

ORDINANCE NO. 2024-1606

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 2-2 (DEFINITIONS), AMENDING SECTIONS 3-3-2, 3-3-3, 3-4-1, 3-4-2 OF ARTICLE 3 (ZONING DISTRICTS), AMENDING SECTIONS 4-2-2 AND 4-2-3 OF ARTICLE 4-2 (USES REQUIRING ADDITIONAL EVALUATION) AND ADDING SECTION 4-2-19 TO ARTICLE 4-2 (USES REQUIRING ADDITIONAL EVALUATION) RELATED TO CONVENIENCE USES, SELF-SERVICE STORAGE FACILITIES, AUTOMOTIVE REPAIR, AUTOMOBILE SERVICE STATION (GAS STATIONS), USE PERMITS, AND SPECIAL USE PERMITS; PROVIDING FOR CORRECTIONS, SEVERABILITY, AND AN EFFECTIVE DATE; 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 April 17, 2024 appeared in the Arizona Republic Southwest 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 (XX-XX) 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 Southwest 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. Article 2-2 (Definitions) of the Goodyear Zoning Ordinance is hereby amended as follows to amend and add the definitions set forth below (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

Automotive Repair. All aspects of repair of motor vehicles including, but not limited to, ~~lubrication,~~ oil change (lubrication) Shop, tune up, upholstering and preventive maintenance but does not include body and fender work unless specified.

Convenience Uses. Include the following **commercial uses:**

~~**Convenience uses** include those **commercial uses** in which:~~

~~a. Retail gasoline is sold.~~

~~a. b. All Stores less than seven thousand five hundred (7,500) square feet and all stores, regardless of size, that have a drive-through window, drive-through aisles or any other sort of drive-through facility that sell: groceries, reading materials, personal, household goods, general merchandise, or food and/or drink primarily for consumption off premises.~~

~~c. Car washes (self service and/or automated), dDrive through laundry/dry cleaners, and drive through video stores.~~

~~d. Any other establishment tThe Development Services Director makes a determination that an establishment determines is a "convenience use" by virtue of being an analogous use to the businesses described above.~~

Self-service storage facility. A building or group of buildings with spaces of varying sizes rented for storage of personal property and/or recreational vehicles.

Automobile Service Station (Gas Stations).

Automotive. Retail business engaged primarily in the sale of motor fuels or electric vehicle charging, but also in supplying goods and services generally required in the operation and maintenance of automotive vehicles (sale of petroleum products; sale and servicing of tires, batteries, automotive maintenance and repair; and supplying of incidental customer services and products). If Automobile Repair is provided with the Automobile Service Station (Gas Station), it shall be required to locate in locations where both uses are permitted. Major automotive repairs, painting and body and fender work, rental and sales of motor bikes, automobiles, boats, trailers, trucks, and any other type of sales or services not specifically approved as part of the original **Use Permits** must be approved prior to an area being used for these purposes.

Zoning Permit. Permit granted to a property owner through the ~~Community Development Services~~ Department upon a finding that the allowed activity is in conformance with the intent of this Code. To the extent authorized by this Chapter, a **Zoning Permit** Such permit may be limited by specific conditions, restrictions, terms, or time period.

SECTION 2.

Section 3-3-2(A) (Principal Permitted Uses) of Section 3-3-2 (C-1 Neighborhood Commercial District) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

1. Auto sales, leasing.

2. Automobile **service stations** (gas stations) subject to the requirements of Section 4-2-3 (**Automobile Service Stations (Gas Stations) Regulations**).

3.2. Banks and financial **institutions**, including drive-thru facilities, but excluding **non-chartered financial institutions**.

4.3. Business and professional offices.

5. Convenience Store (without Drive-through facilities).

6.4. Crematory.

7.5. Equipment rental.

8.6. **Day care** (elderly or youth).

9.7. **Manufactured home** sales.

10.8. Personal and household services, such as barber and hair styling shops, beauty salons, clothing alterations, dry cleaning shops, furniture and appliance repair, copying shops, self service

laundry, shoe repair shops, but excluding drive through window facilities.

~~11.9.~~ Retail stores with sales only, not to exceed ten thousand (10,000) square feet of **gross floor area**, individually; and not to exceed fifty thousand (50,000) square feet in a commercial complex. Drive through facilities and **convenience uses** require **Use Permit** approval.

12. Self-service storage facilities, subject to the requirements of Section 4-2-19 (**Self-Service Storage Facilities Regulations**).

