City Council Work Session
City Hall - Canyon Trails Room 1 & 2
1900 N. Civic Square
Goodyear, AZ 85395
Monday, June 15, 2026
5:00 PM

Physical access to the meeting location will be available 30 minutes prior to the meeting.

Mayor
Joe Pizzillo

Vice Mayor
Brannon Hampton

Councilmember
Wally Campbell

Councilmember
Laura Kaino

Councilwoman
Vicki Gillis

Councilmember
Benita Beckles

Councilmember
Trey Terry



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. 2025-2441.

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/cityofgoodyear/videos

Monday, June 15, 2026	5:00 p.m.	Meeting Agenda

CALL TO ORDER

ROLL CALL

AGENDA ITEMS FOR DISCUSSION

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

1. **FISCAL YEAR (FY) 2026 STRATEGIC PLAN PROJECT UPDATE: TRAFFIC MANAGEMENT CENTER OPTIMIZATION**

   RECOMMENDATION

   Council to receive an update on the FY2026 Strategic Plan project on a Traffic Management Center Optimization Plan and provide input and guidance to staff. No action will be taken. (Steve Scinto, Director of Engineering; Logan Hopp, Deputy Director of Engineering)

2. **ZONING ORDINANCE COMPREHENSIVE UPDATE**

   RECOMMENDATION

   Council to receive an update on the rewrite of the Zoning Ordinance, with a focus on the proposed standards for Battery Energy Storage Systems (BESS), data centers, noticing requirements, and additional ordinance modernization items, and provide guidance to staff. No action will be taken. (Christian M. Williams, Planning Manager; Guadalupe Ortiz Cortez, Principal Planner)

3. **WATER RESOURCE ALLOCATION POLICY - PROPOSED AMENDMENTS TO THE GOODYEAR CITY CODE OF ORDINANCES; CHAPTERS 1, 14, AND 18 UPDATE**

   RECOMMENDATION

   Council to receive an update on the amendments to the Goodyear City Code of Ordinances; Chapters 1, 14, and 18 and provide direction to staff. No action will be taken. Council adoption of the City Code changes will be requested at a future meeting. (Barbara Chappell, Water Services Director)

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

June 22, 2026	Council Meeting	5:00 p.m.

ADJOURNMENT

POSTING VERIFICATION
This agenda was posted on 6/10/2026 at 3:30 p.m. by AG.

ITEM #: 1.
DATE: 06/15/2026
AI #:3061

CITY COUNCIL ACTION REPORT

SUBJECT: FISCAL YEAR (FY) 2026 STRATEGIC PLAN PROJECT UPDATE: TRAFFIC MANAGEMENT CENTER OPTIMIZATION

STAFF PRESENTER(S): Steve Scinto, Director of Engineering; Logan Hopp, Deputy Director of Engineering

SUMMARY

Council will receive an update on the FY2026 Strategic Plan project on a Traffic Management Center Optimization Plan, which was intended to integrate optimized traffic signal software to improve timing, synchronization and traffic flow. This update will include the upgrades that have been implemented and the impacts of these changes.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Council to receive an update on the FY2026 Strategic Plan project on a Traffic Management Center Optimization Plan and provide input and guidance to staff. No action will be taken. (Steve Scinto, Director of Engineering; Logan Hopp, Deputy Director of Engineering)

FISCAL IMPACT

There is no direct fiscal impact on this item.

BACKGROUND AND PREVIOUS ACTIONS

There are close to 20 years of background and previous actions that have cumulatively led us to be able to add the Traffic Management Center Optimization – Integrate Optimized Traffic Signal Software subject to the city Strategic Plan. The most recent relevant Council actions and communications area are primarily related to Intelligent Transportation System (ITS) technology upgrades, starting in 2023.

In March 2023, United States Senator Mark Kelly's office issued a request for Congressionally Directed Spending (CDS) projects. These requested projects were required to be: (i.) Supported by local or state government; (ii.) Place-based (having a specific location); (iii.)

Short duration project that could be supported with a one-time infusion of funds and (iv.) Shovel-ready. The city submitted a project request for ITS and Dilemma Zone Advance Detection Technology Upgrades to Senator Kelly's office for consideration. The city was notified in March 2024 that its ITS and Dilemma Zone Advance Detection Technology Upgrades project would be funded in the Transportation and Housing appropriations bill in the amount of $500,000.

At the January 11, 2024 Council Retreat, Engineering Department (Engineering) staff presented on Traffic Signal Optimization. The presentation provided an overview of Goodyear's traffic signal system, explaining how the city uses a mix of fully actuated and coordinated signal operations across major corridors. Staff outlined challenges such as increased traffic volumes, construction, land use changes, and signal preemptions. Staff highlighted the city's transition toward adaptive signal control to improve real-time traffic flow. The presentation also detailed next steps, including completing a Traffic Management Center (TMC) health assessment, expanding fiber connectivity, implementing updated preemption procedures, and launching pilot projects aimed at modernizing traffic management and preparing the system for continued growth.

Engineering staff included an item in the April 5, 2024 City Manager's Memo, regarding the Traffic Management and Signalization Update. The Update summarized Engineering's implementation of a two-phase pilot program to evaluate traffic signal timing on key corridors. Phase 1 standardized the days and time periods when traffic signal coordination operated. Phase 2 focused traffic signal coordination during peak hours while staff continued monitoring data to assess impacts on traffic flow and safety.

At the May 13, 2024 Council Work Session, Engineering staff presented an update on recent traffic signal timing pilot projects, as well as findings from the comprehensive TMC assessment, including operational, staffing, and technology needs. The assessment recommended improving TMC operations, updating Engineering's ITS Plan, and enhancing performance metrics to increase efficiency and accountability. Additional updates included, technology enhancements, congressional funding for radar detection, upcoming capital improvement projects, and continued evaluation of signalization strategies.

At the June 10, 2024 Special Council meeting, Council approved CIP #42088 - Dilemma Zone Advance Detection and ITS Upgrades in the adoption of Resolution No. 2024-2381 determining and adopting the final estimates of proposed revenues and expenditures for the city of Goodyear for FY2025.

Goodyear was notified by the Arizona Department of Transportation (ADOT) in July 2024 that the ITS and Dilemma Zone Advance Detection Technology Upgrades CDS project had been approved with a federal funding amount of $500,000 and a local fund match for Goodyear's share of $30,223.

At the December 9, 2024 Regular Council meeting, Council authorized the expenditure of construction funds for CIP# 42088 Dilemma Zone Advance Detection and ITS upgrades, authorized funds up to $1,650,000 in FY2025.

At the June 9, 2025 Special Council meeting, Council approved the FY2026 budget which included CIP#42088 with an expenditure authority of $2,084,400, in addition to adding a Full-Time Employee (FTE), TMC Operator, in the adoption of Resolution No. 2025-2475. The TMC Operator will enhance transportation safety and accessibility by monitoring and

managing traffic via cameras and other technologies. An assessment performed in 2024 by the firm AECOM identified the need for additional staffing to improve traffic operations and safety. This position will expand TMC monitoring from 5-10 hours per week to 50 hours per week, covering peak traffic times, supporting special events, and improving coordination with the police. The Operator will also assist with manual signal control during incidents. This role will optimize traffic signal software to enhance timing, synchronization, and overall traffic flow.

At the March 23, 2026 Regular Council meeting, Council approved an Intergovernmental Agreement (IGA), Contract No. 26-0119, with the State of Arizona through the ADOT establishing responsibility for funding, purchasing and installation of ITS Dilemma Zone Protection Equipment at ten signalized intersections located in Goodyear. Under the terms of IGA, the city will be responsible for a portion of project administration costs of $1,710 and for the initial payments made to vendors for the costs related to the procurement and installation of the equipment of $28,513. The procurement of equipment and installation costs are eligible to be reimbursed. The CDS project cost estimate consisting of ADOT project administration and procurement includes a total federal funding contribution from ADOT of $500,000 and city funds in the amount of $30,223 for a total CDS project cost of $530,223. The city previously approved a total multi-year project budget of $6,000,000 for CIP Project No. 42088 – Dilemma Zone Advance Detection and ITS Upgrades. The federal CDS funding provided through this IGA will reimburse eligible project costs that would otherwise be funded by the city, reducing the city's share of project costs by up to $500,000 and maximizing the use of external funding sources for the project.

At the April 13, 2026 Council Work Session meeting, Engineering staff presented an update on traffic cameras, traffic signals, traffic enforcement, traffic control, traffic safety, and took questions, concerns, and recommendations from Council.

STAFF ANALYSIS

For close to the last 20 years, the city has been investing in ITS technology and infrastructure. Through these cumulative investments, the city has laid the groundwork for being able to pilot the dynamic or adaptive signal technology as prescribed in this strategic plan item.

The city of Goodyear currently operates more than 120 traffic signals supported by camera detection, radar technology at several intersections, and an expanding fiber optic network to connect traffic signals to the TMC. Goodyear's traffic signal network relies on a combination of coordinated corridors and fully actuated intersections that adjust timing based on real-time camera and radar detection, enabling signals to respond to actual traffic demand rather than fixed schedules. Several major corridors, such as portions of Estrella Parkway, Cotton Lane, Litchfield Road, Bullard Avenue, Indian School Road, and McDowell Road, operate in coordinated mode daily from early morning into the evening ensuring smoother progression and reduced delay during peak travel periods along major arterial roadways.

As vehicle traffic increases due to development in the city and surrounding areas, the city is advancing toward adaptive signal control technology, which allows signals to communicate with the TMC in order to make traffic signal timing adjustments and optimize flow dynamically. This evolution, supported by expanding fiber optic connectivity and improved detection systems, positions the city to enhance coordination performance and better manage increasing travel demand.

The city's partnership with Maricopa Association of Governments (MAG) along with locally

funded projects have funded prior projects which laid the foundation for the technology and resources that help make this project possible. These projects installed conduit, fiber optic cable, communication equipment or TMC upgrades. Those projects are listed below:

Traffic Operations Center: Completed 2008
Litchfield Road Fiber – MC 85 to Wigwam: Completed 2008
Estrella/PebbleCreek Fiber – Van Buren to Indian School: Completed 2014
Yuma Road Fiber – Cotton to Estrella: Completed 2018
Litchfield Road Detection – MC 85 to Wigwam: Completed 2022
Estrella/PebbleCreek Detection and TMC Upgrades: Completed 2022
Radar detection implementation – 34 signals: Completed in 2025
Radar detection implementation – 43 signals: 2026, in progress
Adaptive traffic control pilot project: Implemented in 2026

Once the radar detection was installed and configured, staff coordinated with the signal control software company for the adaptive coordination component of the system to evaluate it as a pilot project using maintenance funds. Adaptive traffic control is a signal technology that uses real-time traffic data to adjust traffic signal coordination at specified intervals. Where traffic signal coordination is typically based on historical traffic counts or traffic conditions and relies on fixed time-of-day plans, the adaptive system responds to current traffic conditions and changes green time, cycle length, and can also adjust an entire corridor of traffic signals as needed. The main benefit is that it helps the city get more performance out of the existing roadway network. It can reduce delay, improve travel time, and better handle changing conditions like peak-hour surges, incidents, weather, or special events. This technology is especially useful on corridors where traffic volumes vary unexpectedly during the day. It's important to note that while adaptive traffic control can help our signal system perform more efficiently with the infrastructure we already have, it will not by itself keep pace with the congestion pressures created by rapid city growth.

All high traffic corridors with recurring congestion within the city were considered for the pilot project. Ultimately, the following roadway segments were chosen:

Cotton Lane – Yuma Road to Canyon Trails Boulevard/Lilac Street (Three traffic signals)
Estrella/PebbleCreek Parkway – Van Buren Street to McDowell Road (Five traffic signals)
Litchfield Road – Van Buren Street to McDowell Road (Six signals)

These locations were chosen due to their traffic volume, proximity to I-10, tendency of increased traffic volume due to I-10 delays, and their closely spaced traffic signals along the selected corridors.

In early December 2025, the adaptive signal control function was activated on three corridors. For the first two weeks, adaptive signal control was operated during regular work hours to allow for staff configuration and oversight. After the initial two-week period, adaptive signal control was allowed to operate seven days a week, 6:00 a.m. to 8:30 p.m.

A recent example of adaptive operation is during the Bullard Avenue & I-10 off ramp closures. Both Litchfield Road and Estrella/PebbleCreek Parkway experience significant increases in traffic on their off ramps. The adaptive traffic signal control increases the cycle length of the arterial streets and also adjusts the ramp timing to accommodate the traffic increases. When traffic diminishes, adaptive control can reduce the cycle length. While manual adjustments have been required from time to time, the adaptive traffic signal control has been able to adjust

signal timing to accommodate the changing traffic signal conditions.

In summary, the adaptive signal control pilot and continued investment in TMC capabilities represent a strategic and cost-effective approach to maximizing the performance of Goodyear's existing transportation network. By leveraging real-time data, expanding fiber connectivity, implementing improved detection systems, and expanding roadways, the city is enhancing its ability to proactively manage traffic operations and improve corridor efficiency. Staff will continue to evaluate system performance and identify additional targeted intersections where adaptive signal control may be implemented to further improve operations. While these investments will significantly enhance traffic flow, safety, and system reliability, they cannot fully offset the increases in congestion that naturally accompany Goodyear's rapid growth. Together, however, these efforts position the city to manage existing infrastructure more efficiently and respond more effectively to evolving traffic conditions.

Attachments

Staff Presentation

It's a Great time to be in Goodyear.

Traffic Management Center Optimization Strategic Plan Item



Strategic Plan Item

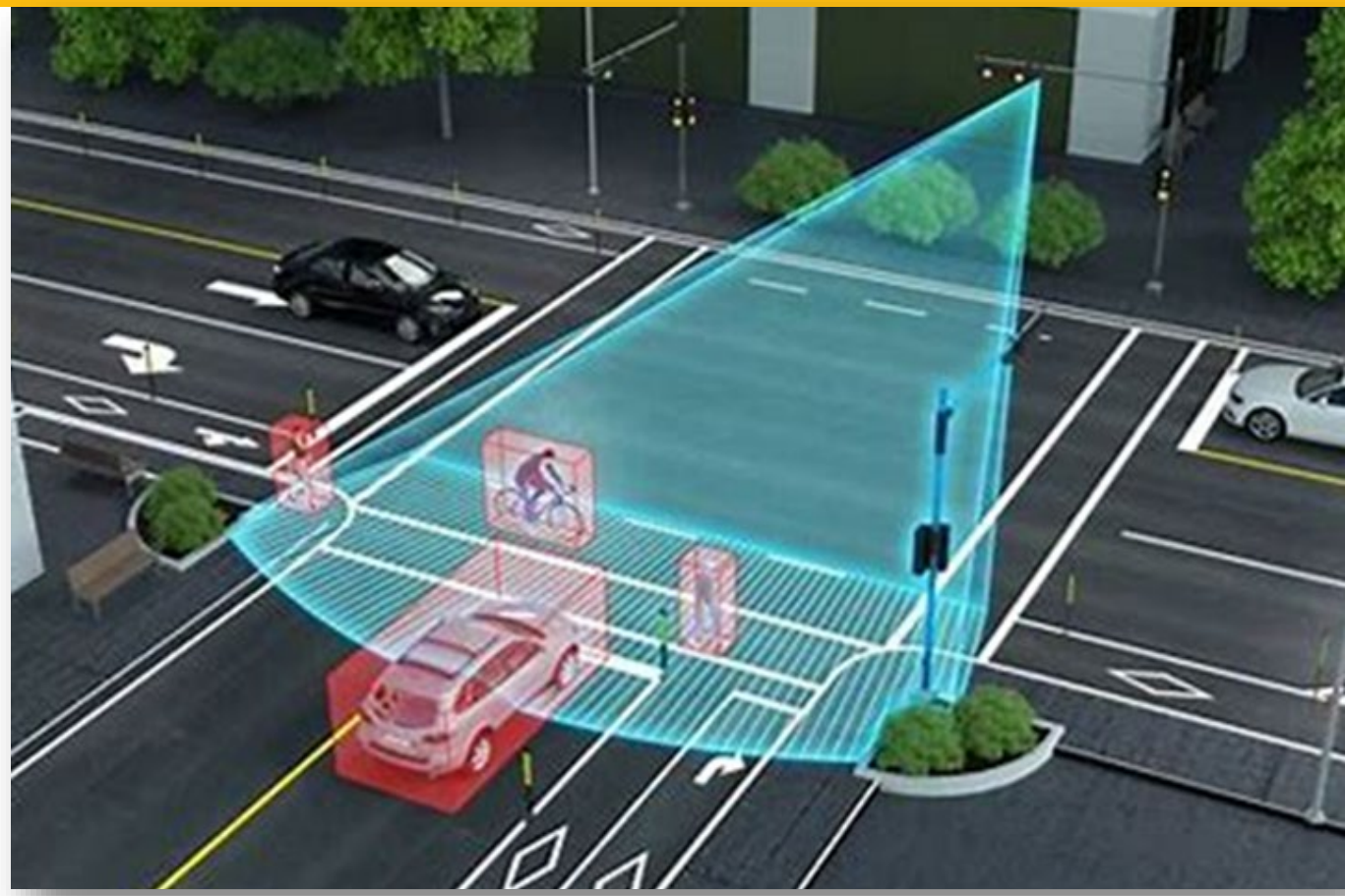


RESPONSIBILITY	TIMEFRAME
ENG	FY26

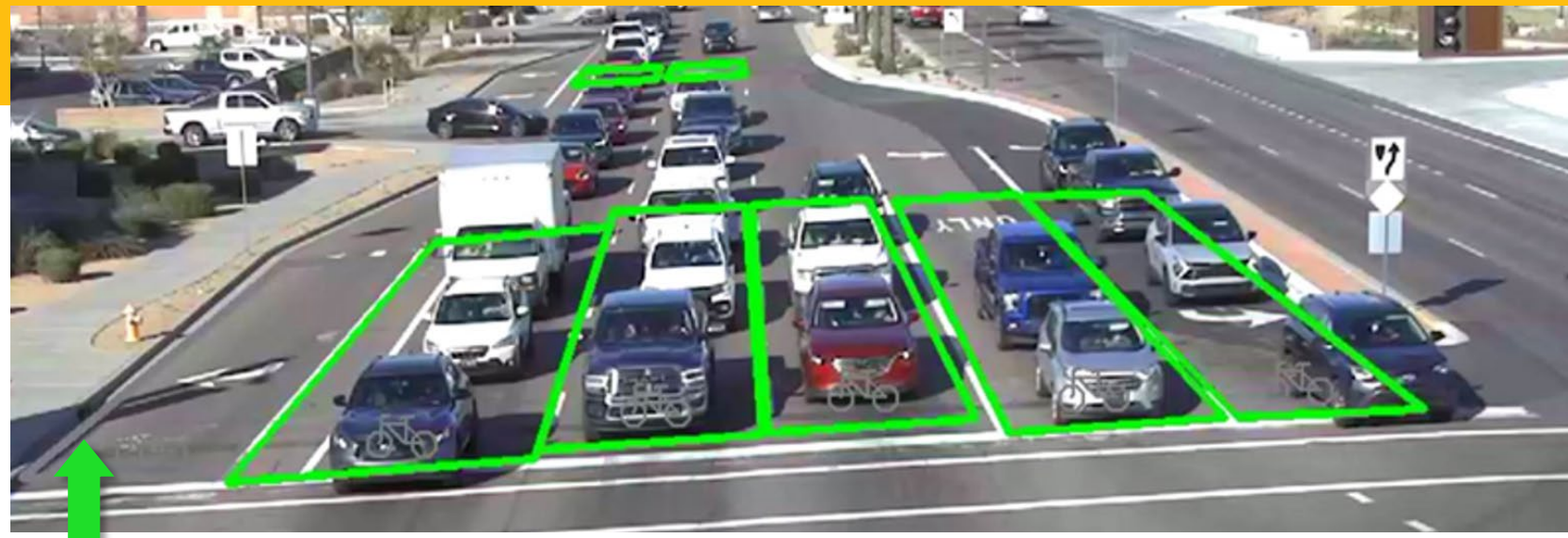
ACTION ITEM	DESCRIPTION
Traffic Management Center Optimization	Integrate optimized traffic signal software to improve timing, synchronization and traffic flow

Agenda

- Signal History
- Upgrades to Infrastructure & Technology
- Adaptive Implementation
- General Findings
- Path Forward



Signal History
Terminology

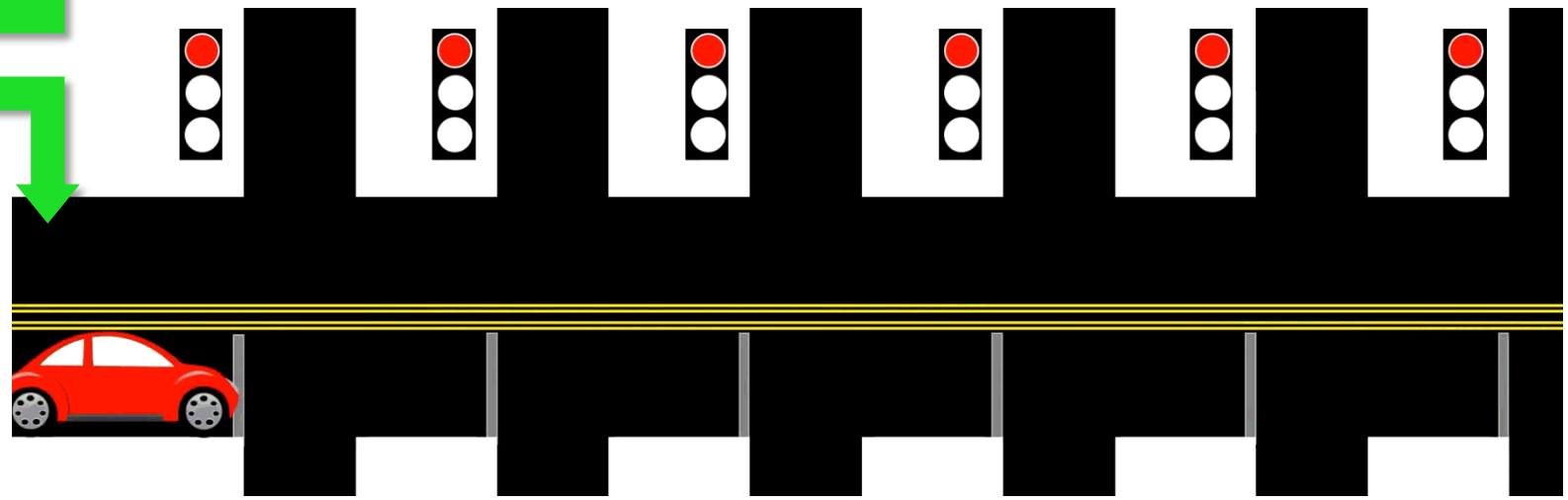


Vehicle Detection

- Video
- Radar

Signal Operation Types

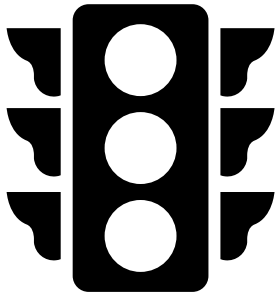
- Fully-Actuated
- Coordinated



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Signal History
Goodyear Then VS Now

2008



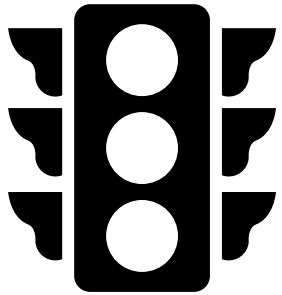
42

Traffic Signals



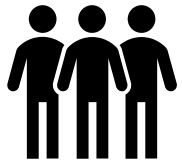
Population ~60,000

2026



122

Traffic Signals



Population ~125,000

Litchfield Daily Traffic Volume
Van Buren – I10
11,806 in **2008** → 31,204 in **2026**

Cotton Lane Daily Traffic Volume
Yuma Rd – I10
7,350 in **2008** → 30,920 in **2026**

Estrella Pkwy Daily Traffic Volume
Van Buren – I10
32,762 in **2008** → 47,291 in **2026**

Upgrades to Infrastructure & Technology

Technology Enhancements

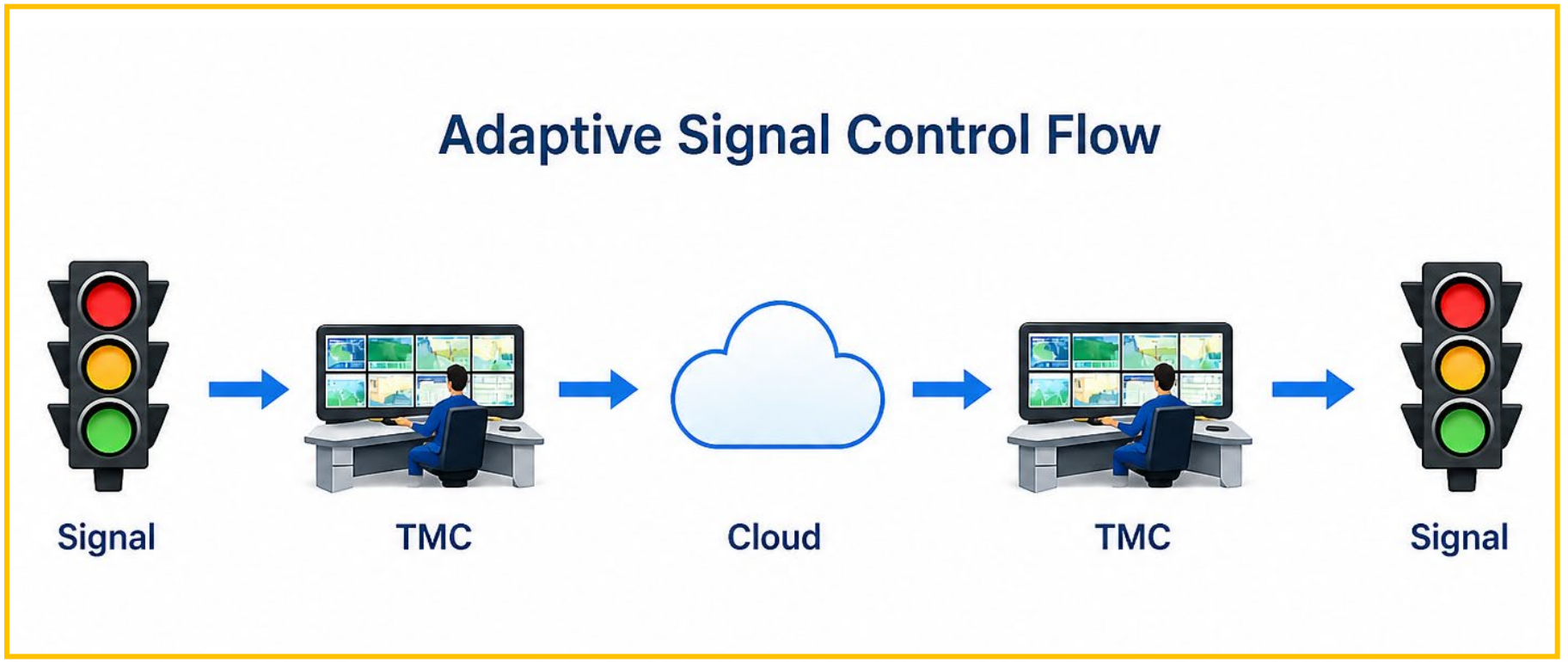
- Traffic Management Center
- Fiber Network
- Radar Detection
- Adaptive Software Module
- Pilot Program Opportunity



Adaptive Implementation
System Overview

Adaptive Traffic Control System

Traffic signal timing adapts based on **actual** traffic demand



Adaptive Implementation
Goals



Daily Commutes: Reduce Congestion Impact

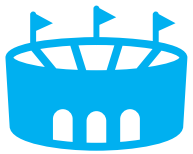
Construction: Mitigate Traffic Delays



Freeway Detours: Faster Recovery



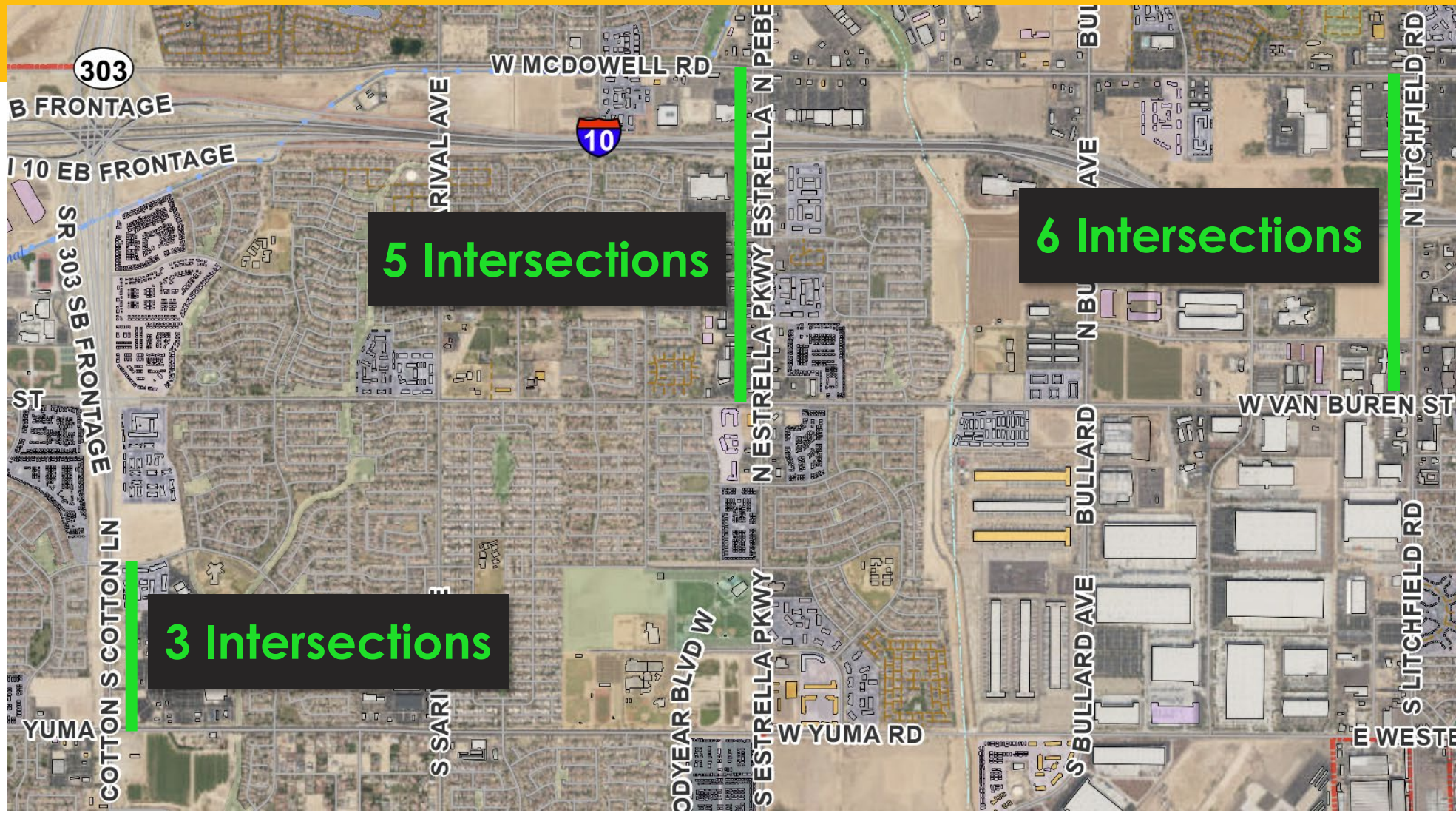
School Peaks: Less Wait Time



Events: Quicker Clear-Out

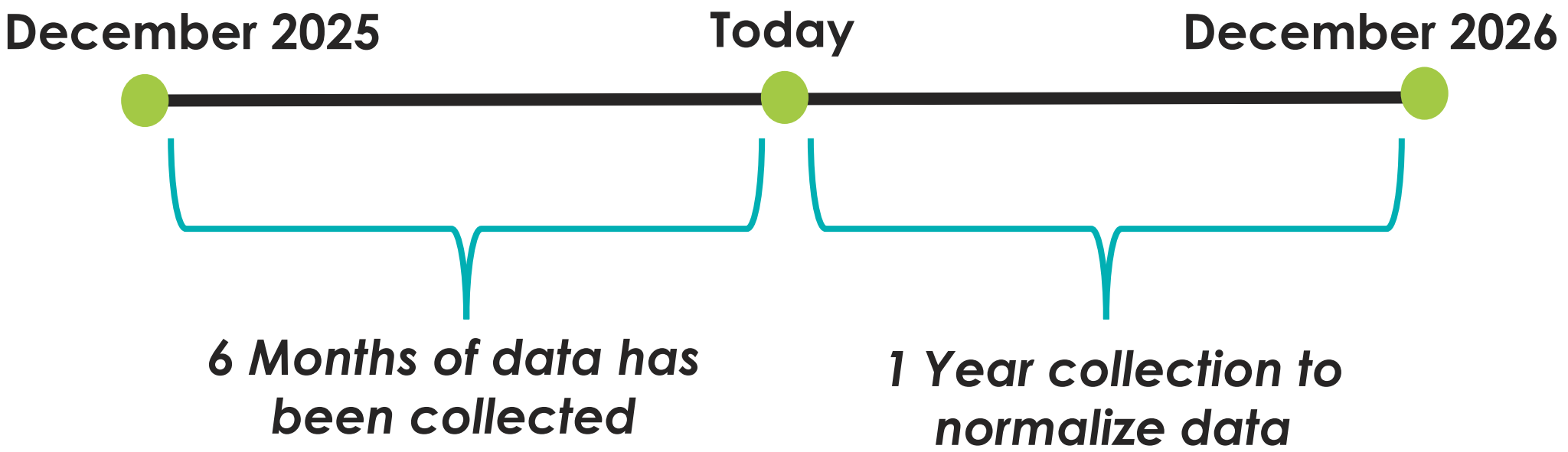
Adaptive Implementation

Pilot Project Locations

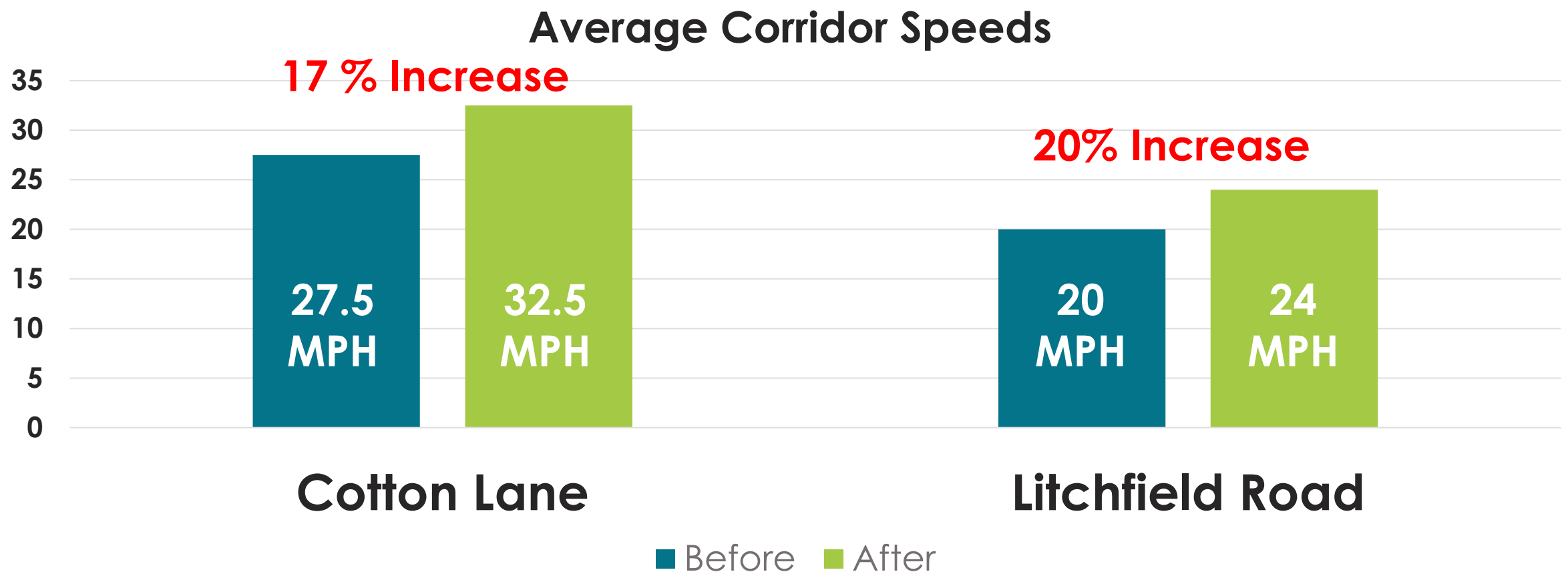


General Findings

Pilot Project Timeline



General Findings



General Findings

Additional Benefits

- Cost effective
- Maximize use of existing infrastructure
- Minimal staff support once established
- Ease of future deployment



Path Forward

- Continue Study of Adaptive Corridors
- Possible Expansion to Additional Intersections
- Evaluate Technology Advancements



It's a Great time to be in Goodyear.

Questions



ITEM #: 2.
DATE: 06/15/2026
AI #:2969

CITY COUNCIL ACTION REPORT

SUBJECT: **ZONING ORDINANCE COMPREHENSIVE UPDATE**

STAFF PRESENTER(S): Christian M. Williams, Planning Manager; Guadalupe Ortiz Cortez, Principal Planner

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OTHER PRESENTER(S):

Matthew Klyszeiko, Michael Baker International (Zoning Ordinance Update consultant)

SUMMARY

Council will receive an update on the rewrite of the Zoning Ordinance, with a focus on the proposed standards for Battery Energy Storage Systems (BESS), data centers, noticing requirements, and additional ordinance modernization items.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Council to receive an update on the rewrite of the Zoning Ordinance, with a focus on the proposed standards for Battery Energy Storage Systems (BESS), data centers, noticing requirements, and additional ordinance modernization items, and provide guidance to staff. No action will be taken. (Christian M. Williams, Planning Manager; Guadalupe Ortiz Cortez, Principal Planner)

FISCAL IMPACT

There is no direct budget impact associated with the comprehensive update. Funding for tasks associated with the Zoning Ordinance update has been approved for this fiscal year.

BACKGROUND AND PREVIOUS ACTIONS

Arizona state law provides municipalities with the ability to enact zoning regulations for the development of the municipalities and to conserve and promote public health, safety, and general welfare (A.R.S. §9-462.01). The City's General Plan, General Plan 2035: Growing Goodyear, Planning Our Future, was ratified by voters in May 2024. In response to resident requests for continued high-quality development in the city, staff hired a Consultant (Michael Baker International) to update the Design Guidelines. The updated Design Guidelines were adopted by Council in November 2024.

Shortly thereafter, staff began working with the Consultant on an update to the Zoning Ordinance to further improve standards and support high-quality development throughout the city. Because the last comprehensive Zoning Ordinance update occurred in 1999, staff identified several items to address, including bringing the ordinance up to current standards, improving user experience, refining outdated development standards, expanding housing options to promote housing diversity, clarifying definitions, adding uses not previously included in the ordinance, and revising language to ensure compliance with state and federal law.

Together, these updates help streamline the development process while maintaining high-quality standards. Additionally, the Zoning Ordinance Rewrite is a Fiscal Year (FY) 2026 Strategic Plan action item and supports the city's intent to conserve and promote public health, safety, and general welfare (A.R.S. §9-462.01) and the General Plan's Livable and Connected LC-5 goal of creating a community that distinguishes itself through high-quality character and design.

The comprehensive Zoning Ordinance update process kicked-off in January 2025. A community workshop was held on April 23, 2025, at the Goodyear Recreational Center, where residents attended the workshop and were engaged with the Consultant and city staff. An additional community workshop was held on May 5, 2026, at City Hall’s Canyon Trails meeting room, and was attended by development community representatives interested in learning about the proposed regulations.

Staff held work sessions with the Planning and Zoning (P&Z) Commission and Council in October 2025 and November 2025, respectively. Topics discussed at the initial work session included expanding allowances for temporary signage in multi-family zoning districts, increasing noticing requirements, reviewing permitted and use permit uses, and creating middle housing opportunities in single-family zoning districts.

Staff held additional work sessions with the P&Z Commission and Council in March 2026, at which staff presented proposed regulations for BESS and data centers. Other topics were also included in the work session staff report such as an arts district overlay, and drive-through and parking regulations. Based on the feedback received at these work sessions, staff and the Consultant modified proposed regulation language. The final revised proposed regulations are being presented in work sessions to the P&Z Commission and Council in June 2026 for additional feedback.

STAFF ANALYSIS

The proposed Zoning Ordinance update addresses the primary goals of enhancing opportunities for housing diversity, clarifying definitions, updating existing uses and development standards, and introducing new uses. In addition, the Zoning Ordinance has been reorganized and modernized with tables and graphics to improve the user experience. The complete draft Zoning Ordinance is provided in Attachment A. Highlights of the major changes include the following:

- BESS
    - Special Use Permit in Light Industrial Park (I-1) and General Industrial Park (I-2) zoning districts
    - Minimum 330-foot separation from residential uses
        - Can be reduced to 150 feet when supported by a plumes study through the Special Use Permit review and approval process
    - Minimum 150-foot separation from commercial zoning districts
    - Minimum 100-foot separation from Business Park District and other I-1 or I-2 zoning districts
    - Worked with Fire Marshall to refer to NFPA for life safety items and maintain additional protections as necessary
    - Considerations for emergency response and decommissioning
    - See Attachment B, BESS Handout, for a list of recommended regulations and a comparison with regulations in other jurisdictions
- Data centers
    - Permitted in Light Industrial Park (I-1) and General Industrial Park (I-2) zoning districts with conditions
    - Minimum 300-foot separation distance from residential uses
    - Considerations of water, electric power and noise
    - See Attachment C, Data Centers Handout, for a list of recommended regulations and a comparison with regulations in other jurisdictions
- Noticing Requirements
    - Increasing the notification area from 500 feet to 600 feet for Use Permit, Special Use Permit and standard Rezone applications
    - Further increasing the notification area from 500 feet to 1,200 feet for Planned Area Development applications
- Other modernizations
    - Housing
        - Permitting manufactured homes in the Agricultural (AG) and Agricultural Urban (AU) zoning districts
        - Permitting attached product in the R2, R1-6, and R1-4 zoning districts
    - Temporary signage
        - Additional duration of temporary signs for more events such as construction, grand opening, new ownership, and special promotions for commercial, industrial, and mixed-used uses.
    - Off-Street Parking
        - Permit the reduction of required parking up to 25% for mixed-use walkable areas with support of a parking study
        - Permit the reduction of required parking up to 25% for age restricted communities and affordable housing with support of a parking study and parking management plan
        - Reduce medical office parking requirements from 1 space per 150 square feet of floor area to 1 space per 200 square feet of floor area
    - Convenience uses
        - Additional regulations provided for drive-through uses to prevent queuing and circulation issues
    - Industrial height
        - Industrial height increased from 50 feet to 70 feet to meet today’s industrial development while providing buffers from residential zoning districts
    - Multi-family height
        - Multi-family height may be increased from 30 feet to 40 feet, not to exceed

three stories, in MF-28 zoning districts and from 40 feet to 60 feet, not to exceed four stories, in MF-24 zoning districts for developments that provide pitched roofs and lower building height adjacent to single-family residential and arterial roads

CONCLUSION

The comprehensive Zoning Ordinance update aims to protect our residents' health, safety, and welfare by establishing land use classifications, dividing the city into districts, and imposing regulations on land use, building dimensions, and open space among other regulations.

