

ORDINANCE NO. 2024-1599

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, CONDITIONALLY REZONING APPROXIMATELY 137.77 GROSS ACRES LOCATED AT THE NORTHEAST CORNER OF VAN BUREN STREET AND LITCHFIELD ROAD TO PALM VALLEY CROSSING 5TH AMENDED AND RESTATED PLANNED AREA DEVELOPMENT; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR NON-ABRIDGMENT; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PENALTIES; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS, the property subject to this ordinance is located at the northeast corner of Litchfield and Van Buren, and is currently known as Palm Valley Crossing; and

WHEREAS, the property was first rezoned as a PAD by the City Council on March 28, 1995, with the adoption of Ordinance No. 95-523, which adopted the Palm Valley Metroplex PAD; and

WHEREAS, the PAD zoning on the property has been repeatedly modified since the adoption of Ordinance No. 95-523, and the name of the PAD zoning was subsequently changed to Palm Valley Crossing, which is the name of the current PAD and which is used throughout this Ordinance; and

WHEREAS, on November 22, 2004, the City Council, adopted Ordinance No. 04-924 which Amended the Palm Valley Crossing PAD to allow the development of Palm Gate Storage (located on Van Buren Road west of Litchfield Road); this amendment effectively removed this property from the Palm Valley Crossing PAD.

WHEREAS, the City Council Adopted Ordinance No. 07-1058 on February 2, 2007, which modified standards on Lots 6-13, 15, 18-20 and parts of Lot 21; and

WHEREAS, the remaining portions of the property within the Palm Valley Crossing PAD located south and west of Litchfield Road and Auto Drive were removed from the Palm Valley Crossing PAD by Ordinance 2008-1153 adopted by Council on December 14, 2008, which rezoned this property to the PAD zoning district and adopted the with the Goodyear Palms Plaza Final PAD; and

WHEREAS, on July 11, 2011, the City Council adopted Ordinance No. 11-1244 which modified standards on Lots 1-4, 5a, 5b, 5c, 11, 15a, 15b, 15c and 16 and adopted an amended PAD; and,

WHEREAS, on July 19, 2021, the City Council adopted Ordinance No. 2021-1510 which modified standards on Lot 19 to allow the added use of an indoor shooting range on Lot 19; and

WHEREAS, the purpose of the proposed rezoning is to amend and restate the Palm Valley Crossing Planned Area Development to incorporate the various PAD amendments adopted by Council into one document, to modify the zoning designation of Lot 3 (defined below) in the Planned Area Development from Automotive Related Commercial and General Commercial (ARC/C-2) to Automotive Related Commercial and General Commercial and Service Commercial/Commerce (ARC/C-2 and SC), and to resolve inconsistencies created by the prior adoption of land use maps that referred to portions of the property to be developed for commercial

uses by amending the land use map to identify all of those lots as C-2 (General Commercial) allowing all uses permitted in C-1 (Neighborhood Commercial) and C-2 (General Commercial) to be developed on the lots identified as C-2 subject to the development standards applicable to the C-2 (General Commercial) zoning district in the City of Goodyear Zoning Ordinance; and

WHEREAS, the General Plan Land Use Plan designates the Property as 'Business & Commerce'; and,

WHEREAS, this rezoning request is consistent with the designation of the Property in the General Plan as 'Business & Commerce' and will not adversely impact the surrounding area; and,

WHEREAS, City staff finds that the proposed amendment will not adversely impact the surrounding area the uses proposed on this site are currently allowed elsewhere within the property; and,

WHEREAS, a request to rezone property requires public review by the Planning and Zoning Commission and public review and approval by the City Council; and

WHEREAS, public notice that this rezoning request was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on February 14, 2024, appeared in the Arizona Republic Southwest Valley edition on January 26, 2024; postcards were mailed to adjoining owners on January 19, 2024; and signs were updated on the site to advertise the public hearing on January 26, 2024; and,

WHEREAS, a public hearing was held before the Planning and Zoning Commission on February 14, 2024, to consider the rezoning of the Property, and the Commission voted (7-0) to recommend approval of the proposed rezoning; and,

WHEREAS, public notice that this rezoning request is to be considered and reviewed at a public hearing held before the City Council on February 26, 2024, appeared in the Arizona Republic Southwest Valley edition on January 26, 2024; postcards were mailed to adjoining owners on January 19, 2024; and signs were updated on the site to advertise the public hearing on January 26, 2024; and,

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona find the adoption of this Ordinance to be in the best interests of the public interest, health, comfort, convenience, safety, and general welfare of the citizens of the City of Goodyear.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1 DECLARATION OF PUBLIC RECORDS

That certain document titled "Official Supplementary Zoning Map No. 23-10", a copy of which is attached hereto as Exhibit A, is hereby declared a public record and incorporated herein by this reference.

That certain document titled "Palm Valley Crossing Overall PAD Exhibit," a copy of which is attached hereto as Exhibit B, is hereby declared a public record and incorporated herein by this reference.

