



City Council Work Session
City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395
Monday, September 9, 2024
5:00 PM

Mayor
Joe Pizzillo

Vice Mayor
Laura Kaino

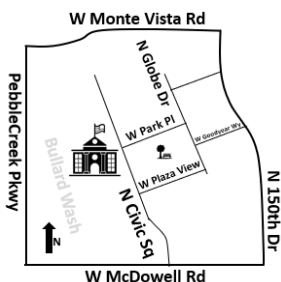
Councilmember
Sheri Lauritano

Councilmember
Wally Campbell

Councilmember
Bill Stipp

Councilmember
Brannon Hampton

Councilmember
Vicki Gillis



PROCEDURES

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Goodyear City Council and to the general public that the Council of the city of Goodyear will hold a meeting open to the public. Public body members of the city of Goodyear will attend either in person or by telephone conference call and/or video communication. The Goodyear City Council may vote to go into Executive Session, pursuant to A.R.S. § 38-431.03(A)(3), which will not be open to the public, to discuss certain matters. Meetings are conducted in accordance with the City Council Meetings Council Rules of Procedure adopted by Resolution No. 2018-1879.

THE CITY OF GOODYEAR ENDEAVORS TO MAKE ALL PUBLIC MEETINGS ACCESSIBLE TO PERSONS WITH DISABILITIES. With 48-hour advance notice, special assistance can be provided for sight and/or hearing-impaired persons at this meeting. Reasonable accommodations will be made upon request for persons with disabilities or non-English speaking residents. Please call the City Clerk (623) 882-7830 or Arizona Relay (TDD) 7-1-1 to request an accommodation to participate in this public meeting.

Si necesita asistencia o traducción en español, favor de llamar al menos 48 horas antes de la reunión al (623) 882-7830.



City Clerk's Office: 1900 N. Civic Square, Goodyear, AZ 85395 (623) 882-7830
www.goodyearaz.gov/cityclerk
City Council Meeting Live Broadcast: <https://www.facebook.com/goodyearazgov/videos>

CALL TO ORDER

ROLL CALL

AGENDA ITEMS FOR DISCUSSION

ALL ITEMS LISTED ARE FOR DISCUSSION ONLY. NO ACTION CAN NOR WILL BE TAKEN.

1. REVIEW OF USE PERMITS AND STANDARDS FOR GAS STATIONS

Summary

Policy direction on whether to eliminate the requirement for Use Permits for certain uses and adopt standard requirements for those uses and others. (Katie Wilken, Development Services Director and Christian Williams, Planning Manager)

ADJOURNMENT

POSTING VERIFICATION

This agenda was posted on 09/04/2024 at 4:55 p.m. by VM.

ITEM #: 1.
DATE: 09/09/2024
AI #:1974



CITY COUNCIL ACTION REPORT

SUBJECT: REVIEW OF USE PERMITS AND STANDARDS FOR GAS STATIONS

STAFF PRESENTER(S): Katie Wilken, AICP, Development Services Director
and Christian M. Williams, AICP, Planning Manager

Summary

Policy direction on whether to eliminate the requirement for Use Permits for certain uses and adopt standard requirements for those uses and others. (Katie Wilken, Development Services Director and Christian Williams, Planning Manager)

FISCAL IMPACT

This is a discussion item. There is no fiscal impact as a result of this Work Session discussion.

BACKGROUND AND PREVIOUS ACTIONS

The City of Goodyear Zoning Ordinance regulates the development of all land within the city. Regulations set forth in the Zoning Ordinance may be amended when deemed necessary to best serve the public interest, health, comfort, convenience, safety, and general welfare of the citizens of the city. The current Zoning Ordinance was originally adopted by the City Council in May 1999 and has been the subject of a number of amendments since that time.

A Use Permit is a legal authorization granted by the Council for a type of land use permit that allows an individual or entity to use a specific piece of land for a particular purpose. Use Permits in a particular zoning district may be granted only upon showing that such use will comply with all the conditions and standards for the location and/or the operations of such use as specified in the Zoning Ordinance and will not be materially detrimental to surrounding properties.

Pursuant to Section 4-2-2 of the Zoning Ordinance (Convenience Use), 4-3-3 of the Zoning Ordinance (Service Stations, Automotive), gas stations and convenience stores are considered in C-1 (Neighborhood Commercial) and C-2 (General Commercial) zoning districts with a Use Permit.