With the P&Z Commission and Council feedback, staff and the Consultant will finalize the Zoning Ordinance Update, which is expected to be presented to the P&Z Commission on July 1, 2026, for an adoption recommendation and to the Council on July 6, 2026, for approval.

Attachments

Attachment A - Draft Zoning Ordinance

Attachment B - BESS Handout

Attachment C - Data Center Handout

Staff Presentation

Attachment A

CITY OF GOODYEAR

ZONING ORDINANCE

DRAFT as of 2026-06-09-v1543

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ARTICLE 1 – AUTHORITY & PURPOSE

1.1. Title

The ordinance embraced in the following chapters and sections shall constitute and be designated "The Zoning Ordinance of the City of Goodyear, Arizona," and may be so cited. Such ordinance may also be cited as the "Zoning Ordinance."

1.2. Authority

This Article establishes duties and responsibilities necessary to exercise zoning and planning authority for the City of Goodyear pursuant to State of Arizona municipal planning and zoning enabling legislation.

1.3. Purpose

This Ordinance of the Mayor and City Council (hereafter collectively the "City Council") of the City of Goodyear, Maricopa County, Arizona, (hereafter "City") is hereby adopted for the following purposes:

1. To promote and protect the health, safety and welfare of the residents of the City of Goodyear and to establish land use classifications; dividing the City into districts; imposing regulations, prohibitions and restrictions for the promotion of health, safety, convenience, aesthetics, and welfare; governing the use of land for residential and non-residential purposes; regulating and limiting the height and bulk of buildings and other structures; limiting lot occupancy and the size of yards and other open spaces; establishing standards of performance and design; adopting a map of said districts; prescribing penalties for violations of said Ordinance; and repealing all Ordinances in conflict therewith.

   Further, such regulations are deemed necessary to lessen congestion in the streets; to provide adequate open space for light and air; to conserve property values; to assure orderly growth; to facilitate the adequate provision of transportation, water sewer, schools, parks and other improvements; and to promote public health, safety, and welfare.

2. This Ordinance shall be considered the minimum requirements necessary for the promotion of the General Plan, as amended from time to time, and for the protection of the citizens of Goodyear and the general public.

   Compliance with all other ordinances, codes, rules, regulations, policies and guidelines adopted by the Goodyear City Council, such as, but not limited to, International Fire Codes, International Building Codes, hazardous materials regulations, City of Goodyear Engineering Design Standards and Policy Manual, or PAD standards approved by the City of Goodyear shall be adhered to, and where differences occur, the more restrictive shall prevail.

1.4. Consistency with the General Plan

It is the intent of the City Council that this Code be consistent with and implement the planning policies adopted by the City Council as expressed in the General Plan. The City Council affirms that this Code, including any amendments, shall remain in conformance with the adopted General Plan, applicable specific area plans, and any amendments to those documents.

1.5. Applicability

1.5.1. General Applicability

All buildings, structures, uses of land, and site improvements are subject to the provisions of this Code and any companion documents incorporated by reference within this ordinance. Any change to an existing building, structure, use of land, or site condition, including changes that increase parking demand, modify occupancy, alter drainage or landscaping, or involve additions or physical modifications made after the effective date of this Code, shall comply with all applicable requirements of this Code.

1.5.2. Previously Approved Planned Area Developments

A Planned Area Development (PAD) approved prior to the adoption of this Code shall continue to govern the permitted uses and development standards applicable to the property, unless amended in accordance with this Code. Where such PAD does not expressly address a development standard or procedural requirement, the applicable provisions of this Code shall apply.

1.5.3. Prohibited Uses

Any use not expressly identified in this Code as a permitted use, a use subject to supplemental use conditions, or a use requiring a use permit within a specific zoning district shall be prohibited in that district, except where the Zoning Administrator determines the use to be comparable to or a functional equivalent of a listed use and assigns it to the appropriate zoning district and use category consistent with the intent of this Code.

1.6. Transition Procedures

In order to ensure the orderly adoption and enforcement of this Zoning Ordinance, the following transition rules shall govern the applicability of this Ordinance.

1. The provisions of this Ordinance and any amendments shall not apply to those developments for which a building permit has been issued prior to the adoption of this Ordinance, provided said building permit remains in full force and effect. In the event the building permit expires, said permit may not be extended or renewed unless all provisions of this Ordinance are met.
2. A parcel of land subject to an approved site plan, stipulations or Planned Area Development adopted prior to the effective date of this Ordinance shall be developed in accordance with that approved site plan, stipulations or Planned Area Development provided said development standards or stipulations are in full force and effect, but shall comply with these regulations to the maximum extent possible. In the event of a conflict between provisions of these regulations and the approved site plan, stipulations or Planned Area Development the approved site plan, stipulations or Planned Area Development shall prevail.
3. Development agreements adopted or established prior to the effective date of this Ordinance shall control.
4. If a rezoning was subject to a schedule for development, the time period for which has expired, then the development of that parcel of land shall be subject to all applicable provisions of this Ordinance.

5. Any uses of land, structures, or parcels which existed on the effective date of this Ordinance and which do not meet the standards and regulations of this Ordinance, shall be deemed nonconforming and shall be controlled by the provisions of Article 7.3, except that the City may require a nonconforming use to be brought into compliance by a specific date if such compliance is mandated by State Law and only after the new requirement has been made part of this Zoning Ordinance through an amendment adopted pursuant to the amendment procedures specified herein.

1.7. Regulations Governing Newly Annexed Areas

1.7.1. Initial Zoning.

Within newly annexed areas, the City shall initially adopt zoning classifications which make every effort to permit densities and uses no greater than those permitted by Maricopa County or the municipality Goodyear is receiving the property from immediately prior to annexation, unless a zoning amendment which establishes initial City zoning is processed concurrently with such annexation, pursuant to the procedures required for such an amendment. Newly annexed areas for which a zoning amendment is not concurrently processed, shall, until officially zoned by the City Council, be considered to be zoned to City classification closest to that shown on the official zoning map of Maricopa County at the time of annexation. Such zoning shall apply for not more than 90 days. Subsequent changes in zoning of the annexed territory shall be made according to procedures established by this Ordinance.

1.7.2. Construction And Building Permits.

A. Maricopa County building permits, Use Permits or Special Use Permits validly issued pursuant to County requirements not more than sixty (60) days prior to the effective date of annexation, shall be accepted by the Chief Building Official, or his designee, as valid permits for a period of sixty (60) days after the effective date of annexation and said Use Permit or Special Use Permit shall be provided to the City. If construction has not commenced on or before the sixtieth (60th) day after the effective date of annexation, a City building permits, Use Permit or Special Use Permit shall be required.

B. For buildings under construction with a valid building permit, Use Permit or Special Use Permit issued by Maricopa County prior to the effective date of an annexation ordinance, a City building permit shall not be required, but the Chief Building Official, or his designee, shall require that buildings constructed under such County building permit, Use Permit or Special Use Permit shall be structurally safe and shall conform to pertinent County zoning regulations in effect at the time the County permit was issued.

1.7.3. Existing Use, Activity or Structure.

A. Any use or activity conducted contrary to County zoning regulations at the effective date of annexation and not constituting a nonconforming use under the County zoning regulations shall not be considered a nonconforming use, and shall constitute a violation of this Ordinance.

B. Any use, activity or structure that is existing at the effective date of annexation, under a Maricopa County Use Permit or Special Use Permit with a time limit imposed, shall not be a nonconforming use, but may, unless considered a permitted use under subsequently-established City zoning, continue for the extent of the time limit. Such Use Permits or Special Use Permits may be

extended with subsequent City Use Permit or Special Use Permit approval in accordance with this Ordinance.

C. Any lot or parcel of land duly recorded in the Maricopa County Recorder's Office prior to the effective date of this Ordinance and having an area, width or depth less than that required in the Zoning District regulations in which such lot or parcel is situated, shall be deemed to be a lot and may be used as a building site, provided that all other applicable provisions within this Zoning Ordinance shall apply.

1.7.4. Land Use Map to Be Prepared.

Upon annexation, the property owners requesting annexation shall prepare a land use map which shall depict the manner in which buildings and/or lands were being used at the time of annexation.

1.8. Conflicting Provisions

In the event any provision of this Ordinance is found to be in conflict with any other zoning, building, fire safety, health, or other code provision of the City, the provision which establishes a higher standard for the promotion and protection of the public health, safety, and welfare of the residents of the City shall prevail.

1.9. Rules for Interpretation

The Zoning Administrator shall interpret any provision or any method of measurement not expressly identified in this Chapter, and provide clarification and determination of these rules and their application to a specific site. The Zoning Administrator shall maintain a record of these interpretations.

1.10. Exceptions and Modifications

Regulations specified in this Ordinance shall be subject to the following exceptions, modifications and interpretations:

1.10.1. Extension of Time.

Under special conditions, the City Council may grant extensions of time unless otherwise provided in this Ordinance. For applications approved administratively, the Zoning Administrator may grant extensions of time under the same standards.

1.10.2. Use of Existing Lots of Record.

In any district where residential dwellings are permitted, a single-family dwelling may be located on any lot or plot of official record that existed on the effective date of this Ordinance, which does not meet area and/or width requirements of this Ordinance.

1.10.3. Structures Permitted Above the Height Limit.

The building height limitations of this Ordinance may be modified as follows: Public, semi-public, or public service buildings, including sanitariums, schools, and places of worship, when permitted in a district, may have the applicable height limit waived by the Planning and Zoning Commission, provided that each required setback for the building receiving the height modification is increased by one (1) foot for each one (1) foot of additional building height above the maximum height otherwise permitted in that district. The approved height increase and corresponding setback adjustment shall apply to the entire building for which the modification is granted.

1.10.4. Area Requirements.

In any residential district where neither the public water supply nor public sanitary sewer is accessible, lot area and frontage requirements shall be consistent with County or State health requirements, and meet the minimum requirements of the zone district in which located.

1.10.5. Other Exceptions to Yard Requirements.

Every part of a required yard shall be open to the sky, unobstructed by any structure, except for permitted accessory buildings, and except for ordinary projections of sills, bay windows, cornices and other features permitted elsewhere in this Ordinance (Section 4.3: Screening, Walls & Fences). Such projection shall not exceed twenty-four (24) inches, except for portals as noted in Section 3.1.9.

1.10.6. Mixed-Use Yard Requirements.

When buildings are erected containing two (2) or more uses housed vertically, required side yards for the first floor use shall control.

1.11. Repeal & Severability

1.11.1. Repeal

All other City of Goodyear Zoning Ordinances or parts in conflict with this Ordinance are hereby repealed. Repeal of any Ordinance or parts thereof by this Ordinance shall not:

A. Affect suits pending or rights existing prior to the date of this Ordinance; or

B. Affect any grant or conveyance made, or right acquired, or cause of action now existing under any repealed Ordinance or amendment thereto; or

C. Affect the validity of any bond or other obligation issued or sold (constituting a valid obligation of the issuing authority) prior to the effective date of this Ordinance.

1.11.2. Severability

A finding by a court of competent jurisdiction that any article, part, section, subsection, paragraph, subparagraph, sentence, clause, phrase, term, or word within this Ordinance is declared invalid shall not invalidate the remaining portions. A permit issued pursuant to this Ordinance does not grant any authority to violate any other law or regulation that may apply. Any permit or approval issued in conflict with this Ordinance shall be void.

ARTICLE 2 – ZONING DISTRICTS

2.1. Zoning Districts and Map Established

2.1.1. Zoning Districts Established

In order to promote the orderly development of the City and carry out the provisions of this Ordinance and in order to classify, regulate, restrict, and separate the use of land, buildings and structures, the City is hereby divided into the following districts:

Table 2.1.1: Zoning Districts Established

Abbreviation	Zoning District
Residential Districts	
AG	Agricultural
AU	Agricultural-Urban
R1-10	Single-Family Residential (Detached)
R1-7	Single-Family Residential (Detached)
R1-6	Single-Family Residential (Detached or Attached)
R1-4	Single-Family Residential (Detached or Attached)
R1-A	Single-Family Residential (Attached)
R1-C	Single-Family Residential (Detached Court Home)
R2	Two-Family Residential (Detached or Attached)
MF-12	Multi-Family Residential
MF-18	Multi-Family Residential
MF-24	Multi-Family Residential
MHS	Manufactured Home Subdivision
MH/RVP	Manufactured Home Park or Recreational Vehicle Park
Commercial Districts	
CO	Commercial Office
C-1	Neighborhood Commercial
C-2	General Commercial
CMX	Core Mixed-Use
PFD	Public Facilities District
BPD	Business Park District
Industrial Districts	
I-1	Light Industrial Park
I-2	General Industrial Park
Planned Area Development Districts	
PAD-Overlay	Planned Area Development Overlay
PAD	Planned Area Development

2.1.2. Map Established

A. The locations and boundaries of zoning districts are established on the "City of Goodyear Zoning Map"., The Zoning Map, together with all data shown on the map and all amendments hereafter adopted, is by reference made a part of this Code.

A. The Development Services Department shall keep as a digital file the original and all revised versions of the City of Goodyear Zoning Map. The most recent approved iteration of the map shall be clearly labeled. A copy of the City of Goodyear Zoning Map shall be available for inspection by the general public in the Development Services Department during normal business hours. Access to a digital Zoning Map shall satisfy this requirement.

B. Any changes to the official Zoning Map shall be considered an amendment to the official Zoning Map and filed in accordance with Section 6.2 of this Code.

C. The official Zoning Map may, from time to time, be republished to delineate any change of zoning approved pursuant to Section 6.2 of this Code or any other amendments thereto.

2.1.1. Boundary Determination

A. Where there is uncertainty with respect to the boundaries of any zoning district on the City of Goodyear Zoning Map, the following rules shall apply:

1. The Zoning District boundary lines are intended to follow street, alley, lot, or property lines, as they exist at the effective date of this Ordinance except where such district boundary lines are fixed by dimensions shown on the Zoning Map, in which case such dimensions shall govern. Where a zoning district boundary line is indicated as approximately following streets or highway rights-of-way, the zoning district of the adjacent property shall be extended to the centerline of such street or highway right-of-way, as determined by the Zoning Administrator. In no case, however, is the Zoning Map intended to be used as a precise, legal narrative of any zoning district boundary.

2. Where a Zoning District boundary is not clearly defined on the Zoning Map, the location of such boundary shall be determined administratively by the Zoning Administrator.

2.2. Residential Districts

2.2.1. Purpose

A. The general purposes of the residential districts are to:

1. Provide high quality, complete residential neighborhoods to meet the varying lifestyles and housing options for the City's residents.

2. Provide for the orderly, well-planned, and balanced growth of residential neighborhoods.

3. Establish design standards to help create distinct, safe and attractive residential neighborhoods.

B. Residential Districts are comprised of Agricultural Districts, Single-Family Residential Districts, and Multi-Family Residential Districts. The specific purposes

of the agricultural, single-family residential and multi-family residential districts are:

1. **Agricultural**. Allows agricultural, ranching, and related uses within the City, and may act as a "holding district" for annexed lands that have been used for agricultural purposes until a suitable rezoning occurs. The AU district specifically provides a low-density, estate-type residential use that allows for non-commercial agricultural uses and Large Animal and Small Animal privileges. These districts also allow for other uses under certain circumstances and allow select uses when compatible with a residential environment subject to a Use Permit.

   AG (Agricultural)

   AU (Agricultural-Urban)

2. **Single-Family Residential.** To provide areas for detached and attached single-family dwellings with each dwelling being located on a separate lot. These districts also allow for other uses under certain circumstances and allow for other uses when compatible with a residential environment subject to a Use Permit. The Single-Family Residential Districts include:

   R1-10 (Single-Family Detached)

   R1-7 (Single-Family Detached)

   R1-6 (Single-Family Detached or Attached)

   R1-4 (Single-Family Detached or Attached)

   R1-A (Single-Family Attached)

   R1-C (Court Home Detached or Attached)

   MHS – Manufactured Home Subdivision

3. **Multi-Family Residential.** To provide areas for a variety of multiple residence housing types, manufactured home parks, and recreational vehicle parks. It also includes Two-Family Residential, which allows for one single family dwelling or two single family dwellings (a duplex) to be located on a single lot. These districts allow for other uses under certain circumstances and allow for other uses when compatible with a multi-family residential environment subject to a Use Permit. The Multi-Family Residential Districts include:

   R2 (Two-Family Residential)

   MF-12 (Multi-Family Residential)

   MF-18 (Multi-Family Residential)

   MF-24 (Multi-Family Residential

   MH/RVP (Manufactured Home or Recreational Vehicle Park)

2.2.2. Residential Permitted Uses

Table 2.2.2 below identifies uses that are permitted, uses that are permitted if certain conditions are met, and uses that may be permitted by a Use Permit within each

Agricultural, Single Family Residential and Multi-Family Residential District. The various types of permitted uses are designated below:

A. **Principal Permitted Use** – "P" within a cell indicates that use is permitted by right within that zoning district.

B. **Conditional Use** – "C" within a cell indicates a use that is permitted if certain specific conditions are met.

C. **Special Use Permit Use** – "S" within a cell indicates a use that requires the approval of a Special Use Permit in accordance with Section 6.5.

D. **Use Permit Use** – "U" within a cell indicates a use permitted in a particular zoning district only upon showing that such use will comply with all the conditions and standards for the location and/or operations of such use as specified in this Ordinance and authorized by the City Council.

E. **Accessory Use** – "AC" in a cell indicates a use that is permitted so long as it is customarily incidental, related, appropriate and clearly subordinate to the main use of a lot or building, which does not alter the principal use of subject lot or building, or adversely affect other properties in the district.

F. Blank cells indicate a use is not permitted.

Table 2.2.2: Residential Districts Use Classifications

P - Principal Permitted Use C - Conditional Use S - Special Use Permit Use U - Use Permit Use AC - Accessory Use	Single Family							Multi-Family				Additional Use Definitions and Regulations *
	AG	AU	R1-10, R1-7	R1-6, R1-4	R1-C	R1-A	MHS	R2	MF-12	MF-18/24	MH/RVP	
Household Living												
Dwelling, one single family detached	P	P	P	P	P		P					
Dwelling, one single family attached												
Limited to 2 units attached				P		P		P				
Limited to 3 units attached						P		P				
4 or more units attached						P		P				
Dwelling, two-family (duplex)								P	P			
Dwelling, multi-family									P	P		
Detached accessory building	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC		3.12.2
Guest ranch and resort	U	U										

Table 2.2.2: Residential Districts Use Classifications												
P - Principal Permitted Use C - Conditional Use S - Special Use Permit Use U - Use Permit Use AC - Accessory Use	Single Family							Multi-Family				Additional Use Definitions and Regulations *
	AG	AU	R1-10, R1-7	R1-6, R1-4	R1-C	R1-A	MHS	R2	MF-12	MF-18/24	MH/RVP	
Manufactured home	P	P					P				P	3.7 & 3.8
Recreational vehicle											P	3.6
Group Living												
Assisted Living Facility								C		C		3.11.4
Group Home												
1–10 residents, shall be no closer than 1,320 feet (1/4 Mile) from another Group Home	C	C	C	C	C	C	C	C				3.4.3
1–10 residents, less than 1,320 feet 1/4 mile from another Group Home with 1–10 residents	U	U	U	U	U	U	U	U				3.4.3
Civic and Institutional												
Community Playfields and Parks	P	P	P	P	P	P	P	P	P	P	P	
Day care												
Home day care: 1–3 adults or children	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	3.4.4
Home day care: 4–10 adults or children	U	U	U	U	U	U	U	U	U	U	U	3.4.4
Day care facility	U	U	U	U	U	U	U	U	U	U	U	3.4.4
Energy Generation Facility	S	S										
Home business	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	3.4.4
Hospital										C		
Inert Material Landfill (Public Project Borrow Pit)	S	S	S	S	S	S	S	S	S	S	S	

Table 2.2.2: Residential Districts Use Classifications												
P - Principal Permitted Use C - Conditional Use S - Special Use Permit Use U - Use Permit Use AC - Accessory Use	Single Family							Multi-Family				Additional Use Definitions and Regulations *
	AG	AU	R1-10, R1-7	R1-6, R1-4	R1-C	R1-A	MHS	R2	MF-12	MF-18/24	MH/RVP	
Model Home Complex	P	P	P	P	P	P	P	P	P	P	P	
Places of Worship	P	P	P	P	P	P	P	P	P	P	P	3.11.30
Schools, Private	S	S	S	S	S	S	S	S	S	S	S	
Schools, Public & Charter	P	P	P	P	P	P	P	P	P	P	P	
Temporary uses incidental to a construction project	P	P	P	P	P	P	P	P	P	P	P	
Accessory Uses	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	3.12.1
Portable Storage Containers								C	C	C	C	3.12.9
Agriculture												
Agricultural, General	P	P										
Agricultural, Intensive Operation	U	U										3.4.2
Agricultural, Noncommercial	P	P										
Animal Keeping	C	C	C	C	C		C					3.4.1
Agricultural Stand	P											
Entertainment, Recreation & Cultural												
Golf Course		U	U	U	U	U	U	U	U	U	U	

* Unless otherwise expressly permitted elsewhere in the Zoning Ordinance, uses not specifically permitted are prohibited. Although not comprehensive, the "Additional Use Definitions and Regulations" column includes references to limitations applicable to specific use classification referenced in Article 3 or refers to regulations located elsewhere in this Zoning Ordinance.

2.2.3. Development Standards for Agricultural and Single-Family Districts

A. Table 2.2.3 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 2.2.3: Development Standards – Single Family Districts

Standard	AG	AU	R1-10	R1-7	R1-6(1)	R1-4(1)	R1-A	R1-C	MHS
Lot Standards									
Minimum Lot Area (sq ft)	435,600	43,560	10,000	7,000	5,500	4,500	2,800	3,200	3,000
Minimum Lot Width (ft)	300	150	80	70	55	45	35	40	50
Minimum Lot Depth (ft)	N/A	N/A	125	100	100	100	80	80	60
Building Form and Location									
Maximum Height (ft)	30	30	30	30	30	30	30	30	20
Maximum Building Coverage	20%	20%	40%	45%	60%	60%	75%(5)	60%	70%
Minimum Setbacks (ft)									
Front (2)	20	20	10	10	10	10	10 (6)	5 (7)	10
Front facing garage	20	20	20	20	20	20	20	20	N/A
Side	20	15	10	5(3)	5(3)(8)	5(3)(8)	0 (11)	0(3)	10
Total both sides	40	30	20	15	15 (8) (10)	15 (8) (10)	0 (8)	10	20
Street Side (4)	100	30	20	15	10	10	10 (11)	10	10
Rear	100	50	30(12)	25(12)	20(12)	20(12)	15 (12)	15(12)	10
Development Standards									
Open Space % (of net area)	0	0	10	12	15	15	15	15	15

1 For single-family attached uses each unit shall be on its own lot.
2 Front setback shall be measured to patios, livable space, and side entry garages
3 Setback shown only applies when the project complies with the adopted Single-Family Design Guidelines otherwise projects shall observe a minimum ten (10) foot setback.
4 Where a minimum 10 foot wide landscape tract is provided, the typical side setbacks, rather than Street Side setback applies
5 Maximum Building Coverage 80% when utilizing Reduced R1-A Development Standards.
6 If 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.
7 Setback from a public or private street that is not providing direct vehicular access to homes shall be 10 feet
8 For Single-Family Attached uses, side yard setbacks with common wall may be zero (0) feet
9 For principal residential uses, attached side setbacks shall be 0 feet, whereas building separation shall be a minimum of 5feet

10 Total of both sides setback may be reduced to 10 feet subject to the requirements as provided in Section 3..5.1
11 If 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.
12 Where 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.

Figure 2.2.3A – Single Family District Standards (Detached)

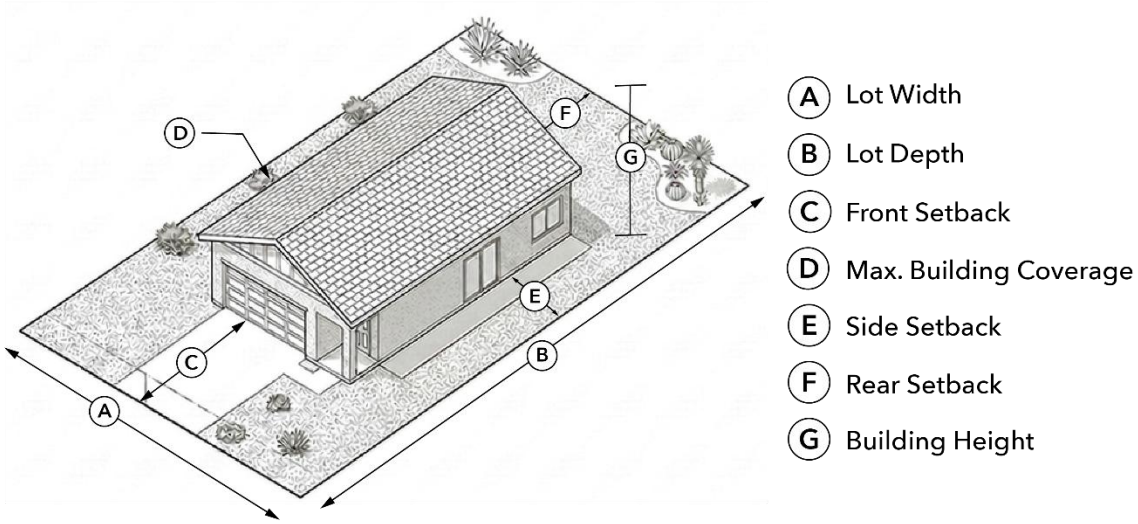
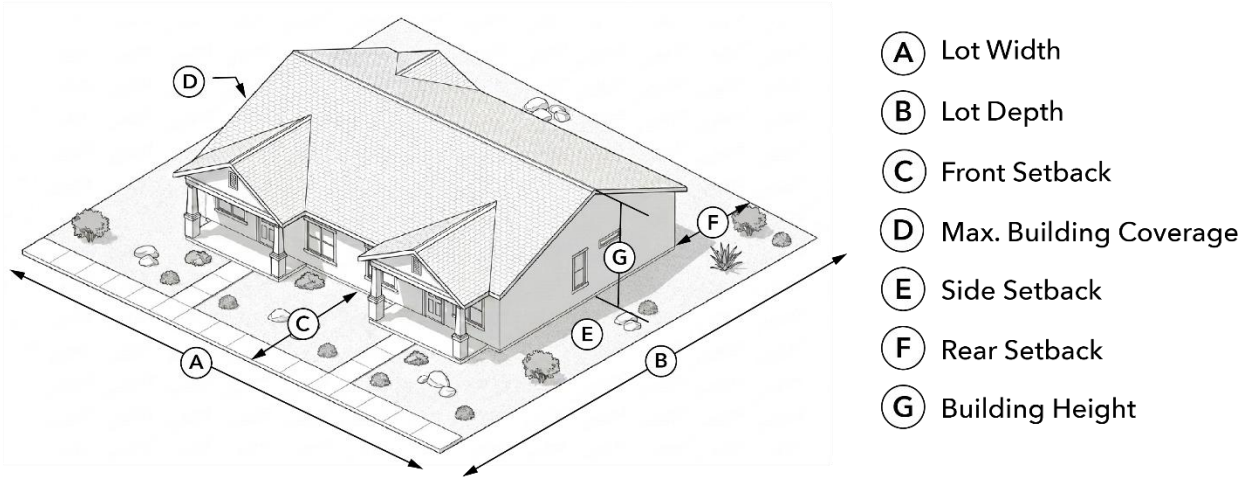


Figure 2.2.3B – Single Family District Standards (Attached)



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Residential Districts - See Section 3.5 for additional standards applicable to all residential districts

2. Accessory Uses, Buildings and Structures – See Section 3.11 Accessory Uses, Buildings, And Structures for additional development and design regulations.
3. Landscaping, Walls and Screening requirements – See Section 4.2 and Section 4.3 Landscaping and Walls, Fences and Screening for additional development and design regulations.
4. Pool & Spa requirements – See Section 4.4 Pools & Spas for additional development and design regulations.
5. Parking and loading requirements – See Section 4.5 Off-Street Parking and Loading for additional development and design regulations.
6. Exterior Lighting requirements – See Section 4.6 Outdoor Lighting for additional development and design regulations
7. Signage requirements – See 4.7 Signage for additional development and design regulations.
8. Hillside Development requirements – See Section 4.8 Hillside Development for additional development and design regulations.

2.2.4. Development Standards for Multi-Family Districts

A. Table 2.2.4 prescribes the development standards for all Multi-Family Residential Districts. Additional development standards for multi-family residential districts follow this table.

Table 2.2.4: Development Standards: Multi-Family Residential Districts

Districts	R2 [1]	MF-12	MF-18	MF-24	MH / RVP (spaces)	
Maximum Density in Du/Ac	8	12	18	24	10	22
Minimum lot Width	100 ft.	200 ft.	200 ft.	100 ft.	50 ft.	28 ft.
Minimum lot depth	50 ft.	N/A	N/A	N/A	60 ft.	40 ft.
Maximum Height (ft.)[2]	30	30	30[3]	40[4]	20	
Maximum Building coverage	40%	50%	50%	50%	N/A	
Minimum Setbacks						
Front (ft.)	20	30	30	30	10	
Street Side (ft.)	20	20	30	30	10	
Side, except for Street Side (ft.)	5[5]	20	30	20	10	5
Total Both Sides (ft.)	15	40	60	40	20	10
Rear (ft.)	20	30	30	30	10	5
Minimum setback from single-family residential zoning						
Building Height 20 feet or less (ft.)	20	30	30	30	30	N/A
Building Height Between 20 and 30 feet (ft.)	30	50	50	50	N/A	N/A
Building Height greater than 30 feet (ft.)	N/A	N/A	50 feet + 5 feet for every foot over 30 feet	50 feet + 5 feet for every foot over 30 feet	N/A	N/A
Recreational Open Space (sq. ft./d.u.)	400	400	400	400	400	150
Private Outdoor Open Space (sq. ft./d.u.)	200	200	60	60	N/A	N/A

1 For single-family attached uses each unit shall be on its own lot. All development standards shall be measured based off the original parent lot.

2 Buildings where the uppermost roof is pitched with a minimum slope of 4:12, the maximum building height may be increased by up to 10 feet above the district's base height limit, provided that the pitched roof covers at least 50% of the building footprint. This bonus applies only to sloped roof forms (gable, hip, or similar) and shall not apply to mansard or parapet extensions.

3 In the MF-18 zoning district, the maximum building height may be increased from thirty (30) feet to forty (40) feet, not to exceed three (3) stories, subject to the following conditions:

- The additional height shall only be permitted when the development complies with the adopted Multi-Family Design Guidelines, as determined during Site Plan and Design Review. Developments which do not comply with the Multi-Family Design Guidelines shall be limited to two (2) stories.
- Any portion of a residential building located within one hundred (100) feet of property zoned or developed as single-family residential shall not exceed two (2) stories in height.

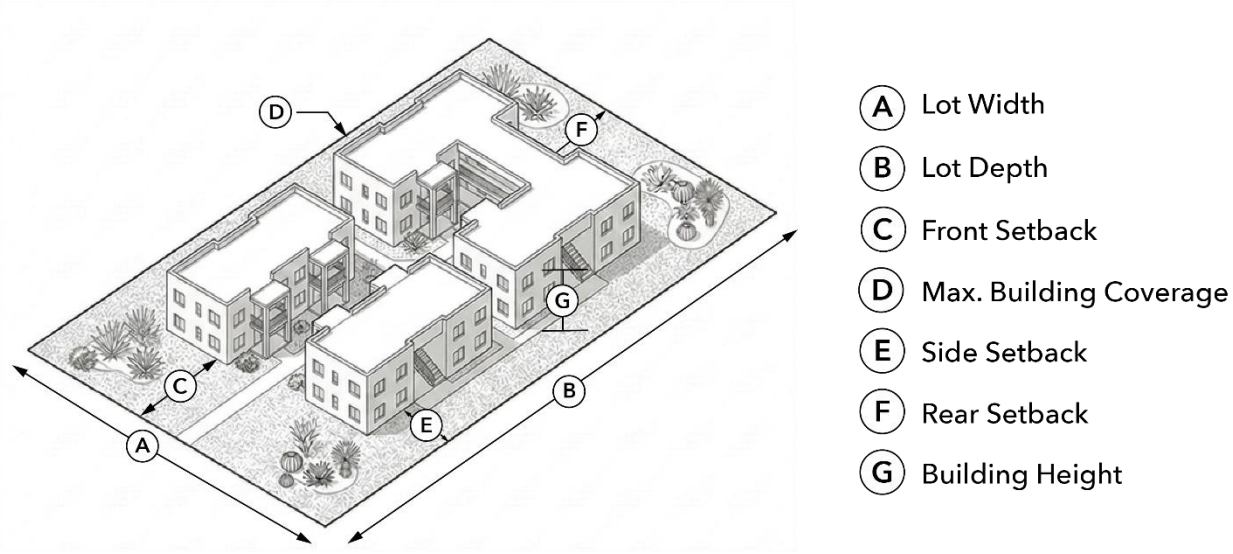
- Where a residential building is oriented toward single-family residential, the stacked end units of the building closest to the single-family property line shall be limited to two (2) stories and shall not include a third story. The remainder of the building may extend to three (3) stories, not to exceed forty (40) feet.
- Roof heights shall incorporate variation and shall include pitched roof forms, tile elements, or tower-like architectural features to reduce perceived massing and provide compatibility with adjacent single-family development.
- Developments that do not meet the above conditions shall be limited to the base maximum height of thirty (30) feet.
- All buildings within thirty (30) feet of the property line shall be no greater than forty (40) feet in height.

4 In the MF-24 zoning district, the maximum building height may be increased from forty (40) feet to sixty (60) feet, not to exceed four (4) stories, subject to the following conditions:

- The additional height shall only be permitted when the development complies with the adopted Multi Family Design Guidelines, as determined during Site Plan and Design Review. Developments which do not comply with the Multi-Family Design Guidelines shall be limited to two (2) stories.
- Buildings exceeding three (3) stories shall be located in the interior of the site and shall not be located along arterial road frontages or adjacent to lower density residential zoning districts.
- Buildings located along arterial streets or within one hundred (100) feet of single-family residential zoning shall not exceed three (3) stories.
- Four story buildings shall maintain a minimum setback of fifty (50) feet from any arterial right-of-way.
- Roof heights shall incorporate variation and shall include pitched roof forms, tile elements, or tower-like architectural features to reduce perceived massing and provide compatibility with adjacent single-family development.
- Developments that do not meet the above conditions shall be limited to the base maximum height of forty (40) feet.

5 Setback shown only applies when the project complies with the adopted Single-Family or Multi-Family Design Guidelines otherwise projects shall observe a minimum ten (10) foot setback.

Figure 2.2.4 – Multi-Family Residential Setbacks



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Residential Districts - See Section 3.5 for additional standards applicable to all residential districts
2. Accessory Uses, Buildings and Structures – See Section 3.11 Accessory Uses, Buildings, And Structures for additional development and design regulations.

3. Landscaping, Walls and Screening requirements – See Section 4.2 and Section 4.3 Landscaping and Walls, Fences and Screening for additional development and design regulations.
4. Pool & Spa requirements – See Section 4.4 Pools & Spas for additional development and design regulations.
5. Parking and loading requirements – See Section 4.5 Off-Street Parking and Loading for additional development and design regulations.
6. Exterior Lighting requirements – See Section 4.6 Outdoor Lighting for additional development and design regulations
7. Signage requirements – See Section 4.7 Signage for additional development and design regulations.

2.3. Commercial & Industrial Districts

2.3.1. Commercial Districts

The Commercial Districts provide activity centers with shopping and services, employment for local residents and to strengthen the City's economic base. Their standards are intended to assure convenience, safety, positive community image, variety in retail, commerce and office development responding to the community's quality of life. Zoning classifications include offices, neighborhood and community-wide businesses, the Central Business District and related public facilities designations. Use intensities and site development criteria are intended to mitigate impact on, as well as maintain compatibility with, adjacent residential areas.

A. Purpose Statements

1. **Commercial Office District (CO)**. The Commercial Office District provides for professional and administrative services that are established at a residential scale in the CO District, providing for transition between retail commercial areas and residential uses.
2. **Neighborhood Commercial District (C-1)**. The Neighborhood Commercial District uses are intended to provide limited retailing, generally on small parcels, serving nearby residential neighborhoods. The District may be applied as a transition buffer between uses of varying intensity or to add separation distance between arterial streets and residential districts.
3. **General Commercial District (C-2)**. The General Commercial District uses provide for general retail, service and office use, as well as encouragement of major, 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.
4. **Core Mixed-Use District (CMX)**. The Core Mixed-Use District provides for integrated residential, retail, office, civic, entertainment, hospitality, and service uses within a compact, walkable development pattern. The district is intended to function as a focal activity center and may be applied in multiple locations throughout the city.
5. **Public Facilities District (PFD).** The Public Facilities District accommodates those uses which are provided by governmental entities for general public usage or convenience, and to ensure compatibility with adjacent residential areas.
6. **Business Park District (BPD).**
    a. The purpose of the Business Park (BPD) District is to provide an attractive environment for modern offices, light assembly, and warehouse development and to create employment and economic development opportunities in a campus-like setting. The standards promote development intended to create an environment compatible with nearby, existing developed areas.
    b. The Business Park (BPD) District allows a mix of business and employment uses in a design integrated development consisting of one (1) or more buildings having an exterior appearance and pedestrian-friendly park-like walkability of a business park, with all loading docks, outdoor storage, and other higher intensity uses and activities occurring within

internalized courts visible and accessible only from the interior of the development.

c. The Business Park (BPD) District may also be utilized to buffer higher intensity industrial uses from lower intensity residential and commercial uses.

2.3.2. Industrial Districts

The Industrial Districts provide for the industrial businesses of the community including research and development, warehousing, wholesaling, manufacturing, assembling and limited retail and service uses. The districts promote the economic diversity and employment of the City and provide for varying levels of intensity of industrial uses. Performance and design standards assure the City of high quality industrial development.

A. Purpose Statements

1. **Light Industrial Park District (I-1)**. The light Industrial Park District is intended to promote and protect light manufacturing, warehouses and research and development industries; to cluster such industries into attractive planned Industrial Parks; to minimize incompatibility of industrial uses with adjacent land uses; and provide sufficient space in appropriate locations to businesses and manufacturing firms free from offensive land uses in modern, landscaped buildings and surroundings.
2. **General Industrial Park District (I-2)**. The General Industrial Park District is intended to promote and protect large and intensive manufacturing, warehouses and research and development industries; to cluster such industries into attractive planned Industrial Parks; to minimize incompatibility of industrial uses with adjacent land uses; and provide sufficient space in appropriate locations to businesses and manufacturing firms free from offensive land uses in modern, landscaped buildings and surroundings.

2.3.3. Commercial & Industrial Permitted Uses

Table 2.3.2 below identifies uses that are permitted, uses that are permitted if certain conditions are met, and uses that may be permitted by a Use Permit or Special Use Permit within each Commercial & Industrial District. The various types of permitted uses are designated below:

A. **Principal Permitted Use** – "P" within a cell indicates that use is permitted by right within that zoning district.

B. **Conditional Use** – "C" within a cell indicates a use that is permitted if certain conditions are met

C. **Special Use Permit Use** – "S" within a cell indicates a use that requires the approval of a Special Use Permit in accordance with 6.5.