That certain document titled “JFN Rezone, Lot 3 Legal Description”, a copy of which is attached hereto as Exhibit C, is hereby declared a public record and incorporated herein by this reference.

That certain document titled “Palm Valley Crossing 5th Amended and Restated Planned Area Development”, dated February 2024, a copy of which is attached hereto as Exhibit D is hereby declared a public record and incorporated herein by this reference.

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

SECTION 2. DESCRIPTION OF THE PROPERTY BEING REZONED

This Ordinance No. 2024-1599 applies to that parcel of land in Goodyear, Maricopa County, Arizona, generally located approximately at the northeast corner of Litchfield Road and Van Buren Street more particularly described in that certain document titled “Legal Description Palm Valley Crossing - Gross,” attached hereto as Exhibit B and which is declared a public record and incorporated herein by reference in Section 1 of this Ordinance (the “Property”).

SECTION 3. REZONE

The Property is conditionally rezoned from the Planned Area Development (PAD) District to Planned Area Development (PAD) District by the adoption of the Palm Valley Crossing 5th Amended and Restated Planned Area Development (February 2024) attached hereto as Exhibit D (the “5th Amended PAD”) and which is declared a public record and incorporated herein by reference in Section 1 of this Ordinance and the Property shall be developed in conformance with the 5th Amended PAD subject to the conditions of approval set forth below.

SECTION 4. CONDITIONS OF REZONING

The rezoning of the Property is subject to the following conditions of approval (“Stipulations”):

1. The Property shall be developed in conformance with the 5th Amended PAD subject to and except as modified by: the conditions/stipulations of approval set forth in Ordinance No. 95-523 (on Lots 1-28), the conditions/stipulations of approval set forth in Ordinance No. 07-1058 (on Lots 6-13, 15, 18-20 and parts of Lot 21), the conditions/stipulations of approval set forth in Ordinance No. 11-1244 (on Lots 1-4, 5a, 5b, 5c, 11, 15a, 15b, 15c and 16), the stipulations/conditions of approval set forth in Ordinance No. 2021-1510 (on Lot 19), and as further modified by this Ordinance and the stipulations herein. In the event of any conflict between this Ordinance, and the terms of Ordinance No. 95-523 and/or the terms of Ordinance No. 07-1058 and/or Ordinance No. 11-

4664 and/or Ordinance No. 2021-1510, the term of this Ordinance shall apply; and,

2. The Use Permit for a Sign recorded with Ordinance No. 17-1361 shall remain in effect unless subsequently modified, amended or terminated; and,
3. Except as otherwise provided by any of the conditions and stipulations set forth in Section 4 of this Ordinance, the development of the Property shall be in conformance with the Palm Valley Crossing 5th Amended and Restated Planned Area Development (February 2024) attached hereto as Exhibit D, which is declared a public record and incorporated herein by reference in Section 1 of this Ordinance (the “5th Amended PAD”), including the land uses and development standards contained therein; and,
4. The provisions of the City of Goodyear Zoning Ordinance shall apply to the development of the Property except as modified by the 5th Amended PAD as further modified by any conditions and/or stipulations in this Ordinance or in any of the ordinances described in paragraph 1 of Section 4 of this Ordinance; and
5. The following additional stipulations and conditions of approval apply to the portion of the Property identified in the 5th Amended PAD as Lot 3 as more particularly described in Legal Description and Exhibit for Lot 3 of the Palm Valley PAD” attached as Exhibit C (“Lot 3”), which is declared a public record and incorporated herein by reference in Section 1 of this Ordinance:
 - a. Approval of the rezoning does not constitute approval of any site plan for development within Lot 3. All future development of Lot 3 will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including, but not limited to, architecture, landscaping, grading and drainage, lighting, infrastructure, parking, access and circulation; and
 - b. The Property Owner (“Owner”) shall apply to the Arizona Department of Water Resources (ADWR) for the extinguishment of the Type 1 Rights appurtenant to Lot 3 and request that any assured water supply credits issued by ADWR as a result of any such extinguishment be credited to the City of Goodyear. Said extinguishment shall occur prior to recordation of the first final plat subdividing all or part of Lot 3 or the issuance of any construction permits for work within the Property, whichever is earlier; and
 - c. The references in this Ordinance and the 5th Amended PAD to specific obligations that are addressed in various Development Regulations, which include but are not limited to, the requirements in the City of Goodyear Engineering Design

Standards and Policies Manual (the “EDS&PM”), the City of Goodyear Subdivision Regulations, the City of Goodyear Zoning Ordinance, and Building Codes adopted by the City of Goodyear, does not relieve Owner of complying with all other applicable Development Regulations; and