A Use Permit requires review by the Planning and Zoning Commission and approval by the City Council following required public hearings. The process for the review of a Use Permit is set forth in section 1-3-2 of the Goodyear Zoning Ordinance and in the City of Goodyear Administrative Process Manual.

STAFF ANALYSIS

Current Policy:

The City of Goodyear (City) continually seeks opportunities to modify or improve its processes and procedures to ensure we are providing the best and most efficient services to the public and our customers. A key goal within the City's new Fiscal Year 2025-2027 Strategic Plan is an action item related to the Development Continuum, which calls for the Development Services Department to evaluate processes to streamline the development timeline.

Evaluating current City processes related to Use Permits and Special Use Permits is an important initial opportunity to make progress towards that goal. Staff is seeking policy direction on proposed changes to the City Zoning Ordinance that would have impacts on the following uses:

- Automobile Service Station (Gas Stations) and Truck Stops
- Convenience Stores

Update on Automobile Service Station (Gas Stations), Convenience Stores and Truck Stops:

- The changes would allow, without the need for Use Permits, for gas stations located within the commercial zoning districts provided truck fueling is not provided, but only no more than two gas stations would be allowed within a quarter mile of the nearest right-of-way line of existing or planned intersection of two arterial unless one of them is an accessory use and no more than one gas station will be allowed on the same corner unless one of them is an accessory use;
- The changes would allow gas stations that provide semi-truck fueling to be located in the industrial zoning districts without a use permit and would allow gas stations that provide semi-truck fueling in a C-2 zoning district, subject to a use permit, if located within (300) feet of an industrial zoning district, a major highway, the Freeway Overlay District and/or major truck route;
- The changes would allow truck stops to be located in the general industrial zoning district (I-2) outside of both the Luke Air Force Base and Phoenix-Goodyear Airport noise contour area subject to a Special Use Permit;
- The changes would include changes to definitions in the Zoning Code that make it clear with use permits and special use permits will be required, including:
 - Adding a definition of Truck Stop/Travel Center to provide clear regulatory direction, thereby eliminating on-going disputes over what is or is not a Truck Stop.
 - Amending the definition of Automotive Repair to clarify that this does not include facilities performing body and/or fender work.
 - Amending the definition of Automobile Service Station (Gas Stations) to allow for electric vehicle charging and to exclude truck stops/travel centers from the definition.
 - Adding a definition of a convenience store to include any retail store less than 7,500 square foot that does not include a drive through that sells general merchandise.
 - Amending the definition of convenience uses to clarify that this use is defined by the fact it has drive-through facilities.

Planning and Zoning Commission Recommendation of Approval for Ordinance Pertaining to Automobile Service Station (Gas Stations), Convenience Stores and Truck Stops:

On August 14, 2024, a public hearing was held before the Planning and Zoning Commission on August 14, 2024, and at that meeting the Commission voted (7-0) to recommend approval of proposed Ordinance No. 2024-1613. If approved this ordinance would amend the Goodyear Zoning Ordinance by adding new definitions and modifying definitions and standards related to

automotive repair facilities, gas stations and convenience uses. The proposed text amendment includes the revisions to the following provisions in the Goodyear Zoning Ordinance for the purposes described:

- Article 2-2 (Definitions): Amends the definitions of “Automotive Repair” and “Service Station, Automotive” to delineate between automotive repair uses and gas stations; adds a definition for “Convenience Store”; amends the definition of “Convenience Uses”, which require use permits to remove gas stations and modifying the stores that require a use permit to only stores with drive-through facilities; adds the definition of “Truck Stop/Travel Center” to differentiate between gas stations and truck stops.
- Sections 3-3-2(A) and 3-3-2(C) are amended to allow gas stations without commercial fueling stations for semi-trucks and subject to regulations and convenience stores without drive-through facilities subject to regulations as principal permitted uses in the C-1 (Neighborhood Commercial District), and removing gas stations as a use permit use in the C-1 (Neighborhood Commercial District).
- Sections 3-3-3(A) and 3-3-3(C) are amended to allow gas stations without commercial fueling stations for semi-trucks and subject to regulations as well as convenience stores without drive-through facilities subject to regulations as principal permitted uses in the C-2 (General Commercial District) and removing gas stations as use permit uses in the C-2 (General Commercial District).
- Sections 3-4-1(A) and 3-4-2(A) are amended to allow gas stations subject to regulations as principal permitted uses in the I-1 (Light Industrial Park) and in the I-2 (General Industrial Park).
- Section 4-1-3 (Special Uses Considered in Specified Districts) is amended to make minor modifications as well as to allow Truck Stops/Travel Centers as a special use within I-2 (General Industrial Park) when outside both the Luke Air Force Base and Phoenix-Goodyear Airport noise contour area.
- Section 4-2-2 (Convenience Uses) is amended to make minor modifications to the requirements for the evaluation of convenience uses.
- Section 4-2-3 (Automobile Service Station (Gas Stations) Regulations) is amended to adopt regulations for gas stations, which previously required a use permit but are now being permitted as principal uses in various zoning districts.

Staff Findings:

The Planning and Zoning Commission and City Council have had substantial experience in regulating the location of gas stations by use permits and special use permits. This experience provides an opportunity to streamline the process for approving gas stations.

The proposed changes incorporate regulations that have been regularly imposed when granting gas station use and special use permits and provides clear direction as to where those uses are most appropriate and the requirements that are applicable to such uses. While limiting the number of gas stations within the commercial zoning districts to avoid an over saturation of gas stations. The proposed changes, with its adoption of

standards for gas stations without semi-truck fueling, its retention of a use permit requirement for a gas station within the C-2 Commercial Zoning District when located in certain areas, and its limitation of truck stops/travel centers to the General Industrial (I-2) Zoning District subject to a special use permits will preserve the quality of life for our residents.