~~13.10.~~ Studios for the practice and sale of the fine arts.

~~14.11.~~ **Restaurants**, including Drive-Through Restaurants with drive-through lanes located more than five hundred (500) feet from any residential zoning district, but excluding Drive-In Restaurants, Drive-Through Restaurants with drive-through lanes located within five hundred (500) feet from any residential zoning district. The area in the restaurant devoted primarily to the consumption of alcoholic beverages shall not exceed twenty-five (25) percent of the total public floor area. Drive-Through Restaurants permitted herein shall meet the requirements of Section 4-2-18 (Drive-Through Restaurants).

SECTION 3. Section 3-3-2(C) (Use Permit Uses) of Section 3-3-2 (C-1 Neighborhood Commercial District) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

~~1. Automobile **service stations** subject to Article 4.~~

1.2. **Convenience store use** subject to Article 4.

~~2.1.~~ **Hospitals** and health care facilities which may include assisted living facilities.

~~3.2.~~ **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.

~~4.5.~~ **Public utility facilities** to serve the immediate area, but not including outside storage or maintenance yards for public utility use.

~~5.6.~~ *Drive-In Restaurants*. The required information and evaluation criteria shall be the same as for convenience uses under Section 4-2-2.

~~6.7.~~ Drive-Through Restaurants when any portion of a drive-through lane is located within five hundred (500) feet of any residential zoning district. The required information and evaluation criteria shall be the same as for convenience uses under Section 4-2-2. Drive-Through Restaurants shall meet the requirements of Section 4-2-18 (Drive-Through Restaurants).

SECTION 4. Section 3-3-3(A) (Principal Permitted Uses) of Section 3-3-3 (C-2 General Commercial District) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

1. Adult bookstore, adult novelty store and adult theater, subject to the conditions of subsection 4-2-1.
2. Automotive Repair ~~and upholstery~~.

3. Automobile **service stations** (gas stations) subject to the requirements of Section 4-2-3 (**Automobile Service Stations (Gas Stations) Regulations**).

4.3. Banks and financial **institutions**, excluding **non-chartered financial institutions**.

5.8. **Bar/cocktail** lounge subject to the following conditions or limitations:

a. Live music or entertainment shall only be allowed as an accessory use if the facility is located a minimum of three hundred feet (300') 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 5,000 square feet. All noise generated by live music or entertainment activities shall be fully contained within the indoor space occupied by the bar/cocktail lounge.

b. The area devoted to patron dancing shall not exceed twenty-five percent (25%) of the total floor area.

6.4. Bus terminals.

7.5. Business and professional offices.

8.6. Carpet and rug **cleaning services**.

F9.7. Cleaning and dying plants.

10. Convenience Stores (without Drive-through facilities).

11.9. Costume rentals.

12.10. **Day care** (elderly and youth).

13.11. Drive through windows and outdoor teller facilities for banks and financial institutions.

~~14,12.~~ Employment agency.

~~15,13.~~ 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.

~~16,14.~~ Express office, including railway.

~~17,15.~~ Fine arts studios.

~~18,16.~~ Frozen food lockers.

~~19,17.~~ Funeral home.

~~20,18.~~ Fur cleaning and storage.

~~21,19.~~ Health **club**.

~~22,20.~~ **Hospital** supplies.

~~23,21.~~ **Hotels** and **motels**.

~~24,22.~~ Key and lock service.

~~25,23.~~ **Large Retail User**, subject to the provisions of Article 4-2-7.

~~26,24.~~ **Parking lots**.

~~27,25.~~ Pawn shop.

~~28,26.~~ 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).

~~29,27.~~ Plumbing shop.

~~30,28.~~ Private business, professional, and trade schools.

~~31.29.~~ **Public utility facilities** and offices including facilities to serve the immediate area, but not including outside storage or maintenance **yards** for public utility use.

~~32.30.~~ **Restaurants**, including Drive-Through Restaurants with drive-through lanes located more than five hundred (500) feet from any residential zoning district, but excluding Drive-In Restaurants and all other Drive-Through Restaurants except as set forth herein, subject to the following conditions or limitations:

- a. Live music and/or other forms of entertainment activities shall only be allowed as an accessory use if all of the following requirements are met. The restaurant is located a minimum of three hundred (300) feet from the property line of any residentially zoned or designated property. The area within the restaurant designed and/or used for live music and/or entertainment activities does not exceed five thousand (5,000) square feet. All noise generated by live music and/or entertainment activities is fully contained within the indoor space of the restaurant.
- b. Patron dancing within the indoor space of a Restaurant shall be allowed as an accessory use provided the area within a Restaurant devoted to patron dancing does not exceed twenty-five (25) percent of the total indoor floor area of the Restaurant.
- c. Drive-Through Restaurants shall meet the requirements of Section 4-2-18 (Drive-Through Restaurants).

