

ORDINANCE NO. 2024-1607

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING ARTICLE 2-2 (DEFINITIONS) TO ADD THE DEFINITION OF "ALLEY-LOADED"; AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 3-2 (RESIDENTIAL DISTRICTS) BY REVISING TABLE 3-2-3-A (DEVELOPMENT STANDARDS – SINGLE FAMILY DISTRICTS) AND FOOTNOTES TO ENABLE THE CREATION OF REDUCED R1-A DEVELOPMENT STANDARDS, MODIFYING 3-3-3-D (DESIGN REQUIREMENTS FOR RESIDENTIAL DISTRICTS (R1-6, R1-4, R1-A, R1-C)) AND MODIFYING TABLE 3-2-3-E (LOT SIZE AND MINIMUM NUMBER OF REQUIRED DESIGN ELEMENTS FOR REDUCED LOT WIDTH AND SIDE YARD SETBACK REDUCTION REQUESTS), CREATING FOOTNOTES TO ENABLE THE CREATION OF REDUCED R1-A DEVELOPMENT STANDARDS AND CLARIFYING MINIMUM LOT AREA; AND AMENDING ARTICLE 6-2 (GENERAL PARKING REGULATIONS) BY CLARIFYING DRIVEWAY LENGTHS WITHIN 6-2-2 (RESIDENTIAL VEHICULAR ACCESS); PROVIDING FOR CORRECTIONS, SEVERABILITY AND AN EFFECTIVE DATE, AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS the Mayor and Council of the city of Goodyear, Arizona, have been presented with a proposed Goodyear Zoning Ordinance text amendment, creating new Reduced R1-A (Single-Family Attached) residential standards which will allow additional flexibility when developing new single-family attached (missing middle) townhouse product on properties within R1-A Zoning Districts; and,

WHEREAS the Mayor and Council of the city of Goodyear, Arizona, have been presented with and have considered a Housing Impact Statement, which is on file in the Development Services department file pertaining to Case No. P24-00107; and,

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 April 17, 2024 appeared in the Arizona Republic West Valley Edition March 29, 2024; and,

WHEREAS, a public hearing was held before the Planning and Zoning Commission on April 17, 2024, and at that meeting the Commission voted (6-0) 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 April 29, 2024 appeared in the Arizona Republic West Valley Edition March 29, 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 22 (Definitions) is amended by adding the definition of “Alley-Loaded” as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

Alley-Loaded Residential. Permanent **buildings** within a single-family residential zoning district with garages on the rear side of platted lots that are accessed through a **Private Alley**.

Private Alley. A motor court, tract or drive-aisle that serves as primary and direct access to the garages of Alley-Loaded Residential.

SECTION 2. Section 3-2-3(A) of Section 3-2-3 (Development Standards for the Agricultural District and Singl Family District) of the Goodyear Zoning Ordinance is amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

A. Table 3-2-3-A prescribes development standards for each agricultural district and single family residential district. Additional development and design standards and regulations for agricultural districts and single family residential districts can be found elsewhere in the Zoning Ordinance.

Table 3-2-3-A: Development Standards – Single Family Districts									
Standard	AG	AU	R1-10	R1-7	R1-6	R1-4	R1-A	R1-C	R2
Lot Standards									
Minimum Lot Area (sq ft)	435,600	43,560	10,000	7,000	5,500	4,500	2,800	3,200	7,200
Minimum Lot Width (ft)	300	150	80	70	55	45	35	40	72
Minimum Lot Depth (ft)	N/A	N/A	125	100	100	100	80	80	100
Building Form and Location									
Maximum Height (ft)	30	30	30	30	30	30	30	30	30
Maximum Building Coverage	20%	20%	40%	45%	60%	60%	75% (3)	60%	40%
Minimum Setbacks (ft)									
Front ⁽¹⁾	20	20	10	10	10	10	10 (4)	5 (25)	20
Front facing garage	20	20	20	20	20	20	20	20	20
Side	20	15	10	5	5	5	0 (36)	0	5
Total both sides	40	30	20	15	15 (57)	15 (57)	0 (36)	10	15
Street Side (42)	100	30	20	15	10	10	10 (8)	10	20
Rear	100	50	30	25	20	20	15 (9)	15	20
Development Standards									
Open Space % (of net area)	0	0	10	12	15	15	15	15	12

¹Front setback shall be measured to patios, livable space, and side entry garages

24Where a minimum 10 foot wide landscape tract is provided, the typical side setbacks, rather than Street Side setback applies

3Maximum Building Coverage 80% when utilizing Reduced R1-A Development Standards.

47If homes face toward a collector street, front porches may face out towards the street so long as a minimum distance of 10 feet is provided between the sidewalk and the porch and no vehicular access shall be allowed from/to the collector street to individual lots. Walls within the front setback shall be no greater than 4 feet in height and parallel walls shall be located no closer than 14 feet face to face. Patios shall be a minimum of 6 feet deep and a minimum of 66 square feet.