- d. The development of Lot 3 shall comply with all applicable requirements in EDS&PM, including but not limited to the requirement requirements for refuse enclosures, which shall be consistent with City of Goodyear Standard Detail in the EDS&PM G-3164-1 – Double Refuse Enclosure.
- e. All existing above ground utilities, except for electric lines that are 69kV or larger, located within and adjacent to the Property, including but not limited to, cable and electrical utilities, shall be placed underground at no cost to the City. Unless modified by a written phasing plan approved by the City Engineer or his/her designee or by a development agreement approved by the Goodyear City Council, the undergrounding of the utilities required herein shall be completed prior to the issuance of the first Certificate of Completion, Temporary Certificate of Occupancy or Certificate of Occupancy for any structure within the Property; and
- f. A landscape buffer of at least 10-feet wide shall be installed along the entire east and west property lines as required in Ordinance 11-4664. Trees and shrubs shall be installed based on the standards indicated in the City of Goodyear Zoning Ordinance.
- g. All Public Sales Reports for the Property, all final plats and minor land divisions subdividing all or part of the Property shall include the following disclosures:
 - i. The Property is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at or taking off from Luke Air Force Base and or the Phoenix-Goodyear Airport; and

All final plats and minor land divisions subdividing all or part of the Property and all site plans for development within the Property shall include notes setting forth the foregoing requirements; and,

SECTION 4. AMENDMENT OF ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning of the Property provided for herein by that certain document titled "Official Supplementary Zoning Map No. 23-10" attached hereto as Exhibit A and declared a public record herein, which is referred to and made a part hereof as if fully set forth in this Ordinance.

SECTION 5. ABRIDGEMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the city of Goodyear.

SECTION 6. CORRECTIONS

The Zoning Administrator, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 7. SEVERABILITY

If any provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law.

SECTION 9. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the city of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

- A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.
- B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or

person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

- C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.
- D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:
 - 1. Subject to civil sanctions of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per offense; or
 - 2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the city of Goodyear Municipal Court for violations hereunder.

SECTION 10. RECORDATION

This Ordinance shall be recorded with the Maricopa County Recorder's Office.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

Joe Pizzillo, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

All exhibits are on file with the City Clerk's Office online at
<https://www.goodyearaz.gov/government/departments/city-clerk-s-office/public-notice>
or at Goodyear City Hall, 1900 N Civic Square, Goodyear, AZ 85395.

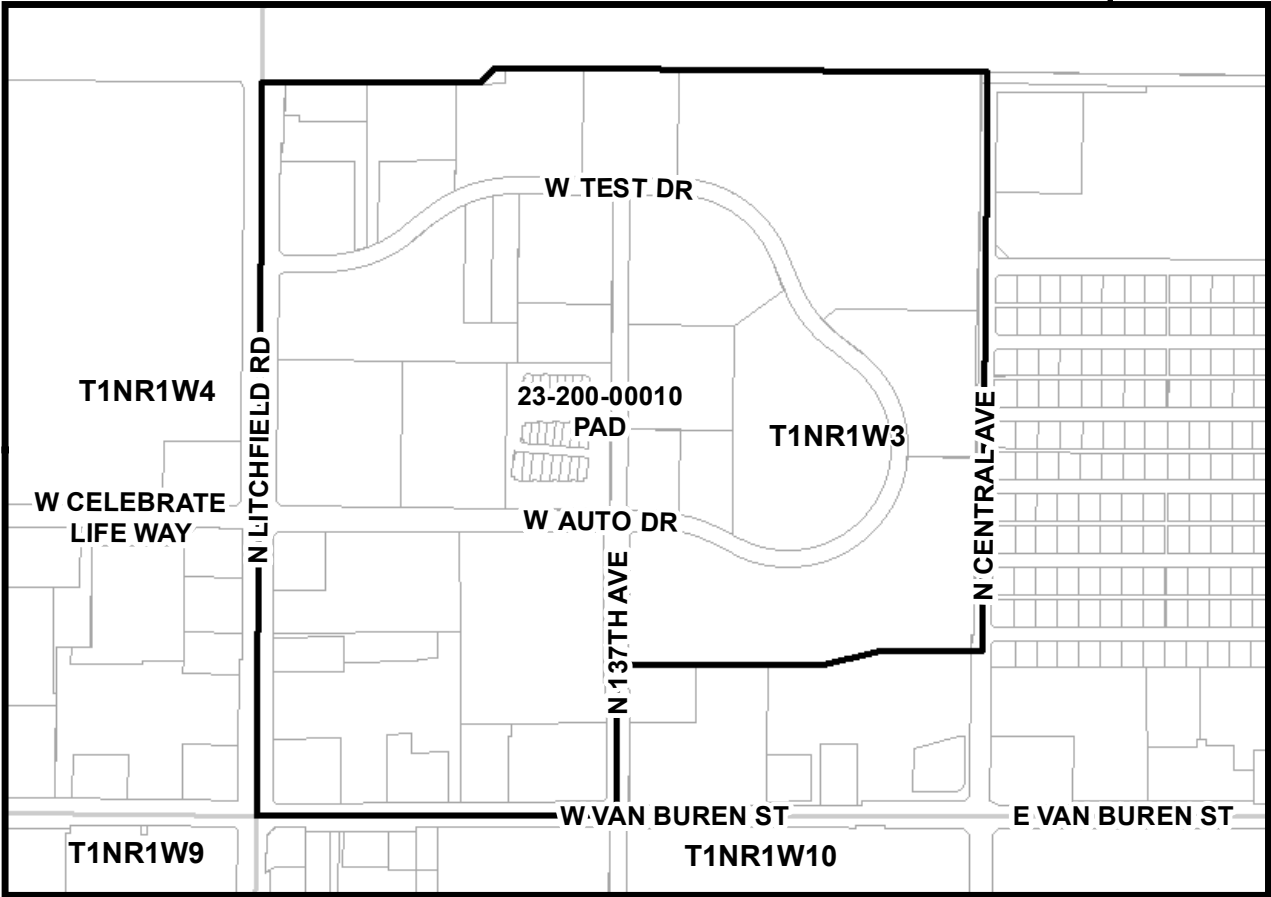
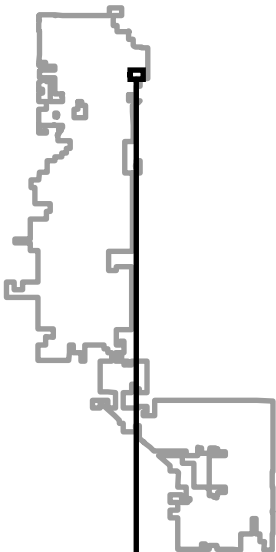
OFFICIAL SUPPLEMENTARY ZONING MAP NO. 23-10
AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF
THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO. _____,
PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA,
THIS _____ DAY OF _____, 2024.