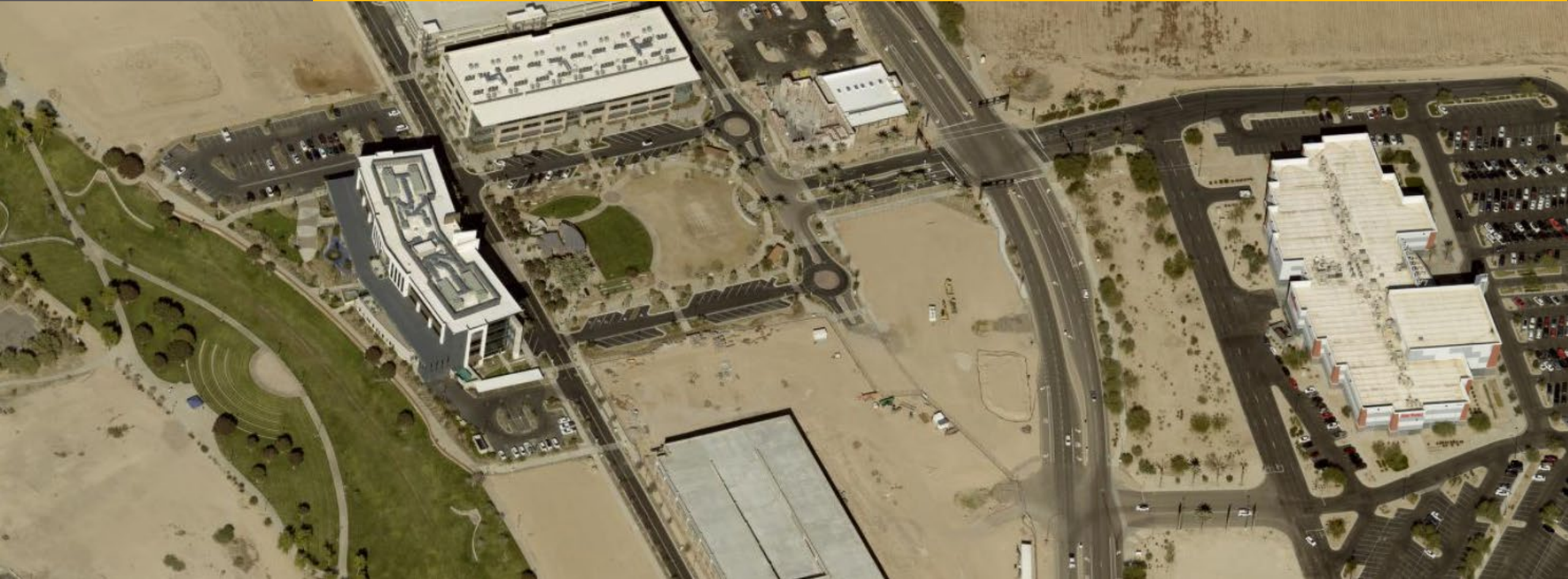
Attachments

Staff Presentation



Zoning Ordinance Text Amendment

Gas Stations



Uses Under Consideration

- Gas Stations
 - Convenience Stores
 - Truck Stops



Strategic Plan Alignment FY25-27



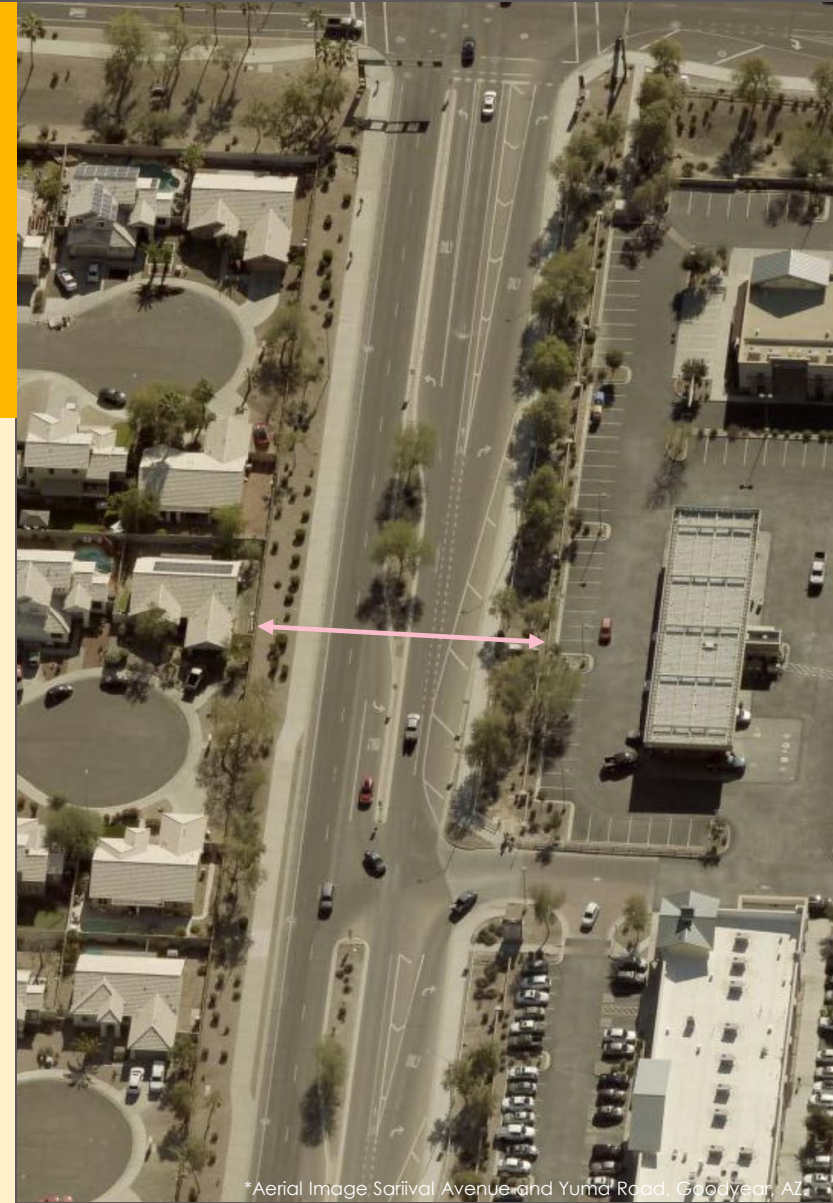
Foster business investment through streamlined processes, innovation and ongoing partnerships.



Foster citywide initiatives, policies and city codes that support a clean, well-maintained and sustainable community.

