buildings where signage is approved on a whole-building basis may be placed on any facade otherwise meeting the regulations of this Sign Code, regardless of the location of the tenant’s main entrance. Whole building calculations shall afford a minimum of 20 SF of signage to each business/tenant.
2. Multiple Sign Faces. Calculating the sign area shall be based on the number of sign faces as described below. Architectural embellishments are not considered as sign area, so long as they do not constitute an area that is more than twenty percent (20%) of the total sign area.
 - a. One (1) face - Area of the single face only.
 - b. Two (2) faces - If the interior angle between the two faces is 45 degrees or less, the area will be the area of one (1) face only; if the interior angle between the two (2) sign faces is greater than 45 degrees, the sign area will be the sum of the areas of the two (2) faces.

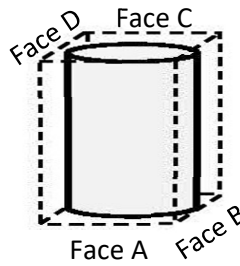


c. Three (3) or more faces - The sign area will be the sum of the areas of each of the faces.



d. Spherical, free-form, sculptural, other non-planar signs - Sign area will be the sum of the area using only the four (4) vertical sides of the smallest cube that will encompass the sign.

$$\text{Sign Area} = \text{Area of Face A} + \text{B} + \text{C} + \text{D}$$



- C. Sign Height Calculations, Freestanding Signs.
 - 1. The height of freestanding signs shall be measured from the existing grade within two (2) feet of the proposed sign location to the top of the sign structure.
 - 2. In instances where the existing grade of the proposed sign location is lower than the adjacent roadway, the sign height shall be measured from the top of curb, or crown of roadway where no curb exists, to the top of the sign structure.
- D. Street Designations. When the sign standards refer to a specific street, or the functional classification of street (e.g. Parkway), this shall mean the corresponding street alignment or street classification as designated on the City's Street Classification Map.
- E. Signage Placement, Multi-Story Buildings. The building owner(s) shall be responsible for designating the allowable areas where signs may be placed on the building façade. For multi-story buildings, the allowable areas may be located anywhere on the building façade, so long as the signage does not project above the roof of the building.
- F. Signage Projection. Building Wall Signage may be extend up to fourteen (14) inches away from the building. For buildings constructed on or near a property line that abuts a public right-of-way or public access easement (e.g where no building setback exists), the projection may encroach into the public right-of-way or public access easement provided such signs are located higher than eight (8) feet above ground level.

21-709835. Permanent Sign Types

General Standards:

- A. Authorized Signs. Authorized Permanent Signs are noted on the following pages, and comprise of the following Tables:
 - Table 1: Building Sign Specifications
 - Table 2: Freestanding Sign Specifications
 - Table 3: Other Sign Type Specifications
- B. Accessory Use. All permanent signs are considered ancillary, or accessory, uses. As such, a principal use must be legally established and developed on a property in order for a permanent sign to be allowed on the property.
- C. Changeable Copy. Electronic message centers may be utilized for permanent signs where changeable copy is permitted.
- D. Design and Integration. All permanent signs shall be fully integrated with the design of the building and the site development, reflecting the architecture, building materials and landscape elements of the project.

1. The means of integrating freestanding monument signs within the architecture of the building shall be achieved through replication of architectural embellishments, colors, building materials, texture and other elements exhibited in the building design.
2. In no case shall any sign be secured with wires such as guy wires or strips of wood which are visible and not an integral part of the sign.
3. Signs shall be designed in coordination with landscape plans, planting materials, storm water retention requirements, and utility pedestals, so as not to create problems with sign visibility or prompt the removal of required landscape materials.

E. Illumination:

1. In residential zoning districts, illuminated signs for permitted non-residential uses within two hundred (200) feet of residential uses or undeveloped residentially zoned property, whether directly adjacent or across a road, shall go dark between the hours of 10 pm and 5 am or when the establishment is closed, unless otherwise permitted within this Section.
 2. All signs with exposed LED illumination shall be limited to a brightness of 0.3 foot candles above ambient lighting. All other internally illuminated signs shall be limited to a brightness of 0.6 foot candles above ambient lighting.
 3. Signs allowed to be illuminated may utilize internal illumination (direct or backlit) or external illumination, unless otherwise specified in Tables 1 and 2.
 4. External illumination shall be compliant with Dark Sky light control requirements, including the requirements in Chapter 20 of the Peoria City Code.
 5. Within the Downtown / Commercial Mixed Use (D/CM) sub-zoning district, all signage with neon:
 - i. Must be equipped with automatic dimming technology that automatically adjusts the sign's brightness in direct correlation with ambient light conditions.
 - ii. Where neon signs directly face properties in a sub-zoning D/RM sub-zoning district or a single-family residential use, whether directly adjacent or across a road, the sign must be equipped with a sensor or other device that automatically adjusts the brightness of the lighting to comply the limitation of 0.3 foot candles above ambient light between the hours of 11 pm and 5 am, or when the establishment is closed, whichever is more restrictive.
 - iii. Must have a smooth transition in the lighting level at a constant rate between daylight to nighttime brightness.
 - iv. At no time shall lighting on a neon sign blink, flash or flutter.
- F. Landscaping. All permanent freestanding signs shall be located with the base of the sign in a landscape area. This landscape area shall be equal to a minimum of 4 square feet for each square foot of sign area.
- G. Location. All design and structural components of a freestanding sign (e.g. the footer, base, etc) shall be setback a minimum of one (1) foot from the edge of the street right-of-way.
- H. Monument Sign Base Material. All permanent freestanding signs greater than three (3) feet in height shall have a masonry base (e.g. brick, CMU, stone) that is consistent with the site's architectural/thematic design.
- I. Standard Abbreviations. Standard abbreviations used within the tables are identified below:

Standard Abbreviations

Adj.	Adjacent	Rd.	Road
FT	Feet or Foot	Pkwy.	Parkway
IN	Inches	Min	Minimum
LF	Linear Feet or Linear Foot	Max	Maximum
N/A	Not Applicable or Not Allowed	>	Greater Than
SF	Square Feet or Square Foot	≥	Greater Than or Equal To
SVT	Sight Visibility Triangle	<	Less Than
ROW	Right-of-Way	≤	Less Than or Equal To

Table 1: Building Sign Specifications



A. ADDRESS SIGN		Permit: No		
	Description	Numerals that identify the street address of a property for public safety purposes.		
	Residential Uses & Non-Residential Uses	Permitted in compliance with Building and Fire Code requirements.		
	Notes: None			
B. AWNING AND ATTACHED CANOPY SIGN		Permit: Yes		
	Description:	A sign which is printed, painted, or affixed to an awning or canopy which is attached to a building		
	Residential Uses	<i>Total Sign Area Allowed</i>	N/A	
	Non-Residential Uses	<i>Max Quantity</i>	N/A	
		<i>Max Height</i>	1 st Floor awnings only #	
		<i>Illumination Allowed</i>	Internal, backlit, external	
		<i>Max Sign Area Allowed</i>	2 SF per 1 LF of <u>an awning Business Frontage</u> ♦	
Notes:				
# Signs may be mounted on or extend above attached canopy as long as they do not extend above the roof line.				
♦ Sign allowance includes all Awning and Building <u>is in addition to the total area permitted for all</u> Wall Signs.				

Table 1: Building Sign Specifications (continued)



C. BLADE AND HANGING SIGNS		Permit: Yes	
	Description	A pedestrian-oriented sign that is attached to and supported by a building or other structure. (See Blade Sign and Hanging Sign Definition)	
	Residential Uses	N/A	
	Non-Residential Uses	Min Height	8 FT above adjacent sidewalks and/or ground level
		Min Projection	14 IN from Building
		Max Projection #	3 FT from wall or less than awning/ canopy depth if attached
Illumination Allowed		Externally illuminated and backlit only	
	Max Sign Area Allowed	12 SF♦	
Notes: # Maximum projection is based on attachment type. ♦ Sign allowance is in addition to total area permitted for all Wall Signs			
D. BUILDING WALL SIGN (e.g. Band Signs)		Permit: Yes	
	Description	A permanent sign attached to, painted on, or otherwise assembled against the wall or fascia of a building with the exposed face of the sign parallel to the face of the wall or fascia.	
	Residential uses	N/A	
	Non-Residential Uses	Max Quantity	N/A
		Max Projection	14 IN
		Illumination Allowed	Internal, backlit, external
Max Sign Area Allowed (Per Sign)		Based on <i>Business Frontage</i> ● Ratio is 2 SF per 1 LF, up to Max If Business Frontage LF is: <20,000SF = 125 SF Max 20,000-50,000 = 250 SF Max >50,000SF = 400SF Max	
Notes: ● Sign allowance <u>included</u> s in the total area permitted for all Awning and Building Wall Signs.			

Table 1: Building Sign Specifications (continued)



D. ENTRY SIGN		Permit: No		
	Description	A sign located adjacent to an entry door.		
	Residential Uses & Non-Residential Uses	<i>Max Quantity</i>	1 per dwelling unit or 1 per business	
		<i>Max Height</i>	15 FT from door threshold	
		<i>Max Projection</i>	4 IN	
		<i>Illumination Allowed</i>	External or backlit illumination only	
		<i>Max Sign Area Allowed</i>	2 SF per sign	
Notes: None				
E. FREE STANDING CANOPY SIGN		Permit: Yes		
	Description	Signs on freestanding canopies, such as fuel canopies, and shade structures.		
	Residential Uses	N/A		
	Non-Residential Uses	<i>Max Quantity</i>	N/A	
		<i>Illumination Allowed</i>	Internal, backlit, external	
		<i>Max Sign Area Allowed</i>	12 SF per side	
Notes: None				