D. **Use Permit Use** – "U" within a cell indicates a use permitted in a particular zoning district only upon showing that such use will comply with all the conditions and standards for the location and/or operations of such use as specified in this Ordinance and authorized by the City Council

E. **Accessory Use** – "AC" in a cell indicates a use that is permitted so long as it is customarily incidental, related, appropriate and clearly subordinate to the main use of a lot or building, which does not alter the principal use of subject lot or building, or adversely affect other properties in the district

F. Blank cells indicate a use is not permitted

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Adult-Oriented Uses									
Adult bookstore, adult novelty store and adult theater			C				C	C	3.11.1
Adult live entertainment, erotic dance or performance studio			S				S	S	3.11.1
Marijuana Dual Facility							C	C	3.11.24
Medical Marijuana Cultivation Location							C	C	3.11.25
Medical Marijuana Dispensary							C	C	3.11.27
Tobacco Retailer		P	P						
Tattoo Studio and/or Body Piercing Studio			C						3.11.34
Automotive & Transportation Related									
Automobile repair, major			C				P	P	3.11.6
Automobile repair, minor			C			C	P	P	3.11.7
Automobile rental		C	P			P			3.11.8
Automobile sales, new or used		C	P			P			3.11.9
Automotive fueling stations		U	U				AC	AC	3.11.5
Car wash (Hand or Automatic)			U				AC	AC	3.11.13
Emissions testing & vehicle licensing								P	
Intermodal Regional Transportation Hub			P	P					
Parking lots, Commercial			P	P			P	P	
Parking structures				P		P	P	P	
Transfer Company/Trucking Terminal							C	C	3.11.35
Truck Stop/Travel Plaza									
Commercial Office, Retail & Services									
Animal Kennel/Shelter							C	P	3.11.2
Animal Pet Day Care Facility		P	P			P	P		3.11.3
Convenience store		U	U						3.11.15
Crematories or Funeral Home			P				P	P	
Drive-in restaurant		U	U						3.11.19

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Drive-through		C	C	U					3.11.19
Financial Institution	P	P	P	P					
Fine Art Sales & Studio	P	P	P	P		P			
Food Bank							U	P	
Heavy Equipment Rental & Sales			U				P	P	
Limited outdoor display		C	C	C			C	C	3.12.7
Manufactured Home Sales							P	P	
Massage and Spa Establishments	P	P	P						
Non-Chartered Financial Institution			C						3.11.28
Nursery, Retail			U				U	U	
Office, business or professional services	P	P	P	P		P	P	P	
Pawn shop			P						
Personal Services		P	P	P		P			
Retail, General		P	P	P		P			
Retail, Large			C				S	S	3.11.22
Retail, Shopping Center		P	P						
Secondhand stores		P	P				P		
Seed and feed, retail and sales office			P				P		
Swap Meets/Auctions							S	S	
Veterinary Clinic		C	P			P	P	P	3.11.37
Veterinary Hospital			C			C	C	P	3.11.38
Entertainment, Recreation & Cultural									
Amusement park			S	S			S	S	
Cultural facility or Museum			P	P		P			
Drive-In Theaters			S				S	S	
Entertainment establishments, general			P	P		P			
Entertainment Venue, Indoor			U	U		U	U	U	3.11.20
Entertainment Venue, Outdoor			U	U		U	U	U	3.11.21
Event Venue			U	U		P	U	U	
Golf Course	U	U	U	U	U	U			

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Health club/Gym			P	P			P		
Hotels and motels			P	P					
Food & Beverage Establishments									
Bar/cocktail lounge			C	C		C			3.11.32
Brewery			C	C		C	P	P	3.11.11
Brewpub			C	C		C			3.11.12
Microbrewery/Distillery									3.11.23
producing ≤ 15,000 barrels/year			C	C		C	P	P	
producing ≥ 15,000 barrels/year			S	S		S	P	P	
Outdoor seating		C	C	C		C			3.12.8
Restaurant		P	P	P		P			3.11.32
Institutional & Public Facilities									
Cemeteries/mausoleums (incl. pets)							S	S	3.11.14
Crematory							U	U	
Day Care Facility	C	P	P	C			U		3.11.17
Exhibition hall and convention facilities				P					
Funeral Home	P	P	P						
Governmental or quasi-governmental Facilities			P	P	P	P			
Places of worship	P	P	P	P	P	P	P	P	3.11.30
Professional Business, Trade or Vocational Schools	P		P	P		P	P	P	
Schools, Public and Charter	P	P	P	P	P	P	P	P	
Schools, Private	S	S	S	S	S	S	S	S	
Social clubs and fraternal organizations			S						
Zoo							S	S	
Industrial – Heavy / Extractive / Waste									
High-impact processing & refining								U	
Resource Extraction & Processing							S	S	
Sand blasting								P	

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Waste Facility, Landfills or Transfer Stations/Recycling Facilities							S	S	
Industrial - Manufacturing & Storage									
Advanced Manufacturing						P	P	P	
Building Material Sales							P	P	
Data centers							C	C	3.11.16
Foundry/casting (low impact)								P	
Inert material landfill (borrow pit)	S	S	S	S	S	S	S	S	
Manufacturing & assembling, Major							C	P	
Manufacturing & assembling, Minor						P	P	P	
Product Processing							C	P	3.11.31
Research and Development Laboratories						P	P	P	
Self-service storage facilities		C	C				C	C	3.11.33
Sign shop			P			P	P	P	
Warehouse, wholesale, or distribution facility						C	C	C	3.11.39
Infrastructure / Utilities									
Airport/heliport/helistop			S			S	S	S	
Battery Energy Storage System (BESS)							S	S	3.11.10
Broadcast Tower								P	
Energy generation facility					S	S	S	S	
Highway maintenance facilities								P	
Public utility facilities, major			U	P	P	P	P	P	
Public utility facilities, minor	U	U	P		P		P	P	
Public works facilities			U		P		U	P	
Sewage disposal & treatment plant							S	P	
Transmitting stations								U	
Wireless communications facilities	S	S	S	S	S	S	C	P	3.11.40
Medical / Health Care									
Assisted Living Facility		C	C						3.11.4
Hospital		U	U			U			

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Medical Office/Clinics	P	P	P	P		P	P	P	
Medical Laboratories	P		P			P	P		
Residential & Accessory									
Accessory uses	AC	AC	AC	AC	AC	AC	AC	AC	3.12.1
Dwelling for a watchman or caretaker							C	C	3.12.1
Dwelling, one single family attached									
Limited to 2 units attached				P					
Limited to 3 units attached				P					
4 or more units attached				P					
Dwelling, multi-family				P					
Facilities and storage areas incidental to a construction process	AC	AC	AC	AC	AC	AC	AC	AC	3.12.1
Outdoor storage	C	C	C	C	C	C	C	C	3.11.29
Portable storage containers	C	C	C	C	C	C	C	C	3.12.9
Temporary construction offices	C	C	C	C	C	C	C	C	

* Unless otherwise expressly permitted elsewhere in the Zoning Ordinance, uses not specifically permitted are prohibited. Although not comprehensive, the "Additional Use Definitions and Regulations" column includes references to limitations applicable to specific use classification referenced in Article 3 or refers to regulations located elsewhere in this Zoning Ordinance.

2.3.4. Commercial Development Standards

A. Dimension Requirements

Lot area, height, setback and related standards for the Commercial Districts (including Central Business and Public Facilities Districts) are as follows:

Table 2.3.4: Commercial District Standards

Districts		C-O	C-1	C-2	CMX	PFD	BPD
Minimum Net Site Area		6,000	10,000 (3)	10,000 (3)	None	None	20,000 (3)
Minimum Lot Width		60 ft.	150 ft. (3)	150 ft. (3)	None	None	150 ft. (3)
Maximum Height		30 ft.	30 ft.	56 ft.	75 ft.	40 ft	56 ft.
Maximum Building Coverage		50%	50%	50%	None	None	50%
Minimum Setbacks							
	Front	30 ft.	30 ft. (5)	30 ft. (2) (5)	None	None	30 ft. (2) (5)
	Side	20 ft. (1)	20 ft. (1)(4)	N/A (1)	None	None	N/A (1)
	Rear	20 ft. (1)	20 ft. (1)	N/A (1)	None	None	N/A (1)
	Street side	30 ft.	30 ft.	30 ft. (2)	30 ft.	30 ft.	30 ft. (2)

1 Buildings within a district adjacent to any residential use or district (including adjacent municipal or county conditions) are subject to additional minimum building setbacks as defined in Section 3.9.1.E.2.

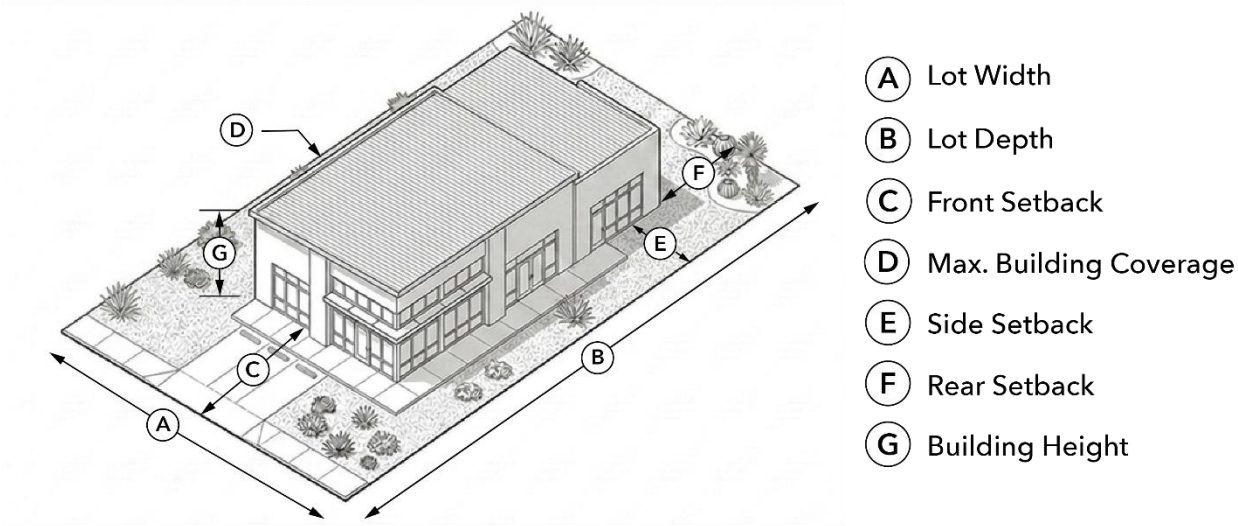
2 Buildings with heights in excess of 30 ft. shall provide 1 foot of additional setback for each foot of building height over 30 ft.

3 Except as provided herein, minimum net site area and lot width requirements do not apply for lots within a unified commercial development, which is a development intended for three or more businesses, so long as the development has permanent cross-access, shared parking and access easements, in a form approved by the City Attorney or his/her designee, necessary to meet minimum parking and maneuvering requirements and any other applicable requirements. If there are conflicts between this exception and other requirements in the Zoning Ordinance pursuant to which a site would be required to meet or exceed the minimum net site area or minimum lot width requirements, this exception shall not apply.

4 Pad sites within a commercial development may have reduced setbacks along boundaries internal to the master site plan if the whole development complies with parking and landscaping regulations. Approval by the Development Services Director or designee is required.

5 Except as provided herein, the setback for lots within a unified commercial development, which is intended for three or more businesses with permanent cross access and shared parking easements, shall be measured from the nearest public streets. If there are conflicts between this exception and other requirements in the Zoning Ordinance pursuant to which a site would be required to meet or exceed the minimum setbacks, this exception shall not apply.

Figure 2.3.4 – Commercial Standards



B. Additional Development Standards & Regulations

1. Additional Standards and Regulations Applicable to Commercial Districts - See Section 3.9 Additional Development Standards and Regulations for Commercial Districts for additional standards applicable to commercial districts
2. Accessory Uses, Buildings and Structures – See Section 3.11 Accessory Uses, Buildings, And Structures for additional development and design regulations.
3. Landscaping, Walls and Screening requirements – See Section 4.2 and Section 4.3 Landscaping and Walls, Fences, and Screening for additional development and design regulations.
4. Parking and loading requirements – See Section 4.5 Off-Street Parking and Loading for additional development and design regulations.
5. Exterior Lighting requirements – See Section 4.6 Outdoor Lighting for additional development and design regulations
6. Signage requirements – See Section 4.7 Signage for additional development and design regulations.

2.3.5. Industrial Development Standards

A. Dimension Requirements.
Lot area, height, setback and related standards for the Industrial Districts are as follows:

Table 2.3.5: Industrial District Standards		
Districts	**I-1**	**I-2**
Minimum Site Area	1 acre	5 acres
Minimum Lot Width	150 ft.	300 ft.
Minimum Lot Depth	200 ft.	400 ft.
Maximum Building Coverage	50%	50%
Maximum Height[1][2]	56 ft	56 ft.
Maximum Height w/ 300ft Buffer from Project Line[1][2]	70 ft	70 ft
Minimum Setbacks[3]		
Front	30 ft.	50 ft.
Side[4]	30 ft.	30 ft.
Rear	20 ft.	50 ft.
Street side	30 ft.	30 ft.

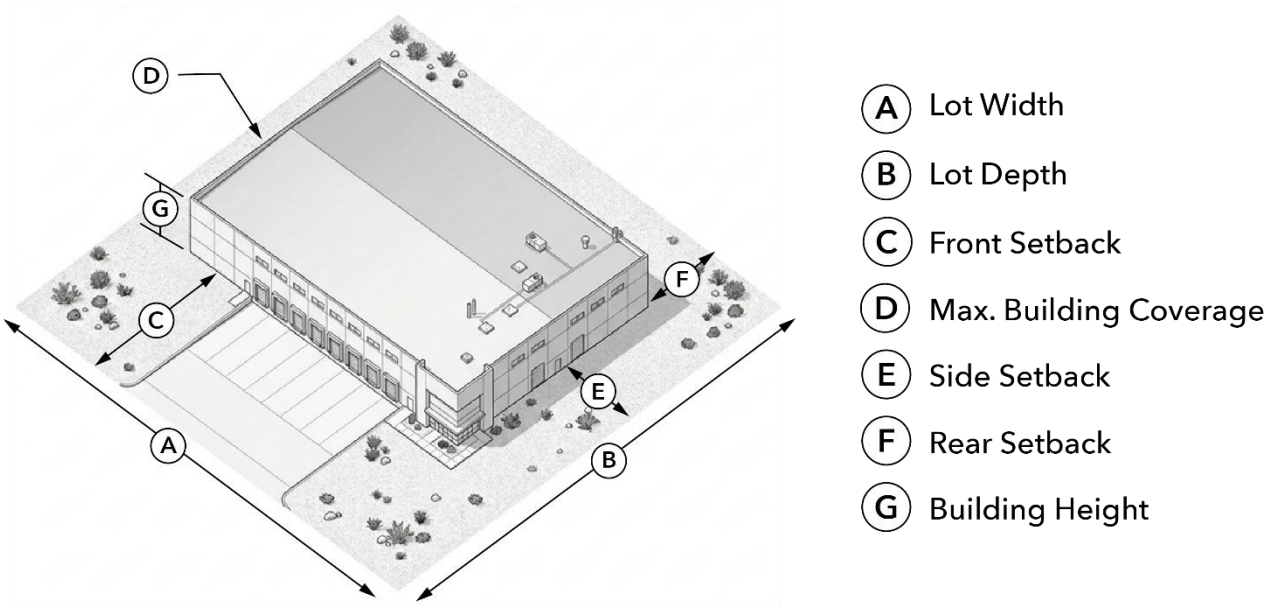
1 The height of a building located in an I-1 district that will penetrate a slope of 100:1 from the runway centerline or runway end of an operating airport shall only exceed 40 feet upon a determination by the Federal Aviation Administration ("FAA") that the proposed building height presents no hazard to air navigation as evidenced by the receipt of a Determination of No Hazard to Air Navigation issued by the FAA.

2 Additional five (5) feet allowed for mechanical equipment, screening, and architectural embellishments

3 Buildings within a district adjacent to any residential use or district (including adjacent municipal or county conditions) are subject to additional minimum building setbacks as defined in Section 3.9.3.B.2.

4 A minimum setback of thirty (30) feet shall be provided on each side of the property. A landscaped area at least ten (10) feet in width shall be provided and maintained adjacent to each side property line.

Figure 2.3.5 – Industrial District Standards



B. Additional Development Standards & Regulations

1. Additional Standards and Regulations Applicable to Industrial Districts - See Section 3.9.3 Additional Development Standards and Regulations for Industrial Districts for additional standards applicable to commercial districts
2. Accessory Uses, Buildings and Structures – See Section 3.11 Accessory Uses, Buildings, And Structures for additional development and design regulations.
3. Landscaping, Walls and Screening requirements – See Section 4.2 and Section 4.3 Landscaping and Walls, Fences and Screening for additional development and design regulations.
4. Parking and loading requirements – See Section 4.5 Off-Street Parking and Loading for additional development and design regulations.
5. Exterior Lighting requirements – See Section 4.6 Outdoor Lighting for additional development and design regulations
6. Signage requirements – See Section 4.7 Signage for additional development and design regulations.

2.4. Planned Area Development Districts

These Districts are intended to accommodate, encourage and promote developments with innovative design involving residential and nonresidential land uses, which together form an attractive, harmonious unit in the community.

Such a planned development may be designed as one or more of the following:

- A large-scale master-planned separate entity, able to function as an individual community or neighborhood;
- A small-scale project which requires flexibility because of unique circumstances or design characteristics; or
- A transitional area between dissimilar land uses.

The planned development may include standards or criteria that differ from those regulations pertaining to other districts (including deviations from the development standards prescribed in Section 3.2.3) when warranted by site conditions, innovative design, alternative lot configurations, a variety of housing types, in-fill development involving a small or irregularly shaped parcel, mixed-use concepts or other circumstances found by the City through the PAD approval to merit departure from the regulations pertaining to other districts.

Planned Area Development zoning shall be established in one of the following forms:

A. **Planned Area Development District (PAD)** – An independent zoning district that may modify permitted uses, densities, intensities, development standards, and design criteria as set forth in an approved Development Plan.
B. **Planned Area Development Overlay (PAD-Overly)** – An overlay district applied to an existing base zoning district that modifies only specified development standards, while retaining the underlying zoning classification and permitted uses.

2.4.1. Planned Area Development Applicability

The provisions of this Article shall apply to all PAD and PAD-Overlay documents, and any additional or supplemental information that is deemed necessary by the Zoning Administrator, or their designee, to meet the following objectives:

A. Accommodate variations in building design, lot arrangements and land uses for a maximum choice in the types of environments for residential, commercial, industrial uses and facilities
B. Provide for a coordinated and compatibly arranged variety of land uses with efficient and safe traffic circulation, including the separation of pedestrians from vehicular traffic
C. Promote innovative site planning; to maintain high-quality living environments with usable open space
D. Minimize adverse environmental impact on surrounding areas; and
E. Fulfill the goals, objectives and policies of the City of Goodyear General Plan and amendments thereto

2.4.2. PAD Permitted Uses

A. Planned Area Development District (PAD)
Uses permitted within a PAD shall be those specifically identified in the approved Development Plan. Residential neighborhoods shall include a range of housing types and styles consistent with the objectives of this Article. All uses

shall be evaluated for compatibility with each other and with surrounding land uses and shall conform to the City of Goodyear General Plan.

B. Planned Area Development Overlay (PAD-Overlay)
Uses permitted within a PAD-Overlay shall remain those permitted by the underlying zoning district. The PAD-Overlay may modify development standards only and shall not alter the list of permitted, conditional, or accessory uses.

C. Density and Intensity
Densities and intensities permitted within a PAD or PAD-Overlay shall conform to the City of Goodyear General Plan, except as otherwise provided in a Development Plan, development agreement, or stipulations adopted prior to the effective date of this Ordinance.

2.4.3. PAD Development Standards

The development plan shall respond to the following requirements:

A. **Flexible Development**. Quality land improvement, consistent with the Goodyear General Plan, is required of developers in exchange for the applicant's alternative proposals for meeting or exceeding standards of the underlying zoning district (or comparable district); and, such alternative development methods may be expressly stipulated in the final development plan.

B. **Density/Intensity**. Specific dwelling unit yields or Floor Area Ratio (F.A.R.) may be proposed for individual parcels and development units, notwithstanding otherwise applicable standards, so long as they are consistent with the principles of the General Plan.

C. **Minimum Lot Area**. Single-family residential developments may propose lotting arrangements with a portion of the site in parcels with less than a minimum lot area of 5,500 square feet, in consideration of the following criteria as well as other justifications which the applicant may provide:
   1. Mixed housing types including single-family detached and single-family attached units with attention to a range of price points;
   2. Additional useable open space being provided;
   3. Lots with areas less than 5,500 square feet are proximate to commercial, employment, or public transit;
   4. Lots with areas less than 5,500 square feet are internal to the development or are adjacent to non- residential uses; and/or
   5. Illustrations of proposed street scene where garages are not dominating, porches are provided, or the like.

D. **Property Improvement Specifications**. Unless otherwise requested, approved and specified on the final development plan, improvements to individual lots or sites shall conform with the standards set forth in the Zoning District tables for the district most nearly approximating proposed uses and intensities of use. (See, for example, Residential District Table in Section 2.2.2.)

E. **Parking**. Joint use parking facilities, including appropriately-buffered and screened recreational vehicle, automotive maintenance and washing areas, may be proposed in accord with Section 4.5, Off-Street Parking and Loading.
   1. Parking spaces shall be designated for parks and recreation areas.
   2. Separate, designated spaces shall be provided for temporary model home sales or rental offices.

F. **Signage**. Comprehensive signage packages shall be proposed to provide a sense of community and collective neighborhood identity through entry monumentation, street signs and common area information; including monument signs for free-standing non-residential uses and directory signage for retail, office or industrial park centers.

G. **Other improvements**. Off-site installation of municipal system extensions, including streets, sidewalks, pathways, drainage facilities, water, sewer and private-provider utility trenching and sub-station facilities necessary to serve the development may be required and master-planned in compliance with City engineering specifications or with attenuation methods and materials approved by the Public Works Director, or his designee.

H. **Open Space**. Allotments of required percentages of the gross site area in improved or preserved open space to be maintained shall be specified in the final development plan. Desert or agricultural lands, portions of natural washes, stormwater retention areas, golf courses, and lineal pathway/trail corridors may be accepted as appropriate to the development. Minimum open space shall be provided, based on the following average lot sizes:

Average Lot Size	Minimum Open Space
3,000-6,999 sq. ft.	15%
7,000-9,999 sq. ft.	12%
10,000-15,000 sq. ft.	10%
15,001+ sq. ft.	no minimum

Common open space useable for recreation or leisure purposes shall constitute not less than seventy-five (75) percent of residential development's open space requirements in development units where the number of multi-family units and lots of R1-6 area standard or less represents the majority of dwelling units. Percentages for larger lot development units or non-residential parcels shall be specified in the final development plan.

I. Peripheral landscape tracts are required along arterial roadways and the outer edges of planned development units. Tract widths, wall treatments and improvements such as pathways or street furniture shall be specified on the final development plan. Tracts thirty-five (35) feet or greater in width are required for lots with two-story dwellings abutting an arterial roadway.

2.4.4. Sunset of Preliminary Planned Area Development (Preliminary PAD)

A. Effective upon adoption of this Ordinance, no new applications for Preliminary Planned Area Development (Preliminary PAD) zoning shall be accepted.

B. Any Preliminary PAD approved prior to the effective date of this Ordinance shall remain valid subject to the terms and conditions of its approval.

C. Approved Preliminary PADs shall be deemed PAD zoning districts for purposes of administration, interpretation, amendment, and enforcement.

D. Amendments to an approved Preliminary PAD shall be processed as amendments to a PAD in accordance with Article 6.

2.5. Special Districts

There exists within the City of Goodyear areas that, due to the unique nature of the area, surrounding land uses and/or physical improvements or natural features, require

special regulations and approval processes above and beyond the regulations and approval processes of the underlying zoning districts. In order to insure the orderly development of the area, and protect the public health, safety and welfare, the districts contained in this Article are specific to these unique geographic areas, and the regulations and approval processes are intended to be applicable to all property within the geographic boundaries of the individual districts, regardless of the individual zoning of the underlying parcels.

2.5.1. Freeway Development Overlay District

A. Purpose

The purpose of this Overlay District is to provide the appropriate and necessary off-site and on-site improvements to protect and enhance the livability of properties near Freeways within the City of Goodyear. These Freeway corridors will have a significant impact on the surrounding land uses. Noise and traffic generated by these Freeways will impact residential land uses and other noise sensitive uses that may be constructed adjacent to the Freeway corridors.

It is the intent of the City to ensure that future Freeway noise impacts are mitigated by establishing noise attenuation requirements applicable to future development of residential land uses and other noise sensitive uses as defined in this Overlay District.

B. Applicability

1. All residential development and other noise sensitive land uses located within five hundred (500) feet of Freeway alignments shall comply with the provisions of this Overlay District. Noise sensitive land uses shall include schools, places of worship, childcare facilities, hospitals, nursing homes, libraries, and similar facilities, as determined by the Zoning Administrator, or his or her designee. Abatement measures are generally not required for new commercial and industrial developments. Abatement measures are generally required only with respect to structures designed for human occupancy and private outdoor open space within the specified distance from the Freeway right-of-way boundaries.
2. All residential development and other noise sensitive uses within five hundred (500) feet of Freeway right-of-way boundaries shall submit a sound attenuation plan prior to rezoning, use permit, or site plan approval.
3. Any property or lot completely or partially located within five hundred (500) feet of the exterior edge of Freeway alignments shall comply with the provisions of this Overlay District.

C. Sound Attenuation Plan

1. Exterior Noise Standards.
   a. The sound attenuation plan shall include a noise analysis of the property that details the projected Freeway noise levels based upon the most current projected traffic volumes available from the Maricopa As- sociation of Governments. The time period for the projected traffic volumes and traffic characteristics shall be a minimum of fifteen (15) years from the date of the submittal of the sound attenuation plan, unless otherwise approved by the City Engineer, or his or her designee. In the event that the design and development of the projected Freeway is not at a stage for which a noise analysis is reasonably feasible, then no such noise analysis shall be

required, but the sound attenuation plan shall obligate the property owner to construct or otherwise provide for a sound barrier wall of a minimum of eight (8) feet in height, or an acceptable equivalent, and install landscape treatments, subject to the approval of the Zoning Administrator, or his or her designee.

b. The sound attenuation plan shall include the proposed attenuation measures needed to reasonably predict that the projected exterior noise levels on the property at ground level and private outdoor space above the ground level shall not exceed the (L_{eq}) sixty- seven (67) dBA noise level. For the purposes of this Overlay District, the noise measurement method used by the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) will be used. In addition to any proposed attenuation measures, a sound attenuation plan may also identify who, in place of the property owner, may be responsible for specific measures, the timing for installing the specific attenuation measures, and describe or provide for proposed alternative means of compliance as to any specific attenuation measures as may be approved by the City Engineer, or his or her designee.

c. The sound attenuation plan shall include a certification by a qualified transportation noise analyst as to the projected exterior noise levels on the site and that the sound attenuation measures will meet the (L_{eq}) sixty-seven (67) dBA noise level.

D. Interior Noise Standards.

1. The sound attenuation plan shall also include measures needed to reasonably predict that the projected interior noise levels for each dwelling unit or building unit or building determined to have a noise sensitive use shall achieve a maximum interior noise level of (L_{eq}) forty-five (45) dBA. In order to comply with this maximum noise level, a minimum of R18 exterior wall assembly, a minimum of R30 roof/ceiling assembly, dual-glazed windows and solid wood, and foam-filled fiberglass or metal doors to the exterior shall be required of new buildings or dwelling units. As an alternative, a certification by an architect or engineer to achieve a maximum interior noise level of (L_{eq}) forty-five (45) dBA at the time of final construction may be submitted. The sound attenuation standards within this Overlay District shall not apply to accessory buildings used on a property with the primary building.

E. Sound Attenuation Improvements

Sound attenuation improvements shall include all reasonable and feasible measures necessary to meet the required standard including the construction of Freeway walls and earthen berms. If there are special characteristics within a Freeway corridor, such as the topography of the area, drainage, maintenance requirements, or safety considerations, as determined by the City Engineer, or his or her designee, then the construction of a noise barrier of greater than 20 feet in height should be avoided. Reasonable and feasible measures may include, without limitation, achieving a noise reduction of at least 5 dBA, barrier height, aesthetic issues relating to a proposed barrier, or

such other measures as consistent with the ADOT (Arizona Department of Transportation) Noise Abatement Requirements (May 2017, as may be amended) and approved by the City Engineer, or his or her designee. The sound attenuation measures shall utilize designs that minimize the visual impact on the site with appropriate use of colors and materials. Any landscape plan proposed for any site subject to the Freeway development standards whereby a wall or berm is required shall include, where appropriate, visual mitigation measures, such as colors, materials, styles, designs, or additional landscape treatments to minimize the visual impacts of walls or berms.

2.5.2. Middle Housing Overlay District

A. Purpose.
The purpose of this Section is to conform with A.R.S. § 9-462.13 to allow for the development of duplexes, triplexes, fourplexes and townhomes. The regulations in this Section are in addition to other codes and requirements of the City.

B. Applicability.
The Middle Housing Overlay District is hereby established (Figure 2.5.2A). The Middle Housing Overlay District applies to the land area within the city limits of the city of Goodyear that is located within one (1) mile of the city's Middle Housing Central Business District, as depicted in the Middle Housing Overlay District.

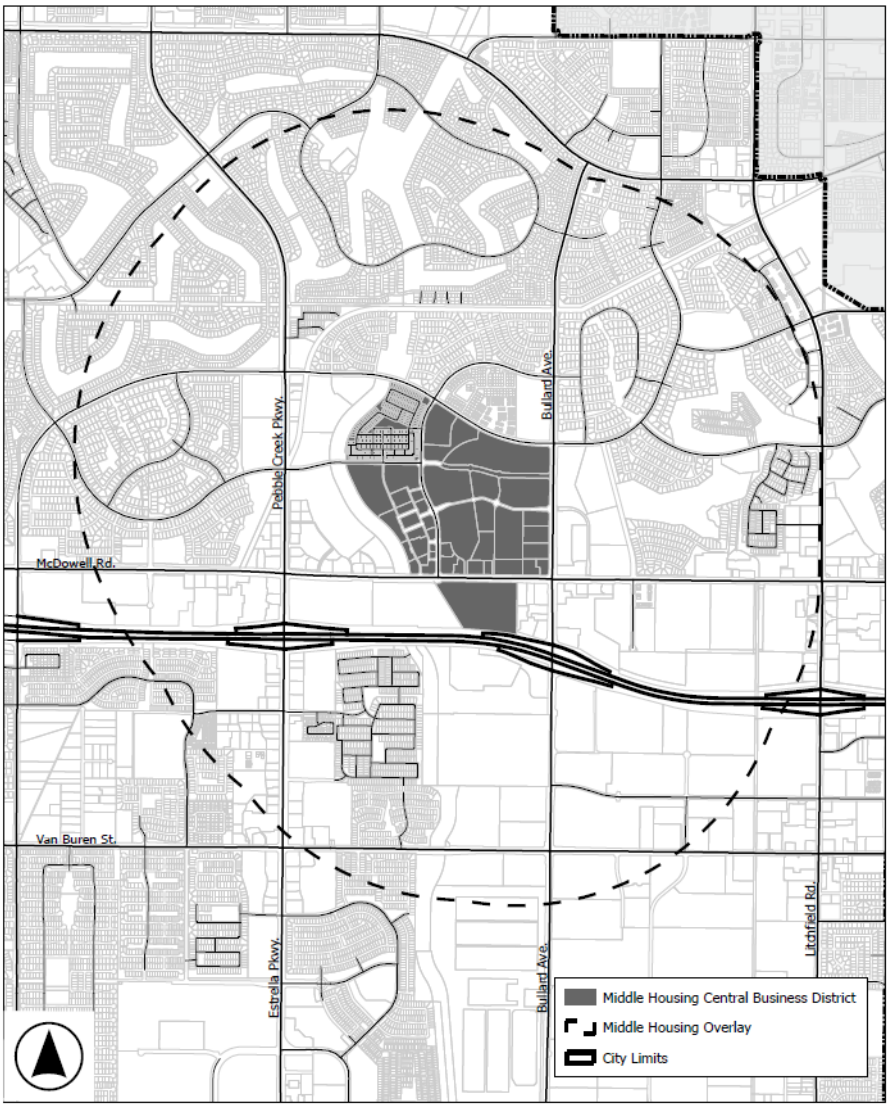
1. The development of duplexes, triplexes, fourplexes and townhomes shall be a permitted use on the following:
    a. All lots zoned for single-family residential use that are located within one mile of the municipality's Middle Housing Central Business District;
    b. A maximum of twenty percent (20%) of the total area of any new development site that is greater than ten (10) contiguous acres.
2. The development of duplexes, triplexes, fourplexes and townhomes (as defined in A.R.S. § 9-462.13) shall not be located within those areas identified in Section 2.5.2.C.

C. Non-Eligibility.
1. The following areas are not eligible to construct a duplex, triplex or fourplex as a permitted use as provided in this Section:
    a. Areas that are not incorporated;
    b. Areas that lack sufficient urban services;
    c. Areas that are not served by water and sewer services;
    d. Areas that are not zoned for residential use;
    e. Areas that are not incorporated and are zoned under an interim zoning designation that maintains the area's potential for planned urban development;
    f. Areas covered under A.R.S., title 48, chapter 6, article 4;
    g. Any land within the territory in the vicinity of a public airport as defined in A.R.S. § 28-8486 or to the extent this section would interfere with the public airport's ability to comply with the laws, regulations and requirements of the United States related to applying for, receiving or spending federal monies; and
    h. Any land within the territory in the vicinity of a military airport as defined in as defined in A.R.S. § 28-8461.

D. Development Standards.
The development standards applicable to the underlying single-family zoning district or planned area development (PAD) shall apply to middle housing development within the Middle Housing Overlay District except as modified herein:

1. **Parking**. A minimum of one (1) parking space per unit shall be provided on site.
2. **Number of Dwelling Units**. Any eligible parcel developed for middle housing is limited to the following:
   a. A single duplex, triplex, or fourplex; or,
   b. A maximum of one (1) townhouse unit on a single lot that are attached to a maximum of one (1) townhouse unit on an adjacent lot that is also within the Middle Housing Overlay District, subject the Development Standards and setbacks of the single-family district.
3. **Development Standards**. All Development Standards, Setbacks, Design and Building Heights shall be that of the single-family zoning district.

Figure 2.5.2A – Middle Housing Overlay District


Pebble Creek Pkwy.
Bullard Ave.
McDowell Rd.
Van Buren St.
Estrella Pkwy.
Bullard Ave.
Litchfield Rd.
Middle Housing Central Business District
Middle Housing Overlay
City Limits

ARTICLE 3 – SUPPLEMENTAL USE STANDARDS

This Article provides for land use activities which may be included in the City of Goodyear, but because of their unique nature, potential for creating impacts on other uses, or pre-existing legal status require particular consideration as to their proper location and/or maintenance in relation to adjacent established or intended uses, or to the planned development of the City. The conditions controlling the location and operation of such uses are established by the following provisions.

In addition to those uses specifically classified and permitted in each district, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public; and there may be uses or structures that were established prior to ordinances with which they do not conform and are, therefore, legally nonconforming.

3.1. General Requirements in All Districts

1. No person, firm or corporation shall strip, excavate or otherwise remove topsoil for sale or for use other than on the premises from which the same shall be taken (except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto).
2. Every dwelling shall be located and maintained on a lot as defined herein.
3. No space needed to meet the width, yard, area, coverage, parking or other requirements of this Ordinance for a lot or building may be sold or leased away from such lot or building.
4. No parcel of land which has less than the minimum width and area requirements for the zone in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot.
5. Performance Standards. No use shall be established, maintained or conducted within any Industrial District which may cause any of the following:
   A. Dissemination of smoke, gas, dust, noxious odor or any other atmosphere pollutant outside the building in which the use is conducted; or with respect to a use that is not conducted within a completely enclosed building, any dissemination whatsoever.
   B. Noise which exceeds levels listed in Table 3.1.5 Noise Thresholds when measured at or beyond the property line:

Table 3.1.5: Noise Thresholds

Receiving Property	Daytime (7:00 a.m.–10:00 p.m.)	Nighttime (10:00 p.m.–7:00 a.m.)
Industrial	70 dBA	65 dBA
Commercial	65 dBA	60 dBA
Residential or Noise-Sensitive Uses[1]	55 dBA	45 dBA

[1] Noise-sensitive uses include residential districts, homes, schools, churches, parks, hospitals, outdoor dining patios, hotels, or similar uses.

1. Initial Sound Study Requirement: An initial sound study shall be required for any industrial use located within 600 feet of property zoned or used for residential or other noise-sensitive purposes.
    a. The study shall be conducted by a qualified third-party acoustical engineer.
    b. The study shall document existing ambient (baseline) sound levels on the project site and baseline sound levels measured at the property line of the nearest residential or noise-sensitive use.
    c. If access to adjoining property is unavailable, sound modeling approved by the Development Services Director or their designee may be used.
    d. The study shall demonstrate compliance with the maximum permissible sound levels listed above.
1. Ongoing Compliance and Monitoring: Upon request by the Development Services Director or their designee, the operator shall conduct a follow-up sound study performed by a qualified third-party acoustical engineer.
    a. The study shall measure noise levels during peak routine operations at the property line of the nearest residential or noise-sensitive use.
    b. If noise levels exceed the permitted limits stated in this Section, the operator shall submit a mitigation plan identifying corrective measures.
    c. Mitigation measures (such as sound walls, equipment enclosures, silencers, operational adjustments, or other industry-standard controls) shall be implemented within 60 days of submitting the study, unless an alternative compliance schedule is approved by the Development Services Director or their designee.
    d. Proof of compliance shall be provided to the Development Services Director or their designee upon completion of mitigation.

C. Discharge of any waste material into any water course or ditch.

D. Dissemination of glare or vibration beyond the immediate site.

E. Potential hazards (fire, explosion, radioactive or any similar cause) to property in the same or any adjacent district.

F. Conditions detrimental to the health, safety and general welfare of the community, as determined by the Zoning Administrator or his designee

1. Encroachment: Every part of a required yard shall be open to the sky and unobstructed except for accessory buildings in a rear yard and except as otherwise permitted herein.

G. The projections of skylights, window sills, belt courses, cornices, chimneys, flues and other ornamental features and open or lattice enclosed fire escapes, fireproof outside stairways and balconies may project into a setback not more than five (5) feet except in the case of a side yard setback where it shall not come nearer than three (3) feet to the side lot line.

H. Bay windows, including their cornices and eaves, may project into any required yard not more than two (2) feet, provided, however, that the sum of such projections on any wall does not exceed one-third (1/3) the length of said wall.

I. Portals may project into a side yard up to the property line of a defined lot. No part of the portal structure shall encroach into an adjacent property.

J. A portal may encroach into the side yard setback and will not be counted as part of the main building in the determination of the size of yard or lot coverage.

2. Measurement Standards: Unless otherwise expressly stated, all distances required by this Ordinance shall be measured as a horizontal distance in a straight line.

A. Required setbacks shall be measured from the nearest property line to the closest point of the building or structure.

B. Building height shall be measured in accordance with the definition of "Height" set forth in this Ordinance.

C. Where this Ordinance requires separation between uses, structures, or zoning districts, such separation shall be measured in a straight line from the nearest point of the property line of the subject site to the nearest point of the property line of the use or zoning district from which separation is required, unless otherwise specified.

Separation requirements shall apply only to uses or zoning districts located within the incorporated boundaries of the City unless expressly stated otherwise.

D. Measurements shall not follow street centerlines, pedestrian paths, or topographic features unless specifically required by this Ordinance.

3. There shall be an unobstructed opening or gate not less than three (3) feet wide into the rear or side yard from one (1) side of the house for emergency ingress.

4. No lot shall be divided in such a way that any division of such a lot shall contain more dwelling units than are permitted by the zoning regulations of the district in which such lot is situated.

5. On an interior lot, in any Residential District, having no access to an alley and where the garage or carport is not attached to the main building, required side yards shall be maintained.

6. No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land be used, designed, or intended for any purpose, or in any manner other than is included among the uses as

permitted in the district in which located (provided that any building may be moved off any lot).

7. No building shall be erected, nor shall any required open space be encroached upon or reduced, except in conformity to the yard, lot areas, open space, building location, and off-street parking regulations designated for the district in which it is located.

8. No yard or other space on one lot shall be considered as providing yard or open space for a building on any other lot.

9. A mobile home, recreational vehicle, or similar vehicle shall not be considered a dwelling unit, nor occupied as such, unless located in a recreational vehicle or mobile home park or mobile home subdivision. A mobile home, recreational vehicle, or similar vehicle shall be prohibited as a facility for any non residential use permitted in this Ordinance, except as an office when construction is on going on a site.

10. Any enclosed or roofed porch shall be considered a part of the main building in the determination of the size of yard or lot coverage.

11. Where two (2) or more lots are used as a building site and where main buildings cross lot lines, then the entire area shall be considered as one (1) lot, except that the front of the parcel shall be determined to be the front of the individual lots as originally platted or laid out.

12. In all zones which require a front yard, no obstruction to view in excess of three (3) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points thirty three (33) feet from the intersection of the street lines, except trees pruned high to permit unobstructed vision for automobile drivers; and pedestal type identification signs and pumps at gasoline service stations.

13. Mechanical equipment, including but not limited to heating/cooling equipment, pool pumps, electrical equipment and motors directly related to the primary use of the property, shall be restricted from locating in the front yard. All such equipment shall be fully screened from view when visible from a public or private roadway, common open space, or any other unit, suite, tenant space, or occupied area belonging to a separate individual or entity. These requirements apply to all property types, including residential, commercial, and industrial sites, as well as private developments such as apartment, condominium, or multi-tenant commercial or industrial complexes.

14. All lighting shall be screened in a downward direction and directed away from adjacent properties and streets.

15. There shall be no parking of recreational vehicles (trailers, boats, campers, etc.) on a public street when not attached to a vehicle. If attached to a vehicle, parking on a public street is permitted for a maximum period of forty eight (48) hours.

16. Except when constructed within a recreational vehicle park, mobile home park, or mobile home subdivision, no structure greater than 100 square feet shall be constructed with an asphaltic shingle roof unless otherwise permitted by this ordinance, or when the structure constitutes an expansion of, or maintenance to, an existing structure already utilizing an asphaltic shingle roof.

This limitation is intended to ensure durability, fire-resistance, and long-term compatibility with the community's development standards.

17. For projects which utilize a common refuse location, all outdoor refuse enclosures shall be located a minimum of 50 feet from any existing or planned residential use, or a minimum of 30 feet if a 30-foot wide landscape is established and maintained between the enclosure and the existing or planned residential use along the entire length of the industrially designated property, as measured from the exterior wall of the refuse enclosure to the nearest residential property line.

18. The undergrounding of all utilities less than 69kV within and abutting the proposed development shall be completed prior to issuance of construction permits for the applicable phase of development, unless otherwise agreed to by the Zoning Administrator through an approved phasing plan.

3.2. Design Standards.

General design requirements, as set forth below and/or as may be supplemented by additional considerations promulgated by the City and approved by City Council, shall be addressed:

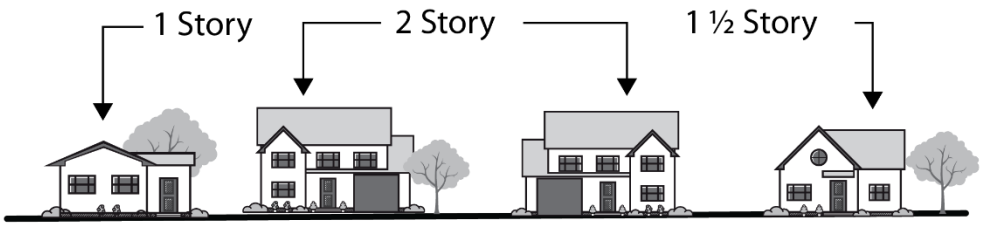
3.2.1. Residential Design Standards.

Neighborhood or individual lot layouts shall consider functional and visually-appealing features that contribute to residential livability and community sustainability appropriate to the district classification. Design solutions should address compatibility at the neighborhood, block and individual lot perspectives.

A. Architectural themes. Masonry, stucco and horizontal, treated siding materials are preferred, with tile roofs in varied roofline treatments. Porches or deeply-shaded eaves are encouraged. Residential designs shall reflect a distinctly residential character through the incorporation of elements such as porches, stoops, pitched roof forms, articulated façades, residential-scale windows and doors, quality exterior materials, and other features that reinforce the visual identity and pedestrian-oriented nature of residential neighborhoods

B. Variety. Colored elevations shall illustrate that a minimum of three (3) different elevations are provided in each block face. Developments of forty (40) dwelling units or more should offer a minimum of five (5) different elevations. Two-story homes are discouraged on corner lots, on more than three (3) consecutive lots, or on lots abutting major or minor arterials (unless additional open space is provided).

Figure 3.2.1A – Residential Elevation Variety



C. Street appearance. Landscaping plans establish street tree themes – recommended minimum two (2) trees, plus shrubs per lot. Garage fronts should not predominate; they should be recessed and/or constitute less than fifty (50) percent of the residential facade.