Policy Questions: Areas to Consider

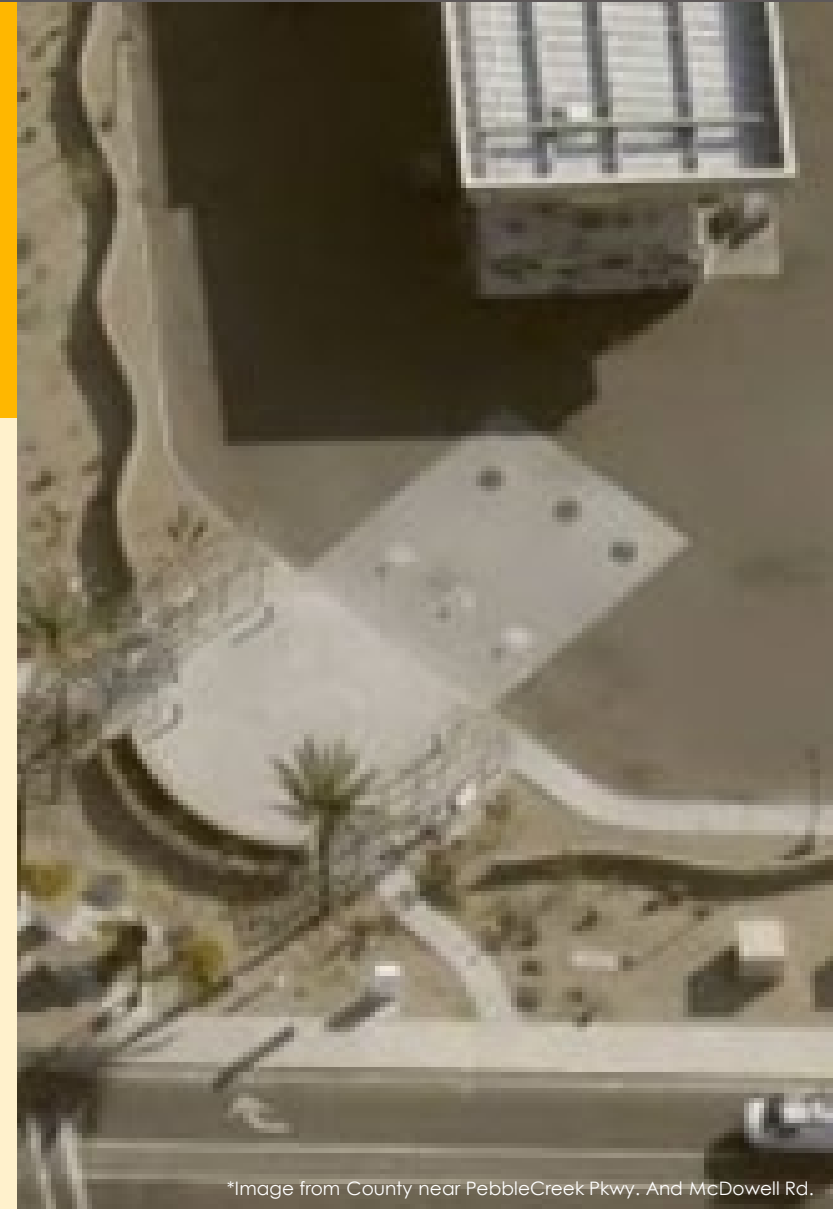
- Separations
- Limitations
- Proximity to residential
- Mitigating measures



*Aerial Image Sarivall Avenue and Yuma Road, Goodyear, AZ

Gas Stations- Without Semi-Truck Fueling: Summary of Work Session Direction

- In C-1, C-2, I-1 and I-2
- Convenience Stores permitted
- Design enhancements within 300 feet of intersection



*Image from County near PebbleCreek Pkwy. And McDowell Rd.

Gas Stations- Without Semi-Truck Fueling: Summary of Work Session Direction (Continued)

- 250 feet from residential
- Accessory to large retail
- No more than two per intersection
 - One per quadrant of intersection



*Image from County near PebbleCreek Pkwy. And McDowell Rd.

Gas Stations- Semi-Truck Fueling and Truck Stops: Summary of Work Session Direction

- Semi-Truck Fueling
 - C-2 request Use Permit based on location
 - I-1 Permitted
 - I-2 Permitted
- Truck Stop
 - I-2 with Special Use Permit



*Image from Google in Buckeye, AZ.



