

PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBERS
OCTOBER 3, 2024

A meeting of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 West Monroe Street, Peoria, AZ in open and public session at 6:01 p.m.

Members Present: Chair Tony Feiter, Vice-Chair Joysaphine Waitman-Powell, Secretary Jeff Nelson, Commissioner Nate Cottrell and Commissioner Villasenor

Members Absent: Commissioner Thomas Konkowski and Commissioner Doug Myers

Others Present: Mike Faust – Deputy City Manager, Lorie Dever – Deputy Director, Cody Gleason – Planning Manager, Jenna Norris – Water Resources Policy Analyst, Sawyer Reese – Water Conservation Specialist, Mike Dynes – Assistant City Attorney, and Della Ernest – Management Specialist.

Audience: 3

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business and considered in its normal sequence on the Agenda.

1C Minutes

Discussion and possible action to approve the minutes of the September 19, 2024 meeting.

COMMISSION ACTION:

Secretary Nelson moved to approve the consent agenda as presented. The motion was seconded by Commissioner Villasenor and upon vote, passed unanimously 5-0.

REGULAR AGENDA

2R Water Services Presentation

Presentation and possible discussion regarding the city's water resources and water conservation programs.

Ms. Jenna Norris, Water Resources Policy Analyst and Mr. Sawyer Reese, Water

Conservation Specialist provided an overview of Water Resources and Water Conservation including:

- Portfolio and use,
- Planning challenges and solutions,
- Outreach and education,
- Youth and adult water conservation programs, and
- Sustainability dashboard

Discussion ensued regarding water capacity for proposed projects, demand projections, conservation and outreach.

3R **Study Session: 2024 Zoning & Housing Code Updates**

Presentation and discussion regarding upcoming zoning code amendments resulting from housing and zoning bills passed in 2024 by the Arizona State Legislature. This item is for discussion only, no action will be taken.

The staff report was presented by Ms. Lorie Dever, Deputy Planning Director.

Ms. Dever presented to the Commission an overview of provisions within bills impacting municipal zoning taking effect January 1, 2025.

HB 2720 Accessory Dwelling Units (ADU's)

All Single-Family Lots:

- Up to one (1) detached and one (1) attached ADU

Lots one (1) acre and larger in size:

- 3rd ADU allowed when *"Restricted Affordable" up to 80% of Area Median Income*
- Allowed with Deed Restriction and/or Development Agreement
- Each ADU can be 75% of house gross floor area or 1,000 Square Feet, whichever is less

City May Not Regulate/Require ADU to:

- Comply with commercial building code or require fire sprinklers
- More restrictive regulations for building height, lot coverage etc.
- Have side and rear setbacks greater than five (5) feet
- Provide additional parking (or in-lieu fee to offset)
- Match the design/finish of house
- Family relationship between owner / occupant
- ADU as long-term rental housing
- Roadway improvements

HB 2297 Commercial Buildings; Adaptive Reuse

Must allow ***multifamily residential development*** or adaptive reuse of any commercial, office or mixed-use building on not more than 10% of existing inventory of existing buildings citywide.

Impact On Peoria: Unknown

- Baseline inventory required of existing buildings citywide
- City cannot require discretionary review with conversion
- Modified development standards are already set in bill

Baseline Building Inventory Required Citywide:

- May modify percentage of existing buildings available for conversion every ten (10) years.
- Can designate “commercial or employment hubs” where buildings are excluded from the inventory.
- ***Exclusion cannot exceed 10% of total existing inventory.***

Cannot Require Discretionary Review With Conversion:

- Cannot require Rezone, Conditional Use Permit, or other discretionary review ***which requires public hearing process.***
- In other words, permitted outright – but can require **objective review through *Site Plan Review & Tenant Improvement process.***

Modified Standards Built Into Bill:

- **Parking:**
 - Comply with MFR district parking requirements, or
 - Sum of uses for mixed-use project, or
 - Qualified parking study.
- **Setbacks:** Lesser of existing standard for MFR districts or existing zoning district at time of development.
- **Building Height:**
 - Two (2) stories on a site within 100 FT of SFR zoning district; OR
 - Five (5) stories in height; or
 - Highest allowable height for MFR district within 1-mile; or
 - If no MFR district, utilize closest MFR district to the building
- **Density:** Highest allowable MFR density within 1-mile or closest

City Shall Include as Standards (*But No More Than*):

- **Site Plan Review process** that includes utility provider review
- Evidence of **adequate existing public sewer and water service**
- **Compliance with applicable building and fire codes**
- Evidence demonstrating that **building is economically or functionally**

obsolete.

- Building is on parcel or site between 1 to 20 acres.
- Documentation that **redevelopment sets aside up to 20% of the units for moderate-income or low-income households** for up to 20 years.

HB 1162 Residential Rezoning: Housing Assessment

Housing Assessment:

- Publication on or before January 1, 2025
- Required to be updated every 5 years thereafter
- Submittal of Annual Report to Arizona Department of Housing
- Defined reporting requirements within report

Impact On Peoria: On-going

- Significant tracking requirements on yearly basis
- Update to 2023 report underway by Neighborhoods & Human Services Department.

Rezoning Cases Processing Deadlines:

Administrative Completeness

- 1st Submittal – Determination within 30 Days
- Resubmittal – Determination within 15 Days

Impact On Peoria: None

- Applicants can file cases 24/7 via Development Portal
- Administrative Completeness
 - Current Average = 2 Days
 - May extend to 5 days during holiday weeks/weekend submittal
 - Target Service Level = 10 days each submittal

Approval / Denial Decision within 180 Days

- City may grant 30-day extension if “extenuating circumstances”
 - If applicant requests, city may grant 30-day extension for each extension granted
- *Shot clock does not address or speak to applicant “resubmittal time” or allow organic resolution of issues.*

Impact On Peoria: Limited

- Limited to Non-PAD/PCD cases
- Low number of cases submitted annually, currently processed under 180 Days
- State Statutory Noticing Requirements = Approximately 75 Days
- Possible waiver option being pursued, similar to one used for SB1597

Discussion ensued regarding treating accessory structures the same as ADU's for setbacks/height, demonstrating that a building is economically or functionally obsolete, and any possible protections for buildings of historical significance.

Call to the Public (Non-Agenda Items): None

7R Reports from Staff

The next meeting is October 17th and staff will check Commission availability for one meeting in November.

Planning and Zoning Commission Updates and Report of Current Events: None

Adjournment: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 8:14pm.



Tony ~~Feiter~~, Chair



Submitted by Della Ernest

10-17-24

Date

10-17-2024

Date