MAYOR

CITY CLERK

SUBJECT PROPERTY:

**A portion of the Northwest Quarter Section 3, Township 1 North,
Range 1 West of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona.**



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT A	REZONE FROM PAD TO PAD	23-200-00010	DATE: February, 2024
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EXHIBIT 'B'

INTERSTATE 10



A PORTION OF THE WEST HALF OF SECTION 3, TOWNSHIP 1 NORTH, RANCH 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA, ARIZONA, BEING LOTS 1 THRU 28 OF PALM VALLEY CROSSING, ACCORDING TO BOOK 424 OF MAPS, PAGE 30, RECORDS OF MARICOPA COUNTY, ARIZONA TOGETHER WITH A REPLAT OF LOTS 4 THROUGH 14, 135TH LANE, A PORTION OF TEST DRIVE AND FILLMORE STREET, ACCORDING TO BOOK 541 OF MAPS, PAGE 39.

PROJECT #: 7023034

DATE:
02/08/24

SHEET OF
1 1

EXH. B



EXHIBIT C

LEGAL DESCRIPTION OF PROPERTY

A PORTION OF LAND BEING LOT 3 AND A PORTION OF LOT 2 OF PALM VALLEY CROSSING, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF MARICOPA COUNTY RECORDER IN BOOK 424 OF MAPS, PAGE 30, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 1 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, TOGETHER WITH THE EAST 54.02' OF LOT 2 OF "PALM VALLEY CROSSING" AS DESCRIBED IN DOCUMENT NO. 20210829567 M.C.R. AND DESCRIBED AS FOLLOWS:

COMMENCING AT AN ALUMINUM CAP IN HAND HOLE AT THE WEST QUARTER CORNER OF SAID SECTION 3, FROM WHICH A CITY OF GOODYEAR BRASS CAP IN HANDHOLE LOCATES THE INTERSECTION OF LITCHFIELD ROAD AND TEST DRIVE AND BEARS NORTH 00 DEGREES 18 MINUTES 49 SECONDS EAST FOR A DISTANCE OF 649.88 FEET (BASIS OF BEARING);

THENCE NORTH 89 DEGREES 59 MINUTES 26 SECONDS EAST, A DISTANCE OF 696.13 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 58 MINUTES 44 SECONDS EAST, A DISTANCE OF 172.14 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 48 SECONDS EAST, A DISTANCE OF 57.22 FEET;

THENCE SOUTH 89 DEGREES 32 MINUTES 44 SECONDS EAST, A DISTANCE OF 272.07 FEET;

THENCE SOUTH 00 DEGREES 18 MINUTES 37 SECONDS WEST, A DISTANCE OF 394.45 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF TEST DRIVE;

THENCE CONTINUING ALONG SAID RIGHT OF WAY LINE, NORTH 89 DEGREES 40 MINUTES 15 SECONDS WEST, A DISTANCE OF 216.78 FEET TO THE BEGINNING OF A 530.00 FOOT RADIUS CURVE, CONCAVE TO THE SOUTHEAST;

THENCE SOUTHWESTERLY, ALONG SAID CURVE AND THE SOUTH BOUNDARY LINE OF SAID LOT 3, THROUGH A CENTRAL ANGLE OF 25 DEGREES 23 MINUTES 31 SECONDS, AN ARC LENGTH OF 234.88 FEET;

THENCE NORTH 00 DEGREES 20 MINUTES 00 SECONDS EAST TO A POINT ON THE NORTH BOUNDARY LINE OF SAID LOT 3, A DISTANCE OF 388.10 FEET AND THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 169,187 SQ. FT. (3.8839 ACRES) OF LAND MORE OR LESS.