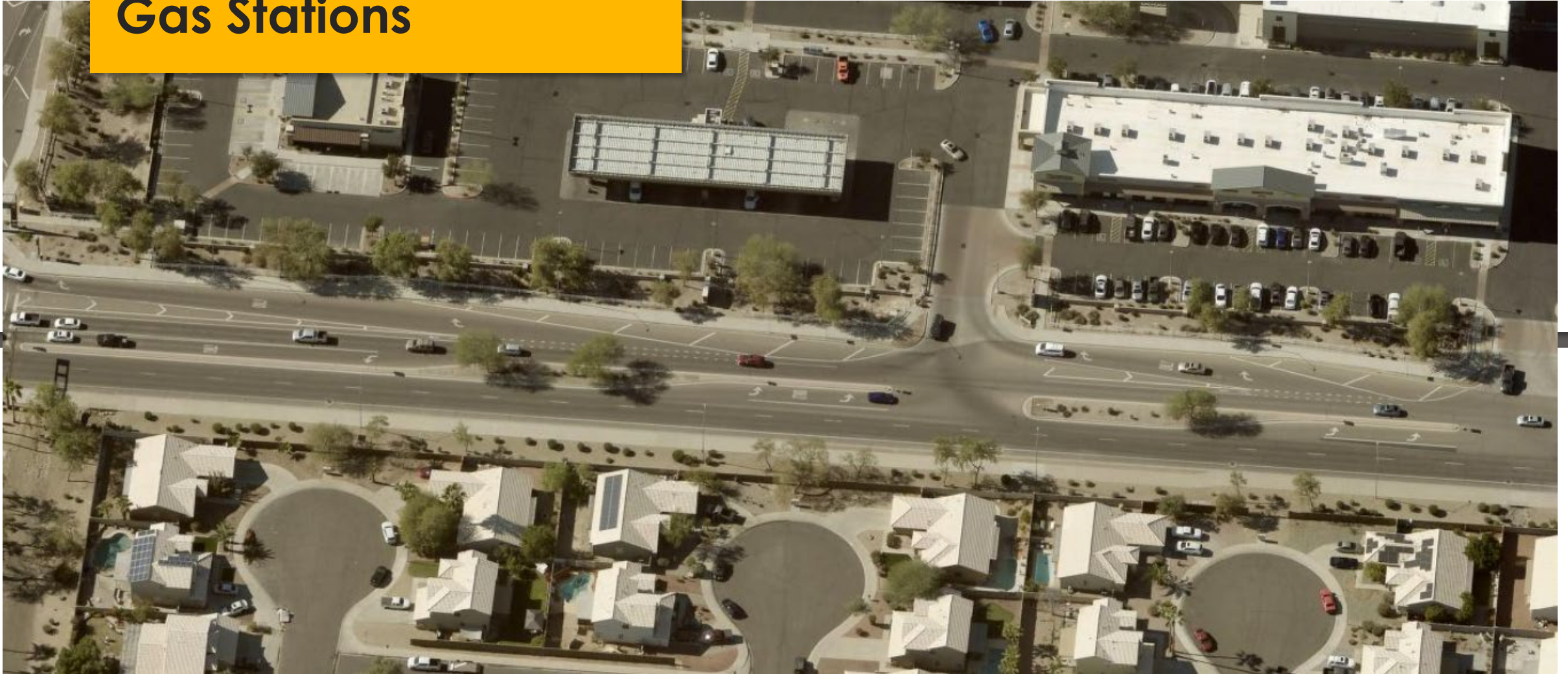
*Image from Google in Buckeye, AZ.

Gas Stations: Table Summary of Ordinance Recommendation by PZ

Use	C-1 (Neighborhood)	C-2 (General)	I-1 (Light)	I-2 (General)
Gas Station No Semi- Fueling	Permitted (2 per corner)	Permitted (2 per corner)	Permitted	Permitted
Gas Station w/ Semi- Fueling	Not Permitted	Use Permit *300 foot proximity	Permitted	Permitted
Truck Stop (Defined)	Not Permitted	Not Permitted	Not Permitted	Special Use Permit *Outside 65 DNL



Discussion: Gas Stations



Next Steps Based on Council Direction

- Draft Zoning Ordinance Text Amendment
- Public Hearing before City Council on September 23