Table 1: Building Sign Specifications (continued)



F. PROJECTING SIGN (e.g. Blade/Shingle Signs)		Permit: Yes	
 	Description	A pedestrian-oriented sign that is attached to and supported by a building or other structure. (See <u>Projecting Sign</u> in 21-705 833 Definitions)	
	Residential Uses	N/A	
	Non-Residential Uses	<i>Min Height</i>	8 FT above adjacent sidewalks and/or ground level
		<i>Min Projection</i>	14 IN from Building
		<i>Max Projection #</i>	None ♦ 3 FT from wall or less than awning/canopy depth if attached
		<i>Illumination Allowed</i>	Internal, Externally illuminated, and backlit, only ▲
<i>Max Sign Area Allowed</i> ●		Outside Downtown (D) District ≡ 12 SF	
		In D/CM facing D/RM or single-family residential use = 16 SF In D/CM not facing D/RM or single-family residential use = 36 SF	
<p>Notes:</p> <p># — Maximum projection is based on attachment type.</p> <p>● Sign allowance included in total area permitted for all Wall Signs.</p> <p>♦ Projection signs shall not extend past the property line, unless within the Downtown (D) District when approved as part of a license agreement.</p> <p>▲ Neon in D/CM is allowed subject to provisions of Section 21-709.E.</p>			

Table 2: Freestanding Sign Specifications



Sign Type Option				
Residential Uses				
Single-Family	N/A			
Multi-Family	Either Primary Monument Sign OR Perimeter Wall Sign			
Non-Residential Uses *	Allowed either Primary/Secondary Monument(s) OR Perimeter Wall Sign.			
A. FREEWAY SIGN Permit: Yes				
	Description	A freestanding monument sign located on property adjacent to a freeway. (See <u>Freeway Sign</u> in 21-705 833 Definitions) #		
	Residential uses	N/A		
	Non-Residential Uses	<i>Max Quantity</i> (Based on Freeway Frontage)	≥ 660 LF	= 1
			> 1,320 LF	= 2
			> 2,640 LF	= 3
		<i>Illumination Allowed</i>	Internal, backlit, external	
		<i>Max Height</i>	60 FT + 3 FT for architectural detail	
		<i>Max Sign Area Allowed</i>	250 SF	
Notes: # Sign must be located along the qualifying freeway frontage. Signs are only permitted for non-residential zoned properties Base of sign must be at least 35% of the full sign width. Minimum Separation: 200 feet separation from other Freeway Signs, 50 feet from non-freeway lot lines, and 200 feet from residentially zoned property.				
B.1 PRIMARY MONUMENT SIGN (Residential Uses) Permit: Yes				
	Description	A freestanding monument sign adjacent to a residential development (See <u>Freestanding Sign</u>).		
	Residential uses			
	<i>Single-family</i>	N/A		
	<i>Multi-family #</i>	<i>Max Quantity</i>	1 per street frontage	
		<i>Max Height</i>	A designated pkwy., Bell Rd. & Grand Ave	12 FT
			Other Major Arterials	10 FT
	All Other Roads	8 FT		
	<i>Max Sign Area Allowed</i>	48 SF		
Notes # Only allowed either Primary Monument(s) or Perimeter Wall Sign.				

Table 2: Freestanding Sign Specifications (continued)


B.2 PRIMARY MONUMENT SIGN (Non-Residential Uses)		Permit: Yes		
	Description A freestanding monument sign within Large Centers, located adjacent to a non-residential development (See Freestanding Sign and Large Center).			
	Non-Residential Uses * <i>Standards are based on the entire center or campus where applicable #</i>	Max Quantity ♦ (Based on length of street frontage)	0 - 599 LF = 1	
			600 LF - 1,000 LF = 2	
			> 1,000 LF = 3	
		Max Height	A designated pkwy, Bell Rd. & Grand Ave. 16 FT	
Other Major Arterials 12 FT				
All Other Roads 8 FT				
	Max Sign Area Allowed ●	A designated pkwy., Bell Rd. & Grand Ave. 72 SF		
		Other Major Arterials 60 SF		
		All Other Roads 48 SF		
Notes ♦ Sign must be located along the qualifying street frontage. # Only allowed either Primary Monument(s) OR Perimeter Wall sign. ● All Primary Monument Signs shall be located a minimum of 60 FT away from all other Primary and Secondary Monument signs.				

