

ORDINANCE NO. 2024-1600

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 2-2 (DEFINITIONS) TO REVISE THE DEFINITION OF "CHURCH;" AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 3 (ZONING DISTRICTS) ARTICLE 3-3 (COMMERCIAL DISTRICTS) BY REVISING THE PRINCIPAL PERMITTED USES IN PARAGRAPH A OF SECTION 3-3-1 (CO COMMERCIAL OFFICE DISTRICT) TO DELETE "CHURCHES;" CHANGING THE TITLE OF GOODYEAR ZONING ORDINANCE TITLE 4 TO "REGULATION OF PARTICULAR USES;" AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 4 (NOW REGULATION OF PARTICULAR USES) ARTICLE 4-2 (USES REQUIRING ADDITIONAL EVALUATION) BY ADDING NEW SECTION 4-2-19 (CHURCHES) TO ALLOW CHURCHES AS A PRIMARY PERMITTED USE IN ALL ZONING DISTRICTS; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS, public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on February 14, 2024 appeared in the Arizona Republic Southwest Valley Edition January 31, 2024; and

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

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the City Council on February 26, 2024 appeared in the Arizona Republic Southwest Valley Edition January 31, 2024; and

WHEREAS the Mayor and Council of the city of Goodyear, Arizona, find that the interests of the City of Goodyear and its citizens are best served by clarifying the definition of churches and by allowing churches in all zoning districts, subject to consistent review requirements and standards.

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

SECTION 1. City of Goodyear Zoning Ordinance Article 2 (Definitions) Article 2-2 (Definitions) is amended by amending the definition of "Church" as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

~~Church, Synagogue or Temple.~~ Permanently located **building**
commonly used for religious worship.

SECTION 2. City of Goodyear Zoning Ordinance Article 3 (Zoning Districts) Article 3-3 (Commercial Districts) is amended by revising the Principal Permitted Uses in paragraph A of Section 3-3-1 (CO Commercial Office District) as follows (with deletions shown by ~~strikeout text~~):

A. *PRINCIPAL PERMITTED USES*. Only listed use of **structures** or land shall be permitted.

1. Offices for professional, administrative, clerical and sales services.
2. Financial **institutions**, including drive-through window, but excluding **non-chartered financial institutions**.
3. Medical offices or clinics.
4. Medical laboratories, excluding animal research.
5. ~~**Churches**~~.

SECTION 3. The title of City of Goodyear Zoning Ordinance Article 4 is amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

Article 4

~~REGULATION OF PARTICULAR USES SPECIAL USES,~~ ~~USES REQUIRING ADDITIONAL EVALUATION,~~ ~~NONCONFORMING USES AND BUILDINGS~~

SECTION 4. City of Goodyear Zoning Ordinance Article 4 (now Regulation of Particular Uses) Article 4-2 (Uses Requiring Additional Evaluation) is amended by adding new Section 4-2-19 (Churches) as follows:

§ 4-2-19 Churches.

- A. **Churches** are a Principal Permitted Use in all districts, subject to the requirements of this Section.
- B. A Traffic Impact Analysis Report shall be provided, and any warranted signals shall be installed at applicant's expense and shall meet the city's spacing standards.
- C. If located within five hundred (500) feet of existing residences, the following shall apply:

1. All building, parking, and security lighting shall be directed down with full cut-off directional light fixtures.
2. All lighting shall be dimmed to fifty percent (50%) between 10 p.m. and 6 a.m.
3. Lights mounted on any wall visible from a residence shall not be placed higher than eight (8) feet above the building foundation.
4. Under-canopy lights shall be screened by the canopy edge, so that the light source is not visible from the property line.
5. Programmed or scheduled outdoor events shall not occur within fifty (50) feet of any existing residence and shall not occur between the hours of 10 p.m. and 6 a.m.
6. Voices, music, and other sounds by one or more individuals, orchestras, radios, phonographs, music boxes, or sound amplification systems shall not exceed fifty (50) dB(A) between 10:00 p.m. and 7:00 a.m. at the property line of the **church**.

SECTION 5. CORRECTIONS. The 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 6. SEVERABILITY. If any section, subdivision, sentence, clause, phrase or portion 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 7. EFFECTIVE DATE. This Ordinance shall become effective thirty days after adoption in the manner prescribed by law.

SECTION 8. 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