52Setback from a public or private street that is not providing direct vehicular access to homes shall be 10 feet

63Attached side setbacks shall be 0 feet, whereas building separation shall be a minimum of 5 feet

75Total of both sides setback may be reduced to 10 feet subject to the requirements as provided in Section 3-2-3-D

8If a porch/patio is located on the side of an attached townhome (facing the street), such patios/porches may encroach the street side setback up to 4 feet with a maximum wall height of 40 inches.

9Where a rear facing garage is provided with access via a private alley tract, the rear setback for the entire building shall be reduced to 0 feet, provided fire separation requirements can be met.

SECTION 3. Section 3-2-3(D) (DESIGN REQUIREMENTS FOR RESIDENTIAL DISTRICTS (R1-6, R1-4, R1-A, R1-C)) including Table 3-2-3(E) (Lot Size and Minimum Number of Required Design Elements for Reduced Lot Width and Side Yard Setback Reduction Requests) referred to therein of Section 3-2-3 (Development Standards for the Agricultural District and Singl Family District) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

D. DESIGN REQUIREMENTS FOR RESIDENTIAL DISTRICTS (R1-6, R1-4, R1-A, R1-C).

a. In addition to the requirements listed in Section 3-2-3-C, each subdivision shall be designed with at least the number of Design Elements set forth Table 3-2-3-E.

b. The minimum lot width may be reduced, administratively, up to 5 feet in R1-6 and R1-4 if additional Design Elements are provided as set forth in Table 3-2-3-E.

c. The Total Both Sides setback may be reduced to 10 feet in the R1-6 and R1-4 districts if additional Design Elements are provided as set forth in Table 3-2-3-E. Both the lot width and setback may be reduced by providing the Design Elements set forth in the table.

d. The descriptions of the Design Elements for each category are listed below in paragraphs (i), (ii), and (iii), ~~(iv)~~.

For example, if an owner of property zoned R1-6 wants ~~to~~ develop 50 foot wide lots, the owner would need to comply with the requirements of Section 3-2-3-D and provide at least; 2~~1~~ Amenity Elements listed in paragraph (i) below, 3~~2~~ Connectivity Elements listed in paragraph (ii) below, and 2 Streetscape Element listed in paragraph (iii), ~~and 1 Additional Streetscape Element listed in paragraph (iv) below.~~

Table 3-2-3-E: Lot Size and Minimum Number of Required Design Elements for Reduced <u>Certain</u> Lot Width and Side Yard Setback Reduction Requests						
Zoning Designation	Minimum Lot Width (ft)	<u>Minimum Lot Area (sq)</u>	Total Both Sides Setback	Amenity Elements	Connectivity Elements	Streetscape Elements
R1-6	55	<u>5,500</u>	15	0	0	0
REDUCED R1-6	50	<u>5,000</u>	10	1	2	2
R1-4	45	<u>4,500</u>	15	1	2	3
REDUCED R1-4	40	<u>4,000</u>	10	2	4	4
R1-A	35	<u>2,800</u>	N/A	1	2	1
REDUCED R1-A	<u>20</u>	<u>1,600</u>	<u>N/A</u>	<u>2 (1)</u>	<u>2</u>	<u>2 (2)</u>
R1-C	40	<u>3,200</u>	N/A	1	2	1

1Two (2) Amenity Elements shall be required for all lots.

- For developments with more than 50 Alley-Loaded Residential units planned, which have minimum widths less than 30 feet, at least one of the two Amenity Elements shall be either the amenity described in 3-2-3-D.d.i.3.a or the amenity described in 3-2-3-D.d.i.3.b.

2Three (3) Streetscape Elements shall be required for Lots between 20-30 feet.

- All residential lots developed with a width between 20-30 feet shall be developed as Alley-Loaded Residential and one of the required streetscape elements shall be the Alley-Loaded

Residential Streetscape Element described below. Where a rear facing garage is provided with access via a private alley tract, the rear setback shall be reduced to 0 feet, provided fire separation requirements can be met.

i. *Amenity Elements.* The purpose of providing amenity elements is to create diverse places within a community that are accessible to the surrounding residents. Smaller lots require additional amenities because of the smaller private yards that are provided.

1. *Adjacent to Community Amenity.* The project is adjacent to an open space amenity (e.g., Bullard Wash, Gila River, hillside preserve) or community facility (e.g., community park, recreation center) and reasonable access has been provided to the amenity. A clubhouse, pool, or other significant community amenity within a master planned community can count toward this requirement without being directly adjacent if the neighborhood is served by the amenity.

2. *Additional Park Space.* The development includes privately maintained park space at least 30 percent greater in area than the minimum required useable open space.