~~33.31.~~ Retail stores with sales only, excluding drive through facilities and **convenience uses** as defined in Article 4.

~~34.32.~~ Second hand stores.

~~35.33.~~ Seed and feed, **retail** and sales office.

36. **Self-service storage facilities**, subject to the requirements of Section 4-2-19 (**Self-Service Storage Facilities Regulations**).

~~37.34.~~ **Sign** painting shop.

~~38.35.~~ Taxidermist.

~~39,36.~~ Travel bureaus.

~~40,37.~~ Typewriter and business machine sales and repair.

~~41,38.~~ Window glass installation shops.

~~42,39.~~ **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.

~~43,40.~~ **Non-Chartered Financial Institution**, subject to the provisions of Article 4-2-8.

~~44,41.~~ **Massage Establishment, Tattoo Studio and Body Piercing Studio**, subject to the provisions of Article 4-2-10.

~~45,42.~~ **Brewpub**, subject to the provisions of Article 4-2-15.

~~46,43.~~ **Microbrewery**, producing fifteen thousand (15,000) barrels of beer or less per year.

SECTION 5. Section 3-3-3(C) of Section 3-3-3 (C-2 General Commercial District) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

~~1.~~ ~~Automobile **service stations**, subject to the provisions of Article 4.~~

~~1,2.~~ Car wash (hand or automatic), subject to the provisions of Article 4.

~~2,3.~~ **Convenience use** subject to the provisions of Article 4.

~~3,4.~~ **Hospitals** and related uses.

~~4,5.~~ Limited outdoor display of nursery stock, lawn furniture, garden supplies and outdoor accessory items, in conjunction with a

primary **retail** use, when not in conflict with pedestrian and/or traffic movement or established parking areas.

~~6. Storage **buildings** consisting of individually rented storage rooms which are independently **accessed** and locked and are used for dead storage purposes.~~

~~5.7. Mobile home sales.~~

~~6.8. **Veterinary Hospitals**, provided such facilities are constructed to prevent objectionable noises and odors outside the **walls** of the office.~~

a. Keeping or boarding of animals shall not occupy more than twenty-five percent of the gross area of the office.

1. There shall be no outdoor **kennels** or runs.

2. There shall be no direct outside exit from any room containing **kennels**.

~~7.9. Drive-In Restaurants.~~ The required information and evaluation criteria shall be the same as for convenience uses under Section 4-2-2.

~~8.10. Drive-Through Restaurants~~ when any portion of a drive-through lane is located within five hundred (500) feet of any residential zoning district. The required information and evaluation criteria shall be the same as for convenience uses under Section 4-2-2. Drive-Through Restaurants shall meet the requirements of Section 4-2-18 (Drive-Through Restaurants).

SECTION 6. Section 3-4-1(A) (Principal Permitted Uses) of Section 3-4-1 (I-1 Light Industrial Park) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

1. Automobile Service Station (Gas Stations) subject to the requirements of Section 4-2-3 (**Automobile Service Stations (Gas Stations) Regulations**).

2.1. Manufacturing, assembling, and processing.

3.2. Marijuana Dual Facility subject to the provisions of Section 4-2-17.

4.3. Medical Marijuana Dispensary subject to the provisions of Section 4-2-11.

5.4. Medical Marijuana Cultivation Location subject to the provisions of Section 4-2-12.

6.5. Microbrewery, producing fifteen thousand (15,000) barrels of beer or less per year.

7.6. Office buildings.

8.7. Parking lot or garage.

9.8. Private business, professional, and trade schools.

10.9. Public utility facilities.

11.10. Scientific or research laboratories.

11. Similar uses as determined by the **Zoning Administrator**, or his designee.

12. Self-service storage facilities, subject to the requirements of Section 4-2-19 (**Self-Service Storage Facilities Regulations**).