Table 2: Freestanding Sign Specifications (continued)



C. SECONDARY MONUMENT SIGN		Permit: Yes									
 	Description	A freestanding monument sign for a Small Center or at secondary entrances of a Large Center . located adjacent to a non-residential development (See Freestanding Sign and Large Center).									
	Residential uses	N/A									
	Non-Residential Uses <i>Standards are based on the entire center or campus where applicable</i>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"><i>Max Quantity</i> (Based on amount of street frontage)</td> <td style="width: 30%;">0 LF - 599 LF</td> <td style="width: 30%; text-align: right;">= 1</td> </tr> <tr> <td></td> <td>> 1,000 LF</td> <td style="text-align: right;">= 1 for every 300 LF > 1,000 LF</td> </tr> <tr> <td colspan="3" style="text-align: right;">LF calculated separately for each street where property has frontage</td> </tr> </table>	<i>Max Quantity</i> (Based on amount of street frontage)	0 LF - 599 LF	= 1		> 1,000 LF	= 1 for every 300 LF > 1,000 LF	LF calculated separately for each street where property has frontage		
	<i>Max Quantity</i> (Based on amount of street frontage)	0 LF - 599 LF	= 1								
		> 1,000 LF	= 1 for every 300 LF > 1,000 LF								
LF calculated separately for each street where property has frontage											
Max Height	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Designated Pkwy</td> <td style="width: 30%; text-align: right;">12 FT</td> </tr> <tr> <td>Major Arterials</td> <td style="text-align: right;">8 FT</td> </tr> <tr> <td>All Other Roads</td> <td style="text-align: right;">6 FT</td> </tr> </table>	Designated Pkwy	12 FT	Major Arterials	8 FT	All Other Roads	6 FT				
Designated Pkwy	12 FT										
Major Arterials	8 FT										
All Other Roads	6 FT										
Max Sign Area ●	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">A designated pkwy., Bell Rd. & Grand Ave.</td> <td style="width: 30%; text-align: right;">48 SF</td> </tr> <tr> <td>Other Major Arterials</td> <td style="text-align: right;">32 SF</td> </tr> <tr> <td>All Other Roads</td> <td style="text-align: right;">24 SF</td> </tr> </table>	A designated pkwy., Bell Rd. & Grand Ave.	48 SF	Other Major Arterials	32 SF	All Other Roads	24 SF				
A designated pkwy., Bell Rd. & Grand Ave.	48 SF										
Other Major Arterials	32 SF										
All Other Roads	24 SF										
Notes:											
<ul style="list-style-type: none"> All Secondary Monument Signs shall be located a minimum of 60 FT away from all other Primary and Secondary Monument signs located in the same center or parcel. 											

Table 2: Freestanding Sign Specifications (continued)



D. INTERNAL CENTER SIGN		Permit: No		
	Description	Internal freestanding signage within a non-residential center.		
	Residential uses	N/A		
	Non-Residential Uses <i>Standards are based on the entire center or campus where applicable</i>	<i>Max Quantity</i>	1 sign per parcel, or 1 sign per acre, whichever is greater. Individual parceled pads within a center <u>are</u> eligible for internal center signs.	
		<i>Max Height</i>	3 FT	
		<i>Max Sign Area Allowed</i>	6 SF	
Notes: Must be located internal to a site, outside of all street frontage landscape areas and buffers.				
E. PERIMETER WALL / SCREEN WALL SIGNS		Permit: Yes		
	Description	A sign consisting of individually mounted characters on a perimeter or screen wall surrounding a development.		
	Residential Uses <i>Single-Family Developments (2 or more lots)</i>	<i>Max Quantity</i>	2 per street frontage providing direct access to development.	
		<i>Max Height</i>	8 FT or wall height, whichever is less.	
	<i>And</i> Multi-Family Developments	<i>Max Projection</i>	14 IN	
		<i>Illumination Allowed</i>	External or backlit illumination only	
		<i>Max Sign Area Allowed</i>	32 SF per sign	
	Non-Residential Uses *	<i>Max Quantity</i>	1 per street frontage	
		<i>Illumination Allowed</i>	External or backlit illumination only	
		<i>Max Sign Area Allowed</i>	48 SF per sign or < 50% of wall area, whichever is less.	
Notes: * Only allowed either Primary Monument, Secondary Monument(s) OR Perimeter Wall sign.				