3. *Additional Internal Park Amenities.* Meaningful and impactful additional amenities are provided within parks. For example, a horseshoe pit would not meet this threshold but pickle ball courts would; Simple outdoor grills would not meet this threshold but an outdoor fireplace with integrated grills would. Additional amenities are provided within the required park space:

(a) A pool, splash pad, or similar active recreational infrastructure.

(b) A clubhouse, community room, or similar passive recreational gather places.

(c) Restroom facilities.

(d) Active recreation fields above and beyond the minimum requirements including basketball courts, soccer fields, baseball fields, and similar facilities.

(e) Additional amenities that are not minimally required by the Parks, Recreation, Open Space, and Trails Master Plan as determined by the Zoning Administrator and that provide meaningful and impactful recreational opportunities for the community that as a general rule cannot be accommodated in a traditional 10,000 square foot lot.

4. *Integrated Commercial.* A parcel zoned commercial is located within the development or directly adjacent that is integrated into the

neighborhood and has the impact of serving as a gathering place and amenity to the community, subject to the following:

(a) No subdivision perimeter wall separates the neighborhood from the commercial parcel or direct pedestrian connections are provided.

(b) The residential neighborhood is not separated from the commercial amenity by an arterial roadway (i.e., a residential area receiving credit for this amenity must not have to cross an arterial roadway to get to the commercial amenity)

(c) The residential neighborhood is entirely contained within a 1,320 foot radius of a commercial property. (i.e., the residential area receiving credit for this amenity must be within 1,320 feet of the commercial area, residential lots outside of the radius would provide another amenity or not be eligible for lot reductions).

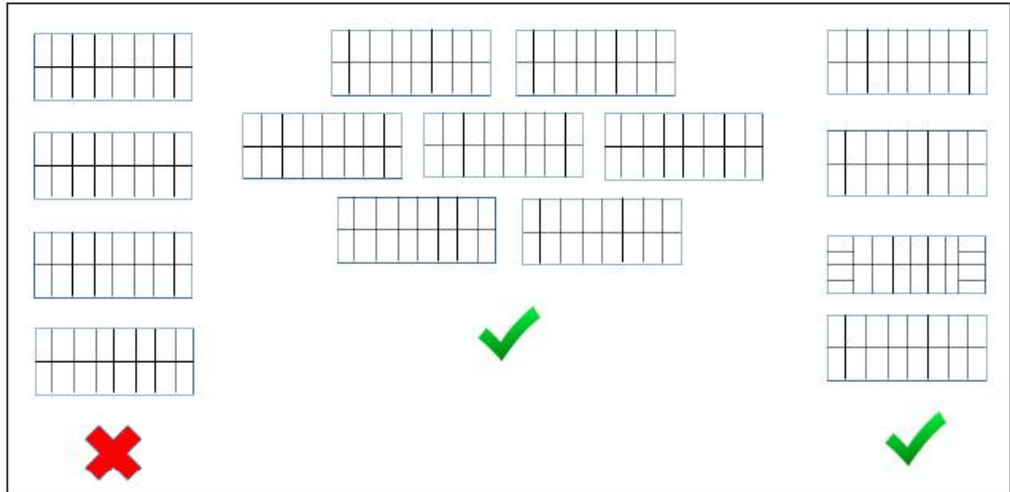
5. *Additional Amenities.* Other amenity elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.

ii. *Connectivity Elements.* The purpose of connectivity elements is to create an inclusive community that promotes a sense of community and provides a walkable and bikeable community with easy and quick access to nearby amenities such as schools, commercial areas, trails, and parks.

1. *Infill Development.* The site is located in areas that will provide easy and quick access to nearby amenities such as schools, trails, and parks and that also have been identified as growth areas as defined by the General Plan.

2. *Trail System Connections.* Publicly accessible trail connections are provided within the community and connect to larger trail systems or have the ability to connect to future trail systems (i.e., trails are not limited to use by only those who live within the H.O.A.).

3. *Smaller **Blocks**.* Smaller **blocks** create a more walkable community. They should be designed in a way to reduce street lengths and foster neighborhood interactions. Maximum **block** lengths shall be no more than 660 feet. The maximum number of continuous blocks with side yards facing the street is limited to three. The **blocks** should be broken up with some homes facing the side street and/or should be staggered.



4. *No subdivision perimeter wall.* The subdivision is designed and homes are oriented so that subdivision perimeter walls are not necessary in order to increase connectivity from the neighborhood to surrounding amenities.

5. *Lot Diversity.* At least 30% of the lots within the subdivision exceed the minimum lot width by 5 feet. (e.g., in a 100 lot subdivision in the R1-4 district 70 homes are 45-foot wide and 30 homes are 50-foot wide).