13.12. Veterinary Offices.

14.13. Veterinary Hospitals and animal boarding facilities, provided:

- a. Activities at such facilities are conducted entirely indoors, except for supervised and controlled outdoor exercise areas;
- b. The facilities are constructed to prevent objectionable noises and odors outside the walls of the office;
- c. There shall be no outdoor kennels or runs; and
- d. There shall be no direct outside exit from any room containing kennels.

15.14. Warehouse, wholesale, or distribution facility.

16. Similar uses as determined by the **Zoning Administrator**, or his or her designee.

SECTION 7.

Section 3-4-2(A) (Principal Permitted Uses) of Section 3-4-2 (I-2 General Industrial Park) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

1. Adult bookstore, adult novelty store and adult theater, subject to the conditions of Section 4-2-1.

2. Automobile Service Stations (Gas Stations) subject to the requirements of Section 4-2-3 (**Automobile Service Stations (Gas Stations) Regulations**).

3.2. Food Bank.

4.3. Animal boarding, breeding, shelter, or pound.

5.4. Automotive repair including body and fender works.

6.5. **Brewery**, producing forty thousand (40,000) barrels of beer or less per year.

7.6. Cement and paving material mixing plant.

- ~~8.7.~~ Egg handling facility.
9. Parking lot or garage.
10. Private business, professional, and trade schools.
11. **Public utility facilities**, wastewater treatment plants, and water reclamation facilities.
12. Emissions testing and vehicle licensing.
13. Foundry or casting of metal which does not cause noxious odors or fumes.
14. Highway maintenance facilities.
15. Machine shop.
16. **Manufacturing**, assembling, and processing.
17. Marijuana Dual Facility subject to the provisions of Section 4-2-17.
18. Meat products, packing, smoking and curing, providing no objectionable fumes are emitted.
19. **Medical Marijuana Cultivation Location** subject to the provisions of Section 4-2-12.
20. **Medical Marijuana Dispensary** subject to the provisions of Section 4-2-11.
21. Monument Works.
22. **Office buildings.**
- ~~23.~~ Private Commercial Outdoor Entertainment Venue.
24. Public works facilities.
25. Radio and television transmitting tower and facilities.

26. Sand blasting.

27. Scientific or research laboratories.

28. **Self-service storage facilities**, subject to the requirements of Section 4-2-19 (**Self-Service Storage Facilities Regulations**).

29,28. Sewage disposal and treatment plant.

30,29. Tire retreading and vulcanizing.

31,30. The following uses, provided they are conducted within a **building** or an area enclosed and screened from view by a solid masonry **wall** on all sides:

a. Contractors equipment storage **yard** or plant, or rental of equipment commonly used by contractors.

b. Lumber **yard**, planing mills.

c. Motion picture studio.

d. Transfer company, trucking terminal.

31. Similar uses as determined by the **Zoning Administrator**, or his designee.

32. **Veterinary Offices.**

33. **Veterinary Hospitals.**

34. Warehouse, wholesale or distribution facility.

35. Similar uses as determined by the **Zoning Administrator**, or his or her designee.

SECTION 8.

Section 4-2-2 (Convenience Uses) of Article 4-2 (Uses Requiring Additional Evaluation) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

§ 4-2-2 Convenience Uses.

Convenience uses, as herein defined, shall be evaluated regarding their potential impact on traffic congestion, the neighborhood in general and their appropriateness for the site.

A. *REQUIRED INFORMATION.* Except where "**convenience uses**" are structurally attached as part of a larger center (at least fifty thousand [50,000] square feet) located on an arterial corner, a Use Permit and separate **Site Plan** approval are required for "**convenience uses**" except where the **convenience use** is (i) structurally attached as part of a larger center (at least fifty thousand (50,000) square feet) located on an arterial corner, or (ii) allowed as a Principal Permitted Use or a Permitted Accessory Use in the applicable zoning district.

1. A use conforming to the definition of "**convenience use**", herein, may be permitted upon obtaining **Use Permit** approval. requiring a **Use Permit** shall be evaluated regarding its potential impact on traffic congestion, the neighborhood in general and its appropriateness for the site. Where free-standing **convenience uses** are part of a larger center (at least fifty thousand [50,000] square feet), such use should not be located on an arterial corner **building** pad site unless, in the judgment of the City Council the findings support the proposal and stipulations designed to mitigate potential problems are attached to the property.