PROJECT #: 7023034



JFN REZONE
LOT 3 LEGAL DESCRIPTION

DATE:
02/08/24

169,187 SQ. FT.

SHEET OF
1 2

3.8839 ACRES

EXH. C



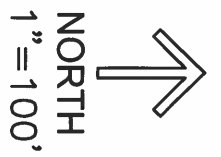
ALUM. CAP LS37174
LOCATING THE WEST 1/4
CORNER OF SECTION 3
(POINT OF COMMENCEMENT)

N89°59'26"E
696.13'

S89°58'44"E
172.14'

N0°00'48"E
57.22'(M)

S89°32'44"E 272.07'(M)



PROPERTY
BOUNDARY
LINE
POINT OF
BEGINNING

N0°20'00"E 388.10'(M)

LOT 3 AND PART OF LOT 2, BOOK
424, PAGE 30
APN: 500-03-340A
AREA= 169,187 SQ.FT OR
3.8839 ACRES ±

L=234.88',
R=530.00',
Δ=25°23'31"

N00°18'49"E 649.88'(R&M)

LITCHFIELD ROAD (BASIS OF BEARING)

TEXT DRIVE
N89°40'15"W
216.78'(M)

30'
R.O.W.

PROPERTY
BOUNDARY
LINE

CITY OF GOODYEAR BRASS CAP
IN HANDHOLE, LOCATING THE
INTERSECTION OF LITCHFIELD
ROAD AND TEST DRIVE

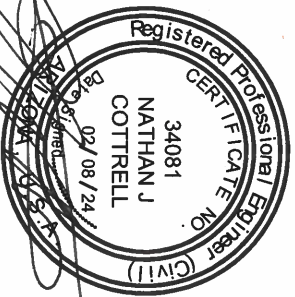


12409 W. INDIAN
SCHOOL ROAD,
AVONDALE, AZ 85392
PHONE: 623.536.1993
FAX: 623.748.9008

JFN REZONE
LOT 3 EXHIBIT
169,187 SQ. FT.
3.8839 ACRES

SHEET OF
2 2

DATE: 02/08/24
PROJECT #: 7023034
EXH. C



PALM VALLEY CROSSING

5th Amended and Restated
Planned Area Development
February 2024



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1. INTRODUCTION

Palm Valley Crossing is an approximately 138-acre master planned development initially approved in 1995.

2. Amended and Restated

This document shall serve as the Amended and Restated Planned Area Development booklet for the development boundaries contained within Ordinance No. 2024-1599, unless otherwise amended subsequent to the approval of that Ordinance.

3. LAND USE

The intent of the PAD is to amend and restate the prevailing PAD Specific information as to allowable uses within the modified General Commercial District (C-2) is included in Exhibit B in the Appendix of this Planned Area Development.

Activities within each land use, as well as the architectural design, signage, lighting, and landscaping, will complement the existing development in the area. Design guidelines and CC&R's are in place to assure a high quality development.

4. DESCRIPTION OF USES

Modified General Commercial District (C-2)

The intent of this area is to expand the uses to include automotive sales and commercial uses generally found in C-2 zoning. Because this is a Planned Area Development, some common uses within the C-2 zoning definition within the City of Goodyear have been removed so as to better fit with the development theme of Palm Valley Crossing. Specific uses are noted in the Permitted Uses section of Exhibit B at the end of this document.

Automotive and Related Commercial (ARC)

The intent of this area is to provide sites for automotive sales and for related services on parcels that do not all have major street frontage. Specific uses are noted in the Permitted Uses section of Exhibit B at the end of this document.

Service Commercial/Commerce (SC)

The intent of this land use designation is to provide service-oriented and employment-related uses necessary to serve the needs of the community and regional area.

