



# Planning and Zoning Commission STAFF REPORT

AGENDA

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**TO:** CASA GRANDE PLANNING AND ZONING COMMISSION  
**FROM:** Keith Newman, Planner  
**MEETING DATE:** April 3, 2014  
**SUBJECT:** DSA-14-00017– Zoning Text Amendment amending Chapter 17.12 “definitions” and Table 17.16.030B to establish new bakery land use classifications.

## REQUEST

**Request by,** City of Casa Grande for the following Zoning Text Amendment:

1. AN ORDINANCE OF THE CITY OF CASA GRANDE, ARIZONA AMENDING CHAPTER 17.12 “DEFINITIONS” AND TABLE 17.16.030B OF THE CITY OF CASA GRANDE MUNICIPAL CODE CONCERNING THE ESTABLISHMENT OF NEW BAKERY LAND USE CLASSIFICATIONS

## BACKGROUND

Recently, the City has received a proposal to allow for the development of a 150,000 +/- sq. ft. bakery in the Garden & Light Industrial (I-1) zoning district, which is currently not a permitted land use per Table 17.16.030B of the City Zoning Code. Only two types of bakery uses are allowed as principally permitted uses in the city code, “Bakeries for on-site sales, less than 3,500 sq. ft.” which are permitted in the B-1, B-2, B-3 & B-4 Zoning Districts, and “Bakeries greater than 3,500 sq. ft.” which are permitted only in the I-2 Zoning District.

Said recent proposal has prompted City Staff to look at other types of food processing/production uses allowed in all commercial & industrial zoning districts to determine the most appropriate zoning for retail and industrial/commercial bakeries. Staff has found that several local businesses such as Daisy Brand Foods, Franklin Foods, Ehrmann/Commonwealth Dairy, Frito Lay and Abbott Laborites which are classified in the zoning code as food processing uses, are similar in scale, production intensity and distribution services to a large Industrial type bakery and are allowed with in the I-1 and I-2 Zoning Districts. As a result of this finding staff proposes that a new zoning classification be added to the zoning code replacing “Bakeries greater than 3,500 sq. ft.” to allow “Commercial Bakeries” of any size in industrial establishments that are primarily engaged in manufacturing and distributing of baked products to regional and national businesses in both the I-1 and I-2 Industrial Zoning Districts.

In addition, staff has identified actual bakery businesses that are much smaller such as Bosa Donuts, Rico Donuts, etc. whose primary focus is retail sales of goods which are

baked on site and are located in commercial business zones. As a result of this finding staff is proposing that the current use classification of “Bakeries for on-site sales, less than 3,500 sq. ft.” be renamed to “Retail Bakeries” and a formal definition created for this type of bakery.

Staff ascertains that this text amendment will further ensure that all bakeries regardless of size are located in the appropriate zoning district based on the primary functions of manufacturing, retail sales, on-site consumption and the distribution of baked goods and or products.

**ORDINANCE PROPOSAL**

Staff recommends that the City of Casa Grande Zoning Code be amended as follows:

1. Amend Title 17, Chapter 17.12 (Definitions) of the Casa Grande City Code by adding subsections 17.12.122 (Bakery, Commercial) and 17.12.123 (Bakery, Retail) to read as follows:

17.12.122            Bakery, Commercial

“An industrial establishment primarily engaged in manufacturing and distributing of baked products to regional and national businesses.”

17.12.123            Bakery, Retail

“An establishment primarily engaged in preparing, baking, or cooking baked products for on-site retail sales, on-site or off-site consumption. Said use may include incidental on-site food service and distribution to local businesses.”

2. Title 17, Chapter 17.16 (Establishment of Zones), Table 17.16.030B of the Casa Grande City Code is amended by:
  - a. Deleting the principally permitted use titled “Bakery for on-site sales, less than 3,500 sq. ft.” (See Exhibit A).
  - b. Deleting the principally permitted use titled “Bakery greater than 3,500 sq. ft.” (See Exhibit A).
  - c. Adding a principally permitted use titled “Bakery, Retail” within the B-1, B-2, B-3 & B-4 Zoning Districts (See Exhibit A).
  - d. Adding a principally permitted use titled “Bakery, Commercial” within the I-1 and I-2 Zoning Districts (See Exhibit A).

**PUBLIC NOTIFICATION/COMMENTS**

A display ad was published in the Casa Grande Dispatch on March 18, 2012, providing public notice of a Public Hearing on this proposed Zoning Code Text Amendment at the Planning and Zoning Commission's April 3, 2014 meeting.