Table 3: Other Sign Type Specifications





A. DRIVE-THROUGH SIGN		Permit: Yes		
	Description	Signage for uses with a drive-through. #		
	Residential uses	N/A		
	Non-Residential Uses	<i>Max Quantity</i>	2 signs per drive-through lane	
		<i>Max Height</i>	6 FT	
		<i>Max Sign Area Allowed</i>	36 SF per sign	
Notes: # Must be located adjacent to drive-through lanes. Changeable copy is permitted.				
B. GAS STATION MONUMENT SIGN		Permit: Yes		
	Description	Monument sign for a property containing a gas station/fuel service station. #		
	Residential uses	N/A		
	Non-Residential uses	<i>Max Height</i>	8 FT	
		<i>Max Sign Area Allowed</i>	32 SF, including 16 SF changeable copy	
	Notes: # In accordance with Arizona Administrative Code, gas station monument signs shall be permitted in lieu of a primary or secondary monument for stand-alone gas stations, maximum 1 per frontage. Commercial centers containing gas stations shall be allowed Gas Station Monuments in addition to Primary and Secondary Monuments.			
C. FLAGS		Permit: No*		
	Description	See Definitions.		
	Residential uses	<i>Max Quantity</i>	3 Flags, 1 pole	
		<i>Max Height #*</i>	30 FT	
		<i>Max Sign Area Allowed</i>	24 SF per flag	
	Non-Residential uses	<i>Max Quantity</i>	1 flag per 25 LF street frontage, up to 6 total per premises	
		<i>Max Height #*</i>	50 FT	
<i>Max Sign Area Allowed</i>		36 SF		
Notes: # Flags must meet minimum principal building setbacks and shall not be located in any required utility easements. * Depending on the height, a building permit may be required.				

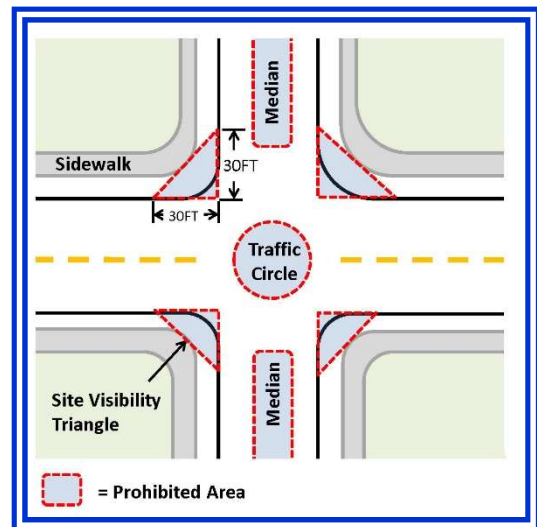
Table 3: Other Sign Type Specifications (continued)

D. WINDOW SIGN		Permit: No	
	Description	Signs placed on or within 3 FT of windows so as to attract the attention of persons outside of the building where the sign is placed.	
	Residential uses	<i>Limitations</i>	No limit, non-commercial messages only
	Non-Residential Uses #	<i>Max Sign Area Allowed*</i>	25% of the total window area on any one side of a building.
		<i>Illumination Allowed</i>	Max of 2 signs may be internally illuminated, up to 2 SF per sign
Notes: # Window signage is prohibited above the ground floor of the building. * When window signage is displayed on two or more sides of a building, each side shall comply with the maximum sign area provisions.			

Sec. 21-710836 Temporary Sign Types

A. General Requirements

1. In order to ensure structural stability and safety, freestanding signs seven (7) feet or greater in height shall be constructed to standards required for a permanent sign as described by the Arizona Sign Association.
2. Signs seven (7) feet or greater in height require a sign permit.
3. Temporary Signs shall be located outside of the visibility triangles, as shown in Figure 1.
4. Signs shall be maintained in good condition and shall be removed if torn, soiled, or faded.
5. Signs shall be weighted and/or secured to resist displacement by wind or similar disturbances.
6. Temporary signs shall not be illuminated.
7. Contact information of the party responsible for the sign shall be listed on the back of all temporary signs, except those located on developed single family residential lots.
8. Such signs which are deemed to be unsafe, defective, or which create an immediate hazard to persons or property, or are not in compliance with the provisions of this Section, shall be declared to be a public nuisance and subject to removal by the City in accordance with state statutes.



B. Duration: The following temporary signs are authorized for the durations noted in Table 4.

C. Standard Abbreviations. The standard abbreviations for Tables 1-3 are applicable to Table 4.

Table 4: Temporary Sign Type Specifications

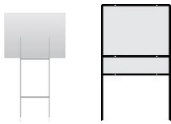

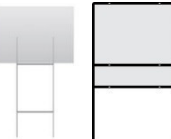



A. UNDEVELOPED PROPERTIES					
Sign Type	Quantity	Max Sign Area	Max Height	Duration	Permit
1. Parcels ≤1 ac 	1	Residential Use: 6 SF Non-Residential Use: 16SF	Residential: 5 FT Non-Residential: 8 FT	Up to 1 Year	Yes, if ≥7 FT in Height
Limitations: <ul style="list-style-type: none"> N/A 					
2. Parcels >1 acre 	1 sign + 1 additional sign for every 600 LF of street frontage	32 SF	8 FT	Up to 1 Year, and may be renewed 2x for 3 years total	Yes
Limitations: <ul style="list-style-type: none"> Placed > 30 FT from any intersection or driveway, and 100 FT from all signs > 6 SF. 					
B. RESIDENTIAL PROPERTIES					
Sign Type	Quantity	Max Sign Area	Max Height	Duration	Permit
1. Yard Sign 	1	6 SF	5 FT	Up to 3 Months	No
Limitations: <ul style="list-style-type: none"> Located on a developed residential lot 					
2. Neighborhood 	1 sign per neighborhood entrance	6 SF	5 FT	Up to 2 Weeks	No
Limitations: <ul style="list-style-type: none"> Located within neighborhood common area 					
3. New Subdivision 	1 sign per street frontage	32 SF/sign* *Development ≥150 AC: Interior Streets = 32 SF Perimeter Streets = 96SF	16 FT	Up to 3 years	Yes
Limitations: <ul style="list-style-type: none"> Must be removed once all lots in subdivision are sold 					
4. Subdivision Flags 	6 flags	15 SF / flag	30 FT	Up to 3 years	No
Limitations: <ul style="list-style-type: none"> For new subdivisions and/or new developments only. Max Quantity is per new development or per model complex. Must be identified in Model Home Complex Building Permit. 					