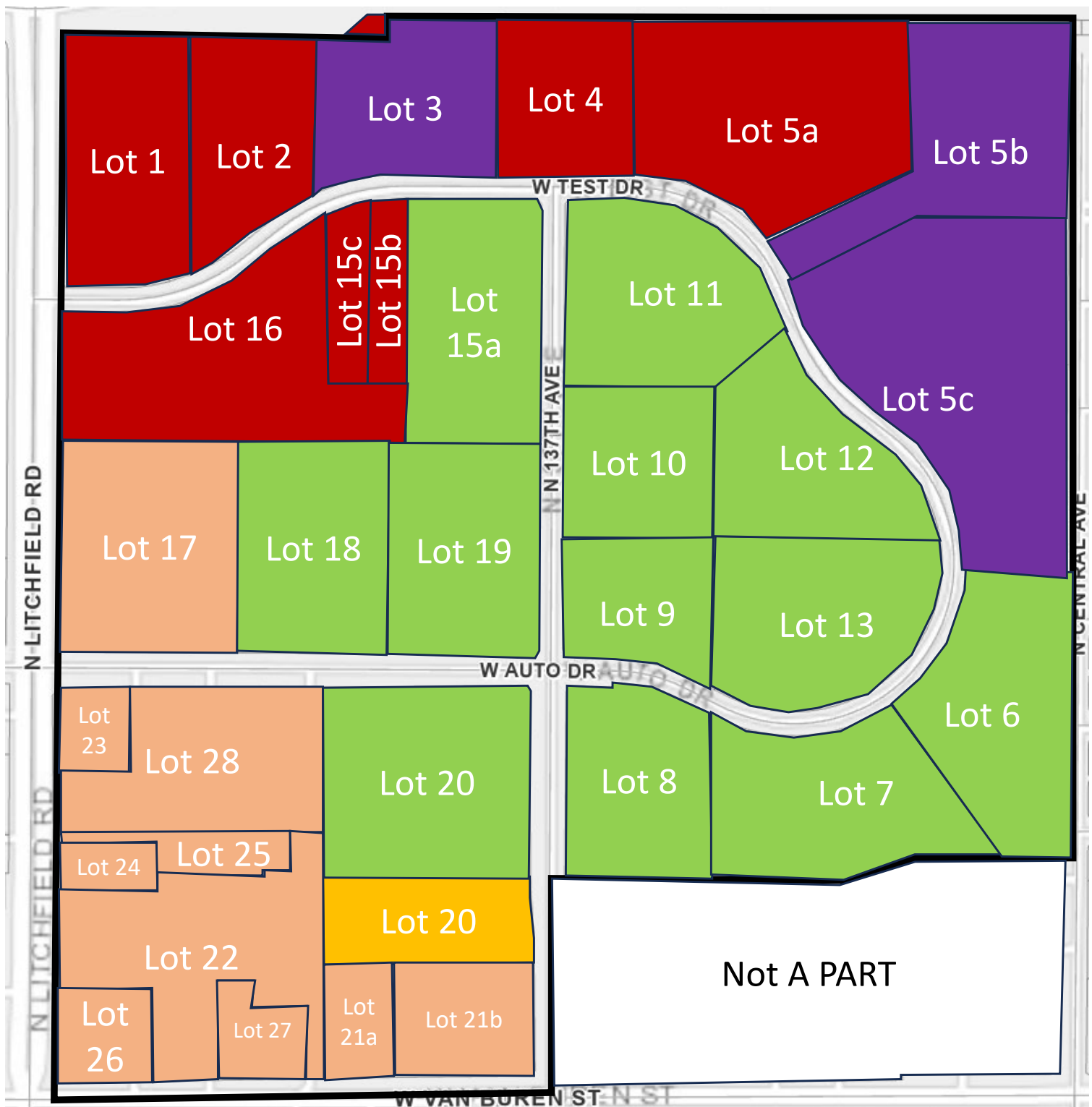
The list of permitted uses will allow small manufacturing, repair, research and development, office, research, testing, development and manufacturing of small products, and wholesaling. Portions of this property may be developed with large single users or consolidated complexes, while other parts may be subdivided to provide multi-tenant buildings or small single-user buildings and parcels.

Direct access to Central Avenue and the existing residential area to the east is not permitted. Appropriate buffering with the use of landscaping will help mitigate any adverse impacts to the residential areas.

5. **SUMMARY**

The goal for Palm Valley Crossing is the creation of a harmonious development which will preserve and enhance long term property values and provide a quality business and employment environment. This amendment is prepared to address changes in the business environment of the automotive industry by continuing to encourage auto uses within Palm Valley Crossing as well as recognizing changes in the automotive industry such that expanded options for development are encouraged within the project.

Exhibit A: PAD Amendment Boundary and Permitted Uses Category



C-2

C-2 General Commercial Uses

SC

Service Commercial/Commerce

ARC/SC

Automotive Related Commercial and Service Commercial/Commerce

ARC/C-2

Automotive Related Commercial and General Commercial

ARC/C-2 and SC

Automotive Related Commercial and General Commercial and Service Commercial/Commerce

Note, PAD parcels may not line up with current Tax Parcels.

EXHIBIT B

PERMITTED USES

General Commercial Uses within ARC/C-2 – (ARC/C-2)

General retail, service and office uses are provided for in the ARC/C-2 District, as well as encouragement of master-planned retail shopping centers to respond to community and regional area demand for goods and services. Combined, multiple-use developments with shared access, parking, design themes and amenities are particularly intended.