At the time of writing the staff report no public comments had been received by staff.

<b>STAFF RECOMMENDATION</b>
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Staff recommends that the Planning and Zoning Commission forward a favorable recommendation for adoption of the proposed text amendment Ordinance to the Mayor and City Council.

**Attachment:**

Exhibit A – Proposed Ordinance Amending chapter 17.12 “definitions” and table 17.16.030B of the City of Casa Grande Municipal Code

## **Exhibit A**

ORDINANCE No. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF CASA GRANDE, ARIZONA AMENDING CHAPTER 17.12 “DEFINITIONS” AND TABLE 17.16.030B OF THE CITY OF CASA GRANDE MUNICIPAL CODE CONCERNING THE ESTABLISHMENT OF NEW BAKERY LAND USE CLASSIFICATIONS; ESTABLISHING THE SEVERABILITY OF THE VARIOUS SECTIONS OF THE ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Mayor and Council of the City of Casa Grande believe that amending the City’s zoning code to allow “Retail Bakeries” of any size as a principally permitted use in all business zoning districts and to allow “Commercial Bakeries” of any size as a principally permitted use in all industrial zoning districts, will further the orderly development of the city; and

WHEREAS, after providing all due notice, providing the opportunity for public comment at a public hearing, and upon the recommendation of the Planning and Zoning Commission, the Council finds that amending the zoning code would be in the best interests of the City of Casa Grande.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Casa Grande as follows:

**SECTION 1.** Title 17, Chapter 17.12 (Definitions) of the Casa Grande City Code is hereby amended by adding subsections 17.12.122 (Bakery, Commercial) and 17.12.123 (Bakery, Retail) to read as follows:

17.12.122 Bakery, Commercial

“An industrial establishment primarily engaged in manufacturing and distributing of baked products to regional and national businesses.”

17.12.123 Bakery, Retail

“An establishment primarily engaged in preparing, baking, or cooking baked products for on-site retail sales, on-site or off-site consumption. Said use may include incidental on-site food service and distribution to local businesses.”

**SECTION 2.** Title 17, Chapter 17.16 (Establishment of Zones), Table 17.16.030B of the Casa Grande City Code is amended by:

- A. Deleting the principally permitted use titled “Bakery for on-site sales, less than 3,500 sq. ft.” (See Exhibit A).
- B. Deleting the principally permitted use titled “Bakery greater than 3,500 sq. ft.” (See Exhibit A).

C. Adding a principally permitted use titled “Bakery, Retail” within the B-1, B-2, B-3 & B-4 Zoning Districts (See Exhibit A).

D. Adding a principally permitted use titled “Bakery, Commercial” within the I-1 and I-2 Zoning Districts (See Exhibit A).

**SECTION 3.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**SECTION 4.** The effective date of this Ordinance shall be \_\_\_\_\_, 2014.

PASSED AND ADOPTED by the Mayor and Council of the City of Casa Grande, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney

**Table 17.16.030B  
Business and Industrial Zone Uses**

	<b>B-1</b>	<b>B-2</b> <b>B-3</b>	<b>B-4</b>	<b>I-1</b>	<b>I-2</b>
<b>A. Principally Permitted Uses</b>					
Animal hospital, clinic and kennel providing the establishment and animal runs are completely enclosed in the building			o	o	
Appliance sales, service		o	o		
Appliance repair			o		
Athletic clubs		o	o	o	
Automobile, boat or recreational vehicle sales, maintenance and rental		o	o	o	
Automobile repair service (major)				o	
Automobile repair service (minor)				o	
Bakery for on-site sales, less than 3,500 square feet	o	o	o		
Bakery greater than 3,500 square feet					o
<b>Bakery, Commercial</b>				<b>o</b>	<b>o</b>
<b>Bakery, Retail</b>	<b>o</b>	<b>o</b>	<b>o</b>		
Banks and other savings and lending institutions	o	o	o		
Barber shop	o	o	o		
Beauty parlor	o	o	o		
Blueprint shop and photo processing		o	o	o	o
Bottling plant				o	o
Bowling alley			o	o	
Building material sales yard, including sand and gravel			o	o	
Bus terminals			o	o	
Business and office machine sales, service and repair shop		o	o	o	
Business, technical or vocational school			o	o	o

o = Principally Permitted Use