Table 4: Temporary Sign Type Specifications *(continued)*


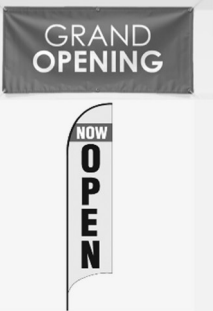
B. NON-RESIDENTIAL PROPERTIES					
Sign Type	Quantity	Max Sign Area	Max Height	Duration	Permit
<p>1. Entry A-Frame / T-Frame</p> 	<p>1 A-frame or T-frame sign <u>per business</u></p>	<p>6 SF</p>	<p>3 FT</p>	<p>Only during business hours</p>	<p>No <u>Yes*</u></p>
<p>Limitations:</p> <ul style="list-style-type: none"> • <u>Signs shall not be allowed with a public right-of-way, unless the business is located within the D/CM sub-zoning district.</u> • Signs shall be located within <u>eight (8) FT</u> of the business entry <u>unless the business is located within the D/CM sub-zoning district, then the sign may be located along the Building Frontage.</u> • A minimum clearance of <u>four (4) FT</u> must be maintained to allow unobstructed pedestrian access, and vehicular circulation, <u>and a minimum of one (1) FT clearance must be maintained between the sign and the edge of the street curb.</u> • Signs cannot be placed within required parking. • <u>A minimum separation of twenty (20) FT must be maintained between all A-Frame or T-Frame signs.</u> 					
<p>Notes:</p> <p><u>* Signs located within the D/CM sub-zoning district and within the public right-of-way require a permit be obtained prior to installation of the sign.</u></p>					
<p>2. Grand Opening/ New Business</p> 	<p>Includes Banners, Balloons, Flags, Pennants and, Streamers</p>	<p>N/A</p>	<p>N/A</p>	<p>60 days</p>	<p>No</p>
<p>Limitations:</p> <ul style="list-style-type: none"> • See Definition for <i>Grand Opening/ New Business</i> . • Must be obtained within 6 months of receiving a valid business license. • Not permitted for Home Occupations. • Merchandise may be displayed adjacent to business if a minimum of 4 FT clearance is maintained, allowing unobstructed pedestrian access and vehicular circulation. 					

Table 4: Temporary Sign Type Specifications (continued)






C. NON-RESIDENTIAL PROPERTIES (continued)					
3. Special Promotion   	2 Wall-Mounted Banners	32 SF Total	N/A	Maximum 30 days per installation Maximum 4x per year	Yes, For Each Install
	2 Pole Mounted Banners "Swooper Signs"	32 SF per sign	15 FT		
	1 A-frame or T-frame sign portable sign	6 SF	3 FT		
	Limitations: <ul style="list-style-type: none"> Maximum Width is 3 FT for Pole Mounted or Swooper Signs 				
D. SPECIAL CONDITIONS – In addition to temporary signage permitted by use/development character, the following signs are allowed when special conditions occur.					
Sign Type	Quantity	Max Sign Area	Max Height	Duration	Permit
1. Property Offered For Sale, Lease, or Rent					
a. Parcels ≤ 1 acre  	1 Sign *See Limitations For Quantity	6 SF	Freestanding: 5 FT Other: *See Limitations For Placement	*See Limitations	No
	Limitations: <ul style="list-style-type: none"> Quantity: A residential property abutting an arterial or collector roadway may have one (1) additional sign, maximum four (4) SF in size. The additional sign shall be placed in a manner where it is visible from the abutting roadway. Placement: Where freestanding signage is not possible or prohibited, the sign may be displayed within a window of the subject property. Duration is limited to while the property is offered for sale, lease or rent until 10 days after completion or execution of a lease, sale, or rental transaction. 				