D. Residential streets. Residential streets shall be designed to discourage through traffic. Street segments exceeding six hundred (600) feet in length shall incorporate a traffic calming feature such as a traffic circle, chicane, or curb extension. Cul-de-sacs shall provide a pedestrian connection to an adjacent street, trail, or open space unless infeasible as determined by the Zoning Administrator.

E. Residential private open space. All residential units are required to provide private open space which shall include, within multi-family development a patio with a dimension no less than six feet by six feet and within single-family residential a patio with a minimum covered dimension of no less than eight feet by eight feet; the Zoning Administrator may administratively reduced the covered patio size for townhome, court home or clustered home products.

3.2.2. Non-Residential Use Design Standards.

Building elevations in landscaped settings are expected to project a positive image of the City's commercial, industrial and institutional development.

A. Architectural themes. Colored elevation drawings shall indicate that structures are provided with appropriate surfacing, architectural detailing and roofline treatments from all sides visible from streets or residences.

B. Streetscape. Landscaping and street furniture complement residential surroundings.

C. Construction materials. Appearance compatibility with residential neighborhoods is stressed, discouraging metal-finished buildings and highly-reflective glass. Tilt-up slab construction should include vertical architectural elements.

D. Rooflines and parapets on buildings exceeding one hundred (100) feet in horizontal length shall incorporate vertical variation in height or horizontal offsets at intervals not exceeding fifty (50) feet.

3.3. Supplemental Standards Applicable to All Agricultural, Single Family Residential, and Multi-Family Residential Districts.

The following standards apply to all agricultural, single family residential and multi-family residential districts:

1. Dedication of any necessary easements and rights-of-way, in form and substance acceptable to the City, prior to approval of any Site Plans or issuance of any construction permits on the rezoned land.

2. Separation of any production crops on ground owned by the property owner for whom the rezoning is sought or such owners and successors on the property herein zoned by not less than fifty (50) feet from occupied dwelling units, if applicable.

3. Use Permit and Special Use Permit uses shall comply with the regulations, standards and requirements in Article 6 of the Zoning Ordinance, and all Use Permit and Special Use Permit uses are subject to Site Plan review.

4. Parking Regulations, Standards and Requirements in Article 4 of the Zoning Ordinance.

5. Landscaping, Walls, Screening, Pools and Property Improvement Regulations, Standards, and Requirements in Article 4 of the Zoning Ordinance.

6. Sign Regulations, Standards and Requirements in Article 4 of the Zoning Ordinance.

7. Regulations, Standards, and Requirements contained within this Article.

8. Temporary office and/or construction fences, sheds and storage incidental to a construction project are permitted and shall be removed upon completion or abandonment of construction work.

9. Landscaping is required to be installed in accordance with City standards within collector and/or arterial rights-of-way.

10. Sidewalks shall be at least five (5) feet wide on both sides of all streets.

11. Each subdivision shall establish a Property Owner's Association and a Board of Directors to administer and enforce required covenants, conditions, and restrictions and to oversee the operation of common facilities.

12. Compliance with all applicable laws, codes, ordinances, rules, regulations, standards, guidelines, conditions of approval, which includes by way of example but not limitation: the Building Codes and Regulations (currently Chapter 9 of the Goodyear City Code), the Subdivision Regulations adopted by the City of Goodyear (currently Chapter 15 of the Goodyear City Code), the City's Zoning Ordinance, the City of Goodyear's Design Guidelines Standards, the City of Goodyear Engineering Design Standards and Policies as they all may be adopted and amended from time to time ("Development Regulations"). If there are any inconsistencies between the Development Regulations, the more restrictive requirements apply. For instance, if a standard in the City of Goodyear's Design Standards is more restrictive than a provision in the Zoning Ordinance the on the same subject, the Design Standard would apply.

13. A residence shall not be used as the location of a yard sale, garage sale or carport sale (or any combination thereof) more than four times in any calendar year, nor longer than two (2) days for any single event.

14. No more than three (3) children, other than those residing therein, may be taken in for child care or baby sitting in a private residence.

15. No mobile home or house trailer shall be parked or stored in a residential zone district. A camping trailer, motor home or camper may be permitted within an owner's residential property, subject to compliance with Off-Street Parking and Loading criteria of the Zoning Ordinance. No mobile home, house trailer, camping trailer or camper shall be occupied or lived in other than in a mobile home or recreational vehicle park or mobile home subdivision as permitted.

16. Mechanical work on vehicles that may take more than seventy two (72) hours to complete must be done inside a garage, carport or rear yard in residential

areas. Such work shall be restricted to vehicles licensed to the resident of the property upon which the work is being done.

3.4. Supplemental Standards Applicable to Agriculture and Single-Family Residential Districts

3.4.1. Animal Keeping

A. In the AG district, there is no maximum number of animals. Dairies, egg and poultry farms are not permitted except through a Use Permit.

B. In AU district, the number of animals allowed on a property shall be limited to a maximum of three (3) large animals and (5) small animals for each one (1) acre of lot area, or any combination thereof. Animals may only be kept for purposes of non-commercial gain.

1. Animals under six (6) months old shall not be counted.
2. Regulations do not pertain to domestic animals.
3. Roosters are not permitted in the AU district.

C. The maximum number of animals allowed on the property may be exceeded for an additional animal (or animals) that is being kept and raised in connection with participation in a Supervised Agriculture Experience (SAE) Project, or similar program, by obtaining a Temporary Use Zoning Permit, as described in Section 3.12, from the Zoning Administrator, and paying the required fee. Issuance of a temporary use permit for this purpose by the Zoning Administrator, may be withheld if the Zoning Administrator finds that allowing additional animals is contrary to the public health or safety.

D. Any egg laying fowl maintained in the AU district shall be located fifty (50) feet from any lot line.

E. Requirements for corrals, stables, and other similar structures used or required for the keeping of animals in both AG and AU Districts:

1. Corrals, structures, pens, stables, shade structures and like enclosures for the keeping of animals shall be located in the rear yard and such facilities shall not be located any closer than one fifty (50) feet from any dwelling or lot line.
2. A stable or shade structure shall be provided for horses equal to a minimum of one hundred (100) square feet of cover per horse.
3. Corrals, structures, pens, stables, shade structures and like enclosures shall be cleaned and waste material removed from the site no less than twice per week.
4. Any open pasture area provided for the animals must be enclosed by a stock-tight fence which shall be located outside of the front setback.

F. A resident of a single-family detached residence is permitted to keep Fowl on the property in the R1-10, R1-7, R1-6, R1-4, R1-C and MHS Districts, as well as any PAD zoning with an underlying land use of a similar nature, subject to the following:

1. Fowl located on the property shall be limited to six (6) or fewer.

2. Male Fowl, including Roosters, are not permitted.
3. Fowl shall be kept in an enclosure and kept from running at-large.
4. All Fowl enclosures shall be located in the rear or side yard of the property, all Fowl enclosures shall be kept at least twenty (20) feet from a neighboring property, all Fowl enclosures shall be a maximum of two hundred (200) square feet and no greater than eight (8) feet in height, provided that any enclosure shall be shorter than the fence line on the property.
5. All Fowl enclosures shall be maintained and manure picked up and disposed of or composted at a minimum of twice weekly.
6. All composted manure shall be kept in a way that prevents migration of insects.
7. All Fowl water sources shall have adequate overflow drainage.
8. All Fowl feed shall be stored in insect-proof and rodent-proof containers.

3.4.2. Agriculture, Intensive Operation

A. May not be located closer than 500-feet from any dwelling located on or off the property.

B. May not be located 200 feet from any lot line.

C. All activities shall be conducted and maintained in a manner that prevents noxious odors, noise, dust, insects, and other negative impacts from intruding upon residential enjoyment or reasonable use or properties in the vicinity.

3.4.3. Group Homes

A. An application for a group home must be submitted, reviewed and approved by the Development Services Director or their designee in the form of a Zoning Permit signed from the City;

B. A minimum separation distance of one thousand three hundred twenty (1,320) feet, one-quarter (1/4) mile for all group homes, from another group home within the City of Goodyear, unless a Use Permit is approved by the City Council. Distance between group homes shall be measured as indicated in Arizona Revised Statutes 9-462.09.

C. Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.

D. Deliveries or routine stops (exclusive of visitors) specific to a group home shall be restricted to day light hours only.

E. The group home shall obtain and maintain an annual City Business License as required by City Code.

F. The Development Services Director, or their designee, shall have the right to review, provide corrective action and if necessary, revoke any approval of a group home if it is found to be endangering the public health, welfare, or safety of the residents of the home or surrounding community.

G. The group home shall meet all requirements of the prevailing City of Goodyear Building and Fire Codes to be determined by the Chief Building Official and the Fire Chief, or their designees.

H. Prior to operating, the group home shall obtain and keep current all necessary licenses and certifications from the Arizona Department of Health Services and/or any other state agency responsible for licensing Group Homes.

I. Zoning Permits issued to group homes shall be valid for a period of one hundred eighty (180) days from the date of issuance. A Zoning Permit, in the absence of obtaining all other required licenses, does not authorize the operation of a group home in the city of Goodyear. Only one (1) extension not to exceed an additional one hundred eighty (180) days may be granted at the discretion of the Development Services Director. Extension must be submitted prior to the expiration of the original Zoning Permit. A new Zoning Permit shall be required for a change in name, ownership, operator, occupancy or type of group home, prior to operating.

3.4.4. Home Business

A home-based business shall be conducted entirely and unobtrusively within the principal residence including an attached garage and shall not generate pedestrian or vehicular traffic beyond that normal to the district in which it is located and shall comply with the following.

A. There shall be no buildings or structures other than those permitted in the district.

B. No offensive noise, vibration, smoke, dust, odors, heat, or glare, shall be produced or caused by the business or the nature of the business.

C. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;

D. Has no signs or other exterior evidence of its existence;

E. Parking for the business shall be in driveway or garage only

F. Activity shall be limited to the hours between 8:00 A.M. and 8:00 P.M.

G. The home business shall obtain and maintain an annual city business license as required by City Code

H. Shall not occupy more than twenty-five (25) percent of the living area

3.5. Supplemental Standards Applicable to Single-Family Residential Districts

The following requirements apply in all Single-Family districts:

3.5.1. Community Requirements for Subdivisions in Residential Districts (R1-6, R1-4, R1-A, R1-C, Planned Area Developments and Planned Area Development Overlays with applicable underlying zoning)

Each subdivision shall be designed with at least the number of Community Elements set forth Table 3.4.1.A.

A. The minimum lot width may be reduced, administratively, up to five (5) feet in R1-6, R1-4 and R1-A if additional Community Elements are provided as set forth in Table 3.4.1.A.

B. The Total Both Sides setback may be reduced to ten (10) feet in the R1-6 and R1-4 districts if additional Community Elements are provided as set forth in Table 3.4.1.A. Both the lot width and setback may be reduced by providing the Community Elements set forth in the table.

C. The descriptions of the Community Elements for each category are listed below in Sections 3.4.1.D.1, 3.4.1.D.2, and 3.4.1.D.3.

D. For example, if an owner of property zoned R1-6 wants to develop fifty (50) foot wide lots, the owner would need to comply with the requirements of Section 3.4.1.D and provide at least; one (1) Amenity Elements listed in Section 3.4.1.D.1, two (2) Connectivity Elements listed in Section 3.4.1.D.2, and two (2) Streetscape Element listed in Section 3.4.1.D.3.

Table 3.4.1.A: Lot Size and Minimum Number of Required Community Elements for Certain Lot Width and Side Yard Setback Reduction Requests

Zoning Designation	Minimum Lot Width (ft)	Minimum Lot Area (sq. ft.)	Total Both Sides Setback	Amenity Elements	Connectivity Elements	Streetscape Elements
R1-6	55	5,500	15	0	0	0
REDUCED R1-6	50	5,000	10	1	2	2
R1-4	45	4,500	15	1	2	3
REDUCED R1-4	40	4,000	10	2	4	4
R1-A	35	2,800	N/A	1	2	1
REDUCED R1-A	20	1,600	N/A	2 [(1)]	2	2 [(2)]
R1-C	40	3,200	N/A	1	2	1

[1] A minimum of two (2) Amenity Elements shall be required for all Reduced R1-A developments. For such developments planning more than fifty (50) Alley-Loaded Residential units with minimum lot widths of less than thirty (30) feet, at least one (1) of the required Amenity Elements shall be either an amenity described in Section 3.4.1.D.1.c.i. or an amenity described in Section 3.4.1.D.1.c.ii.

[2] A minimum of three (3) Streetscape Elements shall be required for all Reduced R1-A developments with a minimum lot width between twenty (20) and thirty (30) feet. All Reduced R1-A developments with a minimum lot width between twenty (20) and thirty (30) feet shall be developed as Alley-Loaded Residential and also include one (1) of the required streetscape elements shall be the Alley-Loaded Residential Streetscape Element described in Section 3.4.1.D.3.d. Where a rear facing garage is provided with access via a private alley tract, the rear setback shall be reduced to zero (0) feet, provided fire separation requirements can be met.

1. 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.

a. 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.

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

c. 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:

   i. A pool, splash pad, or similar active recreational infrastructure.

   ii. A clubhouse, community room, or similar passive recreational gather places.

   iii. Restroom facilities.

   iv. Active lighted recreation fields, including, but not limited to, basketball courts, soccer fields, baseball fields, or similar facilities, that are above and beyond the minimum Open Space Requirements found in Section 4.2.4.

   v. 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 ten thousand (10,000) square foot lot.

d. 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:

   i. No subdivision perimeter wall separates the neighborhood from the commercial parcel or direct pedestrian connections are provided without leaving the development and walking along an arterial road.

   ii. 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)

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

e. 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.

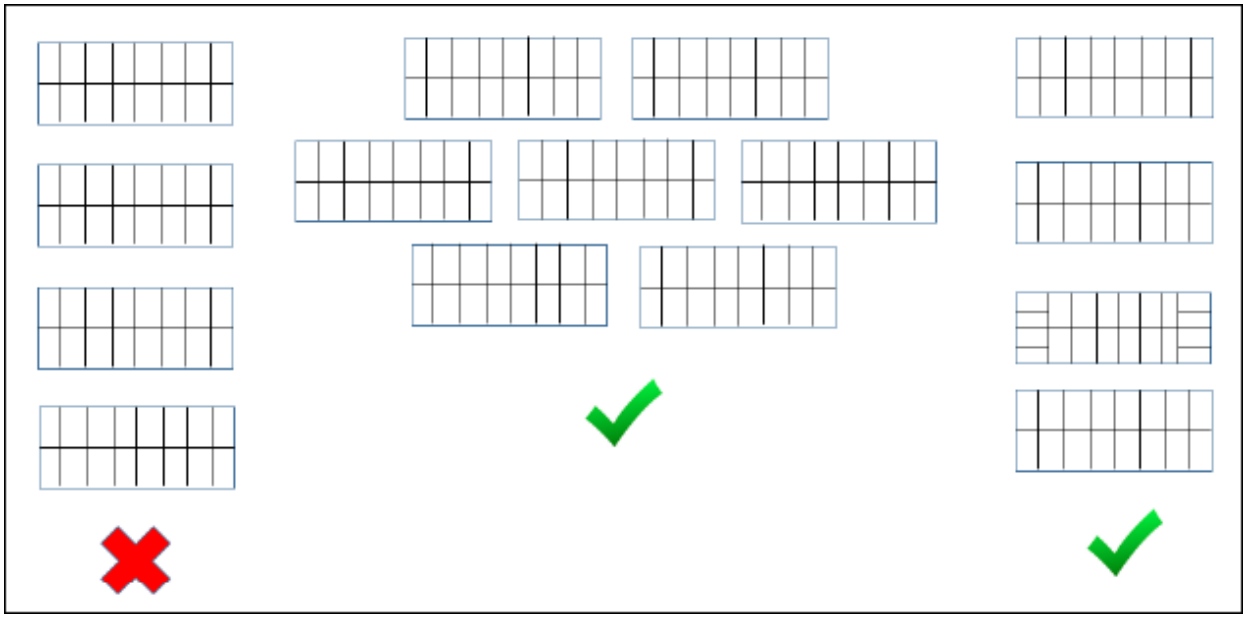
2. Connectivity Elements. The purpose of connectivity elements is to create an inclusive community that promotes a sense of community and provides a walkable and bikeable community with easy and quick access to nearby amenities such as schools, commercial areas, trails, and parks.

a. Infill Development. The site is located in an area that is surrounded on two or three sides by an existing, separate development and that will provide easy and quick access to nearby amenities such as schools, trails, and parks and that also have been identified as in a growth area or in a Village Center as defined by the General Plan.

b. Trail System Connections. Publicly accessible trail connections are provided within the community and connect to larger trail systems outside of the subdivision or development or have the ability to connect to any such future external trail systems (i.e., trails that are not limited to use by only those who live within the subdivision or development).

c. 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 six hundred sixty (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.

Figure 3.5.1A - Smaller Blocks



d. No subdivision perimeter wall. The subdivision is designed and homes are oriented so that sub- division perimeter walls are not necessary in order to increase connectivity from the neighborhood to sur- rounding amenities.

e. Lot Diversity. At least thirty (30) percent of the lots within the subdivision exceed the minimum lot width by five (5) feet. (e.g., in a one hundred (100) lot subdivision in the R1-4 district seventy (70) homes are forty-five (45) foot wide and thirty (30) homes are fifty (50) foot wide).

f. 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.

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

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

b. Detached sidewalk. A detached sidewalk is utilized with a planter strip that is a minimum of five and one-half (5.5) feet wide. Planter strips shall be planted and irrigated with live plant materials and maintained by the applicable homeowners' association. A minimum of one (1) tree shall be planted in front of each residential unit.

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

d. Alley – Loaded Residential. Homes with Private Alley loaded garages shall comply with the following.

i. Private-Alleys serving Alley-Loaded Residential shall not exceed four hundred fifty (450) feet unless either (A) 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 (B) 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 four hundred fifty (450) foot Private Alley length.

ii. If the entry drive from a public or private street into a Private Alley at the T-intersection is less than two hundred (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.

iii. 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.

iv. 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.

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

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

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

7. Porches and Courtyards. One hundred (100) percent of homes have a front porch or courtyard with at least fifty (50) percent of the homes having a covered front porch that is at least forty-eight (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.

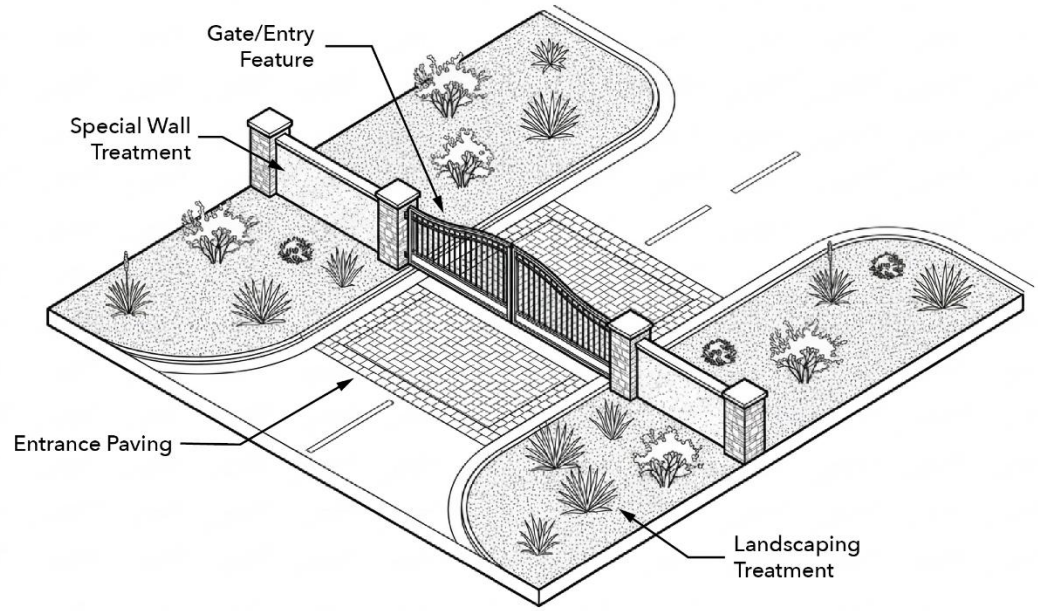
8. Additional Streetscape Elements. Other streetscape elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.

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

3.5.2. Entry Feature.

Each project shall have a unique entry feature at its primary entrance to provide individual identity to the development. Entry features are encouraged to be creative and may include elements such as: entrance paving, distinctive landscaping treatment, planters, special wall treatment, gates and other entry features.

Figure 3.5.2A - Entry Features



3.5.3. Parks.

A portion of the required open space shall be provided as park space or useable open space for recreation purposes. Facilities such as, but not limited to, pools and clubhouses can be counted toward useable open space. The following useable open space shall be provided:

A. For complete developments less than 40 acres in size, 75% of required open space shall be useable open space. Phasing a larger project into 40 acre or less in order to avoid providing the neighborhood parks required for developments larger than 40 acres is not permitted.

B. For developments that are 40 acres in size or larger, the following shall apply.

1. There shall be a 5-acre neighborhood park within a ¼ mile walking distance of all dwelling units that shall remain open accessible to all residents within the ¼ mile distance during operating hours.

2. Two parks totaling at least 5 acres may be provided in lieu of a single 5-acre park if additional amenities are provided above and beyond those listed in Section 3.4.4 and the parks are connected via a system of on or off-street connections. When two parks are provided it is highly encouraged to connect them via off-street trails.

3.5.4. Useable Open Space Design Standards.

The required useable open space (i.e., neighborhood parks) must meet the following standards:

A. Parking shall be provided to the park either on-street or on-site.

B. Residents shall not be separated by an arterial or freeway from the neighborhood park.

C. At least one (1) shaded tot lot shall be provided per park, or in age-restricted communities a recreation amenity of similar scope.

D. Shaded seating areas and walking paths shall be provided.

E. 50% of all neighborhood parks within one (1) square mile shall include active lighted recreation facilities that are fields. If there is only one neighborhood park within the development, it shall include a lighted active recreation facility including, but not limited to, basketball courts, soccer fields, baseball fields, or similar facilities.

3.6. Supplemental Standards Applicable to Multi-Family Residential Districts

The following development standards apply to all Multi-Family Residential Districts:

3.6.1. Relationship of Project to Surrounding Land Uses.

The relationship between a multi-family, manufactured home or recreational vehicle park project and adjacent land uses shall take into account the type of adjacent uses, building scale, density, and building heights. Particular sensitivity shall be displayed to the relationship between a multi-family project and adjacent residential uses of lesser density to minimize the impact on those less dense areas.

Individual design situations may dictate additional conditions or considerations to minimize the impact of a multi-family, manufactured home or recreational vehicle park development on adjacent residential uses through the imposition of one or more of the following design considerations:

A. Use of one (1) story buildings;

B. Additional landscaping to serve as buffer area;

C. Wider setbacks from property line;

D. Modify orientation of buildings;

E. Modify the orientation of windows and balconies;

F. Provide screen walls

G. Common recreation facilities in a project shall be located to minimize the intrusion of noise on adjacent residential areas.

H. Pedestrian and visual linkages shall be made between a project and off-site amenities.

I. The project shall be designed to minimize negative traffic impacts on the surrounding uses.

3.6.2. Open Space Requirements.

Recreational open space is that portion of a project site not divided into individual lots and made available to individual residents for the purpose of outdoor living space and may include recreational lawn/synthetic turf areas, trails, sitting areas, courtyards, pools, and outdoor recreation facilities. Buildings, structures, or other impervious surfaces devoted to recreation or common open space uses shall be considered as open space. This space shall be the central focus of the project and must be easily accessible by the residents. Driveways, parking areas, open space adjacent to walkways required specifically to access a unit and required yard areas shall not be considered as outdoor living area.

A. Private outdoor open space is that portion of the unit devoted to outdoor recreational use by the individual resident(s) of the unit or lot. This area is provided in addition to the recreational open space. Private outdoor space shall be provided in the form of private yards, patios, or balconies. The minimum length and the minimum width of patios and balconies shall be six (6) feet by six (6) feet.

B. Required yards and landscaping setback areas fronting onto public streets shall be entirely landscaped except for necessary driveways and walkways. Parking is not permitted within the required setback area, including driveway area.

C. No more than fifty (50) percent of the required front yard landscaped area or any other street frontage area may be used for storm water retention purposes. Side slopes of basins shall not exceed a 6:1 slope. The maximum side slope ratio shall be 4:1 ratio.

3.7. Supplemental Standards Applicable to MHS Districts

3.7.1. Regulations.

A. One manufactured or conventional construction home shall be permitted on each approved manufactured home lot within the subdivision. No recreational vehicles shall be permitted on a manufactured home lot for dwelling purposes.

B. Property Owner's Association – Each subdivision shall establish a Property Owner's Association and a Board of Directors to oversee the operation of common facilities.

C. Permitted Accessory Uses:

1. Community or recreational facilities to an extent not less than specified in the development requirements.

2. Common facility service buildings (laundry facilities, accessory supplies, park maintenance, management, community buildings, and other uses of a similar nature). All such buildings shall be centrally located, and use shall be restricted to occupants.

3. Dwelling for one manager, caretaker, and/or watchman employed on the premises, the total units not to exceed three (3).

4. Any other uses of land or structures customarily incidental and subordinate to one of the principal permitted uses, unless otherwise excluded.

3.7.2. Development Regulations.

A. Exterior property lines abutting public streets shall have a six (6) foot masonry wall located on a fifteen (15) foot setback, landscaped and maintained by a Property Owner's Association. Masonry walls and/or landscaped strips may be required along other exterior property lines to ensure compatibility with adjacent land uses.

B. Access to all lots shall be from interior, private streets.

C. All dumpster type refuse collection facilities shall be screened on three (3) sides with a masonry wall, with the fourth side being a gated entrance.

D. The undergrounding of all utilities less than 69kV within and abutting the proposed development shall be completed prior to issuance of construction permits for the applicable phase of development.

E. Boat, travel trailer or RV storage shall not occur on the same lot with a mobile home. Each development shall provide masonry walled, screened storage areas for such vehicles within the subdivision for use by the occupants of an area not less than three hundred (300) square feet for each mobile home lot.

F. Each mobile home must be affixed with permanent tiedowns/anchors and skirting of a permanent, fire-retardant material, and installed to enclose the open space between the bottom of the floor and grade level of the stand.

G. All additions, awnings, or covers shall be regulated by current building codes and the standards in Section 3.7.

H. A detached storage building is permitted in the rear half of each lot. On lots with a six-foot high solid block wall, for every foot in building height (to the peak of a building) above the wall, one foot of setback shall be required on all sides of the building. If there is no wall the storage building shall be set back one foot from the lot line for every foot in height (to the peak of the building) above six feet.

3.8. Supplemental Standards Applicable to MH/RVP Districts

3.8.1. Regulations.

A. One manufactured home shall be permitted on each approved manufactured home lot. No recreational vehicles or conventional construction units shall be permitted on a manufactured home lot for dwelling purposes.

B. One recreational vehicle permitted on each approved recreational vehicle lot. No mobile home or conventional construction units shall be permitted on recreational vehicle lots for dwelling purposes. The same recreational vehicle shall not remain in a Recreational Vehicle Park for more than six (6) months in any one (1) year.

3.8.2. Management Association.

Each park shall maintain a management association and full-time management to handle daily enforcement and property management for park residents with the express responsibility to administer and enforce required covenants, conditions and restrictions, oversee the operation of common facilities and ensure that the park is in current compliance with all City codes.

3.8.3. Permitted Accessory Uses.

A. Community or recreational facilities to an extent not less than specified in the development requirements.

B. Common facility service buildings (laundry facilities, accessory supplies, park maintenance, management, community buildings, and other uses of a similar nature). All such buildings shall be centrally located, and use shall be restricted to occupants and their guests.

C. Dwelling for one manager, caretaker, and/or watchman employed on the premises, the total units shall not exceed three (3) and shall not be counted toward the allowable density.

D. Any other uses of land or structures customarily incidental and subordinate to one of the principal permitted uses, unless otherwise excluded.

3.8.4. Development Regulations.

A. Exterior property lines abutting public streets shall have a six (6) foot masonry wall located on a fifteen (15) foot setback, landscaped and maintained by a Property Owner's Association. Masonry walls and/or landscaped strips may be required along other exterior property lines to ensure compatibility with adjacent land uses.

B. Access to all lots shall be from interior, private streets.

C. All dumpster type refuse collection facilities shall be screened on three (3) sides with a masonry wall, with the fourth side being a gated entrance.

D. Boat, travel trailer or RV storage shall not occur on the same lot with a mobile home. Each development shall provide masonry walled, screened storage areas for such vehicles within the subdivision for use by the occupants of an area not less than three hundred (300) square feet for each mobile home lot.

E. Each mobile home must be affixed with permanent tiedowns/anchors and skirting of a permanent, fire-retardant material, and installed to enclose the open space between the bottom of the floor and grade level of the stand.

F. All room additions, awnings, or covers shall be regulated by current building codes and the standards in Section 3.7.

G. All room additions shall be structurally independent of the MH/RV, but may be attached with weather stripping.

H. A detached storage building is permitted in the rear half of each space. On spaces which have a six-foot high solid block wall, for every foot in building height (to the peak of a building) above the wall, one foot of setback shall be required on all sides of the building. If there is no the wall the storage building shall be set back one foot from the lot line for every foot in height (to the peak of the building) above six feet.

3.9. Supplemental Standards Applicable to Commercial & Industrial Districts

3.9.1. Supplemental Development Regulations for All Commercial Districts.

Substantial additions to or remodeling fifty percent (50%) or more of existing buildings shall be subject to Site Plan review.

A. Required yards fronting on a public street shall be entirely landscaped except for driveways and walkways. Parking and maneuvering areas shall not be permitted in required yard fronting on a public street.

B. A mobile home, recreational vehicle, or similar vehicle shall be prohibited as a facility for any commercial use permitted in this Ordinance except construction trailers and offices which are allowed while construction is being conducted on the site, or manufactured buildings that have staff-approved architectural treatments.

C. Design Guidelines shall be submitted by the developer to the City for commercial and industrial subdivisions/centers.

D. Commercial uses are restricted to closed buildings, except as otherwise permitted within this ordinance, including storage of materials and supplies, displays, and listings.

E. Commercial uses located adjacent to or separated by an alley from any residential use or District shall provide:

1. A ten (10) foot wide landscape strip, planted with one (1) two-inch caliper tree every (20) linear feet, shall be required along the common property line. Trees must be low water use, as approved by the Arizona Department of Water Resources.

2. The following minimum building setbacks as determined by the planned building height:

Commercial Building Height (1)	Minimum Building Setback Adjacent to Any Single-Family or Two-Family Residential Use or District	Minimum Building Setback Adjacent to Any Multi-Family Residential Use or District
20 ft. or less	30 ft.	30 ft.
21 ft. to 30 ft.	50 ft.	50 ft.
Greater than 30 ft.	50 ft. plus 5 feet of additional building setback for each foot of building height over 30 ft. at the point where such additional building height occurs	50 ft.

[1] For the purposes of this section, building height shall be measured exclusive of the additional height of parapet, tower elements, or any other architectural elements permitted by Article 3.

F. Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades, or other architectural treatments and installation of landscaping to minimize the extent of metal surfaces visible from the street.

G. All buildings located within a unified, planned development, such as a community or neighborhood commercial center shall be architecturally styled to achieve harmony and continuity of design. Building elevations shall be coordinated with regard to color, texture, materials, finishes, and form.

H. All four sides of a building shall receive consistent architectural treatment

I. In the Public Facilities District, buildings shall be oriented and designed with truck courts, loading docks, service bays, and bay doors on only one (1) side of the building and facing internally to the site, within an internalized court screened by other onsite primary buildings, and not visible from development boundaries unless an alternative is approved by the Zoning Administrator.

3.9.2. Supplemental Development Regulations for the Business Park District

A. Buildings shall be oriented and designed with truck courts, loading docks, service bays, and bay doors on only one (1) side of the building and facing internally to the site, within an internalized court screened by other onsite primary buildings, and not visible from development boundaries.

Intended Design Configuration

Figure 3.9.2A - Business Park District Design Configuration



B. Development shall comply with the screening standards in the Development Standards for Commercial Districts set forth in Section 4.6 of this Ordinance, except to the extent those standards conflict with more stringent requirements set forth in this Section.

C. As more strictly applied herein, above ground structures and equipment, such as silos, generators, chiller units, storage tanks, and other similar accessory structures, shall be located within internalized courts adjacent to the primary buildings onsite and shall not exceed the height of the building. Such accessory uses and structures shall not be visible from adjacent properties or surrounding roadways.

D. Developments within the Business Park (BPD) District shall provide a minimum of five (5) percent of the net site area as recreational open space, in conformance with the following:

1. Recreational open space shall include plazas, open turf areas, landscaping, and amenities, such as game areas, exercise stations, seating, benches, and tables.
2. Shade shall be provided through a combination of trees and structures to ensure fifty (50) percent shade coverage.
3. Recreational open space shall be visible to surrounding properties and streets adjacent to the development.
4. Pedestrian scale lighting and security lighting shall be provided to ensure visibility during low light and nighttime hours.
5. Sidewalks and pathways shall connect recreational open space areas to other open spaces, building entrances and all employee and customer/visitor gathering areas.
6. For multi-phased developments, the required recreational open space shall be completed with the first phase of development, or in accordance with a phasing plan approved by the Zoning Administrator or designee.
7. Recreational open space may not be used as a stormwater retention or detention basin.
8. Recreational open space is included in the minimum fifteen (15) percent landscaping area requirement of Section 4.2.
9. Artificial turf shall be used for all turf areas.

E. Office and similar uses shall face the street that provides primary access or shall face a major collector or higher classification roadway.

F. Where a lot in the Business Park (BPD) District abuts a residential district or an existing residential use, the existing landscape buffer requirements of Section 4.2 shall be increased by an additional twenty-five (25) feet, with a double row of trees planted within the buffer.

G. All principal uses shall take place within entirely enclosed buildings.

3.9.3. Supplemental Development Regulations for All Industrial Districts.

All new buildings and uses of land or substantial additions to or remodeling twenty percent (20%) or more of the total building area of existing buildings shall be subject to Site Plan review.

A. Required yards fronting on an arterial street shall be entirely landscaped except for driveways and walkways. Along all other public streets, a minimum landscaped area of thirty (30) feet per side shall be provided. Parking and maneuvering area shall not be permitted within the landscaped area.

B. Industrial uses located adjacent to or separated by an alley from any residential use or District shall provide:

1. A ten (10) foot wide landscape strip, planted with one (1) two-inch caliper tree every (20) linear feet, shall be required along the common property line. Trees must be low water use, as approved by the Arizona Department of Water Resources.

2. The following minimum building setbacks as determined by the planned building height:

Industrial Building Height (1)	Minimum Building Setback Adjacent to Any Single-Family or Two-Family Residential Use or District	Minimum Building Setback Adjacent to Any Multi-Family Residential Use or District
20 ft. or less	30 ft.	30 ft.
21 ft. to 30 ft.	50 ft.	50 ft.
Greater than 30 ft.	50 ft. plus 5 feet of additional building setback for each foot of building height over 30 ft. at the point where such additional building height occurs	50 ft.

[1] For the purposes of this section, building height shall be measured exclusive of the additional height of parapet, tower elements, or any other architectural elements permitted by Article 3.

C. All principal buildings and all accessory buildings or structures, including loading and unloading facilities shall be located at least one hundred (100) feet away from any existing or planned residential use, except where adjoining a railroad right of way

D. A mobile home, recreational vehicle, or similar vehicle shall be prohibited as a facility for any industrial use permitted in this Ordinance except construction trailers and offices may be allowed while construction is being conducted on the site, or manufactured buildings that have staff-approved architectural treatments.

E. Industrial uses located adjacent to or separated by an alley from any existing or planned residential use shall provide:

1. A ten (10) foot wide landscape strip, planted with one (1) two-inch caliper tree every (20) linear feet, shall be required along the common property line. Trees must be low water use, as approved by the Arizona Department of Water Resources.

2. Walls which front onto a public street shall be constructed of masonry with stucco, slump block, or brick designed to match the main building on the site.

F. Loading, delivery, roll-up/dock doors, and service and wash bays that front onto a public street or a limited access highway, provided all of the following circumstances are met:

1. There is no existing or planned residential use within 500 feet of the right-of-way line on the opposite side of the public street or limited access highway;

2. The loading, delivery, roll-up/dock doors, and service and wash bays occupy a maximum of 50% of the building width facing the public street (This 50% maximum may be increased to a maximum of 75% of the building width facing a public street if the site is a corner lot);

3. The loading, delivery, roll-up/dock doors, and service and wash bays shall be screened from public view with a combination of a two (2) foot berm and a six (6) foot wall, or an eight (8) foot wall. Either wall is to be constructed of brick, slump block, or masonry with a stucco or mortar wash finish, or a similar finish, designed to match the main building on the site;

4. Other than along a road designated as a scenic arterial, a minimum of two (2) continuous offset rows of two-inch caliper trees are planted twenty feet on center along the frontage of the public street or limited access highway, within the required 30-foot wide landscape area; and

5. When loading, delivery, roll-up dock doors, and service and wash bays front on a scenic arterial, as designated on the Land Use and Transportation Map of the General Plan, a 40-foot wide landscaped area shall be required, and a minimum of two (2) continuous offset rows of trees shall be planted twenty feet on center along the frontage of the scenic arterial with the external of the two (2) rows being two-inch caliper trees and the interior of the two (2) rows being three-inch caliper trees. Clustering of trees to provide better screening may be approved at site plan review and approval.

G. Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades, or other architectural treatments and installation of landscaping to minimize the extent of metal surfaces visible from the street

H. All buildings located within a unified, planned industrial park development shall be architecturally styled to achieve harmony and continuity of design. Building elevations shall be coordinated with regard to color, texture, materials, finishes, and form.

I. All four sides of a building shall receive consistent architectural treatment.

J. Above ground silos, tanks, and other similar structures that are accessory uses to the primary building and are not occupied may be either freestanding or integrated into a building, up to a maximum height of 65 feet, exclusive of mechanical equipment, screening, and architectural embellishments, which shall be limited to five (5) feet above the height of the silo, tank, or structure. Notwithstanding the foregoing, the maximum height of any above ground silo, tank or similar structure provided for herein that will penetrate a slope of 100:1 from the runway centerline or runway end of an operating airport shall only exceed 40 feet upon a determination by the Federal Aviation Administration ("FAA") that the proposed height presents no hazard to air navigation as evidenced by the receipt of a Determination of No Hazard to Air Navigation issued by the FAA.

K. Any part of the silos, tanks, and other similar structures visible from the public way shall be painted to match the primary building and shall be located at the side or rear of the primary building so as to be partially screened by the primary building.

3.10. Amenity Expectations for PAD

Development plans shall specifically address and provide positive response in terms of land improvement enrichments for the benefit of residents, or business users, their visitors and the entire Goodyear community, including, but not limited to, the following:

3.10.1. Residential Neighborhoods.

Safety, spaciousness, attractive appearance, streetscape, recreation, outdoor enjoyment, residential privacy and compatibility among land uses and housing types are among considerations to which development plans shall respond.

A. Design. Planned neighborhoods' visual appearance shall be enhanced by creative, master planned response to Section 3.2.1, Design Standards.

B. Facilities. Housing areas are expected to provide and maintain amenities to enhance neighborhood livability and sustainability for residents of all ages.

C. Recreational facilities. Each dwelling should be located within one thousand (1000) feet of the nearest common open space or within five hundred (500) feet of a pathway linkage (sidewalk/bike path) to such facilities.

D. Drainage structures. Open, flow-conducting swales, retention or detention basins, which may be coordinated with areas credited toward open space requirements, should be engineered to prevent safety hazard or creation of attractive nuisance.

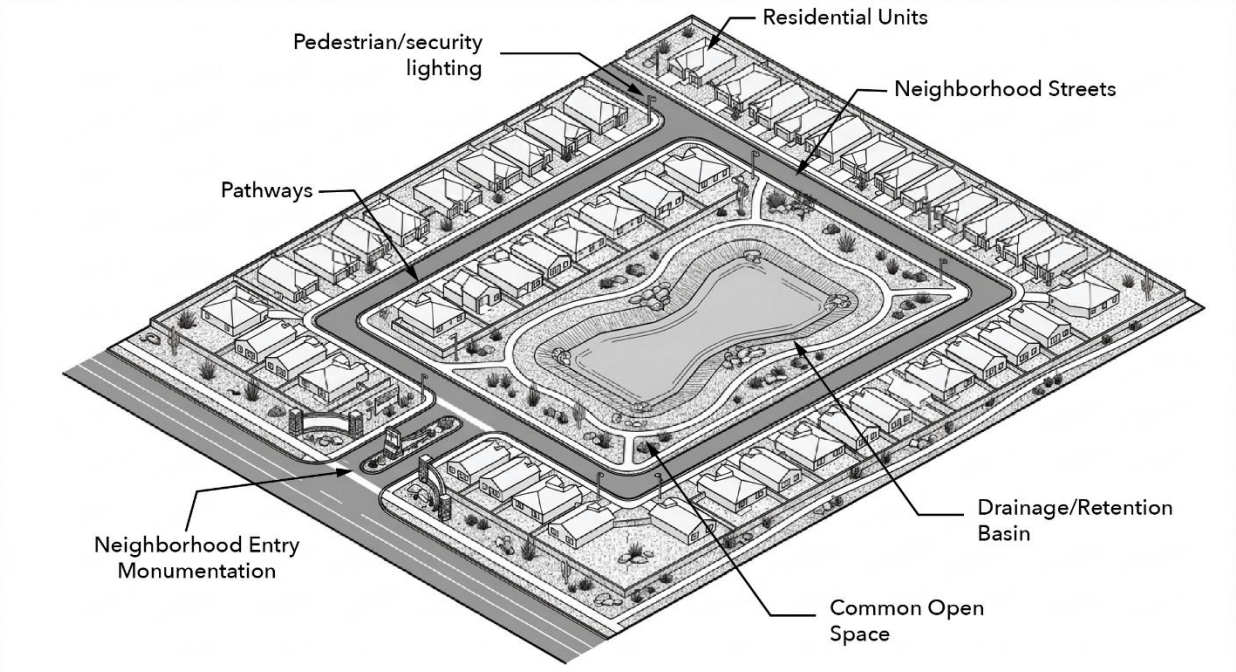
E. Community Integration. Neighborhood design contributes to City-wide enhancements as well as features which provide residential diversity and linkages among neighborhoods.

F. Pathways. Bicycle and pedestrian connections to schools, parks, shopping and other neighborhood activity centers should be conveniently accessible from all dwellings.

G. Neighborhood identity. Entry monumentation, banners, public art, variations in lighting fixtures or street furniture help to distinguish neighborhood units.

H. Residential safety. Pedestrian and security lighting, non-access landscaping varieties, traffic visibility, elimination of lurking areas and public safety/emergency accessibility should be addressed.