- A. **PRINCIPAL PERMITTED USES.** Only listed use of structures or land shall be permitted.
1. Automotive repair and upholstery.
 2. Banks and financial institutions.
 3. Business and professional offices.
 4. Bar/cocktail lounge/night club subject to the following conditions or limitations:
 - a) Bar/cocktail lounge/night club shall be prohibited as a stand-alone use on Lots 5b and 5c. A bar may be permitted on these lots if it is located inside of a hotel.
 - b) Music or entertainment shall be limited to recorded music or one entertainer or venue only if the facility is located a minimum of five hundred feet (500') from the property line of any residentially zoned or designated property. The area within the facility designated for music or entertainment activities shall not exceed a maximum of 5,000 square feet.
 - c) The area devoted to patron dancing shall not exceed twenty-five percent (25%) of the total floor area.
 - d) The area devoted to a microbrewery component of such a facility shall not exceed twenty-five percent (25%) of the total floor area.
 5. Drive-through windows and outdoor teller facilities.
 6. Employment agency.
 7. Entertainment establishments, general, including: athletic facilities, bowling alleys, electronic game centers and arcades, ice and roller rinks, miniature golf, performing arts centers, pool halls and theaters.
 8. Fine arts studios.

9. Health club.
10. Hotels and motels.
11. Large Retail User, subject to the provisions of Article 4-2-7 of the Goodyear Zoning Ordinance (the “Code”).
12. Private business, professional, and trade schools.
13. Restaurant, excluding drive-in and drive-through facilities, subject to the following conditions or limitations:
 - a) Music or entertainment shall be limited to recorded music or one entertainer or venue only if the facility is located a minimum of five hundred feet (500') from the property line of any residentially zoned or designated property. The area within the facility designated for music or entertainment activities shall not exceed a maximum of 5,000 square feet.
 - b) The area devoted to patron dancing shall not exceed twenty-five percent (25%) of the total floor area
14. Retail stores with sales only, excluding drive-through facilities and convenience uses as defined in Article 4 of the Code.
15. Day care (elderly and youth)
16. Frozen food lockers
17. Personal and household services, such as barber and hair styling shops, beauty salons, clothing alterations, dry cleaning shops, furniture and appliance repair, copying services, self-service laundry, shoe repair shops (but excluding drive-through facilities).
18. Second hand stores
19. Taxidermist
20. Travel bureaus
21. Typewriter and business machine sales and repair
22. Veterinary Offices provided such facilities are constructed to prevent objectionable noises and odors outside the walls of the office. Boarding of animals shall be permitted only for short time periods for the purpose of observation incidental to care.

23. Also any other similar approved PAD uses as determined by the Community Development Director **and all uses found below in ARC.**

B. PERMITTED ACCESSORY USES.

1. Uses of land or structures customarily incidental and subordinate to one of the permitted principal uses, unless otherwise excluded.
2. Signs, on-site, as provided in Article 7 of the Code.
3. Portable Storage Containers, subject to Article 8-2 of the Code.

C. USE PERMIT USES. The following uses may be approved by Use Permit:

1. Automobile service stations, subject to the provisions of Article 4 of the Code.
2. Car wash (hand or automatic), subject to the provisions of Article 4 of the Code.
3. Convenience use subject to the provisions of Article 4 of the Code.
4. Self-storage warehouse, as provided in section 3-3-3 (C) (6) of the Code.

D. DEVELOPMENT REGULATIONS.

1. All uses are subject to Site Plan review.
2. Area, Setback and Height and related requirements shall conform to the standards for the District, as set forth in Commercial Districts Standards, Subsection 3-3-6 of the Code.
3. Off-Street Parking: Paved, screened parking, which may be covered, subject to setback standards, shall be provided in accordance with the requirements of Article 6, Parking and Loading of the Code.
4. Landscaping, Walls, Screening: Refer to Article 5, Property Improvements Standards of the Code.
5. Supplemental Regulations: Refer to Article 8, General Provisions of the Code.

*The C-2 General Commercial Lots shall be developed in accordance with the requirements of the City of Goodyear Zoning Ordinance as it may be amended from time to time applicable to the Commercial Zoning District C-2, except as modified by this PAD. Such lots shall additionally permit all C-1 (Neighborhood Commercial) Uses.

Automotive and Related Commercial (ARC)

1. Automotive, heavy truck, and recreational vehicle sales and repair, new and used
2. Motorcycle sales and repair, new and used
3. Boat, retail sales (along with trailers, parts, supplies, equipment, apparel, and other items related to the foregoing), and the repair, maintenance, and servicing of the foregoing in connection with a franchise, dealership or other business operation selling all or any such items.
4. Automotive, motorcycles, heavy trucks, boats, and recreational vehicles body and fender work
5. Automotive, motorcycles, heavy trucks, boats, and recreational vehicles rental and leasing
6. Automotive, motorcycles, heavy trucks, boats, and recreational vehicles seat covers and trim shop
7. Automotive, motorcycles, heavy trucks, boats, and recreational vehicles repair and upholstering

Service Commercial/Commerce (SC)

Permitted uses include: Manufacturing and assembly of products such as those listed but do not include I-2 uses: Wholesale activities and warehousing such as those listed but do not include I-2 uses; and Retail sales (only those listed):