Table 4: Temporary Sign Type Specifications (continued)






C. SPECIAL CONDITIONS (continued)					
Sign Type	Quantity	Max Sign Area	Max Height	Duration	Permit
b. Parcels > 1 acre 	1 sign + 1 additional sign for every 600 LF street of frontage	32 SF	Freestanding Sign: 8 FT Other Signs: N/A	While property is offered.	Yes, if ≥7 FT in Height
Limitations: <ul style="list-style-type: none"> Minimum spacing of 150 LF between signs. 					
2. Property Under Construction					
	1	32 SF	8 FT	From Issuance until Close of 'Building Permit'	No
Limitations: <ul style="list-style-type: none"> An active Building Permit is required. 					
3. Temporary Use					
	1 Banner and 3 A-frame or T-frame Portable Signs	Banner: 24 SF A-frame: 6 SF	Banner: N/A A-Frame: 3 FT	For the duration of the approved Temporary Use Permit	Temp. Use Permit
Limitations: <ul style="list-style-type: none"> An active Building Permit is required. 					
4. Right-of-Way Signage					
a. Residential Roadway Signs 	1 sign per turning movement within radius * See Limitations	6 SF	3 FT	3 hours before and 3 hours after an event	No
Limitations: <ul style="list-style-type: none"> Radius: These signs are only allowed in right-of-ways adjacent to residential zoned property, and shall be located a maximum one (1) mile radius from the subject owner's/resident's property within the City of Peoria. Signs may be placed by owners of residential property in Peoria, residents of Peoria, or agents of either party. Subject to same Placement Limitations as noted in Election Season Signs below. 					

Table 4: Temporary Sign Type Specifications (continued)

D. SPECIAL CONDITIONS (continued)					
Sign Type	Quantity	Max Sign Area	Max Height	Duration	Permit
b. Election Season, Non-Commercial Messages 	Not limited	Adjacent to Rural or Local Road: 16 SF Other: 32 SF	< 7 FT	<u>Per ARS § 16-1019</u> 90 days prior to Primary Election and up to 15 days after General Election	No
Limitations: <ul style="list-style-type: none"> • Signs can be placed in the public right-of-way, and on private property if the owner or their appointed agent grants permission. • Except as provided herein, such signs shall not be located on City-owned property, buildings, or structures. • Contact information of the party responsible for the sign must be listed on the back of the sign. • Placement Limitations. Per ARS § 16-1019, such signs may be located within the City right-of-way provided they are not: <ol style="list-style-type: none"> 1. Hazardous to public safety; 2. Within a roadway median or traffic circle; 3. Affixed to any City-owned utility pole, traffic control device or safety barrier; 4. Located in a manner that interferes with the requirements of the Americans with Disabilities Act; 5. Located in a designated commercial tourism, commercial resort, and hotel sign-free zone designated by the City Council pursuant to ARS §16-1019 including the Sports Complex Commercial Tourism Zone pursuant to Resolution 2012-39 ; and 6. Otherwise in violation of a requirement found in this Section. 					

D.SPECIAL CONDITIONS (continued)					
Sign Type	Quantity	Max Sign Area	Max Height	Duration	Permit
5. Sign Walker 	N/A	12 SF	6 FT	Daylight hours	No
Limitations: <ul style="list-style-type: none"> • Maximum width shall be 6 feet. • Shall not be located adjacent to local or collector roads in Residential Zoning Districts. • Shall be at least thirty (30) feet away from any street intersection or driveway entrance. • Shall not be located in any drive aisle, parking stall, driveway, or on sidewalks in a manner that provides less than a four (4) foot free and clear pathway for pedestrians. • Shall not be located within a median or on a street. • Shall not be located on walls, boulders, planters, other signs, vehicles, utility facilities, or any structure. • Shall not compromise public safety in any manner. 					

Sec. 21-711837 Administration

- A. Permit Application. For signs requiring permits as described in this Section, a Sign Permit application shall be submitted to the Department, together with the required materials, and applicable fee, on an official form provided by the Department. The application shall satisfy the submittal requirements of the associated Process Guide for the appropriate sign type.
- B. Permit Expiration. Permits issued by the City under the provisions of this Sign Code shall expired and become void if the work authorized by such permit is not completed within 180 days from the date of issuance of said permit.
- C. Permit Revocation. The Department Director or designee shall have continuing jurisdiction over all permits issued under the provisions of this Sign Code and may revoke a permit if it was obtained by fraud or misrepresentation.
 - 1. Notice of the City’s decision to revoke a sign permit shall be provided to the property owner by first class mail, or delivered in person to any person responsible for the premises on which the sign is located, or if no responsible party can be identified, by affixing a copy of the notice in a conspicuous location at the entrance to the premises.
- D. Nuisance. No permit issued under the provisions of this Sign Code shall be deemed to constitute permission or authorization to maintain a public or private nuisance, nor shall such permit constitute a defense in an action to abate a nuisance.