Figure 3.9.1A - Residential Neighborhoods



3.10.2. Commercial, Employment or Institutional Uses.

Safety, reduction of traffic congestion, architectural excellence, compatible signage, landscaping/street furniture treatments in peripheral tracts and parking lots, integration of impacts on other properties in the vicinity are among considerations to which development plans shall respond.

A. Design. Planned neighborhoods' visual appearance shall be enhanced by creative, master planned response to the guiding considerations of Section 3.2.2.

B. Facilities. Community-benefiting spaces, fixtures and conveniences should be installed and maintained in accessible, secure locations.

C. Activity centers. Gathering places (including performance sites, outdoor dining, recreation or relaxation areas) shall be provided for customers, business invitees, employees and residential neighbors' use at appropriate times.

D. Joint use facilities. Parking, playing fields, restrooms, drinking fountains, plazas, walkways and other facilities shall be installed and maintained for community use.

E. Transportation amenities. Bicycle and pedestrian convenience should be stressed, with consideration of bus stop improvements, park-and-ride lots, employee shuttle services and the like.

F. Community integration. Non-residential development should seek to relate, both visually and functionally, with its surrounding neighborhood.

G. Open space connection. Recreation space and multi-purpose pathways are employed as means to allow employees or customers from the adjacent neighborhood to access shopping or jobs and interact with business people.

H. Transitional buffering. Separation distance, landscaping, walls or joint-use areas are provided to protect residential privacy and soften the impacts and edges between non-residential and housing areas.

I. Impact mitigation. Noise, glare, dust, and industrial emissions should be abated to acceptable residential levels at residential property lines. Exposure to hazardous materials of any type is prohibited outside of enclosed, controlled-environment structures.

3.11. Additional Use Specific Regulations

3.11.1. Adult Businesses.

Adult business uses, such as adult bookstore, adult novelty store, adult theater, adult live entertainment establishment, erotic dance or performance studio, are subject to the following regulations.

A. General Requirements.

1. These provisions shall not be construed as permitting any use or act which is otherwise prohibited or made punishable by law.

2. Notwithstanding another provision of this Ordinance, an adult bookstore, adult novelty store, adult theater, adult live entertainment establishment, or erotic dance or performance studio which is a nonconforming use or which does not conform to the separation standards set forth in this section shall not be:

   a. Converted to another of the above-listed adult uses; or

   b. Be expanded beyond the floor area devoted to such adult use on the effective date of this Ordinance.

3. Neither the Zoning Administrator nor the Planning Commission shall have jurisdiction to grant variances from these provisions.

4. Locational Regulations. Adult bookstore, adult novelty store, adult theater, adult live entertainment establishment, erotic dance or performance studio, are subject to the following conditions or limitations:

5. None of the above-listed uses may be located within one thousand (1,000) feet of the same type use or any of the other uses listed above. The distance shall be measured from the exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted to the property line of the property upon which the other above-listed use sits; and

6. None of the above-listed uses may be located within five hundred (500) feet of a preschool, kindergarten, elementary or secondary school, church or similar place of worship, park, playground or any of the following use district classifications: R1-10, R1-7, R1-6, R1-4, R1-A, R1-C, R-2, MF-12, MF-18, MF-24, MHS, MH/RVP, C-1, or PAD and PAD Overlay with an underlying land use of similar nature. This distance shall be measured

from the exterior walls of the building or portion thereof in which the adult business is conducted or proposed to be conducted to the property line of the above-listed use or use restriction.

3.11.2. Animal Kennel/Shelter or Animal Pet Day Care Facility

All animals must be kept indoors, and no outside runs are permitted unless otherwise stated below.

A. The kennel structure or facility must not be any closer than one hundred (100) feet to any residential or agricultural zoning district unless waived by the Zoning Administrator.

B. The kennel structure or facility shall be designed, constructed, and maintained so that sound emitted to exterior walls and roofs shall not exceed forty-five (45) decibels. Building plans submitted for a kennel/shelter shall include a certified statement from a registered architect or engineer that the building will meet the forty-five (45) decibel requirement.

C. If the kennel/facility offers outdoor boarding or animal training, then it shall comply with the following standards:

1. Outdoor uses shall be no less than one hundred (100) feet from any residential use and shall not be in use between 9:00 p.m. and 7:00 a.m, unless amended through the Use Permit process.

2. Special events such as shows, exhibitions, and contests shall only be permitted when a temporary use permit has been secured.

3.11.3. Animal Pet Daycare Facility

A. The facility must not be any closer than one hundred fifty (150) feet to any residential use.

B. Outdoor uses/runs shall be no less than one hundred fifty (150) feet from any residential use and shall not be in use between 9:00 p.m. and 7:00 a.m, unless amended through the Use Permit process.

C. In the C-1 and C-2 zoning districts, outdoor runs shall require a Use Permit.

3.11.4. Assisted Living Facilities

A. All facilities shall comply with all applicable federal, state and local requirements for the location and operation of such facilities and the provision of safe outdoor recreation areas and gross floor areas for every person that the facility is licensed to accommodate.

B. The facility shall have direct access from an arterial or collector street. A Use Permit shall be required for access to local streets.

C. Facilities within any residential district shall not be located within 1,200 feet (as measured from the property lines) of a child care facility, a nursing home, or a group home facility that are also located within any residential district.

D. Notwithstanding the foregoing, if the State has adopted laws or rules for the regulation of an assisted living facility, then any such State law or rule shall apply in addition to the conditions listed herein and shall preempt any conflicting condition listed herein.

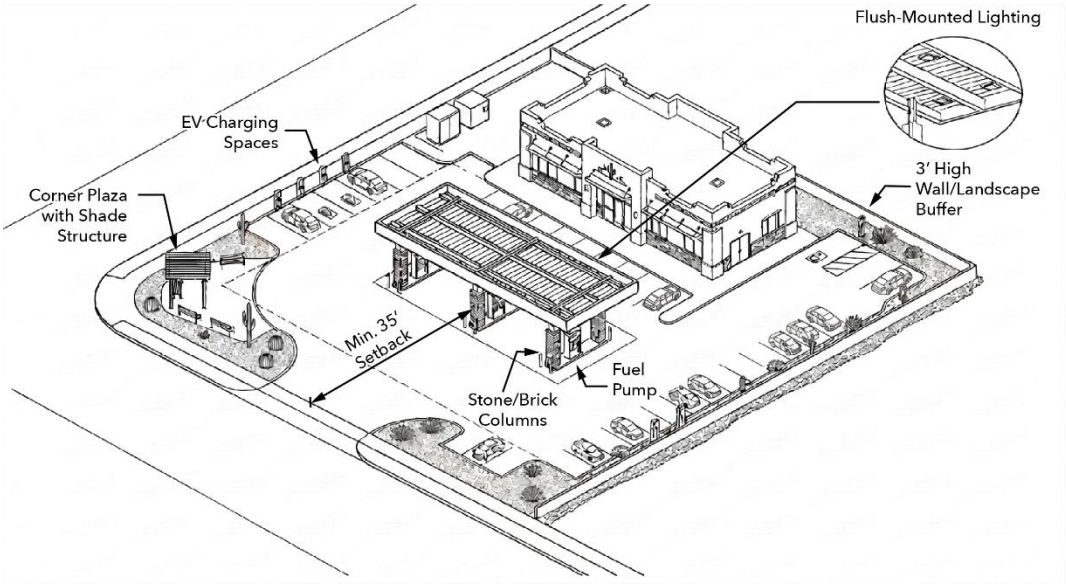
3.11.5. Automobile Fueling Station (Gas Stations).

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

A. Design Criteria.

1. The design of the service station building and site shall be compatible with the type of development surrounding the station.
2. All fuel pumps and/or pump islands shall be covered by a canopy that matches or complements the design of the principal building.
3. 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.
4. The width or depth of any service station site shall be a minimum of one hundred-fifty (150) feet.
5. Pump islands shall be located at least thirty-five (35) feet from the street right–of-way line.
6. Service stations shall be subject to all landscaping and design standards including screening of parking and maneuvering areas with walls and landscaping.
7. Facilities located on the same side of a street shall be no less than 500 feet from a similar facility unless such facility is accessory to a retail user that is a minimum of 50,000 square feet in size.
8. 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 service station shall include a corner plaza with shade structure and seating or a design alternative approved by the Zoning Administrator.
9. Refueling pumps and associated equipment shall be no less than 150 feet from a residential use.
10. Canopy lights shall be flush mounted, and the light source shall not be visible from any property line.
11. A use may combine a fueling station with a convenience store, restaurant, drive-through facility, and/or car wash only if said uses are permitted or conditionally permitted in that district.

1. Figure 3.12.3A - Automobile Fueling Station



12. 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.

13. In no event shall the Automobile Fueling 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 Airforce 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 Article 4-1-1.

3.11.6. Automobile Repair, Major

A. All repair, fabrication, welding, sanding, painting, and restoration activities shall occur entirely within an enclosed building.

B. Spray painting shall occur only within properly ventilated and filtered spray booths compliant with applicable fire and building codes.

C. Outdoor storage of vehicles shall be limited to customer vehicles actively awaiting repair or pick-up.

D. Vehicles stored outdoors shall be screened from public view and from adjacent residential properties by a solid wall, fence, or landscaping in accordance with Article 4.

E. No dismantling or salvaging operations shall be permitted.

F. All hazardous materials, fluids, and waste products shall be stored and disposed of in accordance with applicable federal, state, and local regulations.

G. Where adjacent to a residential district, a solid wall not less than six (6) feet in height shall be provided along the shared property line.

H. Outdoor repair work shall not be conducted between the hours of 10 p.m. and 6 a.m. when located within 100 feet of a residential district.

3.11.7. Automobile Repair, Minor

A. All repair and service activities shall occur within fully enclosed service bays.

B. No vehicle under service shall be stored outdoors overnight.

C. No outdoor dismantling, engine removal, body work, welding, or spray painting shall be permitted.

D. All parts, tires, equipment, and materials shall be stored within an enclosed building.

E. No inoperable or abandoned vehicles shall be stored on the premises.

F. The use shall not include vehicle sales, salvage operations, or tire re-treading or recapping.

G. Where located adjacent to a residential district, service bay doors shall not face the residential property line unless separated by a minimum fifty (50) foot landscaped setback or a solid wall.

H. Automobile repair or service uses designed to provide service to vehicles in a drive-through configuration shall be permitted only upon approval of a Use Permit.

3.11.8. Automobile Rental

A. When ancillary to a Permitted principal use, six (6) or fewer vehicles may be made available for rent; for-rent vehicles shall not occupy required parking spaces.

B. On-site storage, maintenance, and washing of rental vehicles shall occur no closer than 150 feet from a residential use and shall not be conducted between any adjacent street and the front of the principal building.

3.11.9. Automobile Sales, New or Used

A. Such use shall be located no less than 150 feet away from a single-family residential use.

B. All repairs, testing and tuning activities shall occur indoors.

C. Outdoor sound systems, including PA systems, shall be prohibited.

D. Automotive rental facilities associated with a dealer shall be considered an allowed accessory use.

3.11.10. Battery Energy Storage System (BESS)

Battery Energy Storage Facility regulations are intended to protect the health, welfare, safety, and quality of life for the public, to ensure compatible land uses in the areas close to energy storage facilities, and to mitigate the potential impacts of these facilities on the environment.

A. Applicability. The requirements of this Section shall apply to all utility-scale BESS facilities permitted, installed, or modified after the effective date, excluding general maintenance and repair. Utility-scale BESS facilities constructed or installed prior to the effective date are not required to meet the requirements of this Section. Modifications to, retrofits or replacements of an existing BESS that increases the total energy storage system designed discharge duration or power rating shall be subject to the requirements of this Section. Behind the meter BESS systems are exempt from the requirements of this Section.

1. **Principal Use**. BESS uses shall be administered through the Special Use Permit Process and may operate as a principal use in Industrial Districts (I-1 and I-2) subject to the requirements of this section.

2. **Accessory Use**. A BESS use that is part of an approved Energy Generation Facility and occupies no more than 10% of the property approved for the Energy Generation Facility or that meets all of the criteria below may be considered an accessory use and is not subject to the requirements of this Section.

   a. The BESS exclusively serves the enterprise functions of the on-site property owner or tenant.

   b. The BESS, unless associated with an Energy Generation Facility, does not discharge energy for use off-site.

   c. The BESS, unless associated with an Energy Generation Facility, occupies no more than 10% of the total gross floor area of all buildings on the site, excluding the dimensions of any enclosure.

B. Development Standards

1. Setbacks.

   a. All BESS modules and/or equipment will be separated from any existing or planned residential properties by a minimum 330 feet measured from the BESS modules to one of the following:

      v. The property line of any existing residential use;

      vi. The property line of any residentially zoned property which is not platted; or

      vii. Any church, park, school, fire station, public works facility or other similar sensitive use as determined by the Development Services Director.

   b. An applicant may request a reduction in the required separation distance from any existing or planned residential property, provided that the distance is not reduced to less than 150 feet from any BESS module. Any such request shall be supported with provision of a Toxic and Flammable Gas Plume Dispersion Analysis as outlined in Section 3.11.7(D)(2)(a) and included as part of an Emergency Response Plan as specified in section 3.11.7(D)(1).

   c. A minimum distance of 150 feet shall be maintained from any BESS module to the nearest property line of any property zoned for commercial.

d. A minimum distance of 100 feet shall be maintained from any BESS module to the nearest property line of any property zoned for industrial.

2. Landscaping

a. The project must be planned and developed in a way that maximizes retention of existing native vegetation, topsoil, and landforms. Landscaping on property must comply with underlying zoning district regulations.

b. Any tree removed within the City as a direct result of powerline installation, relocation, or associated utility construction required to serve the facility shall be replaced at a minimum one-for-one ratio. Replacement trees shall be located on-site outside of the perimeter wall or, where on-site planting is not practicable due to utility clearance requirements or access easements, at an approved off-site location within the City as close as reasonably practicable to the removal site, and shall comply with the minimum size, species, and planting standards set forth in Section 4.2. Where tree replacement is not practicable, the Development Services Director may approve permanent on-site structural shade improvements in lieu of some or all required replacement trees, provided the shade area is reasonably comparable to the required replacement.

c. Areas located beneath and adjacent to new or relocated overhead powerlines shall be landscaped with utility-compatible vegetation, including shrubs, low-growing trees, groundcovers, and other species approved by the City. Plant material shall be selected and arranged to ensure compliance with utility clearance requirements, provide visual screening of data center structures, and contribute to the overall landscape quality of the site. Vegetation shall be maintained to prevent encroachment into utility safety zones while preserving intended aesthetic and screening functions.

3. A minimum 26-foot-wide fire rated access road must encircle the entire BESS facility inside a security perimeter fence. The access road may be located within the required setback area. There must be a minimum of two entrances to the access road.

4. Screening. All BESS facilities, substations and related equipment, whether private or public, shall meet all of the following screening standards:

a. BESS modules shall be fully screened to a minimum height of nine (9) feet.

b. Substations shall be screened to a height of at least one (1) foot above the tallest piece of ground-mounted equipment excluding poles, towers, or other vertical interconnecting structures that are not considered ground-mounted equipment.

c. If the required screen wall exceeds nine (9) feet in height, vertical articulation is permitted.

d. The Development Services Director or their designee may approve a plan to allow phased installation of screening or landscaping based on special or unique conditions of the use or site.

5. Utilities.

a. The BESS Facility shall comply with the underground utility requirements set forth in Section 3.9.3(K) of this Code and shall bear all costs associated with required undergrounding of applicable electrical infrastructure, subject to approval by the applicable utility provider.

b. The BESS Facility may be subject to other requirements from the applicable utility provider.

6. Public Art. For facilities where BESS is the principal use a minimum of one public art element such as a mural or sculpture shall be provided. Where applicable, public art shall be located to provide visual enhancement of the site's street-facing frontage.

7. Deviations from the development standards set forth in Sections 1-6 above may be requested as part of the Special Use Permit process.

C. Security & Monitoring

BESS facilities shall comply with the following security and monitoring requirements:

1. The facility shall be equipped with a commercial-grade security system, including a perimeter wall, controlled access, lighting, and video surveillance, that is designed to deter unauthorized entry. The BESS Facility must be monitored 24 hours a day, seven days a week, with any threats immediately reported to appropriate emergency responders or law enforcement.

2. The site perimeter wall shall have at minimum two entrance gates equipped with a rapid access system chosen in consultation with the Goodyear Fire Department.

3. The BESS Facility shall provide a human machine interface (HMI) capable of viewing the live thermal imaging camera feeds and operating the thermal imaging camera software. Live camera feed operation may be done remotely at facility owner's operation center under the telephonic command of on-site personnel.

4. Lighting used on-site shall be limited to the requirements outlined in the National Electrical Safety Code (NESC) Section 111 – Protective Arrangements in Electric Supply Stations and Table 111-1 – Illumination Levels, which requires lighting in occupied areas. To prevent light spillage offsite, lighting used shall be fully shielded and of the lowest intensity level, in compliance with applicable regulations (including Section 4.5 Outdoor Lighting of the City of Goodyear Zoning Ordinance), measured at the property line after dark.

D. Safety

The following must be provided prior to site plan approval or permit issuance for a BESS facility:

1. All proposed Battery Energy Storage System (BESS) facilities shall comply with all applicable fire, life safety, and building codes and standards in effect at the time of application submittal. Compliance shall include, but not be limited to, all requirements of the latest published editions of NFPA 855 *Standard for the Installation of Stationary Energy Storage Systems*, UL 9540 *Energy Storage System Requirements*, and other referenced standards such as NFPA 68, NFPA 69, and NFPA 72, as adopted and enforced by the City of Goodyear Fire Department and Development Services Department. Applicants must demonstrate that facility design, installation, emergency response planning, hazard mitigation, fire protection systems, and ongoing maintenance meet the intent and requirements of these codes and standards. All required documentation, engineering plans, fire protection features, and emergency response coordination shall be subject to review and approval by the City of Goodyear Fire Department prior to the issuance of any building permits. Once an application is accepted for review, any updated submittals during the period of review, installation and final inspections must either be signed and sealed by the design professional of record, or a cover letter signed and sealed by the design professional of record shall accompany the submittal, attesting that the updated information conforms to the overall design and code requirements.
2. Applicants must submit technical studies prepared by a third-party subject matter expert as follows:
    a. Battery Energy Storage System (BESS) facilities shall submit a hazard and compatibility analysis prepared by an independent qualified professional with expertise in fire protection engineering, hazardous materials analysis, atmospheric dispersion modeling, or a related discipline. A qualified professional may include, but is not limited to, a licensed professional engineer (P.E.), certified fire protection engineer (CFPE), hazardous materials specialist, or similarly qualified expert.

        The analysis shall evaluate reasonably foreseeable fire, thermal runaway, explosion, or hazardous materials release scenarios and assess potential impacts to surrounding properties, public health and safety, critical infrastructure, and emergency response operations, including smoke plume behavior and gas dispersion under representative local weather conditions.

        For facilities located within the territory in the vicinity of a public or military airport as defined by A.R.S. §§ 28-8486 and 28-8461, the analysis shall also address potential impacts to aircraft operations, navigable airspace, flight paths, and military missions. The City may require reasonable mitigation measures if material risks are identified.

b. Technical studies analyzing the chemical composition of BESS fire emissions and associated human, wildlife and environmental hazards, specifically at which distances emission impacts will be hazardous.

c. Technical studies prepared must analyze runoff of water and fire suppression liquid associated impacts to groundwater, wildlife, waterways, and the environment. If determined to be required by the studies, the site plan shall include a geosynthetic-lined (geo-lined) retention basin designed to capture and contain any water or fire-suppressant liquid used by first responders during a thermal runaway incident, with the basin size established through the technical studies in consultation with the Goodyear Fire Department. Additionally, an impermeable geo-lined layer shall be installed beneath all BESS modules to direct runoff to the basin. The retention basin shall be emptied the same day if filled by rain or flood water to ensure full containment capacity. In the event of a thermal runaway incident, a third-party subject matter expert shall collect five representative samples of the water or fire-suppressant liquid for analysis and shall implement any necessary mitigation measures to reduce adverse impacts, with all associated costs paid by the site owner.

3. Preliminary Decommissioning Plan. A preliminary decommissioning plan describing the anticipated life of the BESS Facility, the steps required for the complete physical removal of BESS components, and the method for removal and disposal of all solid and hazardous waste shall be provided at the time of application. A final decommissioning plan shall be submitted to the City for review and approval 60 days prior to commencing decommissioning activities or within 90 days after the facility permanently ceases operation or no longer stores energy

4. Community Liaison. All BESS facilities shall provide contact information for the designated Community Liaison to the City and shall prominently post the same information at every vehicular and pedestrian entrance to the facility. The information shall include a telephone number monitored 24 hours per day and instructions for reporting emergencies or safety concerns. All posted signage shall be weather-resistant, clearly visible from the point of access, and maintained in good condition. Any change in the Community Liaison's contact information shall be provided to the City and updated on all required signage within five (5) business days of the change.

E. Application Requirements

1. Project Narrative. In addition to the application requirements specified in Section 3.11.7, a project narrative that includes all of the following:

a. A description of how the BESS Facility is consistent with the General Plan and any other applicable City plan or policies, and is compatible with surrounding land uses and the community.

b. A detailed compliance review that evidences compliance with all applicable zoning, building, and fire safety regulations, and federal, state, and local environmental laws.

F. Operational Requirements.

1. Augmentation. All long-term augmentation needs shall be accounted for in the original approval through an approved site plan, and phasing plan.

a. Permitted Augmentation. Augmentation of a BESS or BESS Facility is permitted and does not require a modification to original entitlements if it complies with the approved site plan and phasing plan.

b. Approval Required.

i. Augmentation that requires modification to the approved site plan or phasing plan shall follow the procedures in Article 6 of this Ordinance

ii. Augmentation that results in any of the following shall require City Council review and approval in accordance with this Ordinance:

1) An expansion of the approved facility footprint or fenced area;

2) The construction of new buildings or enclosures not shown on the approved site plan;

3) An increase in the maximum export capacity at the point of interconnection; or

4) A material increase in site impacts, including noise, traffic, or visual impacts, beyond those analyzed and approved.

iii. Internal equipment replacement or augmentation that does not result in the conditions listed above, including changes to installed battery energy capacity, shall be permitted and shall not require City Council approval.

iv. The Development Services Director may require confirmation that an augmentation complies with the approved site plan and applicable permit conditions; however, such confirmation shall not constitute a permit amendment.

2. Ownership or Operator Changes.

a. If the owner or operator of a BESS Facility changes or the owner of the property changes, the new owner or operator of the BESS Facility or property shall notify the Development Services Department within 30 days of the change.

b. Project approvals will remain in effect; however, the successor owner or operator assumes all obligations of the project, site

plan approval, and permitting approvals, and all required documentation shall be updated with the new owner or operator information.

3.11.11. Brewery.

Brewery as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements.

1. The building containing the brewery must be at least 300 feet from the property line of any property zoned for single family residential use and at least 300 feet from any building containing a school, nursery school or place of worship.

2. A tasting room to sample beer produced onsite or off-site at a facility under common ownership is considered an accessory use to the brewery. However, no food or other alcoholic beverages may be served to the public in the tasting room or anywhere else within the brewery.

3. Live music and entertainment are not permitted except with a Special Use Permit.

4. The brewery shall not produce odors, gas, dust or any other atmospheric pollutant detrimental to the health, safety or general welfare of persons living or working in the surrounding area.

5. If requested by the Development Services Director, the owner of the brewery shall provide documentation to the Development Services Director on the quantity of beer produced onsite for the calendar year. Documentation will be required to be submitted to the Department by January 31st of the following year.

3.11.12. Brewpub.

A brewpub as defined in Article 8 of this Ordinance is subject to the following regulation:

A. General Requirements.

1. At least 40% of the brewpub's gross revenue shall be derived from the sale of food. If requested by the Development Services Director, the owner of the brewpub shall provide to the Department documentation on the facility's gross revenue and the percentage of gross revenue derived from the sale of food for the calendar year. Documentation will be required to be submitted to the Department by January 31st of the following year.

2. 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, including patron dancing, 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 brewpub.

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

4. The brewpub shall not be open after hours as defined by State law (generally, closing time of the dance floor is later than that of the bar).

3.11.13. Car wash (Hand or Automatic)

A. Location.

Car Wash, as a primary use, is only allowed on sites with at least one frontage on an arterial Street.

B. Setbacks.

No building, structure, vacuum equipment, or vehicle queuing area shall be located within seventy-five (75) feet of any residential zoning district..

C. Drive-up Aisles.

Drive-up aisles shall be at least 12 feet wide and shall be screened as specified in Section 3.11.13, Drive-through.

D. Required Queuing Area.

The drive-up aisle shall provide queuing space as specified in Section 3.11.13, with no encroachment into required landscape areas.

E. Landscaping.

In addition to Landscaping requirements in Section 4.2, Landscaping shall comprise an additional 10 percent of the site area.

F. Noise.

Sound attenuating measures shall be incorporated into the building design and construction to absorb noise such that the sound level readings at the Street and at interior property lines are no more than 55 decibels. Mechanical equipment for centralized vacuum equipment shall be housed in an enclosed room.

G. The wash tunnel exit shall be oriented away from any adjacent residential uses.

H. All loading, delivery and carwash service bays shall not front onto a public street and shall be screened from public view with at least a six (6) foot wall, constructed of brick, slump block, or masonry with a stucco or mortar wash finish, or a similar finish, designed to match the main building on the site.

I. All wash water disposal facilities including sludge, grit removal and disposal equipment shall be subject to the approval of the City Engineer or their designee and shall conform to all city ordinances regarding sewage and health and shall be designed so as not to detrimentally affect the city sewer system.

3.11.14. Cemeteries/mausoleums (incl. pets)

A. Location

Cemeteries shall be located on arterial streets and have a minimum frontage of 300 feet.

B. Minimum Lot Area

Cemeteries intended for human burial shall contain a minimum of twenty (20) acres. Cemeteries intended for small animal burial shall contain a minimum of five (5) acres.

C. Accessory Uses

1. Uses and structures accessory to a cemetery use may include a business office, chapel, columbarium, mausoleum, and equipment storage.

2. A crematorium may only be an accessory use is the cemetery /mausoleum is located in a district where a crematorium is permitted by right.

3. Accessory uses and structures shall be set back at least 50 feet from any property line.

D. No required setback shall be occupied by graves. There shall be a minimum of a fifty (50) foot landscaped buffer between the property line or roadway right-of-way; and any building, structure, or gravesite. The fifty (50) foot setback shall not apply to roads designed for internal circulation within the cemetery.

3.11.15. Convenience Store.

A. Required Information

A Use Permit and separate Site Plan approval are required for convenience stores except where the convenience store is either structurally attached as part of a larger retail center (at least fifty thousand (50,000) square feet) located on an arterial corner or when permitted as an accessory use to another Principal Permitted use.

1. Where free-standing convenience stores 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 store, accompanying the application must be a Site Plan, drawn at an appropriate scale by a registered civil engineer which includes the following:

c. Size and location of the parcel.

d. Location, size, area, and orientation of all structures, including any gas pumps and canopies when applicable.

e. Property lines.

f. Existing and future right of way lines.

g. Existing and proposed curb cuts.

h. Location of any drive through windows and queuing lanes.

i. On site vehicular and pedestrian circulation plan.

j. All parking spaces.

k. Within three hundred (300) feet of the site show the following:

i. Access from streets to business and vice versa.

ii. Existing land use.

iii. Driveways.

iv. Existing street system with roadways, curbs, gutters, medians, turn lanes and sidewalks.

v. Circulation pattern.

vi. Description and location of traffic lights and signs.

B. Convenience Use Evaluation Criteria.

Prior to a convenience store 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 Development Services Department. The 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.

a. Compatibility of proposed hours of operation with adjacent residential areas (hours of operation to be indicated in narrative).

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

i. Additional right of way.

ii. Off site traffic mitigation measures.

iii. Restriction of some traffic movements through signs or other measures.

iv. Segregation of queuing lanes, vehicle access and pedestrian circulation areas.

v. Cross access easements.

vi. Driveway locations.

vii. Other concerns which may place the advisability of the proposed convenience store in question.

3.11.16. Data Centers

A. Applicability.

1. **Principal Use**. Data centers are permitted to operate as a principal use in Industrial Districts subject to the requirements of this section.

2. **Accessory Use**. A Data Center that meets all of the criteria below may be considered an accessory use and is not subject to the requirements of this Section.

a. The Data Center exclusively serves the enterprise functions of the on-site property owner or tenant.

b. The Data Center does not lease data storage or processing services to third parties.

c. The Data Center occupies no more than 10% of the total gross floor area of all buildings on the site.

B. Supporting Documentation. In addition to the requirements outlined in Section 6.3 Site Plan Requirement and Review Process, an application for a data center use or development shall include the following information:

3. Narrative. An explanation regarding how the development complies with each of the requirements of this section.

4. Operational Plan. An operational plan that provides evidence of compliance with all zoning, building, and fire safety regulations.

5. Electric Service Documentation

a. Prior to site plan or building permit approval as determined by the Development Services Director:

i. The intended source of electric power for the development and documentation from the electric utility provider affirming sufficient power exists to serve the site.

6. Water Usage Documentation

a. Prior to site plan, building permit or tenant improvement approval, as determined by the Development Services Director:

i. The intended source of water for the development, and documentation from the water provider affirming sufficient water resources exist to serve the site.

ii. An estimate of annual water consumption for the site.

C. Development Standards

1. Setbacks. Any data center building, equipment for cooling, ventilating, or otherwise operating the facility, power generator, back up power generator, or other power supply equipment must be located:

a. A minimum setback of three hundred (300) feet shall be provided from any property that is zoned for residential use or from any property containing an existing residential dwelling unit or other existing noise-sensitive use, as determined by the Development Services Director.

2. Height. The maximum height of a Data Center, including all associated rooftop mechanical equipment and screening, shall be consistent with the development standards of the baseline zoning district.

3. Building and Site Design

a. Noise. The Data Center shall comply with the noise standards, analysis requirements, and mitigation provisions set forth in Section 3.9.3 of this Code. Any required mitigation measures shall be incorporated into the approved site and building plans prior to issuance of a building permit.

b. Landscaping.

i. Any tree removed within the City as a direct result of powerline installation, relocation, or associated utility construction required to serve the facility shall be replaced at a minimum one-for-one ratio. Replacement trees shall be located on-site outside of the perimeter wall or, where on-site planting is not practicable due to utility clearance requirements or access easements, at an approved off-site location within the City as close as reasonably practicable to the removal site, and shall comply with the minimum size, species, and planting standards set forth in Section 4.2. Where tree replacement is not practicable, the Development Services Director may approve permanent on-site structural shade improvements in lieu of some or all required replacement trees, provided the shade area is reasonably comparable to the required replacement.

ii. Areas located beneath and adjacent to new or relocated overhead powerlines shall be landscaped with utility-compatible vegetation, including shrubs, low-growing trees, groundcovers, and other species approved by the City. Plant material shall be selected and arranged to ensure compliance with utility clearance requirements, provide visual screening of data center structures, and contribute to the overall landscape quality of the site. Vegetation shall be maintained to prevent encroachment into utility safety zones while preserving intended aesthetic and screening functions.

4. Screening of Mechanical Equipment and Substations

a. Mechanical Equipment.

i. Rooftop mechanical and electrical equipment shall be fully screened from view of public rights-of-way and adjacent properties. Screening shall consist of a parapet wall or architectural screen built of materials compatible with the principal building and sufficient to conceal the equipment from the public right-of-way.

ii. Ground-mounted equipment, generators, and service areas shall be screened from public view by a solid wall or architectural enclosure constructed of materials matching or complementing the building façade. Screening shall be at least ten feet high or tall enough to fully obscure such elements. Chain link or slatted fencing is not permitted; landscaping may be used to soften views where appropriate.

b. Substation Screening. All substations and related equipment, whether private or public, shall meet all of the following standards:

i. The substation and related equipment shall be fully screened to a height of at least one (1) foot above the tallest piece of ground-mounted equipment

ii. If the required screen wall exceeds 10 feet in height, vertical articulation is permitted, provided that the tallest piece of ground-mounted equipment is fully screened from public viewpoints at multiple angles.

5. Utilities. The Data Center shall comply with the underground utility requirements set forth in Section 3.9.3(K) of this Code and shall bear all costs associated with required undergrounding of applicable electrical infrastructure, subject to approval by the applicable utility provider.

D. Post Construction Operational Requirements

1. Backup Generators**.** If the Data Center operator intends to use backup power generators on the parcel, the operator shall maintain a public website announcing the times when the generators will be in operation.

a. Any operation of the backup generators for testing purposes shall be announced on the website at least 24 hours in advance.

b. The operator shall also notify the City of Goodyear Development Services Department at least 24 hours in advance of a test.

c. Unless the generators are supplying backup electrical supply during a power outage, backup generators may only operate between the hours of 9:00 a.m. and 5:00 p.m..

d. Routine testing and maintenance of backup generators associated with a data center shall be limited to no more than twenty (20) days per calendar month.

e. Upon request by City staff, the Data Center operator shall provide the address of the website where the notices required by this Section are published.

3.11.17. Day Care, Facility

Day care facilities shall be located, developed, and operated in compliance with the following standards:

A. Structures.

Day care facilities shall conform to all development standards of the zoning district in which they are located unless otherwise provided in this section. They must be in a stand-alone facility and cannot be co-located in a single-family residence.

B. Hours of Operation.

When the site is located within a residential single-family district, day care facilities shall operate only Monday through Friday. No outdoor play is allowed before 7:00 a.m. or after 8:00 p.m.

C. Pick-Up and Drop-Off.

A plan and schedule for the pick-up and drop-off of children or clients shall be provided and approved by the city prior to approval of the facility. The plan shall demonstrate that adequate parking and loading are provided to minimize congestion, and it shall demonstrate that the plan for pick-up and drop-off of children or clients does not require passing through traffic.

D. Outdoor Play Areas.

Outdoor play areas shall not be located along major arterials or adjacent to industrial uses.

E. Screening of Outdoor Play Areas.

Outdoor play areas shall have a screening feature around the perimeter adjacent to the public right-of-way, outside of the minimum front and street side setbacks. Screening shall add to the visual diversity of the use.

F. State and Other Licensing.

All day care facilities shall be state licensed and operated according to A.R.S. Title 36, Chapter 7.1 et seq. and all other applicable regulations.

3.11.18. Day Care, Home

In-home day care facilities shall be considered a home business and shall be managed in accordance with Section 3.3.4 Home Business and the following:

A. The family day care use shall be incidental to the principal use of the dwelling unit for residential purposes.

B. All outdoor play areas shall be screened and enclosed by a minimum five-foot-high solid masonry fence with solid, self-closing and self-latching gates.

C. The minimum separation between Home Day Care uses on the same street shall be 500 feet, measured from the lot lines.

D. Existing garages, carport structures, or driveways shall not be expanded, modified, displaced or otherwise altered for the purposes of accommodating the home day care use.

E. State and Other Licensing. All day care facilities shall be state licensed and operated according to A.R.S. Title 36, Chapter 7.1 et seq. and all other applicable regulations.

3.11.19. Drive-Through

All Drive-Throughs shall comply with the following requirements:

A. Drive-through facilities (i.e. drive-through lane, associated stacking area and service window) shall be located a minimum of twenty-five (25) feet from a public right-of-way.

B. Drive-through facilities less than five hundred (500) feet from a residential zoning district shall require a Use Permit.

C. The entry to each drive-through, located less than five hundred (500) feet from a residential zoning district, shall be separated by a minimum of three hundred (300) feet driving distance and should be separated by a drive aisle so as to avoiding stacking conflicts.

D. All drive-through restaurants located less than five hundred (500) feet from a residential zoning district, shall be separated by a minimum of one hundred and fifty (150) feet from the parcel or site area of another drive-through unless such drive-through is attached by a plaza, trellis, or roofline to a multi-tenant building with three (3) or more tenant spaces (end-cap drive-through/multi-tenant building drive-through), does not occupy more than fifty percent (50%) of the multi-tenant buildings or is separated by an arterial or greater roadway.

E. Each drive-through lane shall have a minimum width of twelve (12) feet and a minimum interior turning radius of twenty-five (25) feet.

F. Waiting vehicles in drive-through lanes shall not:

1. Block parking stalls;
2. Block fire lanes;
3. Impede emergency access;
4. Interfere with the movement of traffic (on or off-site); or
5. Interfere with the movement of pedestrians (on or off-site).

G. Drive-Throughs shall provide safe, unimpeded movement of vehicles at street access points, in drive-through aisles, and in parking areas.

H. Clearly marked pedestrian crosswalks with pavers, scored/stamped concrete or other approved markings, shall be provided for each walk-in customer access point to the facility that is located adjacent to a drive-through lane(s).

I. A pedestrian path from the nearest adjacent roadway shall be provided to either the nearest door of the drive-through or the nearest pedestrian pick-up window.

J. Speakers shall not be audible from residentially zoned property. Sound shall be mitigated using sound attenuation walls, landscaping, or other measures acceptable to the Zoning Administrator or designee.

K. Drive-through lanes shall be screened from public and private streets, internal drive-aisles, interior ingress/egress driveways, off-site public parks, plazas, and sidewalks, and residential uses. Screening shall be by one (1) of the following, except as noted herein:

1. A decorative opaque wall or fence constructed at a minimum height of three (3) feet and a maximum height of four (4) feet as measured from the adjacent grade. Solid walls shall be required along all public and private streets.
2. If screening internal drive-aisles, a continuous non-deciduous landscape hedge maintained at a minimum height of three (3) feet.
3. A combination of an opaque wall and a non-deciduous landscape hedge.

L. A planted landscape area of not less than three (3) feet in width shall be provided on each side of each drive-through screen wall.

M. Drive-throughs located within three hundred (300) feet of an existing or planned signalized intersection shall incorporate enhanced streetscape elements at the corner frontage, which may include public art, enhanced

landscaping, shade structures, pedestrian amenities or similar features designed to improve the visual character and pedestrian environment, subject to approval by the Zoning Administrator.

N. A solid canopy shall cover a length not less than one (1) car length (at least twenty (20) feet) over the pick-up window and the portion of the drive-through facility located adjacent to the pick-up window. When the pick-up window faces a public or private street, then the solid canopy shall cover a length of at least thirty (30) feet over the pick-up window and the portion of the drive-through facility located adjacent to the pick-up window.

O. Drive-through lanes may have full or partial canopies at the order box.

P. Vehicular queuing shall be provided in accordance with the following table.

Use Classification	Minimum Queuing Requirement[1]
Banks and Other Financial Institutions	3 Spaces per teller or ATM drive-through
Restaurants	6 Spaces per window/menu board in 1 or more lanes
Retail	
Dry Cleaning	2 spaces
Pharmacy	2 spaces per aisle
Automotive Uses	
Car Wash, Automated or Self-service	3 spaces per bay
Car Wash, Full Service	8 spaces minimum
Fueling Station	1 space on each end of each side of each fuel pump island (one-way facilities require 2 spaces on approach end of each island)
Automobile/Vehicle Repair, Minor	3 spaces per bay

[1] Queuing is measured from the drive through entry to behind the first sopping point/point of order or service space (i.e. menu/order board, window or service bay) and shall not include the first sopping point/point of order or service space.

Q. For unique uses or uses not stated in this document the Development Services Director or their designee may modify the point of order and the number of stacking spaces and their location on either side of the point of order. However, at no time shall the total number of required spaces be reduced.

R. Where warranted, the Development Services Director or their designee may require a queuing memorandum or study be prepared to establish the required drive-through queuing length.

S. In addition to the requirements in subsection 3.11.16(O), Drive-Through where a Restaurant is the primary use shall adhere to the following:

1. Each drive-through lane shall have the following minimum distances:

a. Eighty (80) feet between the ordering facility (i.e. restaurant menu board ordering window) and the pick-up point for single lane facilities and forty (40) feet per lane

between the ordering facility and the pick-up point for double lane facilities.

b. One hundred twenty (120) feet between entry point and pick-up/service window if no ordering facility is present.

2. Drive-Through Restaurants that utilize exterior employees as the point of order shall provide safe walkways and shade for the employees adjacent to each vehicular drive-through lane.

3.11.20. Entertainment Venue, Indoor

A. All performances, sporting events, and spectator activities shall occur entirely within an enclosed building.

B. Outdoor amplified sound is prohibited unless separately permitted.

C. Accessory restaurants, bars, concessions, and similar uses shall be clearly subordinate to the principal entertainment use and shall not operate independently except during scheduled events, unless otherwise permitted by the underlying zoning district.

D. Where abutting a residential district, service areas, loading docks, and refuse collection areas shall not be located adjacent to the residential boundary.

E. Building entrances and primary pedestrian access shall be oriented toward arterial or collector streets where feasible.

F. A Traffic Impact Analysis may be required where determined necessary by the City Engineer or their designee.

3.11.21. Entertainment Venue, Outdoor

A. An Entertainment Venue where live entertainment is provided outdoors shall met the following criteria:

B. The property shall be located a minimum of one thousand three hundred twenty (1,320) feet from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property.

C. The following potential impacts to residential properties shall be evaluated and mitigated as part of the Use Permit process, where applicable:

1. Outdoor areas, including patios and/or performance areas.

2. External speakers and/or televisions utilized to amplify or broadcast entertainment, recorded music, and/or events.

3. Entertainment hours.

3.11.22. Large Retail Users.

A. Applicability.

All Large Retail Users shall require Site Plan approval and shall comply with the additional requirements set forth herein.

B. Area Requirement.

The minimum area for a commercial center containing more than one (1) Large Retail User shall be ten (10) acres.

C. Location Criteria.

All Large Retail Users shall meet one (1) of the following four (4) criteria:

1. Be located within a development that is at the intersections of two (2) scenic and/or major arterials as designated in the City of Goodyear General Plan and/or the Transportation Master Plan, or

2. Be located within a development that is at the intersection of an existing or proposed freeway and scenic or major arterial as designated in the City of Goodyear General Plan and/or the Transportation Master Plan, or

3. Be located within a development that is at the intersection of two (2) existing or proposed freeways as designated in the City of Goodyear General Plan, or

4. Be located no more than one (1) mile from an existing or proposed freeway interchange.

D. Building Setback.

The following building setbacks are required for Large Retail Users. The Planning and Zoning Commission and City Council may increase the building setback due to the operational characteristics of the Large Retail User such as, but not limited to, hours of operation and the location of mechanical equipment and loading areas.

2. A minimum building setback of one hundred (100) feet is required from proposed and/or existing residential uses. This setback shall be measured from the property line of the nearest residential lot or occupied parcel to the nearest exterior wall of the Large Retail User. Intervening streets or other man-made, natural land use, or landscape features may be included within the setback.

3. A minimum building setback of one hundred (100) feet is required from proposed and/or existing public or private elementary, middle, junior high, or high schools. This setback shall be measured from the nearest occupied building on the school parcel to the nearest exterior wall of the Large Retail User. Intervening streets, other man-made, natural land use, or landscape features may be included within the setback.