6. *Additional Connectivity Elements.* Other connectivity elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose of creating an inclusive community that provides easy access to amenities and services and provide the same impact to the community as the listed elements may be approved.

iii. *Streetscape Elements.* The purpose of streetscape elements is to create a sense of place and ensure that smaller lot developments are of high quality.

1. *Additional front setback.* Homes (and all elements of the homes and garages) have a minimum setback of 30-feet.

2. *Detached sidewalk.* A detached sidewalk is utilized with a planter strip that is a minimum of 5.5 feet wide. Planter strips shall be planted, irrigated, and maintained with live plant materials.

3. *Shared or Clustered Driveways.* Driveways are paired so that there is a single curb-cut providing access to 2 houses, and the total width for the paired driveway is not more than 20 feet. Alternatively, driveways may be clustered (but need not share the same curb cut) so that there is at least 36 feet of uninterrupted curb between the clustered driveways.

4. *Alley – Loaded Residential.* Homes utilize with Private Alley alley loaded garages shall comply with the following.

- Private-Alleys serving Alley-Loaded Residential shall not exceed 450' unless either (1) the fronts of the Alley-Loaded Residential being served by the Private Alley are fronting along a public street (or private street built to public street standards) OR (2) lots adjacent to the Private Alley's entrance provide street frontage to a public street (or private street built to public street standards) that intersects the Private Alley. Any portion of the Private Alley adjacent to common area open space tracts shall not count towards the maximum 450' Private Alley length.
 - If the entry drive from a public or private street into a Private Alley at the T-intersection is less than 200 feet measured from the edge corner of the street to the T-intersection, it shall not be considered a separate Private Alley for the purposes of the measurement above.
 - Entries from a public or private street into a Private Alley that continues as a L-shaped or U-shaped Private Alley are not separate Private Alley's but shall be considered part of the L-shaped or U-shaped Private Alley.
- The Private Alley shall include either carriage lights on either side of the garage door or private HOA maintained lights/bollards to provide security lighting to the Private Alley.
- There shall be a total parking ratio of no less than 2.5, including 0.5 guest parking spaces, per platted residential lot subject to the following:
 - Guest parking spaces may be provided by on-street parking or in a guest parking space located on private lot driveways, in HOA owned and maintained alleys or parking lots so long as guest spaces are located no more than 225 feet away from any individually platted lot.
 - The following applies if guest parking is to be provided within HOA owned and maintained alleys or parking lots:
 - A Parking Plan addressing parking management shall be submitted to the city for approval with the Preliminary Plat in which parking is to be provided. All parking shall adhere to the approved Parking Plan. CC&Rs recorded against the Residential Property shall incorporate the approved Parking Plan and shall include provisions to enforce the Parking Plan; and
 - Guest parking spaces shall be labeled or numbered. The failure to comply with an approved Parking Plan shall constitute a zoning violation; and
 - Guest parking spaces shall be reserved for the use of a 3rd vehicle owned by the residents of an individual residential

unit in the development or by the use of guests visiting the development; and

- All vehicles that park in a guest parking space shall have a pass that indicates to a management company which unit the vehicle belongs or which unit the vehicle is a guest of; and
- Guest spaces shall not be used by the 1st or 2nd vehicle owned by residents of a residential unit. If a resident uses a guest space for vehicles owned by the resident, the resident shall obtain a pass as provided above.

5. *Open Space Facing Homes.* Homes do not have a traditional front yard but face onto a shared open space or courtyard.

6. *Paving Material.* Decorative paving (i.e., pavers) are utilized for all horizontal paved surfaces between the house and sidewalk.

7. *Deep recessed garages.* Garages are setback at least 20-feet from the front part of the home which could include living space or a front porch but does not include a courtyard.

8. *Porches and Courtyards.* 100% of homes have a front porch or courtyard with at least 50% of the homes having a covered front porch that is at least 48 square feet. Covered porch can include a slatted roof or other roof design alternative, if it is an integrated, significant architectural feature with columns that are complimentary to the style of the home.

9. *Additional Streetscape Elements.* Other streetscape elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.

e. Creation of a new lot that is less than the required minimum lot area requires approval of a Planned Area Development (PAD)

SECTION 4.

Paragraph 2 of Section 6-2-2(A) (Driveways) (Section 6-2-2(A)(2)) of the Goodyear Zoning Ordinance is amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text). All other terms in Section 6-2-2(A) remain unchanged (i.e. Sections 6-2-2(A)(1) and 6-2-2(A)(3-12).

2. Driveways which provide access from a garage to an alley or to a Private Alley or driveways for Alley-Loaded Residential, shall not be less than five (5) feet in length but any driveway greater than five (5) feet shall be at least twenty (20) feet in length, may be less than twenty (20) feet in length, provided that the total width of the alley and the total length of the driveway combine to provide a minimum length of twenty-three (23) feet for the maneuvering area.

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