City of Peoria

PLANNING DEPARTMENT

9875 North 85th Avenue
Peoria, Arizona 85345
T 623-773-7200
planning@peoriaaz.gov

Memorandum

Meeting Date: February 19, 2026

To: Planning and Zoning Commission

From: Lorie Dever, Deputy Planning Director

Re: Items 6R – Code Modernization (Z26-01)

Attached is correspondence received subsequent to the printing of the February 19, 2026 Commission packet. The correspondence indicates opposition to the subject proposal.

From: Ted Swing [REDACTED]
Sent: Thursday, February 19, 2026 3:21 PM
To: Lorie Dever <Lorie.Dever@peoriaaz.gov>
Subject: Re: Public Comment for Feb 19 P&Z Meeting – TA26-01 Code Modernization

Hi Lorie,

Thank you for the clarification. While I understand that the Middle Housing standards were adopted in November, my comments regarding TA26-01 are specifically about the updated definitions (such as Urban Services) and the consolidation of overlay regulations.

Because the 2025 Middle Housing ordinance relies on these definitions to determine eligibility, any changes made in TA26-01 directly impact the feasibility of those housing types. I would still like my comments to be forwarded to the Commission so they can consider how these 'modernized' definitions affect our overall housing goals. Thank you!

Sincerely,

Ted

On Thu, Feb 19, 2026 at 2:34 PM Lorie Dever <Lorie.Dever@peoriaaz.gov> wrote:

Mr. Swing,

HB2721 required municipalities to adopt “Middle Housing” regulations by **January 1, 2026**. In accordance with the regulations set forth in that bill, the city proposed modifications to the Zoning Ordinance via **case TA25-01: Middle House**. These changes were discussed in length via the public meeting process and ultimately adopted by Peoria City Council in **November 2025**.

TA26-01: Code Modernization does not address or modify the adopted Middle Housing regulations, and so they remain in effect. I would invite you to visit <https://www.peoriaaz.gov/government/departments/planning-and-zoning/zoning-text-amendments> an overview of the proposed changes, along with the actual redlines proposed.

Additionally, you can view the agenda and staff report associated with this item at: <https://www.peoriaaz.gov/government/departments/city-clerk-office/boards-and-commissions/planning-and-zoning-commission>

As the text amendment referenced is not associated with the Middle Housing regulations, please let me know if you continue to want me to forward to Commission.

Regards,

Lorie

Lorie Dever

Deputy Planning Director

623-773-5168

lorie.dever@peoriaaz.gov

City of Peoria | Planning Department

9875 N. 85th Avenue Peoria, AZ 85345

Monday through Thursday, 7am to 6pm | **Closed Friday**

Peoriaaz.gov/planning

From: Ted Swing [REDACTED]

Sent: Thursday, February 19, 2026 1:41 PM

To: Planning <planning@peoriaaz.gov>

Subject: Public Comment for Feb 19 P&Z Meeting – TA26-01 Code Modernization

Dear Planning and Zoning Commission,

My name is Edward (Ted) Swing, and I have been a resident of Peoria since 2017. I am also an active member of West Valley YIMBY, Urban Phoenix Partnership, and the Arizona Neighborhood Project. I am writing to provide comments on **TA26-01: Code Modernization** regarding the city's implementation of "Middle Housing" standards.

While I support the city's effort to modernize our zoning definitions and bring our code into compliance with state law, I have several concerns regarding the technical language in this amendment that may unintentionally restrict the very housing the law intended to create:

1. **"Urban Services" Definition:** The proposed addition of "refuse service and electric utility service" to the definition of Urban Services creates a vague technical barrier. If a narrow street or alley is deemed "inaccessible" by a standard city trash truck, will that entire block be disqualified from building a duplex or triplex? I ask the Commission to ensure this definition isn't used as a "backdoor" to block density on older lots.
2. **Lot Coverage vs. Intensity:** The staff report notes that Peoria will continue to use "maximum lot coverage" instead of the state-suggested Floor Area Ratio (FAR) of 50%. In many of our existing R1-6 and R1-8 zones, the current lot coverage limits are too low to physically accommodate a fourplex, even if the state allows it. I urge the Commission to recalibrate lot coverage limits so they don't act as a de facto ban on middle housing.

3. **PAD/PCD Exclusions:** By excluding Planned Area Developments (PADs) and Planned Community Districts (PCDs) from the definition of single-family residential, the city is exempting a vast majority of its newer land area. This places the entire burden of housing growth on older, southern Peoria neighborhoods while shielding newer developments in the North from doing their part to address our housing shortage.

4. **Avoiding Historic Loopholes:** Having just testified at the State Capitol regarding HB 2375, I strongly urge Peoria to lead by example and avoid creating "historic neighborhood" blanket exemptions. As our code states, middle housing is already required to be compatible in scale and character with the neighborhood; additional exemptions are unnecessary and exclusionary.

A city is a place for people, not a museum. I hope you will refine these definitions to ensure that "middle housing" is a realistic option for Peoria families, not just a theoretical one.

Sincerely,

Edward (Ted) Swing

 Peoria, AZ 85382