4. When a Large Retail User is developed directly adjacent to a lot or parcel developed as or proposed for residential use, a landscape buffer with a minimum width of forty (40) feet shall be included within the building setback. Said buffer shall be located along the property line and improved with one (1) twenty-four (24) inch box tree per ten (10) feet of length. Trees shall be staggered to achieve maximum buffering of the two (2) uses.

E. General Requirements.

All properties developed with a Large Retail User, whether they are occupied or not, shall be regularly maintained by the property owner so that they are not allowed to fall into a state of disrepair or neglect; and they shall consistently present a neat and orderly appearance to the general public as well as

adjacent tenants and property owners. Roofing materials shall be replaced and/or maintained in a manner to insure weather tight conditions. Building walls shall be repaired and/or maintained in a safe condition and clean from graffiti. The landscaping shall be kept in a weed free condition, the irrigation system maintained, and the plants watered to prevent the loss of vegetation. Outdoor lighting shall be kept in an operational state and utilized at night. The property owner is responsible to maintain fire protection systems in working order and provide hazardous materials closure mitigation and documentation for the site in compliance with the Fire Code. If a Large Retail User building is unoccupied or vacated for more than six (6) months, the property owner shall remove all signs from the building and sign panels from any freestanding monuments and replace with a color matched blank panel, the mounting holes patched, and the wall area behind the signs repainted.

F. Site Design Standards.

1. Large Retail Users shall comply with the guidelines contained in the City of Goodyear Design Guidelines in addition to those contained herein.

2. The Large Retail User shall provide at least one (1) percent of the net site area of the parcel in which it is located as pedestrian oriented open space. This open space can include plazas, courtyards, patios, and outdoor seating areas. Sidewalks shall connect open space areas and contain pedestrian scale lighting, signage, and landscaping.

3. Parking lots for a standalone Large Retail User shall not occur entirely in front of the building. A minimum of fifteen (15) percent of the overall parking for the Large Retail User shall be located to the side and/or rear of the building. This requirement can be reduced by two and one-half (2.5) percent for each of the following design features that are incorporated into the project. However, said fifteen (15) percent requirement may not be reduced below five (5) percent.

   a. The provision of one and one-quarter (1.25) percent of additional total landscape area above the minimum required for the site. Multiple increments of additional landscaping may be counted towards reducing the fifteen (15) percent requirement. The use of this additional landscaped area for stormwater retention purposes is prohibited.

   b. The provision of an additional one (1) percent of the net site area as pedestrian oriented open space above the minimum required for the site.

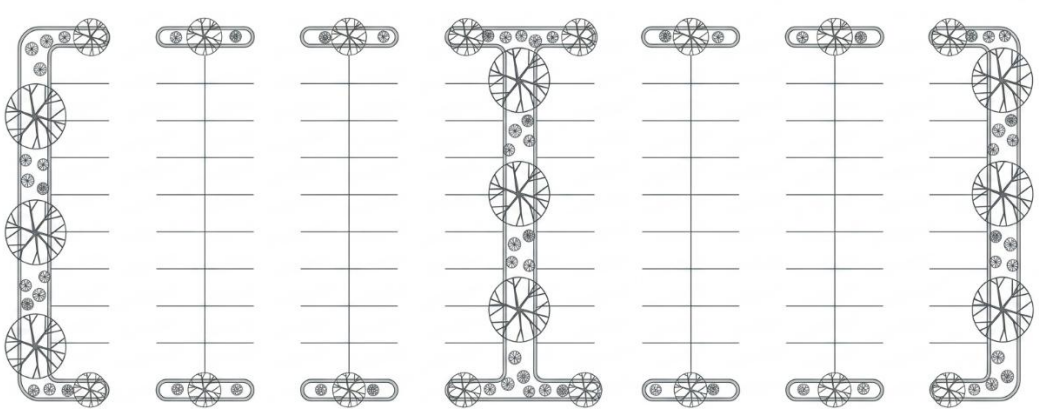
   c. The provision of public art as an integral and significant feature of the site. Public art shall be dispersed throughout the site and deployed in concert with the projects pedestrian amenities and plazas.

   d. The creation of an enhanced entry to the property that is comprised of a landscaped boulevard with a landscaped median, decorative pavement, and architecturally enhanced signage, lighting and pedestrian paths. Parking spaces located along and directly accessible by the boulevard are prohibited. The minimum length of the boulevard shall be one hundred fifty (150) feet measured from the property line to the first drive aisle.

e. The creation of an overall theme for the site that is incorporated into the building architecture, landscaping, light fixtures, signage, and open space areas.

f. Parking lots for a Large Retail User shall be organized into interconnected parking lots containing no more than seventy-five (75) spaces each. A landscaped strip with a pedestrian pathway shall be provided at least every third row of parking to create safe and continuous pedestrian circulation. Landscaped strips shall be a minimum of six (6) feet in width, exclusive of curbs, and shall contain shade trees. Where a pedestrian pathway is located within the strip, the landscaped strip shall be a minimum of ten (10) feet in width.

Figure 3.12.16A: Large Retail User Parking Lots



g. The major entry aisle serving the Large Retail User should be aligned with the main entry of the building or aligned with a major focal point such as a plaza, monument, or fountain.

h. Pedestrian walkways serving the Large Retail User shall be differentiated from driving surfaces through a change of materials, such as decorative concrete, scored concrete, stone, brick, granite pavers, or exposed aggregate, and/or by a change of grade.

i. The front and any side exposed to public view of the Large Retail User building are to be improved with landscaping and enhanced pedestrian pathways.

j. Overnight parking of semi-trucks, trailers, or recreational vehicles (RVs) is prohibited.

G. Architectural Design Standards.

1. If the Large Retail User is located within a master planned commercial center containing multiple buildings, then all buildings within the center shall be architecturally unified. This provision shall apply to new construction, additions, and remodeling. Architectural unity means that buildings shall be related in architectural style, color scheme, and building materials.

2. The Large Retail User building shall contain an identifiable base, extending two (2) or more feet up from the finished grade. This base will incorporate texture variations, a projection or break in the wall color or material, or some other form of architectural enhancement. The base material shall be highly resistant to damage, defacing, and general wear and tear. Pre-cast decorative concrete, stone masonry, brick, and commercial grade ceramic tile are examples of acceptable base materials.

3. Flat, monolithic facades are not permitted. A building facade shall employ both vertical and horizontal articulation. To ensure a minimal amount of horizontal articulation and undulation, no building wall of the Large Retail User should run more than approximately fifty (50) feet without employing one (1) or more of the following:

   a. A minimum twelve (12) inch offset in wall plane.

   b. A column or pier at least twelve (12) inches wide and eight (8) inches deep.

   c. A building corner or projection.

   d. Some other form of significant architectural enhancement.

4. Building wall articulation is required for Large Retail Users. Exterior wall treatments can be used to successfully mitigate the appearance of the typical Large Retail User building. These treatments shall include one (1) or more of the following: arcades, porticos, insets, colonnades, lower shed roof structures, and wing walls.

5. Distinct and interesting rooflines shall be required. On flat roofed structures, a parapet wall with a substantial cornice or other design feature should be used to provide a distinctive cap to the building facade.

6. Large Retail Users that have outdoor storage areas shall incorporate the outdoor storage area into the architecture of the primary building. Screening materials and colors shall be consistent with the overall theme of the building.

3.11.23. Microbrewery & Craft Distillery.

A microbrewery or distillery as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements.

1. The building containing the microbrewery or craft distillery must be at least 300 feet from the property line of any property zoned for single family residential use and at least 300 feet from any building containing a school, nursery school or place of worship.

2. The microbrewery or craft distillery shall not produce odors, gas, dust or any other atmospheric pollutant detrimental to the health, safety or general welfare of persons living or working in the surrounding area.

3. At the request of the Development Services Director the owner of the microbrewery or craft distillery shall provide documentation to the Development Services Director on the quantity of beer produced onsite

and the amount of beer sold and delivered to other retailers for the calendar year. Documentation will be required to be submitted to the Department by January 31st of the following year.

4. The uses authorized in this section are limited to the production, storage, tasting, and sale of product made or bottled at the site. Retail and wholesale sales of product must comply with State licensing requirements. Related items may be sold, provided they do not make up more than 25% of retail sales receipts. Food sales and food preparation that require a Commercial Kitchen are prohibited.

5. Live music or entertainment shall only be allowed as an accessory use and shall meet the requirements in Section 3.11.26. The area within the facility designated for music or entertainment activities, including patron dancing, shall not exceed 5,000 square feet and/or twenty-five percent (25%) of the total floor area..

6. The microbrewery or craft distillery shall not be open after hours as defined by State law (generally, closing time of the dance floor is later than that of the bar).

7. Craft distilleries involving the production, processing, storage, or handling of high-proof alcohol shall obtain review and approval from the Goodyear Fire Department prior to issuance of any building permit or certificate of occupancy. The storage and handling of flammable or combustible liquids shall not exceed the maximum allowable quantities established by the adopted Fire Code unless approved by the Fire Marshal and designed in accordance with applicable high-hazard occupancy requirements.

3.11.24. Marijuana Dual Facility.

A marijuana dual facility as defined in Article 8 is subject to the following regulations:

A. General Requirements.

An application for the establishment of a marijuana dual facility must be submitted, reviewed and approved by the Development Services Department Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.

The application shall include:

1. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a marijuana dual facility.

2. The address and legal name of the marijuana dual facility.

3. The name and address of each of principal officer and board member of the marijuana dual facility, including their contact information and the emergency contact information.

4. A floor plan showing the layout and dimensions of the marijuana dual facility to demonstrate compliance with the development standards contained herein.

5. Any other documents necessary to ensure conformance with applicable codes and regulations.

A marijuana dual facility shall adhere to all applicable state, county and municipal laws, codes, ordinances, rules, and regulations and shall be operated in conformance with any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Separation Standards.

1. A marijuana dual facility shall not be located within five hundred (500) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of any property in a residential district (not including residentially-zoned public street right-of-way), as described in Section 2.2.

2. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.

3. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a licensed preschool, day care or childcare center.

4. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a public park, library or public community center.

5. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of any church or place of worship.

6. A marijuana dual facility shall not be located within two thousand (2,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of any licensed residential substance abuse diagnostic and treatment facility or other licensed drug or alcohol rehabilitation facility.

7. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property

C. Development Standards.

Unless otherwise exempted by Arizona state law, the following standards shall apply:

1. If the marijuana dual facility contains a medical marijuana dispensary, the separation and development standards set forth in Section 3.10.22 also apply to the marijuana dual facility.

2. If the marijuana dual facility contains a medical marijuana cultivation location, the separation and development standards set forth in Section 3.10.20 also apply.
3. The marijuana dual facility must be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.
4. The maximum gross floor area of a marijuana dual facility shall not exceed five thousand five hundred (5,500) square feet.
5. The secure storage area for the marijuana stored at the marijuana dual facility shall not exceed twenty (20) percent of the maximum gross floor area of the marijuana dual facility.
6. The permitted hours of operation of a marijuana dual facility shall be limited to between 8:00 A.M. and 7:00 P.M.
7. The marijuana dual facility shall not have a drive-through service.
8. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any..
9. The marijuana dual facility shall not provide outdoor seating areas.
10. The operator of the marijuana dual facility shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.
11. Within the marijuana dual facility there shall be a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight (8) inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.
12. All marijuana products shall be placed within the secure storage area at any time when the dispensary is not open for business.
13. The operator of the marijuana dual facility shall provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.
14. The operator of the marijuana dual facility shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the dispensary.
15. The operator of the marijuana dual facility shall not allow on-site consumption of marijuana.
16. The marijuana dual facility shall have only one (1) secure entrance to the dispensary and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.
17. The marijuana dual facility shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.

18. The marijuana dual facility shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.

19. The operator of the marijuana dual facility shall post and maintain "No Loitering" sign(s) in sufficient quantity, size and location so that they are clearly visible by anyone in the immediate vicinity of the entrance or premises.

20. The marijuana dual facility shall have adequate exterior security lighting, which also complies with Section 4.5.

21. The operator of the marijuana dual facility shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.25. Medical Marijuana Cultivation Location.

A Medical Marijuana Cultivation Location as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements:

An application for the establishment of a medical marijuana cultivation location must be submitted, reviewed and approved by the Community Development Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.

The application shall include:

1. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a medical marijuana cultivation location.

2. The address and legal name of the medical marijuana cultivation location.

3. The name(s) and location(s) of any medical marijuana dispensary associated with the medical marijuana cultivation location.

4. The name and address of each of principal officer and board member of any medical marijuana dispensary associated with the medical marijuana cultivation location, including their contact information and the emergency contact information for one or more registered dispensary agents responsible for the operation of said cultivation location.

5. A copy of the operating procedures for the medical marijuana cultivation location adopted in compliance with A.R.S. §36-2804(B)(1)(c).

6. A floor plan showing the layout and dimensions of the medical marijuana cultivation location to demonstrate compliance with the development standards contained herein and show the security measures proposed to comply with A.R.S. §36-2806 and the standards contained herein.

All medical marijuana cultivation locations shall adhere to all applicable state, county and municipal laws, codes, ordinances, rules, and regulations and shall be operated in conformance with the provisions of A.R.S. §36-2801, et. seq. and any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Separation Standards.

1. A medical marijuana cultivation location shall not be located within two five thousand two hundred and eighty feet (5,280') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest exterior building wall of any medical marijuana dispensary or other medical marijuana cultivation location, unless the cultivation facility is associated with said dispensary, in which case no separation is required.

2. A medical marijuana cultivation location shall not be located within five hundred feet (500') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of any property in a residential district (not including residentially-zoned public street right-of-way), as described in Section 2.2 of this ordinance.

3. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.

4. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of a licensed preschool, day care or childcare center.

5. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of a public park, library or public community center.

6. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of any church or place of worship.

7. A medical marijuana cultivation location shall not be located within two thousand feet (2,000') cultivation location to the closest property line of any licensed residential substance abuse diagnostic and treatment facility or other licensed drug or alcohol rehabilitation facility.

8. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana

cultivation location to the closest property line of any adult businesses as defined in Article 8 of this ordinance.

C. Development Standards.

1. The medical marijuana cultivation location must be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.

2. The maximum gross floor area of a medical marijuana cultivation location shall not exceed five thousand (5,000) square feet.

3. The secure storage area for the medical marijuana stored at the medical marijuana cultivation location shall not exceed one thousand (1,000) square feet of the five thousand (5,000) square feet maximum gross floor area of the medical marijuana cultivation location.

4. The operator of the medical marijuana cultivation location shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.

5. The medical marijuana cultivation location shall be an enclosed, locked facility which is secured by four solid walls and barrier covering the top of the area that are constructed of materials (eight-inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.

6. Within the medical marijuana cultivation location there shall be a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight-inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.

7. All marijuana being processed shall be placed within the secure storage area at all times when the cultivation location is not open for business.

8. The operator of the medical marijuana cultivation location shall provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.

9. The operator of the medical marijuana cultivation location shall ensure that there is be no emission of dust, fumes, vapors, or odors into the environment from the cultivation location.

10. The operator of the medical marijuana cultivation location shall not allow on-site consumption of medical marijuana.

11. The medical marijuana cultivation location shall have only one secure entrance to the dispensary and any other doors required for exiting shall be locked to the outside and have an alarm that sound when opened from the inside.

12. The medical marijuana cultivation location shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.

13. The medical marijuana cultivation location shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.

14. The medical marijuana cultivation location shall have adequate exterior security lighting which also complies with Section 4.5 of this ordinance.

15. Entry to the medical marijuana cultivation location shall be limited only to the principal officers, board members and designated agents of the medical marijuana dispensary associated with the medical marijuana cultivation location or persons who need access to perform their duties in enforcing local, state or federal laws or regulations.

16. The medical marijuana cultivation location shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.26. Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation.

Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation as defined in Article 8 of this Ordinance are subject to the following regulations:

A. General Requirements:

Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation is permitted in all residential zoning district as a permitted accessory use provided the primary residences of the registered designated caregiver and registered qualifying patient, for whom the medical marijuana is being cultivated, are more than twenty-five (25) miles from an operating medical marijuana dispensary and is done in conformance with the development standards contained herein.

All Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation shall be conducted in conformance with the provisions of A.R.S. §36-2801, et. seq. and any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Development Standards.

Medical Marijuana Designated Caregiver Cultivation.

1. Medical Marijuana Designated Caregiver Cultivation shall only be conducted at the primary residence of a registered designated caregiver provided the residence is more than twenty-five (25) miles from an operating medical marijuana dispensary.

2. Medical Marijuana Designated Caregiver Cultivation shall be conducted in an enclosed, locked facility such as a closet, room greenhouse or other building that does not exceed two hundred and fifty (250) square feet.

3. The Medical Marijuana Designated Caregiver Cultivation shall be conducted in a manner that it is not detectable from the exterior of the building in which the cultivation takes place.

Medical Marijuana Qualifying Patient Cultivation.

1. Medical Marijuana Qualifying Patient Cultivation shall only be conducted at the primary residence of a registered qualifying patient provided the residence is more than twenty-five (25) miles from an operating medical marijuana dispensary.
2. Medical Marijuana Qualifying Patient Cultivation shall be conducted in an enclosed, locked facility such as a closet, room greenhouse or other building that does not exceed fifty (50) square feet.
3. The Medical Marijuana Qualifying Patient Cultivation shall be conducted in a manner that it is not detectable from the exterior of the building in which the cultivation takes place.

3.11.27. Medical Marijuana Dispensary.

A Medical Marijuana Dispensary as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements:

An application for the establishment of a medical marijuana dispensary must be submitted, reviewed and approved by the Community Development Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.

The application shall include:

1. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a medical marijuana dispensary.
2. The address and legal name of the medical marijuana dispensary.
3. The name and address of each of principal officer and board member of the medical marijuana dispensary, including their contact information and the emergency contact information for one or more registered dispensary agents responsible for the operation of said dispensary.
4. The name(s) and location(s) of any medical marijuana cultivation location associated with the medical marijuana dispensary.
5. A copy of the operating procedures for the medical marijuana dispensary adopted in compliance with A.R.S. §36-2804(B)(1)(c).
6. A floor plan showing the layout and dimensions of the medical marijuana dispensary to demonstrate compliance with the development standards contained herein and show the security measures proposed to comply with A.R.S. §36-2806 and the standards contained herein.

All medical marijuana dispensaries shall adhere to all applicable state, county and municipal laws, codes, ordinances, rules, and regulations and shall be operated in conformance with the provisions of A.R.S. §36-2801, et. seq. and any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Separation Standards.

1. A medical marijuana dispensary shall not be located within five thousand two hundred and eighty feet (5,280') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest exterior building wall of any other medical marijuana dispensary or any medical marijuana cultivation location, unless the cultivation facility is associated with said dispensary, in which case no separation is required.
2. A medical marijuana dispensary shall not be located within five hundred feet (500') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any property in a residential district (not including residentially-zoned public street right-of-way), as described in Section 2.2 of this ordinance.
3. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.
4. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of a licensed preschool, day care or childcare center.
5. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of a public park, library or public community center.
6. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any church or place of worship.
7. A medical marijuana dispensary shall not be located within two thousand feet (2,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any licensed residential substance abuse diagnostic and treatment facility or other licensed drug or alcohol rehabilitation facility.
8. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any adult businesses as defined in Article 8 of this ordinance.

C. Development Standards.

1. The medical marijuana dispensary must be located in a permanent building and shall not be located in a trailer, cargo container, mobile

or modular building, mobile home, recreational vehicle or other motor vehicle.

2. The maximum gross floor area of a medical marijuana dispensary shall not exceed two thousand five hundred (2,500) square feet.

3. The secure storage area for the medical marijuana stored at the medical marijuana dispensary shall not exceed five hundred (500) square feet of the total of the two thousand five hundred (2,500) square feet maximum gross floor area of the medical marijuana dispensary.

4. The medical marijuana dispensary shall have an interior customer waiting area equal to twenty-five percent (25%) of the gross floor area.

5. The permitted hours of operation of a medical marijuana dispensary shall be limited to between 8:00 a.m. and 7:00 p.m.

6. The medical marijuana dispensary shall not have a drive-through service.

7. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any.

8. The medical marijuana dispensary shall not provide outdoor seating areas.

9. The operator of the medical marijuana dispensary shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.

10. The dispensary must comply with the security requirements of A.R.S. Title 36, Chapter 28.1

11. Within the medical marijuana dispensary there shall be a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight-inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.

12. All marijuana shall be placed within the secure storage area at any time when the dispensary is not open for business.

13. The operator of the medical marijuana dispensary shall provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.

14. The operator of the medical marijuana dispensary shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the dispensary.

15. The operator of the medical marijuana dispensary shall not allow on-site consumption of medical marijuana.

16. The medical marijuana dispensary shall have only one secure entrance to the dispensary and any other doors required for exiting shall be

locked to the outside and have an alarm that sound when opened from the inside;

17. The medical marijuana dispensary shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.

18. The medical marijuana dispensary shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.

19. The operator of the medical marijuana dispensary shall post and maintain "No Loitering" sign(s) in sufficient quantity, size and location so that they are clearly visible by anyone in the immediate vicinity of the entrance or premises.

20. The medical marijuana dispensary shall have adequate exterior security lighting which also complies with Section 4.5 of this ordinance.

21. Entry to the medical marijuana dispensary shall be limited only to those persons who either possess a valid registration card or need access to perform their duties in enforcing local, state or federal laws or regulations. No one under eighteen (18) years of age shall be permitted inside the dispensary, unless such person is a registered qualifying patient and is accompanied by a parent or legal guardian.

22. The operator of the medical marijuana dispensary shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.28. Non-Chartered Financial Institutions.

Non-chartered financial institutions as defined in Article 8 of this Ordinance are subject to the following regulations:

A. General Requirements.

1. An application for the establishment of a non-chartered financial institution must be submitted, reviewed and approved by the Development Services Director or his designee prior to the issuance of a Zoning Clearance by the City for the proposed establishment.

2. A proposed non-chartered financial institution shall not be located within 1,320 horizontal feet (one-quarter (1/4) mile) as measured in a straight line in any direction from the building in which any other non-chartered financial institution is located.

3.11.29. Outdoor Storage

When allowed as an accessory use, outdoor storage and use areas may be permitted provided:

A. Permanent outdoor storage and use areas may be permitted as part of an approved site plan.

B. Outdoor storage of materials and use areas are not permitted in the required setbacks or parking.

C. Outdoor storage of materials and use areas shall be screened from residential uses and any public right-of-way.

3.11.30. Places of Worship.

A. Places of Worship 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:

D. All building, parking, and security lighting shall be directed down with full cut-off directional light fixtures.

E. All lighting shall be dimmed to fifty (50) percent between 10:00 P.M. and 6:00 A.M.

F. Lights mounted on any wall visible from a residence shall not be placed higher than eight (8) feet above the building foundation.

G. Under-canopy lights shall be screened by the canopy edge, so that the light source is not visible from the property line.

H. Programmed or scheduled outdoor events shall not occur within fifty (50) feet of any existing residence and shall not occur between the hours of 10:00 P.M. and 6:00 A.M.

I. Voices, music, and other sounds by one (1) 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.

3.11.31. Product Processing

A. Use shall be located on a property that is no closer than five hundred (500) feet from any residential use or two hundred and fifty (250) feet from any retail commercial use.

B. In the I-1 District, rendering or refining of fats and oils or dyeing and finishing of textile products shall require a Use Permit.

3.11.32. Restaurants, Bars/cocktail Lounges, Breweries, Brewpubs, Craft Distilleries and Microbreweries subject to Special Use Permit for Live Music or Entertainment Activities.

A. Required Information.

Restaurants, bars/cocktail lounges, breweries, brewpubs and microbreweries that are required to obtain a Special Use Permit for live music or entertainment activities shall submit a Special Use Permit application that specifically includes the following:

1. Noise study
2. Lighting plan
3. Floor plan (to identify the areas for the primary use and for ancillary functions)

4. Public safety plan, to be reviewed and approved by the Fire and Police Departments
5. Parking study
6. Traffic analysis (if access to the establishment is from a street other than one classified by the General Plan as minor collector or greater)

B. General Requirements.

The application shall demonstrate that:

1. All patron entrances will be well lit and clearly visible to patrons from the parking lot or a public street.
2. All sound resulting from business activities will be contained within the building, except where external speakers are permitted.
3. The level of service on all streets accessed by the use meets all standards set by the City.
4. All external doors shall be closed but not locked during business hours.

The activity shall be located a minimum of three hundred feet (300') from the property line of any residentially zoned or designated property.

All approved Special Use Permits for such a use are subject to annual review by the City Council.

3.11.33. Self-Service Storage Facilities

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

A. 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.

B. Storage of hazardous or dangerous materials is prohibited.

C. No storage building shall exceed three (3) stories in height above grade.

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

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

F. 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.

G. 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.

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

I. 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).

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

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

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

M. All storage shall be within an enclosed building.

N. Land area dedicated to storage shall not exceed:

1. Fifty (50) percent of a commercial center or contiguous area of a commercial zoning district; and

2. Seven and one-half (7.5) acres.

3. If the land area dedicated to storage exceeds the provisions of Sections 3.10.28(N)(1) and 3.10.28(N)(2), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

O. Shall not be located within two thousand, six hundred and forty feet (2,640) feet of another self-service storage facility.

1. If a storage unit does not comply with the provisions of Section 3.10.28(N)(3), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

P. 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 (2) arterials (including parkways).

Q. 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.

3.11.34. Tattoo Studios and/or Body Piercing Studios.

Tattoo studios, and body piercing studios as defined in Article 8 of this Ordinance are subject to the following regulations:

A. General Requirements:

1. An application for the establishment of a tattoo studio or body piercing studio must be submitted, reviewed and approved by the Development Services Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.

2. All tattoo studio or body piercing studio shall adhere to all applicable state and county laws, codes, ordinances, rules, and regulations.

3. A proposed tattoo studio, or body piercing studio shall not be located within one thousand (1,000) feet measured in a straight line in any direction of the lot line from any other tattoo studio, or body piercing studio, or within one thousand (1,000) feet measured in a straight line in any direction of the lot line from any adult business, as defined in Article 8 of the Zoning Ordinance. The separation requirements specified herein shall not preclude a tattoo studio, or body piercing studio from locating within the same building.

4. A proposed tattoo studio, or body piercing studio shall not be located within one thousand (1,000) feet measured in a straight line in any direction of the lot line from a school as defined in Article 8 of the Zoning Ordinance.

3.11.35. Transfer Company/Trucking Terminal

A. Applicability.

This section applies to new facilities and to expansions or intensifications of existing facilities that:

1. Increase building area by more than ten percent (10%); or

2. Increase the number of trailer parking spaces or average daily truck trips by more than ten percent (10%).

B. Access.

C. Site Access.

1. Primary site access for trucks shall be from an arterial.

2. No truck access shall be taken from a local residential street.

D. Sight Visibility.

All driveways shall comply with the City's Sight Visibility Triangle (SVT) requirements and any additional sight distance criteria contained in the Engineering Design Standards & Policies Manual.

E. Residential Interface.

When a site is adjacent to or across a street from a residential zoning district, truck access points shall be designed to minimize truck traffic through or adjacent to residential areas.

F. Setbacks.

Outdoor truck parking, loading, staging, and drive aisles shall be a minimum 50 feet from a residential district which may include the required landscape buffer.

G. Landscape, Walls & Screening.

1. A landscape buffer not less than 20 feet in width shall be provided along any property line abutting a residential zoning district. The buffer shall include a combination of canopy trees, understory, and screening shrubs designed to achieve year-round visual mitigation at maturity.

2. A solid masonry wall a minimum of eight (8) feet in height shall be provided along any property line abutting a residential zoning district.

3. Trailer parking and staging areas visible from the public right-of-way shall be screened

H. Additional Requirements.

1. Employee and visitor parking areas shall be signed and physically separated from truck circulation and staging areas.

2. Overnight idling is prohibited except for safety or temperature-controlled cargo compliance

3.11.36. Truck Stop/Travel Center

A. The lot or parcel for a truck stop/travel center use shall be no more than five hundred (500) feet from an interstate or state highway interchange right-of-way and the minimum lot or parcel size shall be twenty (20) acres.

B. On-site improvements, including but not limited to: 1) turning radius; 2) drive aisle dimensions and; 3) parking stall dimensional standards shall be in compliance with the American Association State Highway and Transportation Officials standards (AASHTO) when not included in the City of Goodyear Engineering Design Standards & Policy Manual.

C. A masonry sound attenuation wall of at least six (6) feet shall be installed along all property lines that abut or are adjacent to a residential use.

D. Any fuel dispenser along with underground storage tanks or pumps shall be a minimum of one hundred (100) feet from any residential zoning district and at least forty (40) feet from any property line or public right-of-way line.

E. Amenities, such as but not limited to, shower and restroom facilities, laundry facilities, driver lounge, and restaurant or food services shall be provided.

F. No truck stop/travel center is permitted within the Luke Air Force Base and Phoenix Goodyear Airport noise contour areas having a day-night average sound level of 65 decibels or higher.

3.11.37. Veterinary Clinic

A. The City may require a report prepared by a qualified acoustical and/or environmental engineer demonstrating that the proposed use will not adversely impact adjacent residential properties, or that any potential impacts can be adequately mitigated through appropriate design measures.

B. Noise attenuation walls shall be installed between suites to prevent noise transmission above 45dB.

C. The building construction methods shall incorporate soundproof barriers and be designed to properly eliminate odors, waste, and other contaminants to protect adjacent properties.

D. Activities shall be located within a fully enclosed soundproof building. No outdoor boarding shall be permitted, except in the case of animal hospital/clinics that service large agricultural animals.

E. Outdoor uses such as exercise areas shall be a minimum of one hundred (100) feet from any residential use.

F. Overnight boarding shall be incidental and limited to animals receiving medical treatment and shall be limited to no more than twenty-five (25) percent of the gross area of the clinic.

3.11.38. Veterinary Hospital, Emergency

A. The City may require a report prepared by a qualified acoustical and/or environmental engineer demonstrating that the proposed use will not adversely impact adjacent residential properties, or that any potential impacts can be adequately mitigated through appropriate design measures. Noise attenuation walls shall be installed between suites to prevent noise transmission above 45dB.

1. The building construction methods shall incorporate soundproof barriers and be designed to properly eliminate odors, waste, and other contaminants to protect adjacent properties.

B. Activities shall be located within a fully enclosed soundproof building. No outdoor boarding shall be permitted, except in the case of animal hospital/clinics that service large agricultural animals.

C. Outdoor uses such as exercise areas shall be a minimum of one hundred (100) feet from any residential use.

D. Emergency veterinary hospitals may operate twenty-four (24) hours per day.

E. Where located within one hundred (100) feet of a residential use, additional noise mitigation measures may be required to address after-hours operations.

3.11.39. Warehouse, wholesale, or distribution facility

A. Loading docks on only one side of each building (cross-dock buildings are prohibited)

3.11.40. Wireless Communications Facilities (Commercial).

Wireless communications facilities, as herein defined, require specified, additional conditions and design criteria other than those used only for non-commercial, non-business fixed wireless communications, such as television and satellite reception antennae or amateur radio antennae which are exempt.

A. Required Provisions.

The following wireless communications facilities may be approved administratively through by the Development Services Director or their designee after review by the Development Review Committee:

1. Panel antennae mounted on or attached to an existing structure that do not extend more than ten (10) feet above the highest point of the structure;

2. Antennae attached to a utility transmission tower or pole that do not increase the overall height by more than fifteen (15) feet;

3. Antennae attached to an existing conforming wireless communications tower that do not increase the height of such tower by more than fifteen (15) feet.

4. Modifications that qualify as an eligible facilities request as defined by federal law shall be reviewed administratively and shall not require a Special Use Permit.

5. A new freestanding wireless communications tower proposed within five hundred (500) feet of property zoned for residential use shall require approval of a Special Use Permit in accordance with Section 6.6.

6. New freestanding wireless communications towers located more than five hundred (500) feet from property zoned for residential use shall require Site Plan approval only.

7. The Special Use Permit requirement shall not apply to collocation on existing structures or towers, nor to Eligible Facilities Requests as defined by federal law.

B. Required Information.

Site Plan approval is required for all wireless communications facilities. For a wireless communication facility that requires approval as a Special Use as specified herein, the required Site Plan shall be the preliminary development plan for the Special Use as required by Section 6.6, and the review and approval of the Special Use and preliminary development plan shall constitute Site Plan approval. All applications for Site Plan or Special Use approval shall contain the following additional materials:

1. A current map, or update to an existing map on file, showing locations of applicant's antenna(e) and facilities and all other known existing and proposed wireless communications facilities within a one (1) mile radius of the proposed facility.

2. A report from a structural engineer registered in the State of Arizona showing the facility antenna capacity by type and number, and a certification that the proposed facility is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.

3. Complete names and addresses of the owners of all antennae and equipment to be located at the site as of the date of application.

4. Written authorization for the use from the site owner.

5. A one-year plan identifying other needed or planned wireless communication facilities in the City. This allows the City to coordinate tower locations with other applicants.

6. A minimum of two photographic simulations of the proposed wireless communication facility.

7. Documentation demonstrating that reasonable efforts have been made to collocate on existing facilities where technically and commercially feasible.

8. A written agreement that:

   a. The wireless communication facility shall be removed within one hundred eighty (180) days of cessation of use, and to return the area to its condition prior to the construction of the facility;

b. The facility shall comply with all applicable health, nuisance, fire, building, and safety codes. Violations shall be subject to enforcement pursuant to this Ordinance.

C. Design Criteria.

1. To the extent possible, the materials, colors, textures and landscaping of all wireless communications facilities shall be designed to blend in with the surrounding setting. All facilities shall be finished or painted so as to minimize visual obtrusiveness and shall not be illuminated unless otherwise required by state or federal regulations. Panel antennae and their associated cables and hardware mounted on or against an existing structure shall be painted to match the existing facade or be otherwise camouflaged to reduce their visual impact.

2. Equipment shelters for a wireless communications facility shall be designed in accordance with the City of Goodyear Design Guidelines for commercial buildings or the prevailing design standards for the property.

3. No commercial signage shall be allowed on an antenna or wireless communications facility.

4. New freestanding wireless communications towers shall comply with the setback requirements of the underlying zoning district. Increased setbacks may be required where necessary to ensure structural safety, provided such requirement does not prohibit or effectively prohibit the provision of wireless service.

5. No new wireless communications facilities shall be located within one thousand three hundred twenty (1,320) feet of an existing wireless communication facility unless the existing facility does not meet the structural specifications or technical requirements necessary for additional antenna co-location, or a colocation agreement could not be obtained at commercial reasonable terms and conditions, including price. Wireless communications facilities that can be reviewed and approved administratively in accordance with Section 3.10.35(A) shall be exempt from this requirement.

D. Replacement and/or Rebuilding of Wireless Communications Facilities and Towers.

Pre-existing non-conforming wireless communications facilities and towers which have been destroyed or structurally damaged shall be replaced with facilities meeting the requirements as provided in this Article, except that they may be rebuilt to their original height and in their original location, regardless of setback requirements. Reconstruction or modification that qualifies as an Eligible Facilities Request under federal law shall be approved administratively.

E. Non-commercial, non-business wireless communications equipment shall be considered a permitted accessory use in all Districts when it complies with the following conditions:

1. Equipment is used to provide fixed wireless communications service(s) to, and is located on the same property as, a single structure or group of structures under common ownership used for substantially the same purpose.

2. Equipment mounted on the roof of the served structure does not extend more than five (5) feet above the roofline.
3. Equipment mounted on an exterior wall of the served structure does not extend more than twelve (12) inches from the mounting wall.
4. Equipment mounted on a pedestal, foundation, or on the ground in rear or side yards does not extend above the height of a solid, screening wall and/or vegetation provided and maintained on the subject property.
5. Equipment is camouflaged and/or screened from view from surrounding properties.
6. All antennae and towers greater than thirty-five (35) feet measured from grade shall require a Use Permit and shall be located at least one (1) foot from all property lines for every foot of the antenna's or tower's height above grade.

3.12. Accessory Uses, Buildings and Structures

3.12.1. Accessory Uses

A. All principal uses allowed in a zoning district shall be deemed to include those accessory uses and activities typically associated with the use as described in the principal uses definition provided in Article 8 - Definitions, unless otherwise specified, or specifically prohibited, within this Section.

B. No accessory use shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are being established simultaneously.

C. Unless otherwise expressly stated, accessory uses are subject to the same lot, building, and development regulations as apply to principal uses and buildings.

D. Accessory uses must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

E. Accessory uses shall not produce noise, dust, light, odor, or vibration in excess of that produced by the principal use.

F. If the principal building or use is destroyed, removed or ceases to exist, the utilization of the accessory use shall no longer be allowed.

3.12.2. Accessory Buildings and Structures:

Unless specifically expressed herein, accessory buildings and structures shall adhere to the following:

A. All principal uses allowed in a zoning district shall be deemed to include those accessory buildings, structures, and activities typically associated with the use as described in the principal uses definition provided in Article 8 - Definitions, unless otherwise specified, or specifically prohibited, within this Section.

B. No accessory building or structure shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are being established simultaneously.

C. Unless otherwise expressly stated, accessory buildings or structures are subject to the same lot, building, and development regulations as apply to principal uses and buildings.

D. Accessory buildings or structures must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

E. Accessory buildings or structures shall not produce noise, dust, light, odor, or vibration in excess of that produced by the principal use.

F. If the principal building or structure is destroyed, removed or ceases to exist, the utilization of the accessory use shall no longer be allowed.

G. A permit is required if an accessory use, building, or structure meets at least one of the following qualifications:

1. Used as livable space for purposes such as a bedroom, office, game room, etc.
2. Attaches to an existing structure or building.
3. Has an area over two hundred (200) square feet.
4. Has plumbing, mechanical, or electrical.

H. In all Residential Districts, accessory buildings and structures shall conform to the following restrictions concerning location and design within lots:

I. Front accessory buildings or structures are defined as attached or detached buildings or structures located in the front half of the lot. These buildings or structures are limited in use to attached front porch covers (e.g. closed roof), a garage, or a living area used as a bedroom, home office or other use that would be allowed and typical within the principal building. The front accessory building may also include a bathroom, but no kitchen facilities.

1. Architecture of front accessory buildings or structures must be the same as the principal building. When viewed from the front of the lot, the accessory building or structure should appear as an extension of the principal building.
2. Setback and height requirements for a front accessory building or structure must be the same standards as for the principal building, but shall not exceed the height of the principal building.
3. Exceptions. Subdivisions recorded prior to 1975, which are most commonly located in Historic Goodyear, Parque De Paz Park area, and Canada Village, are allowed to have attached front yard covers. These structures cannot be enclosed or have a wall connecting the pillars that is taller than three (3) feet and they must have paved surface underneath. The structure may not exceed twelve (12) feet in height and has a front setback of three (3) feet from the nearest right of way (sidewalk or street). The side setbacks for the structure must follow the main side setbacks for the property. Both open and closed roofed structures are allowed.

J. Rear accessory buildings or structures are defined as attached or detached buildings or structures located in the rear half of the lot. Their use is limited to

standard uses that are allowed in the principal building, with the exception of a kitchen.

1. Setback requirements for rear accessory buildings and structures are modified to allow encroachment into the required side and rear yard as follows:

    a. Accessory buildings or structures up to six (6) feet in height, unless otherwise specified herein, shall maintain a minimum setback of three (3) feet to the side and five (5) feet to the rear property lines.

    b. For each foot over six (6) feet in height, the side and rear setbacks for accessory buildings and structures shall be increased by one (1) foot, up to a maximum of the principal building setback requirements, unless otherwise specified herein

    c. Through lot. The accessory building shall not be located closer to the rear property lines than the distance required for front yard setback.

    d. Corner lot. The accessory building shall not be located closer to the street or side property line than the setback required for the main building.

    e. Corner lot contiguous to key lot. No detached rear accessory building shall be located closer to the street side of a corner lot than the front yard required on the key lot, except such setback need not be greater than one-half (1/2) the width of the corner lot.

    f. Exceptions. Movable and/or manufactured structures such as children's play equipment, trash enclosures, tool / storage sheds, and pet shelters smaller than 200 square feet in area and less than six (6) feet in height may be placed within a required rear or side yard setback, and behind a property screen wall or behind the nearest front plane of the principal building where such a wall does not exist. In no event shall the roof of said structures be designed to allow water to drain onto adjacent property.

2. No accessory building (e.g. garage, pool house, etc.) shall be located within six (6) feet if fire rated and ten (10) feet if not fire rated of the site's principal building. If attached by any part of a common wall or closed roof to the principal building, said building shall be deemed a part of the principal building and shall conform to the development standards of the principal building.

3. Accessory structures (e.g. fence, deck, trellis, sun shade, etc.) may be attached or detached from the principal building. All required separation for applicable building and fire codes shall also be met.

4. No building or structure, which is accessory to any residential building, shall be erected to a height greater than twelve (12) feet unless it is within the same setback requirements as the principal building, but may not exceed the height of the principal building.

5. All accessory buildings designed or used for sleeping or living purposes shall be within the same setback requirements as that of the principal building.

6. Detached accessory buildings and structures shall be permanently affixed to the ground by anchoring or slab attachment.

7. Accessory buildings or closed roof structures shall count towards lot coverage requirements.

3.12.3. Accessory Dwelling Unit

A. General Provisions.

1. No more than one (1) attached and one (1) detached Accessory Dwelling Unit shall be permitted on single-family lots.

2. Accessory Dwelling Units shall not be located on single-family lots on land in the territory in the vicinity of a Military Airport or Ancillary Military Facility as defined in A.R.S. § 28-8461 or land in the territory in the vicinity of a Federal Aviation Administration Commercially Licensed Airport or a General Aviation Airport or on land In the territory in the vicinity of a Public Airport as defined in A.R.S. § 28-8486 and that has a noise level of greater than sixty-five (65) decibels.

3. Accessory Dwelling Units, whether detached or attached, shall not have an address separated from the principal single-family dwelling on the same lot or parcel.

4. An Accessory Dwelling Unit shall comply with the adopted design guidelines and development standards but may deviate from the exterior design, roof pitch or finishing materials of the single-family dwelling on the same lot or parcel, in conformance with A.R.S. § 9-461.18.

5. The side and rear setbacks for an Accessory Dwelling Unit shall be five (5) feet.

6. The front and street setback, building lot coverage, building frontage, and building height for an Accessory Dwelling Unit shall be the same as that of the principal single-family dwelling on the same lot or parcel.

7. The Accessory Dwelling Units shall be self-contained and include a bedroom, bathroom and may include kitchen (cooking) facilities. The Accessory Dwelling Unit may include, but is not required to have, a parking area or attached garage.