2. When an application is made for a **Use Permit** for a **convenience use**, accompanying the application must be a **Site Plan**, drawn at an appropriate scale by a registered civil engineer which includes the following:

- a. Size and location of the parcel.
- b. Location, size, area, and orientation of all **structures** including any gas pumps and canopies.
- c. Property lines.

- d. Existing and future right of way lines.
- e. Existing and proposed curb cuts.
- f. Location of any drive through windows and queuing lanes.
- g. On site vehicular and pedestrian circulation plan.
- h. All parking **spaces**.
- i. Within three hundred (300) feet of the site show the following:
 - 1. **Access** from **streets** to business and vice ~~vis~~ versa.
 - 2. Existing land use.
 - 3. Driveways.
 - 4. Existing **Street** system with roadways, curbs, gutters, medians, turn lanes and sidewalks.
 - 5. Circulation pattern.
 - 6. Description and location of traffic lights and signs.

B. *CONVENIENCE USE EVALUATION CRITERIA*. Prior to a **convenience use** that requires a **Use Permit** being considered by the Planning and Zoning Commission, the **Site Plan Review** Committee will review and evaluate the proposed **convenience use Site Plan** and report to the ~~Community~~ Development Services Department. The ~~Community~~ Development Services Department's report to the Commission will include, but not be limited to, findings on the following:

- 1. Adequacy of the parcel size and configuration to provide for proper **access** and internal circulation.
- 2. Compatibility of proposed hours of operation with **adjacent** residential areas (hours of operation to be indicated in narrative).

3. Required traffic and **access** mitigation measures, if any, which may include:

- a. Additional right of way.
- b. Off site traffic mitigation measures.
- c. Restriction of some traffic movements through signs or other measures.
- d. Segregation of queuing lanes, vehicle **access** and pedestrian circulation areas.
- e. Cross **access** easements.
- f. Driveway locations.

4. Other concerns which may place the advisability of the proposed **convenience use** in question.

SECTION 9.

Section 4-2-3 (Service Stations, Automotive) of Article 4-2 (Uses Requiring Additional Evaluation) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

§ 4-2-3 Automobile Service Stations (Gas Stations) Regulations, Automotive.

Automobile Service stations (Gas Stations) ~~uses~~ require specified, additional conditions and design criteria.

A. *REQUIRED CONDITIONS.* ~~Use Permit and Site Plan approval is~~ **are** required.

~~1. The repair of motor vehicles shall not include painting, upholstery, body and fender repair work or major engine overhauling.~~

~~21. The outside display of tires, oil or other sale items is prohibited. shall be located~~ **adjacent to main building.**

2. If located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two arterials (including parkways) or within three hundred (300) feet of an existing or planned signalized intersection, the site shall include (i) a two thousand five hundred (2,500) square foot or larger plaza with shade structure and seating (up to 50% of the plaza landscaping may be designed within the street side landscape setback). or (ii) the fuel canopy shall be located to the rear of the building, not facing the intersection.

3. Shall not be located within two hundred fifty (250) feet of residential districts (excluding open space tracts or greenbelts in a developed or platted residential neighborhood), unless separated by a public roadway, canal, or railroad track.

4. Semi-Truck fueling is:

a. Prohibited in the C-1 Neighborhood Commercial **District** and the C-2 General Commercial **District**.

b. Permitted in I-1 Light Industrial Park and in I-2 General Industrial Park.

c. In no event shall the Automobile Service Station (Gas Station with semi-truck fueling) contain a Truck Stop/Travel Center, which is defined as a building or buildings providing facilities used for commercial truck drivers during stopovers at the facility and may include overnight parking, maintenance of semi-trucks or commercial vehicles, showering facilities and laundry facilities unless the facility is located within the I-2 General Industrial Park district (outside of the Luke Air Force Base or Phoenix Goodyear Airport Noise 65 DNL contour area) and a Special Use Permit is obtained in conformance with the Procedure and Conditions of Approval described in 4-1-1.

5. In the C-1 Neighborhood Commercial **District** and the C-2 General Commercial **District**, no more than two (2) service stations

are permitted within a quarter mile of the nearest existing or planned intersection of two arterials (including parkways), unless one of them is an **Accessory Use**.

a. Two (2) service stations shall not be located on the same quarter mile quadrant (corner) of the intersection, unless one of them is an **Accessory Use**.

6. Service stations are allowed in the C-2 General Commercial **District** as an Accessory Use to **Large Retail User** or retail stores of fifty thousand (50,000) square feet or larger, subject to all restrictions on service stations as a principal use.