1. Auto parts and supplies – retail sales – for motorcycles, boats, trucks, and recreational vehicles
2. Awnings, custom fabrication – manufacturing and retail sales
3. Bakers and baked goods – manufacturing and wholesale
4. Bathroom accessories and display – wholesale and retail sales
5. Bicycle wholesale, rental and repair
6. Blueprinting and reproduction
7. Building materials – wholesale and retail sales
8. Burglar alarm equipment – wholesale and retail sales
9. Burglar alarm service and monitoring
10. Business machine wholesale and repair
11. Cabinet wholesale and showroom
12. Candy – wholesale
13. Carpet and rug cleaning services
14. Carpet and tile flooring – wholesale and retail sales
15. Commercial trade schools and business colleges
16. Contractors' office with inside storage of materials only
17. Costume rentals
18. Custom closet – wholesale and manufacturing
19. Dance studio/Karate/Gymnastics
20. Dental supplies – wholesale and retail sales

21. Door and window – wholesale and manufacturing
22. Electric equipment – wholesale and retail sales
23. Equipment rental
24. Fire protection equipment and service – wholesale and retail sales
25. Floor covering – wholesale and retail sales
26. Florist – wholesale and retail sales
27. Furniture and art sales – manufacturing and wholesale
28. Furniture cleaner, furniture and appliance repair
29. Garage equipment – wholesale and retail sales
30. Glass shops, custom
31. Granite and tile flooring – wholesale
32. Guns – wholesale, retail sales, and gun range
33. Gymnasiums, private or commercial
34. Hardware and specialty items – wholesale and retail sales
35. Health Club
36. Health/fitness studio
37. Home appliance – wholesales and retail sales
38. Home décor accessories – wholesale and retail sales
39. Home electronics/security/music – wholesale and retail sales
40. Hospital supplies
41. Hotel equipment and supplies – wholesale and retail sales
42. Import accessories – wholesale and retail sales
43. Janitors' supplies – wholesale
44. Key and lock service
45. Lawn furniture, new – wholesale and retail sales
46. Lawn mower repair shops
47. Lighting fixture, fans, etc. – wholesale and retail sales
48. Machinery dealers – wholesale, retail sales and showrooms
49. Machinery rental
50. Medical supplies, retail sales and rental
51. Medical/dental laboratory
52. Milling equipment – wholesale and retail sales
53. Monuments – wholesale and retail sales
54. Office buildings
55. Paint and wallpaper – wholesale
56. Photographic developing and printing
57. Physical therapy equipment – wholesale
58. Playground equipment – wholesale and retail sales
59. Plumbing shop, fixtures and supplies, showroom and wholesale
60. Pool, spa – wholesale and retail sales
61. Processing and compounding of previously prepared materials
62. Radio repair and installation
63. Refrigeration equipment – wholesale and retail sales
64. Restaurant, excluding drive-in and drive-through facilities and entertainment, limited to 2,000 s.f.
65. Safes– wholesale and retail sales

66. Scientific or research laboratories
67. Sign painting shop
68. Signs – wholesale and manufacturing, not neon sign fabrication
69. Sound systems and equipment – wholesale and retail sales
70. Sound systems rentals and repairs
71. Sporting goods and fitness – wholesale and retail sales
72. Venetian blinds, custom – manufacturing and cleaning
73. Window cleaners' service
74. Window coverings, shutters – wholesale and manufacturing
75. Window display installations, studio and shops
76. Window glass installation shops

Uses are allowed on lots according to their land use designation pursuant to the list above, except for the following uses which are not allowed on Lot 6:

1. Auto sales, new and used
2. Motorcycle sales
3. Boats retail sales
4. Auto body and fender work
5. Auto rental and leasing
6. Automotive repair and upholstery
7. Bicycle sales, rentals and repair
8. Costume rentals
9. Gymnasiums, commercial
10. Health club
11. Lawn mower repair shops
12. Medical supplies, retail sales
13. Plumbing shop sales
14. Restaurants
15. The following retail stores
 - Bathroom accessories
 - Building materials
 - Electric equipment
 - Fire protection equipment and supplies
 - Garage equipment
 - Guns
 - Hotel equipment
 - Machinery dealers
 - Monuments

Development Standards

All provisions of the City of Goodyear Zoning Ordinance and the General Commercial (C-2) Zoning District shall apply to development in Palm Valley Crossing except those portions amended and restated below:

Area, setback, height, and landscape related dimensional requirements shall be as set forth below:

Minimum Net Site Area	10,000 s.f.
Maximum Height	56 feet; with an additional 10' for architectural elements
Maximum Building Coverage	60%
Minimum Setbacks	Front and street side - 20 feet (1) Interior side – 10 feet or 0 feet Rear – 10 feet for buildings 30 feet in height or less except for Lots 5b, 5c, and 6 which shall provide a 30 foot building setback (2)
Minimum Landscape Widths	Front and street side - 20 feet Interior side – 10 feet Rear – 0 feet except that Lots 5b, 5c, and 6 shall provide a 10 foot landscape buffer

- (1) Buildings adjacent to any residential use or district are subject to additional minimum building setbacks as defined in Section 3-3-6(B)(6)(c) of the City's Zoning Ordinance.
- (2) Buildings with heights in excess of 30 feet shall provide 1 foot of additional setback for each foot of building height over 30 feet.