8. The Accessory Dwelling Unit shall be no larger than seventy-five (75) percent of the gross floor area of the principal single-family dwelling on the same lot or parcel or one thousand (1,000) square feet, whichever is less.

9. In addition to the one (1) attached and one (1) detached Accessory Dwelling Unit permitted on single-family lots, an additional one (1) detached Accessory Dwelling Unit is permitted if the lot or parcel is one (1) acre or larger in size and the additional one (1) detached Accessory Dwelling Unit is a Restricted-Affordable Dwelling Unit subject to a Deed Restriction or Development Agreement with the City of Goodyear. Prior

to the issuance of any permit for the construction of a Restricted-Affordable Dwelling Unit, the owner of the proposed Restricted-Affordable Dwelling Unit shall execute and deliver an original recorded copy of a deed restriction or development agreement to the City of Goodyear. The deed restriction or development agreement shall be recorded in the Maricopa County Recorder's Office by the owner of the lot or parcel burdened thereby and shall remain a covenant and restriction running with the property for at least thirty (30) years.

3.12.4. Guest House

Guest House shall be restricted to lots having areas of not less than fifteen thousand (15,000) square feet. Guest house, whether detached or attached, shall not have an address separate from the principal residence on the lot or parcel. Where a guest house is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to the main building. Not more than one (1) guest house shall be permitted on any one (1) lot or parcel.

A. General Provisions.

1. A guest house shall be constructed of similar materials, colors and architectural style to the main building.
2. On lots having principal building and guest house, maximum lot coverage of all buildings shall not exceed sixty (60) percent.
3. A guest house shall have no separate utility services and no entry visible from public right-of-way.
4. No guest house shall be leased or rented.
5. A guest house shall have no separate driveway or parking area from that of the principal residence.
6. The principal residence shall have not less than three (3) enclosed covered parking spaces and paved access to each of the spaces.
7. No guest house shall be constructed on any lot or parcel until the main building has been fully constructed and ready for occupancy.

B. Detached guest house is subject to the following additional criteria:

1. Detached guest house may encroach into the required side and rear yard setback of the lot, provided that setbacks of five (5) feet shall be maintained from side and rear property lines.
2. Through lot. On a through lot, the detached guest house shall not be located closer to the rear property line than the distance required for the front yard setback.
3. Corner lot. On any corner lot, the detached guest house shall not be located closer to the street side property line than the setback required for the main building.
4. No detached guest house shall have floor areas exceeding fifty (50) percent of the main building nor exceed a height of twenty (20) feet.

3.12.5. Ventilation Courts

A. Ventilation Courts.

1. Rooms in which persons live or sleep, not having at least one wall abutting on a street or alley, or on a yard, shall be supplied natural light and air from a ventilation court conforming to the following:

Number of Stories Above Bottom of Court	Minimum Width of Court in Feet
1	20
2	30
3	40
4 or more	50

3.12.6. Donation Drop-Off Boxes.

In all non-residential zoning districts, Donation Drop-Off Boxes are permitted only in accordance with the following standards and procedures:

A. Donation Drop-Off Boxes are permitted only as a use accessory to an established and primary permitted use. Donation Drop-Off Boxes are subject to the approval of a Zoning Permit by the Community Development Department, and upon receipt of written authorization by the property owner, or his legal representative.

B. Donation Drop-Off Boxes shall not obstruct pedestrian or vehicular circulation, nor be located in public rights-of-way, required building setbacks, landscape areas, drive aisles, required parking spaces, fire lanes, loading zones, or any other location that may cause hazardous conditions, constitute a threat to the public safety, or create a condition detrimental to surrounding land uses and developments.

C. Each Donation Drop-Off Box shall have a firmly closing lid and shall have a capacity no greater than six (6) cubic yards. No Donation Drop-Off Box shall exceed seven (7) feet in height.

D. Donation Drop-Off Boxes may be constructed of painted metal, rubber, wood, or plastic and shall be properly maintained in a safe and good condition.

E. Donation Drop-Off Boxes shall be clearly marked to identify the specific items and materials requested to be left for donation, the name of the operator or owners of the donation container, and a telephone number where the owner, operator or agent of the owner or operator may be reached at any time. The Donation Drop-Off Box shall also display a notice stating that no items or materials shall be left outside of the Donation Drop-Off Box.

F. Occupation of parking spaces by the Donation Drop-Off Boxes shall not reduce the number of available parking spaces below the minimum number required for the site.

G. All donated items must be collected and stored in the Donation Drop-Off Box. Donated items or materials shall not be left outside of Donation Drop-Off Boxes, and the area around each Donation Drop-Off Box shall be maintained by the owner or operator, or the property owner, free of litter and any other undesirable materials.

H. Donation Drop-Off Boxes not located or maintained in compliance with this Article shall be subject to revocation of the Zoning Permit.

3.12.7. Limited Outdoor Display

A. Purpose.

To allow sales or display of merchandise on the exterior of a building in conjunction with a lawfully established primary business.

B. Permanent Outdoor Display.

Applicability. Permanent Outdoor retail display is a permanent outdoor sales component which is an integral part of a business, including but not limited to, Garden Centers and Auto, Boat, and RV Dealership display lots.

C. General Regulations.

1. Must be shown as part of a Site Plan Review with all applicable site improvements.
2. If added to an existing site. The use shall obtain Site Plan Review approval with all applicable site improvements.
3. Shall comply with parking ratios found in Section 4.4.4(B)(1).

D. Temporary Outdoor Display.

Applicability. Temporary outdoor retail display allows a business or tenant to display an incidental amount of merchandise sold within the business, in proximity to the exterior of a building. Outdoor display is subject to the following:

E. General Regulations.

1. Merchandise must be associated with an established business and shall be the same as that sold inside the store;
2. When located outside of a multitenant building, an outdoor display shall not extend beyond the tenant frontage of the primary business.
3. An outdoor display may not be located within landscape areas, parking lots, drive-aisles, loading zones, or fire lanes;
4. Any display must allow for a minimum four (4) foot wide pedestrian pathway across the building frontage and to all building entrances and exits.
5. Displays are limited to the normal hours of operation of the business, unless otherwise authorized by condition;
6. Sound amplification shall not be used for sales demonstrations; and
7. Outdoor display signage shall not exceed a total of three (3) square feet.

3.12.8. Outdoor Dining/Seating

A. Purpose and Applicability.

This Section applies to outdoor seating areas accessory to a restaurant, bar, or similar establishment and does not apply to public plazas or common open space areas..

1. Outdoor dining, patios, and seating areas must be associated to and used in conjunction with a permitted use. For purposes of state liquor license spacing regulations, the outdoor dining, patio, and seating areas shall be considered part of the premises.

2. Outdoor dining/seating shall be limited to locations on private property and may encroach into setbacks up to ten (10) feet but shall be a minimum of five (5) feet from any property line and not within the public right-of-way.

3. Outdoor dining/seating shall not obstruct pedestrian or bicycle traffic or create public health and safety hazards.

4. Roof material covering an outdoor dining or seating area may be fixed, retractable, or removable and shall be opaque. Awnings, canopies, or similar protective shelters shall be fire-treated or constructed of noncombustible materials..

5. Any definable decorative barrier element physically separating the outdoor dining/seating area from adjacent pedestrian traffic provided shall be handicapped accessible and not exceed forty (40) inches in height. The design and materials of such barrier element shall complement and be compatible to the architectural design of the primary building façade.

6. Decorative/accent lighting may be incorporated into the outdoor dining/seating area, landscape, awning, or canopy and shall meet all City Code requirements.

3.12.9. Portable Storage Containers

A. In all Multi-Family, Commercial, and Industrial zoning districts, portable storage containers are permitted only in accordance with the following:

1. As a temporary use during construction, remodeling, or redevelopment of permanent onsite buildings and facilities, subject to approval of a Zoning Permit by the Development Services Department. Such permit shall specify and limit the number, size, location, and duration of the storage containers. Zoning Permits granted for portable storage containers in related to construction shall be permitted for a period of time not to exceed thirty (30) days after the issuance of a Certificate of Occupancy.

2. As a periodic, intermittent, or recurring use accessory to a primary permitted use, subject to approval of a Zoning Permit by the Development Services Department. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the Zoning Permit may require additional measures, such as increased setbacks, screen walls, landscaping, exterior materials, and colors, to ensure compatibility with adjacent land uses. Zoning Permits granted for portable storage containers in Commercial and Industrial zoning districts shall be permitted for a period of time not to exceed sixty (60) days, with one renewal permitted for a period of time not to exceed thirty (30) days, in a calendar year.

3. In no case shall storage containers be located in required yards, landscape areas, open space, retention basins, drive aisles, required parking spaces, fire lanes, loading zones, or any other location that may cause hazardous conditions, constitute a threat to the public safety, or create a condition detrimental to surrounding land uses and developments.

B. In all Single-Family zoning districts, portable storage containers are permitted only for the purpose of loading and unloading household contents for a period of time not to exceed ten (10) days in a calendar year and must be located in the driveway.

3.13. Temporary Uses

3.13.1. Purpose

The intent of this Section is to allow for specific temporary uses that may be conducted for specified, limited time periods under special conditions. It is not the intent of this Section to allow for uses otherwise prohibited by the Zoning Ordinance or to allow long term or permanent uses to be established.

3.13.2. General Regulations and Applicability.

A. Every temporary use shall require a temporary use zoning permit except as provided in paragraph C below or as regulated by Section 3.12.5 (Temporary Uses Not Requiring a Permit)

B. No temporary use zoning permit shall be issued unless and until the applicant has submitted an application which includes a signed statement that upon cessation of the use or expiration of the permit, whichever occurs first, the premises will be promptly cleaned and restored to substantially the same condition existing prior to commencement of such use.

C. Any temporary use that requires a special event license shall not require a temporary use zoning permit in addition to the special event license; however the special event license will be reviewed for conformance with this Section.

D. A temporary use may be considered in any zoning district unless otherwise noted, but an application for a temporary use zoning permit may be denied if the proposed temporary use is not compatible with surrounding land uses or is in close proximity to residences.

3.13.3. Application Process.

A. Submittal Requirements.

Temporary use zoning permits shall be reviewed and approved in accordance with Section 6.4 (Zoning Permits). The following additional information shall accompany temporary use zoning permit applications:

1. A narrative describing the proposed temporary use including the location, hours of operation, date the temporary use will start and end, proposed signage, scope and nature of the temporary use. The type of equipment and materials being displayed, stored, or sold shall be called out. The narrative shall include the request for any outdoor music, live entertainment, speakers, or amplifiers if applicable.

2. A site plan showing the location of all structures, carts, tents, signs, displayed materials, stored materials, parking, fencing or similar obstructions, both temporary and permanent, including the setbacks of such structures from property lines and each other.

3. An aerial photo or context plan that depicts all structures and uses within five-hundred (500) feet of the subject property.

4. The site plan and narrative shall describe the traffic circulation and parking that is associated with the temporary use. Any permanent parking spaces being used by the temporary use shall be described and depicted on the site plan.

5. Authorization of the temporary use in writing from the property owner.

3.13.4. Permitted Temporary Uses.

Temporary uses are limited to the uses and time limits listed below.

Use	Time Limit (days)	Frequency of Use (calendar year)	Interval Between Uses (days)[5]
Carnival or Circus	3	4x/year	30
Crop Maze	30	1x/year	30
Food Vendors[1]	3	4x/year	30
Haunted House	30	1x/year	30
Outdoor Fair or Festival	30	1x/year	30
Outdoor Assembly[2]	3	4x/year	30
Seasonal Sales[3]	30	1x/year	30
Sport Tournament	3	4x/year	30
Parking Lot Sales[4]	10	3x/year	30

[1] Food vendors are those vendors that use a portable stand for the retail sale of food and beverages including food carts, such as hot dog stands, but not including food sales that take place primarily in a vehicle, such as an ice cream truck, or that are operated in compliance with Section 3.12.5.

[2] Outdoor assembly includes, but is not limited to concerts, tent revivals, religious events, and fund raisers.

[3] Seasonal sales refer to the outdoor sale of goods that are related to a particular seasonal or cultural activity including, Christmas tree lots and pumpkin patch sales.

[4] Parking lot sales include any outdoor retail sale that takes place on a parking lot.

[5] The interval between temporary uses shall be calculated based on the number of calendar days between temporary uses regardless of the use category.

3.13.5. Temporary Uses Not Requiring a Permit.

A temporary use does not require a temporary use permit so long as it meets all of the following criteria:

A. The duration does not exceed 3 days per event and a special event permit is obtained.

B. The use does not obstruct or impede required pedestrian and/or ADA access.

C. The activity is not visible from a public street.

D. The activity has been authorized by the property owner and is accessory to a permanent existing use.

E. The activity occurs entirely under an arcade or permanent awning attached to the building.

F. The activity is located within twenty (20) feet of the entrance of said permanent existing use.

3.13.6. Development Standards.

A. A temporary use shall be set back a minimum of one-hundred (100) feet from a residential use.

B. Tents and canopies may be allowed under the following conditions:

1. Tents that are over 400 square feet may be permitted for temporary uses whose duration is ten (10) days or less.
2. Canopies that are over 700 square feet may be permitted for temporary uses whose duration is ten (10) days or less.
3. Tents, canopies, and other structures, permanent or temporary, are subject to all applicable city codes and ordinances, including the building and fire code regulations.
4. The use of trucks, RVs or similar vehicles for temporary uses is prohibited, except for RVs used solely by a watchman or caretaker, as approved by the Zoning Administrator.
5. All signage shall comply with Section 4.6 (Signage). Signs for a temporary use shall be requested in conjunction with the temporary use permit application.
6. All lighting shall comply with Section 4.5 (Outdoor Lighting Standards).
7. All surfaces used for the temporary use shall be paved or dust-controlled as approved by the City Engineer or their designee.
8. All surfaces used for parking for the temporary use shall be paved.
9. No temporary use shall locate within a landscape area, required pedestrian access ways, or public rights-of-way. No temporary use shall locate within a common area unless the temporary use has been approved by the homeowner's association or property owner's association if applicable.
10. The temporary use shall not impede or cause to be impeded, vehicular or pedestrian circulation, fire access lanes, accessibility, vehicular or pedestrian ingress or egress into businesses, or traffic visibility.
11. Only one temporary use may operate on a single parcel or lot at any given time and there shall be thirty (30) days between any temporary use of the property.

3.14. Mobile Food Vendors & Businesses

3.14.1. Mobile Food Vendor

A. General Standards

1. Mobile Food Vendors shall comply with all applicable state licensing and health requirements. The City shall not require additional health permits or business licenses beyond those authorized by state law.
2. The mobile food unit and its customers shall not obstruct the movement of pedestrians or other vehicles using the sidewalk, street, alley, or other public right- of-way.
3. All associated activities shall occur on a dustproof surface, except for mobile food vendors serving active construction sites.

4. Hours of operation shall exclude the hours between 10:00 p.m. and 6:00 a.m. unless a Special Event permit has been issued and specifically expands the hours of operation.

5. Mobile food vendors shall comply with all applicable City of Goodyear sign regulations.

6. A mobile food unit shall have adequate lighting to ensure customer safety in the vending area. Lighting shall be directed downwards and away from rights-of-way and adjacent properties.

7. The mobile food unit and the surrounding vending area shall be maintained in a safe and clean manner at all times.

8. The site shall be kept free of refuse, trash, and litter, which shall be removed from the site daily.

9. Temporary restrooms shall be prohibited.

10. Permanent modifications to the site shall be prohibited.

B. Operation on Private Property

1. Mobile Food Vendors may operate on property with the permission of the property owner, subject to the following:

a. The vendor shall not obstruct required parking spaces, fire lanes, drive aisles, or accessible routes.

b. The vendor shall comply with applicable fire safety regulations.

c. Waste and refuse shall be properly contained and removed daily.

d. The vendor shall not connect to utilities without authorization.

e. Operations shall not create a public nuisance.

C. Location Restrictions

1. Private Property

a. A mobile food vendor shall obtain written permission to use any private property where a mobile food unit is operating and shall provide proof of such written permission on demand by the City.

b. Notwithstanding the permission of a person owning or having lawful control of private real property, a mobile food unit shall not remain in one location on private property for longer than ninety-six (96) consecutive hours, unless the City grants permission for a permitted event greater than four (4) days. "One location" within this subsection means a location within a parcel of land and includes movements from different parked positions within the same parcel.

2. Public Property

a. Mobile Food Vendors shall not operate within the public right-of-way unless within a single legal parking space,

authorized by an encroachment permit or special event permit.

3. Residentially Zoned Property. A mobile food vendor shall not operate in an area zoned for residential use or within two hundred fifty (250) feet of an area zoned for residential use, except:

   a. A mobile food vendor selling only ice cream or similar confections intended to be sold in a manner that requires limited-duration stops may operate on public rights-of-way in areas zoned for residential use; or

   b. Subject to applicable laws and the City Code, a mobile food vendor may operate on private property in a residential area if the mobile food vendor obtains a separate agreement with the property owner to operate a mobile food unit for a maximum of six (6) hours within a twenty-four (24) hour period on the private property.

   c. Mobile food vendors serving active construction sites shall be permitted to operate a mobile food unit for a maximum of three (3) hours within a twenty-four (24) hour period on the private property.

D. Noise

1. A mobile food vendor shall not use, play, or caused to be used or played any loudspeaker, microphone, amplified music, or other amplified instrument or device used for the production of sound in a vending area when the motor vehicle or mobile food unit from which mobile food vendor is vending is stationary or mobile upon any right-of-way, park or other public place. For the purposes of this subsection, the factors for determining whether a sound is amplified include, but are not limited to, the following:

   a. The proximity of the sound to sleeping facilities, whether residential or commercial;

   b. The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;

   c. The time of day or night when the sound occurs; it shall be presumed that any amplified noise between 10:00 p.m. and 6:00 a.m. is reasonably disturbing;

   d. The duration of the sound; and

   e. Whether the sound is recurrent, intermittent, or constant.

3.14.2. Mobile Businesses

A. General Standards

1. Mobile Businesses shall comply with all applicable state licensing requirements.

B. Location

1. Mobile Businesses may operate on private property with the consent of the property owner.
2. Operations shall not occur within required landscape setbacks, fire lanes, or public right-of-way.
3. Mobile Businesses shall not park overnight in residential districts except at the operator's residence.

C. Operational Standards

1. No exterior display of merchandise.
2. No exterior lighting beyond that provided on the vehicle.
3. No amplified sound.
4. No discharge of wastewater except in compliance with applicable health regulations.
5. No generator operation between 10 p.m. and 10 a.m. within 250 feet of residential use.

3.15. Hazardous Materials

1. Storage of hazardous materials in any District will be subject to Fire Department review.
2. If any such storage becomes obnoxious, offensive by reasons of emission of odor, smoke, gas fumes or refuse, or places the public at risk, materials shall be removed by order of the Fire Chief.
3. Uses or operations of products within the I-2 District shall be permitted unless such uses are or may become obnoxious or offensive by reason of the emission of odor, dust, smoke, noise, gas fumes, cinders, vibrations, glare, refuse, or air or water pollution.
4. Explosive or hazardous processes require approval by the Goodyear Fire Department that all manufacturing, storage and water processes meet all safety and environmental standards administered by said department.

ARTICLE 4 – GENERAL DEVELOPMENT REGULATIONS

4.1. Purpose

This Article establishes the general development standards applicable to all properties in the City of Goodyear, including requirements for off-street parking, landscaping and screening, signage, and lighting.

4.2. Landscaping

4.2.1. Purpose.

As set forth herein, these standards and requirements are provided for the installation of landscaping for all new and expanded development within the City in order to promote the general welfare of the community; to effectuate attractive development; to aid in the enhancement of property values; to create an attractive appearance along City streets; to complement the visual effect of buildings; to provide appropriate buffers between incompatible land uses and protection from intense activities; and to aid in conserving water by encouraging the use of varieties of plants, trees and shrubs indigenous to arid regions, which are characterized by low water consumption. The standards and regulations of this Article shall be held to be the minimum requirements necessary for the promotion of the foregoing objectives of this Article. In those instances where the minimum standards and requirements are not sufficient to achieve the purpose and objectives of this Article, the Zoning Administrator, or his/her designee, may impose such other reasonable requirements as may be deemed appropriate.

4.2.2. General Applicability.

The installation and maintenance of landscaping, in accordance with the design standards and requirements of this Article, applies to all properties within the City. As used herein, standards and provisions containing the term "shall" are mandatory while those containing the terms "should" or "may" are permissive.

A. Building and Construction Permits.

No building or construction permit shall be issued until a landscape plan has been approved for the site by the Zoning Administrator, or his/her designee, for the property that complies with the requirements of the Goodyear Engineering Design Standards and Policies Manual, as amended, and this Article.

B. Landscape Areas.

All areas within a property that will not be improved with building, driveways, parking, or other structures shall be fully landscaped at the time the property is developed. All undeveloped property shall be treated for dust control in accordance with the Goodyear Engineering Design Standards and Policies Manual, as amended.

C. Appropriate Use of Landscaping.

1. Only plant material included in the City of Goodyear Approved Plant Matrix shall be installed.

2. Any landscape areas in the public right-of-way shall comply with the requirements of the Goodyear City Code of Ordinances. Refer to the City of Goodyear Approved Plant Matrix and to Chapter 27, Article 27-1, Tree Care and Management, of the City of Goodyear Code of Ordinances.

3. Landscaped areas shall not be used for parking of vehicles, display of merchandise or other uses detrimental to the landscaping.

4.2.3. General Provisions.

A. Landscaping Components.

Landscaping may include trees, shrubs, groundcover, vines, and other plant material along with hardscape elements such walkways, benches, sculpture, shade structures, and other similar materials used to enhance the exterior appearance of a property.

B. Installation Per Approved Plans.

1. All required landscaping shall be installed in accordance with an approved landscape plan prior to issuance of a final Certificate of Occupancy. Plant materials shall be of the type and size specified on the approved landscape plan. Modifications to approved landscaping shall require prior approval as determined by the Zoning Administrator or his/her designee.

2. In lieu of the installation of the required landscaping prior to the issuance of a final Certificate of Occupancy, a cash deposit or an irrevocable letter of credit, in an amount guaranteeing the complete one hundred (100) percent installation of the required landscaping within six (6) months of the issuance of the final Certificate of Occupancy, may be accepted by the Zoning Administrator, or his/her designee. Failure to install the required landscaping in the six (6) month time period shall be deemed a violation of this Article, and the City may use the cash deposit or funds set aside by such letter of credit to complete the landscape improvements required.

C. Minimum Area Requirements.

Minimum area requirements for landscaping shall be determined by the property's zoning district as set forth in this Article.

D. It shall be unlawful to plant eucalyptus (except microtheca, papuana, krusena, formanii, erythrocorys, spathulata and torquata), elm (except ulmus parvifolia), Indian Rosewood (dalbergia sissoo), willow, cottonwood or poplar trees in any public right-of-way. The planting and replacement of pollen-producing olive trees (olea europaea) or mulberry trees (morus alba) is also prohibited..

E. Any tree removed within the City as a direct result of powerline installation, relocation, or associated utility construction required to serve the facility shall be replaced at a minimum one-for-one ratio. Replacement trees shall be located on-site outside of the perimeter wall or, where on-site planting is not practicable due to utility clearance requirements or access easements, at an approved off-site location within the City as close as reasonably practicable to the removal site, and shall comply with the minimum size, species, and planting standards set forth in Section 4.2. Where tree replacement is not practicable,

the Development Services Director may approve permanent on-site structural shade improvements in lieu of some or all required replacement trees, provided the shade area is reasonably comparable to the required replacement.

4.2.4. Landscape Design Objectives and Standards.

A. Landscape Design Objectives.

1. Landscape designs that utilize a natural desert theme with appropriate native vegetation and inorganic groundcover (rock, boulders, etc.) are highly encouraged.
2. Landscape designs, including hardscape elements such as walls and fences, shall be complementary and compatible with adjacent properties.
3. Multi-phase developments within non-residential zoning districts shall have all primary entries (entries into developments from arterial and collector roadways) landscaped with the first phase of development.
4. Landscape plans shall incorporate a water efficient design that encourages the formation of deep root systems, includes groundcovers to retain soil moisture, and groups trees and plants with similar water requirements on their own dedicated irrigation line.
5. Landscape plans shall address all applicable sight visibility concerns, including the location of traffic control signs and devices, private signage, sight visibility zones, and adequate spatial considerations for the (future) size and spread of plant materials at maturity in conformance with the City of Goodyear Engineering Design Standards and Policies Manual, as amended.
6. The selection and orientation of appropriate plant material on the south and west sides of buildings are encouraged to promote energy conservation and solar gains.
7. Required trees shall be planted in locations such that at maturity, these trees will provide shade coverage for public sidewalks, on-site pedestrian ways and gathering areas.
8. All developments shall include landscaped areas planted with pollinator and other insect friendly vegetation, such as Desert Milkweed or as designated on the City of Goodyear Approved Plant Matrix. Such vegetation should be planted in groups within retention areas, common areas or other open space areas suitable to the selected plant material.

B. Landscaping Required.

1. Landscaping shall be provided in accordance with the following standards:
    a. Development within single family zoning districts shall provide open space as designated in Table 2.2.3A of Article 2.2 (Residential Districts) of the City of Goodyear Zoning Ordinance.
    b. Development within multi-family zoning districts and non-residential development in residential zoning districts shall have

a minimum of twenty (20) percent of the net site in landscaping.

c. Development within commercial zoning districts shall have a minimum of fifteen (15) percent of the net site in landscaping.

d. Development within industrial zoning districts shall have a minimum of ten (10) percent of the net site in landscaping.

e. Development within mixed-use planned area development zoning districts shall provide landscaping in accordance with the underlying land use of the property under development.

f. In addition to the minimum on-site landscaping, there shall be landscaping provided in all adjacent rights-of-way, between property line and back of street curb except for approved driveways, walkways, and bike paths. Such landscape improvements shall include trees, shrubs, and groundcover in accordance with the Goodyear City Code.

2. A minimum of fifty (50) percent of the required landscape area of a site shall be covered with live vegetation (synthetic turf may be considered in certain areas to supplement live vegetation if designed in accordance with the Goodyear Zoning Ordinance and Design Guidelines).

3. For properties within commercial, industrial, and multi-family zoning districts and for non-residential developments within residential zoning districts, the following provisions shall be applicable:

a. Any required setback area adjacent to a street shall be entirely landscaped with the exception of necessary driveways or walkways accessing said street. Unless more strictly required elsewhere, landscaping shall include at least one tree for every thirty (30) feet of street frontage so as to provide shade for any adjacent sidewalks and walkways along with an appropriate number of shrubs, groundcover and other plant material to achieve fifty (50) percent live coverage. Solid screen walls higher than three (3) feet, parking areas and drive aisles are prohibited from locating within the required setback area. Solid screen walls, view walls and view fences may not encroach more than five (5) feet into a landscape setback area.

b. When adjacent or separated by an alley, canal, easement or similar feature, from a single family residential zoning district, a landscape buffer shall be provided along the full length of the adjacent boundary. A minimum buffer width of ten (10) feet shall be provided in multi-family zoning districts and for non-residential development; fifteen (15) feet shall be provided in commercial zoning districts; and twenty-five (25) feet in industrial zoning districts. The buffer shall be planted with one (1) non-deciduous tree per thirty (30) feet of buffer length. Required trees shall be planted at grade and not within depressed areas (i.e., retention basins).

c. Buffer widths, as noted above, are minimums. Increased widths may be required by the Zoning Administrator, or his/her designee, at time of rezoning or subdivision platting to ensure consistency with the City of Goodyear General Plan and compatibility with the surrounding area.

4. Within all single family residential subdivisions and developments, landscape tracts shall be provided along arterial streets. Such tracts shall have a minimum width of ten (10) feet. Tracts shall be planted with at least one (1) tree for every thirty (30) feet of tract length so as to provide shade for any adjacent sidewalks and walkways along with an appropriate number of shrubs, ground- cover and other plant material to achieve fifty (50) percent live coverage. Walls and fences may not be located within these landscape tracts.

5. For all new single-family residential developments, the homebuilder/developer shall provide a front yard landscape package that includes at least one (1) tree, non-high water use shrubs and groundcover along with an automatic, underground irrigation system for each lot or provide a landscape stipend to each prospective homeowner in an amount capable of providing the improvements as previously noted herein. Residential lots seventy (70) feet or greater in width shall be planted with at least two (2) trees. For clustered home products and townhomes the one (1) tree may be relocated and supplemented at the discretion of the Zoning Administrator.

6. For development within residential zoning districts adjacent to an existing or future known freeway, a minimum eighty (80) foot "Freeway Buffer" zone shall be provided adjacent to the existing or planned freeway edge with a minimum thirty-five (35) foot landscape tract within the buffer. Security walls and walls above three (3) feet shall be provided outside of the eighty (80) foot landscape buffer. All landscape tracts shall include earthen berms with a maximum height of six (6) feet and maximum slope of 3:1 and shall be planted with one (1) non-deciduous tree per thirty (30) feet of buffer length.

7. For development within non-residential zoning districts, a minimum thirty (30) foot wide landscape buffer shall be provided adjacent to all existing or future freeways. All buffers shall include earthen berms with a maximum height of six (6) feet and maximum slope of 3:1 and shall be planted with one (1) non-deciduous tree per thirty (30) feet of buffer length.

8. Landscape plans shall take into account the location and viewshed of on site signage. The view of such signage should not be totally obstructed by mature landscaping. The Zoning Administrator, or his/her designee, may authorize the relocation or substitution of required plant material if such efforts are needed to promote sign visibility.

9. Cacti and other thorny vegetation shall be planted at least six (6) feet from any sidewalk within or adjacent to any arterial or collector road rights-of-way.

10. Unless specified elsewhere, half of all required trees shall be at least fifteen (15) gallons in size and the other half at least twenty-four (24) inch box in size.

11. Shrubs shall be a minimum of five (5) gallons in size.

C. Turf. Turf areas, with the exception of those located on single family residential lots, shall be developed in accordance with the following standards:

1. Turf areas shall be separated from other landscape areas by a six (6) inch wide concrete curb, concrete header, or other approved material acceptable to the Zoning Administrator or his/her designee. Curbing manufactured from plastic, metal or similar materials is discouraged.

2. The maximum slope of a turf area shall not exceed ten (10) percent.

3. Turf areas shall not be located in any rights-of-way. This provision does not preclude the use of artificial turf within rights-of-way or on other public properties as deemed acceptable to the Zoning Administrator or his/her designee.

4. Turf shall be limited to those areas intended for active recreation. For the purposes of this Article, active recreation areas are defined as specialized areas set aside for recreational activities and that are typically improved to include some form of equipment, sports courts or fields, buildings or other structures and that are appropriately sized to accommodate the intended activity. Turf intended solely for decorative purposes is prohibited.

5. Turf areas shall be accessible by at least one (1) hard-surface pathway to promote accessibility and use.

D. Trees. Trees shall be planted as required within this Article and in accordance with the following standards:

1. Trees shall be planted in locations appropriate to the long-term health and growth of the tree.

2. As required within this Article, trees planted within landscape setbacks, tracts and/or buffers do not have to planted in a single linear row, on-center. Rather, trees should be planted to ensure canopies do not overlap, shade is provided where beneficial, and where tree health and growth are best addressed.

3. Trees planted on commercial, industrial, or multi-family properties or on properties developed with non-residential uses in residential districts shall not have mature canopies that grow over adjacent single-family residential lots.

4. Trees with canopies growing over public rights-of-way, sidewalks, bikeways and all trees within parking lots shall be single trunk.

5. In accordance with the Engineering Design Standards and Policies Manual, as amended, trees planted within five (5) feet of a public street, sidewalk, or other paved or constructed surface shall have root barriers installed to protect the street, sidewalk and other surfaces from uplifting and other root damage.

6. If a required tree cannot be planted in its intended location, such as within an easement or sign visibility zone, then such tree shall be moved to another on-site location acceptable to the Zoning Administrator or his/her designee.

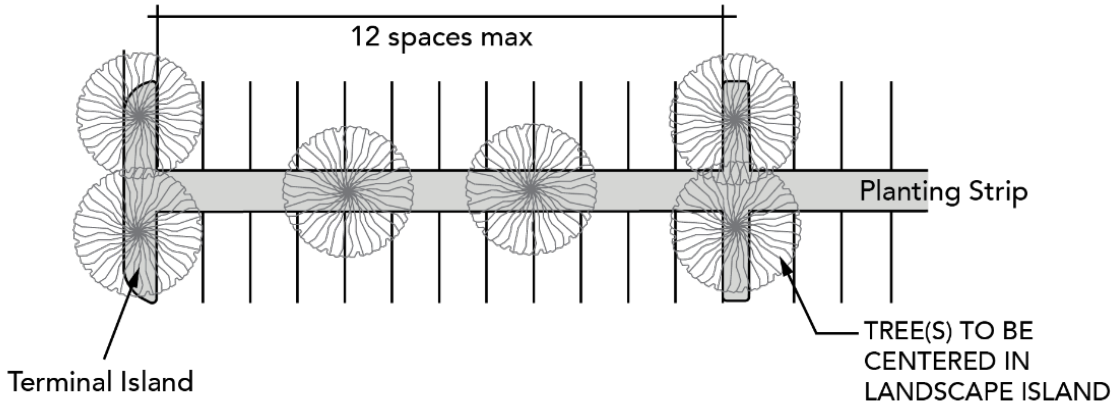
7. To help prevent a fire hazard, palm trees located within any zoning district shall be regularly pruned to remove dried fronds.

8. All trees shall be planted and staked in accordance with the City of Goodyear Standard Landscape Details as established in the Engineering Design Standards and Policies Manual, as amended.

E. Inorganic Ground Cover. All landscape areas not covered by turf, sidewalks, play surfacing, or hardscape features, such as a ramada, shall be covered by an approved inorganic ground cover such as decomposed granite, crushed rock, river rock, artificial turf, and/or boulders. The material, color, size, and depth of coverage shall be specified on the approved final landscape plan. Inorganic ground cover or applied dust control products are to be installed at a minimum depth of two (2) inches in all landscape areas.

F. Parking Area Landscaping.

Figure 4.5.4A - Parking Area Landscaping



1. The design of parking areas shall be in conformance with the standards as established herein and the City of Goodyear Design Guidelines Manual, as amended. This shall specifically include the requirement for planting strips and islands containing trees, shrubs and groundcover.

2. Landscape islands shall be provided at the end of each parking row (terminal islands).

3. Landscape islands shall be provided within rows of parking to break up long rows. No more than twelve (12) parking spaces may be placed in a row without installation of an island.

4. Landscape islands shall have a minimum width of eight (8) feet as measured from inside of curb and a minimum length equal to the length of the adjacent parking space.

5. Planting strips shall have a minimum width of six (6) feet as measured from inside of curb.

6. In accordance with Figure 1, trees in planting strips shall be installed in-line with the parking lane stripes to prevent damage from parking vehicles.

7. Each landscape island shall require planting with at least one (1) tree and three (3) shrubs or groundcover per parking stall length. Species selection shall be per the City of Goodyear Approved Plant Matrix.

8. Landscape islands and planting strips shall include a minimum two (2) inch layer of inorganic groundcover.

9. Landscape islands located at the termini of parking rows shall have a minimum area of three hundred (300) square feet and a minimum planted width of six (6) feet.

10. Palm trees are not permitted within parking areas unless intended to accentuate a focal point or entry lane.

11. Parking areas within industrial zoned properties, fully enclosed behind at least an eight (8) foot wall and intended for the parking of trucks, trailers, and any other relevant vehicle, are not required to have landscape islands.

G. Retention Basins And Drainage Ways.

1. Retention basins shall be completely landscaped in accordance with the following standards:

   a. Retention basins located within any front or street side setback areas shall be designed as an integral part of any frontage landscape area and shall not occupy more than fifty (50) percent of the linear frontage of the landscape area.

   b. Retention basins within public view shall be contoured to create a natural appearance rather than plain, unnatural bathtub-like depressions. Slopes shall be in accordance with the City of Goodyear Engineering Design Standards and Policies Manual, as amended.

   c. Retaining walls shall not be located within required street frontage landscape areas.

   d. Screen walls shall not be located atop retaining walls when such walls are within public view. A minimum six (6) foot wide landscape area shall be provided between any screen wall and retaining wall.

   e. Retention basins shall be planted to achieve at least fifty (50) percent vegetative cover. All other areas not covered by landscaping, hardscape or other structures shall be covered with an approved inorganic ground cover.

2. Drainage ways shall be landscaped to achieve at least fifty (50) percent vegetative cover. All other areas shall be covered with an approved inorganic groundcover. The Zoning Administrator, or his/her designee, may modify these coverage requirements if such

landscaping and/or groundcover are determined to be detrimental to the function of the drainage way.

H. Water Efficient Design.

1. Industrial Zoned Properties and Planned Area Developments. High water use plant materials or features shall not be used on industrial zoned properties. Such items include turf, water features, and shrubs, trees, groundcovers or annuals not listed on the ADWR Plant List or Goodyear Approved Plant Matrix.

2. Exceptions include turf intended for active recreation areas and the use of high water use plant material to adorn entryways or other focal points. If used, such areas shall be limited to a maximum of one (1) percent of the total landscaped site area.

3. Commercial Zoned Properties and Planned Area Developments. High water use plant materials or features shall not be used on commercial zoned properties. Such items include turf, water features, and shrubs, trees, groundcovers or annuals not listed on the ADWR Plant List or Goodyear Approved Plant Matrix.

4. Exceptions include water features, turf intended for active recreation areas, potted plants or seasonal planting beds, and use of high water use plant material intended to adorn entryways or other focal points. If used, such areas shall be limited to a maximum of five (5) percent of the total landscaped site area.

I. Residential Zoning.

1. Multi-Family Residential Zoning and Planned Area Developments and Non-Residential Uses in Residential Zoning Districts.

   a. High water use plant material shall be reserved for active recreation areas and focal points, such as project entries or community gathering areas, such as clubhouses and pool facilities.

   b. Turf shall only be permitted in areas intended for active recreation. If used, such areas shall be limited to a maximum of ten (10) percent of the total landscaped site area.

2. Single Family Residential Zoning and Planned Area Developments.

   a. No high water use plants or turf shall be offered in front yard or rear yard landscape packages provided by developers and/or homebuilders for new single family residential dwellings.

   b. For model homes constructed by homebuilders, the area used for high water use plants and turf shall be limited to twenty (20) percent of the total lot area. These materials are prohibited in the front yards of model homes.

   c. For all new developments, a property owners' association or homeowners' association shall not require the use of high water plants or turf nor restrict the use of artificial turf.

   d. Turf shall only be permitted in areas intended for active recreation. As previously defined herein, active recreation

areas are areas set aside for recreational activities that are typically improved with some form of equipment, sports courts or fields, buildings or other structures, which are appropriately sized to accommodate the intended activity. If used, such turfed areas shall be limited to a maximum of fifteen (15) percent of the total landscaped site area.

e. The conversion of existing, decorative turf areas, not required for active recreation, to artificial turf or another inorganic groundcover may proceed without formal submittal of landscape plans to the City, as determined by the Zoning Administrator or his/her designee. Other plants, including shrubs and trees, should remain intact.

f. These regulations, as contained within this Section 4.2.4, do not apply to individual owners of dwellings on single family residential lots. Such owners may plant high water use plant material and turf on their lots subject to any applicable rules found within the Goodyear Zoning Ordinance, Goodyear City Code or an approved Drought Mitigation Plan; where conflict exists, the more restrictive shall language should prevail.

J. Irrigation Systems Design.

1. A programmable, automatic, and underground irrigation system shall be provided to all required landscape areas.

a. Trees and shrubs shall be irrigated on separate zones.

b. Sprinkler heads, including rotors, rotating and fixed spray heads, shall be pressure regulating bodies

c. Drip irrigation emitters shall be pressure compensating.

d. Emission devices for trees shall be designed to encourage deep root watering.

e. Irrigation water shall be targeted to the intended vegetation. Overspray or seepage onto sidewalks, streets and parking areas shall be avoided.

K. Pavement Edge and Landscape Protection.

All permanent uses, other than individual single family residential lots, shall provide a six (6) inch high, poured-in-place concrete curb, or other approved material acceptable to the Zoning Administrator or his/her designee, for all landscaped areas adjacent to parking areas, vehicular driveways, loading areas and other similar facilities. The curbing design shall meet the minimum requirements set forth in Maricopa Association of Governments Standard Detail No. 222 for single curbs.

4.2.5. Landscape Maintenance and Enforcement.

A. Landscape Maintenance During Construction.

1. When new development or construction activity will modify existing landscaped areas, the landscape plans shall demonstrate that existing trees and landscaping are preserved in place or relocated on site. If a required tree cannot be preserved or relocated, then a new tree of a

size exceeding the required minimum size shall be planted in an appropriate area on site.

2. Existing plant material shall be fully protected during all construction activity. Existing plant material may only be relocated or permanently removed if identified on an approved final landscape plan. Any new, relocated, or existing plant material identified to remain, that does not survive, shall be replaced within thirty (30) days of notification by the city. Replacement plant material shall be with a comparable species and size.

B. Right-Of-Way Landscape Maintenance.

1. Maintenance of landscaping in the right-of-way shall be the responsibility of the adjacent property owner, whether an individual, corporation, property owner's association or homeowners' association in accordance with the Goodyear City Code and as established herein.

2. Within single family residential subdivisions, if the local street section includes detached sidewalks, then the maintenance of the area between the street curb and edge of sidewalk shall be the responsibility of the applicable homeowners' association (HOA) for that subdivision. HOA responsibility shall be established on the final plat for the subdivision and said responsibility shall include maintenance of all landscaping within the aforementioned right-of-way area. If no HOA is established, then the maintenance of this area shall fall to the adjacent property owner.

3. Landscape maintenance for properties developed under a unified landscape plan shall be conducted in a manner to ensure consistent and complementary results.

C. Maintenance and Determination of Violation.

1. Property owners within single family residential subdivisions shall maintain their property in conformance with the Goodyear City Code.

2. In addition to the standards contained within the Goodyear City Code, the following standards shall also be applicable for landscaping in commercial, industrial and multi-family residential zoning districts, non-residential developments in residential zoning districts, and HOA controlled common areas within platted subdivisions located in residential zoning districts:

a. Landscaped areas shall be maintained by the owner or lessor of the property in perpetuity. Maintenance shall include pruning, trimming, and watering of live plant material and the removal and replacement of dead plant material within thirty (30) days of notification by the city.

b. All planting and maintenance of trees within public rights-of-way shall conform to the American National Standards Institute (ANSI) A-300 "Standard for Tree Care Operations" and shall follow all tree care best management practices (BMPs) published by the International Society of Arboriculture, as amended.

c. Landscaped areas shall be maintained in a weed-free manner, free of debris.

d. All irrigation systems shall be maintained in good working condition and shall be programmed in accordance with seasonal irrigation requirements. Broken, leaking, or damaged irrigation systems shall be repaired within twenty-four (24) hours of identification or notification by the City.

e. Landscaping shall be maintained at the level shown on the original approved final landscape plan. Replacement and replanting of required landscaping shall occur as necessary to maintain conformance with the original approved final landscape plan.

f. Amenities and other hardscape improvements shown on the approved final landscape plan or equivalent shall be maintained in good repair, unless otherwise permitted to be substituted by the Zoning Administrator, or designee. Items in disrepair shall be replaced or fully repaired within thirty (30) days of notice provided by the City.

g. All tree stumps shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground and a replacement tree shall be installed within five (5) feet of said removed tree.