7. On-site semi-truck parking or overnight parking accommodations are prohibited in the C-1 Neighborhood Commercial **District**, the C-2 General Commercial **District**, and the I-1 Light Industrial Park **district**.

8. Convenience Stores are permitted with service stations.

B. *DESIGN CRITERIA.*

1. The design of the **service station building** and site shall be compatible with the type of development surrounding the station.
2. **Service stations** which are situated within a larger commercial development shall be separated from **adjacent** property by a three (3) foot high **wall**, landscaping, or curbing, except for necessary driveways, in order to control vehicular movements and circulation.
3. The width or depth of any **service station** site shall be a minimum of one hundred-fifty (150) feet.
4. Pump islands shall be located at least thirty-five (35) feet from the **street** right-of-way line.

5. Service areas and bay doors shall not front onto or be substantially visible from any public **street** and shall be subject to the screening standards.

6. **Service stations** shall be subject to all landscaping and design standards including screening of parking and maneuvering areas with **walls** and landscaping.

SECTION 10. City of Goodyear Zoning Ordinance Article 4 (Regulation of Particular Uses) Article 4-2 (Uses Requiring Additional Evaluation) is amended by adding new Section 4-2-19 (Self-Service Storage Facilities Regulations) as follows:

§ 4-2-19 Self-Service Storage Facilities Regulations.

A. This section applies to all **self-service storage facilities**, where listed as a Principal Permitted Use in a zone with reference to this section.

B. If located within five hundred (500) feet of a residential zoning district (excluding open space tracts or greenbelts in a developed or platted residential neighborhood) and not separated by a public roadway, canal, or railroad track, the facility shall be closed daily from 10:00 p.m. to 5:00 a.m.

C. Storage of hazardous or dangerous materials is prohibited.

D. No storage building shall exceed three (3) stories in height.

E. Storage building(s) shall be limited to no more than five hundred (500) feet of frontage along any arterial road (including parkways).

F. Windows, faux windows, and other exterior features shall not be made of materials that cause mirroring, glare, or reflection.

G. Except for the main public entrance located on the first floor, the interior of the building (including without limitation interior contents, decorations, and storage unit doors, but not including those associated

with the main office, staff offices, or lobby) shall not be visible from public roadways or residentially zoned properties.

H. Sliding gates shall be screened with metal, wrought iron, or equivalent architectural features to shield the interior storage from the public view. PVC, vinyl, or similar slats may not be used as screening material.

I. Except for the main public entrance on the first floor, all exterior doors shall be painted to match the building.

J. Storage buildings and canopies shall be set back at least thirty (30) feet from any residential zoning district (excluding open space in a developed or platted residential neighborhood).

K. An onsite landscape buffer of at least twenty (20) feet shall be located between any storage buildings, canopies, onsite parking or onsite driveways/drive aisles and any residential zoning district (excluding open space in a developed or platted residential neighborhood).

L. Auctions, sales, service, or repair activities are prohibited, except for the disposal of abandoned property from renters on site.

M. The following additional requirements apply in the C-1 Neighborhood Commercial **District** and the C-2 General Commercial **District**:

1. All storage shall be within an enclosed building.
2. Land area dedicated to storage shall not exceed:
 - a. Fifty percent (50%) of a commercial center or contiguous area of a commercial zoning district, and
 - b. Seven and a half (7.5) acres.
 - c. If the land area dedicated to storage exceeds the provisions of Article 4-2-19(j)(2)(a) and 4-2-19(j)(2)(b), a Special Use Permit

shall be required in conformance with the Procedure and Conditions of Approval described in Article 4-1-1.

3. Shall not be located within two thousand, six hundred and forty feet (2,600) feet of another **self-service storage facility**.

a. If a storage unit does not comply with the provisions of Article 4-2-19(3), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Article 4-1-1.

4. A **self-service storage facility** shall not be located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two arterials (including parkways).

a. If a storage unit does not comply with the provisions of Article 4-2-19(J)(4), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Article 4-1-1.

N. In the I-1 Light Industrial Park **district** and the I-2 General Industrial Park **district**, all outdoor storage (including without limitation the tops of recreational vehicles) shall be screened from the view of public roadways and residentially zoned areas by a solid wall or canopy.

SECTION 11. 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 12. 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 13. EFFECTIVE DATE. This Ordinance shall become effective thirty days after adoption in the manner prescribed by law.

SECTION 14. 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