3. Determination of Violation. The following activities or omissions shall constitute a violation of this Article:

a. Any alteration or deterioration of required landscape improvements except as noted in this Section.

b. Areas containing weeds, debris, sinkholes, lack of inorganic groundcover, or similar conditions.

c. Missing, dead or unmaintained trees, shrubs, or other landscaping.

d. Amenities, including, but not limited to, barbeques, tot lots, ramadas, picnic tables, ball fields, courts, pools, lakes, lighting, sidewalks, trails, fences, gates, refuse enclosures, and other common area amenities or HOA facilities and buildings, which are missing, in disrepair or in need of paint or maintenance.

e. Trees, installed in accordance with this Article, that have been so severely pruned or topped as to adversely affect said trees' natural form, health or long-term viability. Trees severely damaged by storms or other natural causes, or certain trees under utility wires or other obstructions where other pruning practices are impractical may be exempt from this section at the determination of the Zoning Administrator or his/her designee.

4. Determination of No Violation. There shall not be a violation of the requirements of this section if:

a. Trees or shrubs that have been removed for safety reasons, such as maintaining traffic visibility or preventing interference with utility poles and/or power lines, and if such removal has been authorized by the Zoning Administrator or his/her designee.

b. Trees removed due to utility poles, power lines or irrigation lines shall be replaced on property or supplemented with other shade structures and shrubs to continue to provide shade and groundcover to adjacent pedestrian access ways.

c. The existing landscaping meets the intent of the original approved plans.

d. If there is no approved landscape plan or other relevant document on file with the City, a violation of this section shall only be found to exist for dead plant material, parking lot planter islands where trees have been removed or are missing, damaged irrigation systems, debris, erosion, failure to control dust and where existing amenities are in disrepair. Amenities in disrepair shall be repaired or replaced.

e. Other than for streetscape, theme trees or similar designated trees within a special character area or landscape buffer, where trees or other plant material have been replaced with alternative material similar in size and appearance.

4.3. Screening, Walls and Fences

Walls or fences include any structure intended for confinement, prevention of intrusion, boundary identification, or screening of activity. Screening devices are any structure installed to conceal refuse, mechanical equipment, parking (service and loading bays or lanes), multi family habitation and commercial or industrial activities from adjacent residential districts and from street view.

4.3.1. Screening

A. General Screening Requirements

1. Screening between dissimilar uses shall consist of a solid wall located on the shared property line(s) and outside of any sight visibility triangles unless otherwise stated herein.

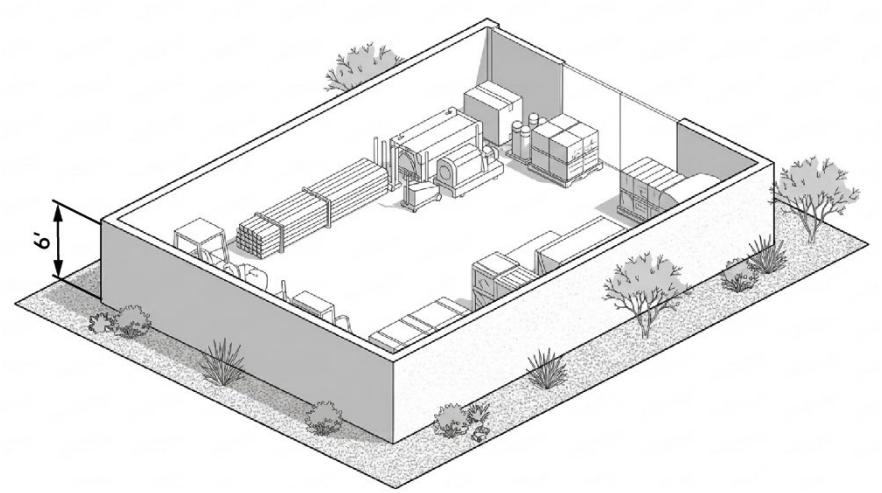
2. To break up the lineal expanse of required screening, design elements such as a staggered centerline, pilasters, integrated planters, varying wall heights, the installation of extra plant materials, or varying the landscaped area contours shall be used. Design elements intended to break up the lineal expanse shall have a maximum lineal separation of fifty (50) feet in commercial and industrial zoning districts or a maximum lineal separation of one hundred and fifty (150) feet in residential zoning districts.

B. Screening Requirements. Screening requirements shall be as follows:

1. Masonry walls six (6) feet in height shall be installed along interior boundaries of a site adjacent to or across from a residential district.

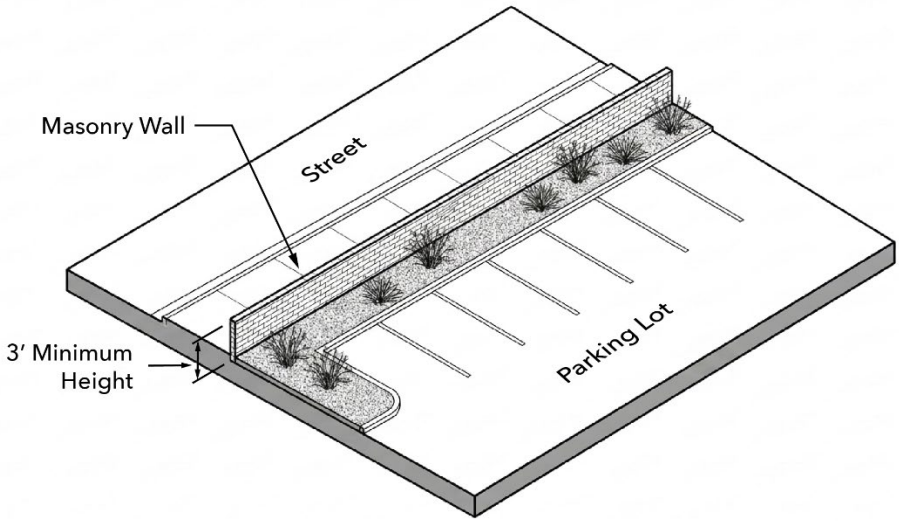
2. Outdoor Storage. All outdoor storage areas for materials, trash, equipment, vehicles or similar items shall be screened entirely from view by a wall of up to six (6) feet in height constructed of slump block, brick, or masonry with a stucco or mortar wash finish designed to match the main building on the site and should not be substantially visible from adjoining streets or properties. If the outdoor storage requires screening above six (6) feet, other wall features shall be incorporated to screen the outdoor storage completely from view.
3. Gates shall be opaque as to not be visible into the storage areas.

Figure 4.6.1A - Outdoor Storage Screening



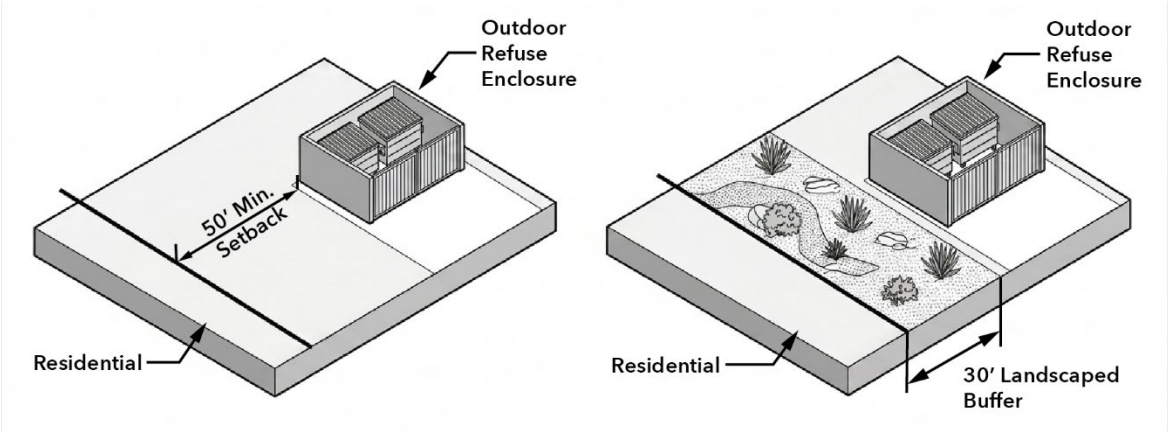
4. Parking Areas. Parking areas shall be screened from street view by masonry walls or berms to a minimum height of three (3) feet in height above the highest finished grade on the parking lot side and no higher than four and one-half (4.5) feet in height on the street side. This may be supplemented by up to twenty five (25) percent intermittent landscaping. It shall be the responsibility of the developer to ensure that car headlights are screened when facing off property or toward residential development or modifications shall be required. Parking screen walls shall be placed in a manner to avoid car hitches from striking and damaging such screen walls. Intermittent plantings shall be placed between the screen walls and parking stalls.

Figure 4.6.1B: Parking Area Screening



5. Refuse. All outdoor refuse enclosures shall be located a minimum of 50 feet from any residential zoning district, or a minimum of 30 feet if a 30-foot wide landscape buffer is established and maintained between the enclosure and the single-family, detached residential zoning district along the entire length of the commercially designated property, as measured from the exterior wall of the refuse enclosure to the nearest residential property line.

Figure 4.6.1C - Outdoor Refuse Screening



6. Drive-throughs. Drive-through windows shall not face onto a public street. Stacking lanes shall be screened from the street with three (3) foot masonry walls or berms. This paragraph does not apply to Drive-Through Restaurants, which are subject to the more specific requirements set forth in Section 4.5.13 (Drive-Through Restaurants).

7. All loading, delivery and carwash service bays shall not front onto a public street and shall be screened from public view with at least a six (6) foot wall, constructed of brick, slump block, or masonry with a stucco or mortar wash finish, or a similar finish, designed to match the main building on the site.

8. Mechanical Equipment. Mechanical equipment (HVAC, plumbing, air conditioning, fire, etc.), whether ground-level or roof mounted, and other fixtures such as, but not limited to, telephones, vending machines and ice machines shall be screened from public view and be so located to be perceived as an integral part of the building.

9. Utilities. All utility substations, wells, storage facilities, and other utilities shall be screened from view by a solid masonry wall and landscape.

10. Commercial and Industrial uses located adjacent to or separated by an alley from any residential use or District shall provide a six (6) foot solid masonry wall shall be required along the common property line and along interior property lines. An eight (8) foot wall may be required for industrial projects warranting higher screening. Within the front yard setback, a minimum wall height shall be three (3) foot.

11. Dismantling, servicing or repairing of vehicles and/or equipment shall be within completely enclosed building or within an area enclosed by brick, block or masonry walls.

12. Loading dock doors visible from an arterial roadway shall be screened by a wall with a minimum height of twelve (12) feet and a maximum height of fifteen (15) feet.

4.3.2. Walls and Fences

A. General Requirements

1. All fences or walls shall be located entirely upon the private property of the persons, firms or corporation constructing, or causing the construction, of such fence unless the owner of the property adjoining agrees, in writing, that such fence or wall may be erected on the division line of the respective properties.

2. Any fence or wall constructed so as to have only one elevation "finished," which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the adjacent property.

3. The minimum separation between fences and/or walls shall be twenty (20) feet. Any fence or wall constructed within twenty (20) to fifty (50) feet of another fence or wall shall be a view wall which shall have a maximum of four (4) feet of masonry and shall use view fencing for the remaining portion of the fence or wall. This regulation does not apply to retaining walls that do not extend above ground level.

4. Height of walls and fences in residential districts shall be measured from the lowest adjacent grade, except when adjacent to an alley or street right of way or private road which has a higher grade than the adjacent site. Then the height shall be measured from the top of the crown of road or alley (if no curb). Height of screening devices shall be measured from the highest adjacent grade.

5. Where two (2) lots abut one another, but have differing finish grades, the wall height shall be limited to six (6) feet on the high side and eight (8) feet on the low side. Modifications of these requirements shall

require written request and approval of the Development Services Department.

6. Walls that are not used for retention purposes exceeding six (6) feet in height, measured from the inside finished grade, shall require the submittal and approval of structural calculations prepared by a licensed structural engineer, unless specified otherwise in this Ordinance. Non-retaining concrete block walls shall adhere to the City adopted building codes.

7. No walls, buildings, or other obstructions to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street right-of-way lines and a line connecting them at points thirty-three (33) feet from the intersection of the street right-of-way lines.

B. Perimeter Walls and Lot Fences.

1. Perimeter Walls shall be required along the rear of reverse frontage of single family lots along collector or arterial streets and may be installed elsewhere around the perimeter of a subdivision. Such walls shall be not less than of six (6) feet nor more than eight (8) feet in height and shall be constructed of slump block, brick, or masonry with stucco or mortar wash finish and decoratively designed with details such as inlaid tile or brick work, cap tiles, wall inserts, offsets, or pilaster treatments at a minimum lineal spacing of fifty (50) feet. Long, straight, unbroken walls are not permitted. Wall openings shall be provided to allow pedestrian access to adjacent commercial, open space, trail, school, and similar amenities.

2. Perimeter Lot Fences if provided, shall be not less than five (5) feet nor more than six (6) feet in height and shall be constructed of slump block, masonry, or wrought iron except for sections of Perimeter Lot Fences that are part of Perimeter Wall along the reverse frontage of single family lots along collector or arterial streets, in which case, the requirements for a Perimeter Wall set forth above shall apply.

3. Exterior boundaries of mobile home subdivisions and mobile home parks shall be bounded by a six (6) foot high masonry wall. Land between the wall and the public street improvement shall be landscaped with street trees and other landscaping materials, and shall be maintained by the owners or tenants.

4. Subdivision perimeter walls shall incorporate vertical articulation elements, including pilasters, columns, or staggered setbacks, at intervals not exceeding one hundred fifty (150) feet.

4.3.3. Development Standards, Construction & Maintenance.

A. Development Standards. Additional requirements for fences and walls apply as follows:

1. Walls which front onto a public street shall be constructed of masonry with stucco, slump block, or brick designed to match the main building on the site.

2. Walls visible to the public or located within commercial, industrial and multi-family developments shall be painted or finished on both sides of the wall, unless owned by one entity which will not lease or sublease any portion of the property or private yard.

3. In residential and agricultural districts with residential uses, no open wire fences, including chain link fences, are allowed in a front yard.

4. In residential and agricultural districts, the maximum height of any freestanding wall or fence in a required front yard shall be three (3) feet except for walls that create a portal which shall be designed as an integral component of the portal fixture, as determined in the required Design Review process.

5. In residential and agricultural districts, the maximum height of a wall or fence in the rear or side yards shall be six (6) feet as measured from the side facing interior of the property line.

6. All fences in a side or rear yard of a lot abutting an alley must allow for a three (3) foot deep by eight (8) foot wide inset with gate for storage of garbage cans.

7. In industrial zoning districts, walled areas for storage of materials and equipment may include three (3) strand barbed wire or barbed tape for maximum security, (maximum eight (8) foot height). The use of rolled barbed wire or razor wire is prohibited.

8. A building permit must be obtained prior to the installation of any fence that exceeds six (6) feet in height.

9. Open wire fences, including chain link fences, are not permitted except as expressly provided in this Section or elsewhere in the Zoning Ordinance. Open wire fences including chain link fences are permitted within the City as follows:

    a. In the AG and AU zoning districts subject to the terms and limitations in this Article;

    b. On residential lots within subdivisions recorded in 1980 or prior, chain link fencing is permitted on single-family residential lots less than twenty thousand (20,000) square feet in area, subject to the following development and design standards:

        i. The chain link fence shall include opaque screening with a woven density of no less than eighty (80) percent. Opaque screening shall consist metal, vinyl, or composite material with integral color, powder coating or other method of design and manufacturing to minimize wear and maintenance and to maintain the aesthetic quality of the fencing. Use of fabric, tarpaulin, or similar non-rigid material is prohibited.

        ii. Chain link fencing and opaque screening shall be maintained in good condition and free from wear and decreased aesthetic quality. Opaque screening shall be replaced upon finding by the Planning Administrator, or their designee, that the original integrity of the fencing

has degraded to become visually blighting to the neighborhood or area.

iii. Chain link fencing shall meet the location, height, and traffic visibility requirements of this Article.

10. In industrial zoning districts, chain link fences are permitted when screened by a perimeter wall, and the height of the chain link fence and security wire does not exceed the height of the wall.

11. Open wire fences exceeding the otherwise permitted heights may be built around schools and other public or quasi-public facilities when necessary for the safety or restraint of the occupants.

12. Open wire fences exceeding the otherwise permitted heights may be built around tennis courts or similar recreational facilities such as pickle ball courts by Use Permit or administrative approval, dependent upon the following criteria:

a. A Use Permit is required for open wire fences around tennis courts or similar recreational facilities such as pickle ball courts that are located within five hundred (500) feet of the nearest property line of any property zoned or platted for single-family residential development;

b. A Use Permit is not required for open wire fences around tennis courts or similar recreational facilities such as pickle ball courts where there is no residentially zoned property line within five hundred (500) feet of the tennis court.

4.3.4. Pools and Spas

Outdoor swimming pool, in ground or above ground, wading pools, hot tubs, spas or other similar pools used or designated to be used for swimming, wading or bathing purposes are subject to these regulations. Wading pools, fish ponds, or shallow decorative pools less than eighteen (18) inches deep may be exempt, except where the Chief Building Official, or his/her designee, in individual cases deems it a public nuisance and/or dangerous to the public health, safety, and welfare.

4.3.5. Enclosure Required.

It is hereby declared to be a public nuisance to maintain an outdoor swimming pool, either above or below ground level, with a maximum depth greater than eighteen (18) inches or more in the City of Goodyear unless either the premises upon which the pool is located or the pool itself is enclosed as required herein. Irrigation and storm water retention facilities, and the water features in public parks and golf courses are exempt from the fencing requirement of this section.

4.3.6. Design and Enclosure Details.

A. All swimming pools, or the property on which they are located, shall be enclosed by buildings, walls, fences or combinations thereof, not less than five (5) feet nor more than six (6) feet in height above grade measured on the exterior side of the enclosure.

1. On a portable spa or portable hot tub, which is not more than eight (8) feet in width, a hard, latched or locked safety cover shall meet the barrier requirements of this section.

2. A key operated motorized safety cover for portable spas and hot tubs may also be used to meet the barrier requirements of this section. Approval must be received from the Chief Building Official, or his/her designee.

B. All gates shall be substantially the same height as the wall or fence and shall be self-closing and self-latching. Such gates and fencing shall not be constructed in a manner as to provide, either intentionally or unintentionally, hand or foot holes for climbing.

1. The latches shall be at least four and one half (4.5) feet above the underlying ground or otherwise made inaccessible from the outside to small children. If the material of construction or design is such that there are openings in the enclosure, such openings shall be of such size that a spherical object four (4) inches in diameter cannot pass through or under the fence or gate.

2. Double width gates which are not the sole means of ingress and egress shall not be required to be self-closing and self-latching but must be padlocked at all times when not in use.

4.3.7. Zoning Districts: Placement.

A. In any AG, AU, R1-10, R1-7, R1-6, R-4, R2, R1-A, or R1-C district, private swimming pools and spas shall be in the side or rear yards and no water surface shall be closer than five (5) feet from any property line.

B. In other zoning districts or where a private swimming pool is proposed to locate in an area other than a side yard or rear yard, a Use Permit shall be obtained.

C. No public swimming pool shall be closer than twenty five (25) feet to any property line.

4.3.8. Permit, Inspection, Maintenance.

A. A building permit shall not be issued for any swimming pool unless the plans for such pool provide for an enclosure as required by this Section.

B. No swimming pool shall be filled in whole or in part with water unless the pool structure has been installed in accordance with this Section and approved by the Chief Building Official, or his/her designee.

C. It shall be the responsibility of both the property owner and the occupant of the premises to install and maintain the fences, locks, latches, and gates in good condition and proper working order when water is in the pool, and either or both may be deemed in violation of this Article for failure to do so.

4.4. Off-Street Parking and Loading

4.4.1. Purpose

The purpose of this section is to ensure the provision of adequate off-street parking and loading spaces and vehicle maneuvering areas to those spaces for the uses permitted in this Ordinance in a manner which is safe, efficient, convenient and functional. The provisions contained in this Article are considered reasonable and appropriate, and are established to:

A. Provide standards for the minimum number of required off-street parking and loading spaces with maneuvering areas, driveways and surface materials for the efficient and safe movement of vehicular traffic.

B. Provide adequate screening measures for parking and maneuvering areas in a manner that is visually attractive.

C. Ensure pedestrian-friendly parking areas by providing safe, adequate and convenient pedestrian routes.

D. Provide for the accessibility needs and requirements of the disabled.

E. Allow flexible parking standards to improve circulation and promote community character.

F. Provide adequate on-site bicycle parking facilities.

4.4.2. General Parking Regulations

A. Off-Street Parking Spaces.

1. Vehicular Parking.

a. Vehicular parking for a standard vehicle shall be in the form of a rectangle not less than nine (9) feet in width by twenty (20) feet in depth, excluding driveways or aisles, with access to a public thoroughfare; except that parking spaces abutting sidewalks, curbs or landscape planters may have a minimum required depth of eighteen and one-half (18.5) feet with a maximum allowed vehicle overhang of one and one-half (1.5) feet.

2. Boat or Recreational Vehicle Space.

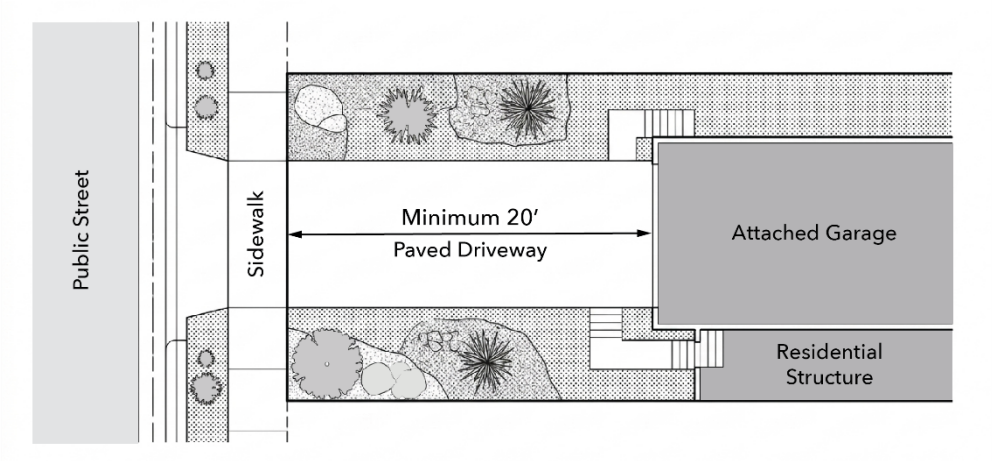
a. Spaces shall be provided in the form of a rectangle not less than ten (10) feet by twenty-four (24) feet, or larger as may be required to accommodate the unit, subject to the screening requirements of Section 4.4.3.

B. Residential Vehicular Access.

3. Driveways.

a. A single improved residential driveway shall be provided between a public or private street or alley and a garage, carport or other parking space. The driveway shall be paved, except as provided in this Section below, and shall not be less than twenty (20) feet in length, as measured from the back of sidewalk, or right-of-way line if no sidewalk is provided, to the front face of a garage or carport.

Figure 4.4.2A - Residential Driveways



b. 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, 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.

c. Where a single-family home does not provide at least one driveway which can accommodate the parking of one guest vehicle, guest parking shall be made available on a public street, private street, or HOA owned and maintained alley within two hundred twenty-five (225) feet away from the individually platted lot or provided for within a guest parking lot/tract located within the development.

d. The following applies if guest parking is to be provided within HOA owned and maintained alleys or parking lots:

   i. 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

   ii. Guest parking spaces shall be labeled or numbered. The failure to comply with an ap- proved Parking Plan shall constitute a zoning violation; and

   iii. 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

   iv. 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

v. 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.

e. Driveways shall connect to a public or private street or may connect to a public or private street by an alley.

f. When a shared driveway is utilized, the driveway shall be constructed so as to deflect drainage away from contiguous private lots or parcels.

g. The maximum or total defined driveway width may be expanded to accommodate floor plans that offer a combination of both front and side loading garages.

h. The total or maximum width of the driveway within the front yard for lots that are one hundred (100) feet wide or less shall be thirty (30) feet or fifty (50) percent of the lot width, whichever is less. Paved areas contiguous to a driveway and in excess of one hundred (100) square feet in size shall be considered part of the driveway for the purposes of this provision.

i. For lots that exceed one hundred (100) feet in width, the total or maximum driveway width shall be forty (40) feet. In no case shall the front yard exceed a total of forty-five (45) percent of improved paved sur- face (concrete, asphalt or masonry). Paved areas contiguous to a driveway and in excess of one hundred (100) square feet in size shall be considered part of the driveway for the purposes of this provision.

j. Lots that exceed one hundred (100) feet in width may incorporate a front yard circular drive provided the maximum driveway width is forty (40) feet. In no case shall the front yard exceed a total of forty-five (45) percent of improved paved surface. Paved areas contiguous to a driveway and in excess of one hundred (100) square feet in size shall be considered part of the driveway for the purposes of this provision.

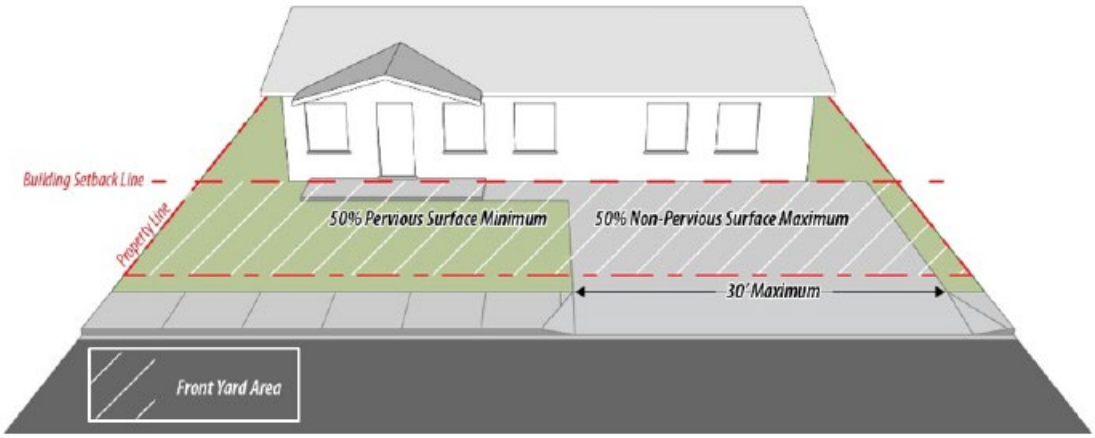
k. Residential lots in the Agricultural (AG) District accessed from a paved street shall include a paved apron that extends from the street a minimum of twenty (20) feet or to the edge of the public right-of-way, whichever is greater. The driveway may be paved or may contain a stabilized surface of two (2) inches of aggregate over four (4) inches of compacted soil properly treated to prevent dust, and shall extend from the apron to the paved parking spaces as prescribed in Section 4.4.3

l. Driveways on residential lots in the Agricultural Urban (AU) and Agricultural (AG) Districts accessed from an unpaved street may be paved or may contain a stabilized surface of two (2) inches of aggregate over four (4) inches of compacted soil properly treated to prevent dust, and shall extend from the

roadway to the paved parking spaces as prescribed in Section 4.4.3.

m. Paved, or other non-pervious surfaces shall not comprise more than fifty (50) percent of the required front yard setback area for any residentially zoned lot. The balance of the required front yard setback area shall be pervious surfaces such as grass, soil, gravel or rock that effectively absorbs or infiltrates water across the entire surface. No motor vehicle shall be parked in a front yard, except on a paved driveway.

Figure 4.4.2B - Paved/Non-Pervious Surfaces



4. Front Yard.

a. Any vehicle which is not otherwise prohibited by the provisions of this Ordinance from being parked in the front yard of a single family or two family residence lot may be parked upon a driveway.

4.4.3. Parking Design Standards

A. Parking Standards Pertaining to All Districts.

1. Permits.

a. No building permit shall be issued until the applicant has presented satisfactory evidence to the Zoning Administrator that he owns or has otherwise available for his use, sufficient property to provide required parking. This includes parcels separated from a parent parcel where the uses on the formerly parent parcel had shared parking agreements or site plans approved with parking being utilized on the child parcel.

b. No additions to or enlargement of an existing building or use shall be permitted unless the parking requirements are met for the entire building or use.

c. For new buildings, building expansions or conversions, plans must show the arrangement of required parking and loading

spaces, and indicate sufficient space for vehicle maneuvering and adequate ingress and egress by patrons and delivery vehicles to the parking area before a permit is granted. In the design of parking areas, safe, adequate and convenient pedestrian routes shall be provided. Plans shall be submitted, fully dimensioned, to the Zoning Administrator for approval prior to the permit being granted.

2. General Requirements for All Spaces.

a. All parking and loading spaces, drive aisles, maneuvering areas, driveways, and fire lanes shall be paved with an asphalt, concrete, or masonry surface to a sufficient thickness to withstand repeated vehicular traffic based on an engineered design approved by the City Engineer, or his/her designee, except as provided below:

b. The surfacing of the areas referenced above shall not be required by the City during construction on any site or project which is otherwise covered by an individual or general air quality permit issued by the Maricopa County Air Quality Department, but all surfacing improvements related to a specific building permit shall be completed prior to the issuance of a certificate of occupancy for such permit.

c. The City Engineer, or his/her designee, at his/her discretion, may allow the use of other materials for sur- facing the areas referenced above when these areas:

i. are in excess of the minimum number of parking spaces required by this Article; or,

ii. are temporary in terms of frequency of use (i.e., infrequent or intermittent use) or duration of use (i.e., only used for a specific period of time until paved or, for model home complexes, until substantial completion of a residential development).

iii. Any alternative surfacing materials allowed by the City Engineer, or his/her designee, shall be appropriate to the use for which they are approved and at a minimum shall minimize the generation of dust or particulate matter.

iv. All vehicular egress from parking lots to public right-of-way shall be by forward motion only, except in the case of single family and two family residences fronting on a local street or a primary or secondary collector street.

v. The permanent or unauthorized temporary use of off-street parking or loading areas for other than the said purpose shall constitute a violation of this Ordinance. Should the owner or occupants of a building change the use of the building and thus increase the requirement for off-street parking, it shall constitute a violation of this Ordinance, until there is compliance with the parking requirements.

B. Parking Standards for Single Family, Two Family and Manufactured Home Residential Uses.

1. Parking Space Location.

a. No motor vehicle shall be parked in a front yard, except on an authorized driveway.

b. No part of any vehicle parked in the front yard of a single family or two family residential lot shall extend over the public or private sidewalk, or street curb where no sidewalk exists; nor shall any such vehicle be parked within the area formed by a ten by ten (10 x 10) foot triangle as measured from the point of intersection of the back of the sidewalk, or street curb where no sidewalk exists, and a side property line extended to the back of the sidewalk, or street curb where no sidewalk exists, when such side property line is within five (5) feet of a driveway or an improved parking surface located on an adjacent lot.

2. Enclosed Parking Space Dimensions.

a. The number of required parking spaces for all residential uses is identified in this Section below. Required enclosed parking spaces may be either side-by-side or tandem for single family and two family residential uses. Side-by-side enclosed parking areas shall at a minimum measure eighteen (18) feet wide by twenty (20) feet deep with no obstructions. Enclosed tandem spaces shall at a minimum measure nine (9) feet wide by forty (40) feet deep with no obstructions. At the discretion of the Zoning Administrator, may permit enclosed parking spaces to be located on a shared community parcel if unique and innovative master planned developments and housing configurations are proposed. Rear loaded carports may be considered if innovative design concepts are considered.

3. Rural Residential Parking.

a. For residential lots in the Agricultural (AG) District accessed from a paved street, two (2) paved parking spaces shall be required in the form of either: (1) an enclosed garage; or (2) a carport that is located to the rear of the residence and not visible from the side facing the street; or (3) a side-entry carport whose side facing the street is enclosed; or (4) an alternate location determined to be appropriate and approved by the Zoning Administrator.

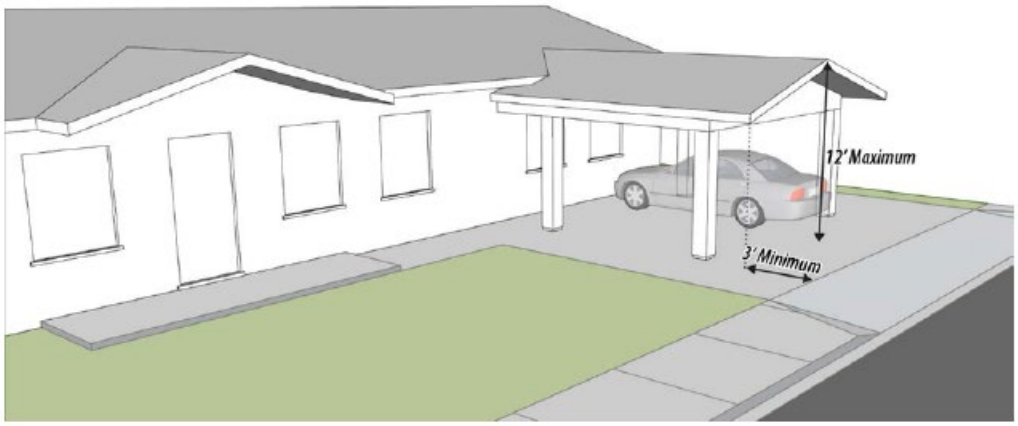
b. For residential lots in the Agricultural Urban (AU) and Agricultural (AG) districts accessed from an unpaved roadway, two (2) paved parking spaces shall be required in the form of either: (1) an enclosed garage; or (2) a carport that is located to the rear of the residence and not visible from the side facing the street; or (3) a side-entry carport whose side facing the street is enclosed; or (4) an alternate location determined to be appropriate and approved by the Zoning Administrator.

C. Historic Goodyear, Northern Subdivisions and Canada Village Parking:

On residential lots within subdivisions recorded prior to 1980, one unenclosed shade structure which may project into the required front yard setback area is allowed, subject to the following development and design standards:

1. The structure shall be permanently affixed to a foundation, footing, or slab attachment and supported by piers, columns or support elements.
2. The structure shall not be enclosed and no wall taller than three (3) feet may be constructed between piers, columns or support elements of the structure.
3. The style, materials and colors of the structure shall be consistent with the style, materials, and colors of the residential building to which it is connected. The structure shall utilize the same level of finish and detailing as the residential building.
4. The structure shall maintain a minimum setback of three (3) feet from any right-of-way line. The structure shall be set back from any side property line a distance equal to the side setback for the primary residential building.
5. The structure shall not exceed twelve (12) feet in height, or the maximum height of the primary residential building, whichever is less.
6. A paved surface shall be provided under the structure except that lots larger than twenty thousand (20,000) square feet in size may provide stabilized surfaces consistent with federal PM-10 standards and Section 4.4.3 of the Zoning Ordinance in lieu of a paved surface.
7. The structure shall contain a roof of substantial construction, composed of wood, asphalt, composite, or concrete roofing. Lattice roofing with supporting elements are permitted. No fabric, plastic, or other similar temporary materials shall be utilized.
8. Driveway widths and the limitations on the percentage of a front yard that can be paved in Section 4.4.2 of the Zoning Ordinance shall be adhered to; (A driveway shall be less than 30-feet wide or 50% of the lot width, whichever is less. A front yard cannot be more than 50% non-pervious surfaces)
9. Outdoor storage in the front yard and visible from the public rights-of-way is prohibited. Outdoor storage shall be located outside the front yard area and screened from view from public rights-of-way by a solid wall or fence; and
10. The structure shall remain open and never be enclosed as a garage or as living space.

Figure 4.4.3A – Residential Parking Structure



11. Commercial Vehicle Parking. Parking of more than one commercial vehicle or work trailer of two-ton capacity or less, or one commercial vehicle of more than two-ton capacity on a lot within any residential district shall be considered a commercial use and is prohibited.

12. Recreational Vehicle, Boat Parking.

    a. Parking a recreational vehicle, travel trailer, unmounted camper/camper shell, accessory trailer, work trailer, inoperable or unlicensed vehicle, or boat in a garage, under a carport when a garage is not required, or in a rear yard screened from public view is permissible.

    b. Parking in a required front yard or driveway is prohibited, except for loading/unloading or repairs for no more than forty-eight (48) hours. The Zoning Administrator may authorize a longer period of time if an emergency exists, up to a maximum of five (5) days.

    c. Parking within the side yard on the carport/garage side of the residence is permissible, if there is sufficient space and the parking area is improved with a paved, uncovered slab and is screened from street view by a minimum six (6) foot high wall and/or gate.

    d. A paved side-yard parking access lane and an increase in the allowable impervious area from 50% to 60% may be permitted when all the following is met:

        i. Minimum 10-foot side setback is available

        ii. The additional impervious area is located to the side of the primary driveway;

        iii. Landscaping is maintained to soften views from the street;

        iv. Driveway complies with curb-cut spacing requirements.

    e. The total number of recreational vehicles, travel trailers, unmounted camper/camper shells, accessory trailers, work trailers, inoperable or unlicensed vehicles, and boats parked or stored on any lot outside of a garage shall be restricted to a combination of not more than two (2).

13. Parking Standards for Multi-family Residential, Commercial, Industrial and Mixed – Use Development.

    a. It shall be the joint and separate responsibility of the lessee and owner of the principal use, uses or building to maintain in a neat and adequate manner, the parking spaces, access ways, striping, landscaping, and required walls or screening.

    b. For multi-family residential, commercial, industrial and mixed-use developments, including non-residential uses in a residential District, all parking areas shall be screened from street view by buildings or by a landscape berm and/or wall with landscaping. Berms and/or walls (including retaining walls) shall be a minimum of three (3) feet in height above the highest finished grade on the parking lot side, and no higher than four and one-half (4.5) feet in height on the street side. It shall be the responsibility of the developer to ensure that car headlights are screened when facing off property or toward residential development. For the purposes of this section, parking areas as used herein shall include all parking spaces, drive aisles and maneuvering areas.

    c. Off-street parking spaces shall be connected with a public street by a paved driveway which affords safe and reasonably convenient ingress and egress. The permissible location and minimum width of driveways shall be as specified in the City of Goodyear Engineering Design Standards and Policies Manual.

    d. For developments with more than two (2) dock-high loading doors, trailer storage spaces shall be provided at a ratio of one (1) space per four (4) loading doors. Trailer storage spaces shall have minimum dimensions of twelve (12) feet in width and forty-five (45) feet in length and shall not be visible from public rights-of-way.

14. All required parking spaces shall be located on the lot upon which the use is located or on an adjacent lot if a cross access/parking agreement is provided. Required parking spaces for multi-family, commercial or industrial uses may be located on an adjacent lot in another district (other than in a single family residential district) with a cross access/parking agreement.

15. Parking Plan.

    a. The purpose of this section is to ensure that developments provide safe, efficient, and well-managed parking facilities through a coordinated Parking Plan approved at the sole discretion of the Zoning Administrator.

    b. A Parking Plan shall be required for:

        i. Any development proposing 50 or more parking spaces.

        ii. All multi-family or mixed-use developments.

        iii. Developments containing multiple parking types, including structured, covered, or shared parking.

iv. Any development requesting a parking reduction or shared parking arrangement.

D. A Parking Plan shall be submitted as part of the site plan package and shall include, at minimum:

1. Parking Inventory and Classification

a. Total number of proposed spaces.

b. Number of spaces by type (garage, surface, covered, EV);

c. Number and location of accessible spaces.

d. Number of reserved or assigned spaces.

e. Parking Operations and Management

f. How spaces will be allocated, assigned, or reserved.

g. Use and management of structured or shared parking, if applicable.

h. Anticipated peak demand periods and strategies to manage demand.

i. Any proposed shared-parking arrangements.

2. Review Criteria. The City shall review Parking Plans for:

a. Compliance with minimum required parking.

b. Conformance with stall and aisle dimensions and other design standards.

c. Adequacy of the proposed management approach.

3. Modifications and Enforcement

a. An approved Parking Plan shall be binding on the development.

b. Amendments require administrative review and approval.

c. Failure to implement the approved Parking Plan constitutes a zoning violation.

E. Shared Parking

1. The total requirement for off-street parking spaces for joint-use developments shall be the sum of the requirements of the various uses computed separately.

2. A joint-use shared parking program is an option to reduce the total required parking in joint-use developments in which the uses operate at different times or that have different peak hours of operation from one another throughout the day. If an applicant for a joint-use development can demonstrate through a shared parking study completed by a professional and supplied by the applicant and approved by the Zoning Administrator that the total peak parking demand for the mixed uses will be less than the sum of the parking spaces required for each use served, a reduction in the total number of required spaces may be allowed, subject to the following:

a. The approved shared parking plan shall specify a schedule of shared parking calculations identifying the typical hours of operation with anticipated periods of greatest parking demand for all uses within the development; and shall indicate the number, location and convenience of pedestrian access of all spaces available to serve each use. The total number of parking spaces required for all uses within the development per Section 4.4.3 shall not be reduced by a shared parking plan by more than twenty (20) percent.

b. A facility or land use activity for which shared parking is proposed must be located within 660 feet of the shared parking, measured from the entrance of the use to the nearest parking space within the shared parking lot. The City Traffic Engineer or his/her designee shall be consulted for any proposed shared parking agreement that requires a pedestrian crossing a public roadway between one of the uses in the agreement and the parked vehicle.

c. The property owners involved in the shared parking plan shall submit a written agreement approved by the Zoning Administrator, and then recorded with the Office of the Maricopa County Recorder, requiring that the parking spaces shall be maintained as long as the uses requiring parking exist or unless the required parking is provided elsewhere in accordance with the provisions of this Article. If a shared parking agreement lapses or is no longer valid, then parking must be provided as otherwise required by this Article.

d. The shared parking plan shall remain on file with the Development Services Department for the purpose of monitoring the continuing adequacy of available parking.

e. At the time of shared parking plan approval, or at any subsequent time when the uses, intensities of the uses, or the or hours of operation of the uses change, or upon findings that the parking facilities are inadequate, the Zoning Administrator may require additional site area to be provided, and as necessary improved, to supply additional required parking facilities.

F. Credit For On-Street Parking. On-street parking that directly and wholly abuts the subject property may be counted towards the parking requirement, provided that:

1. Such spaces are clearly marked on the site plan and constructed in accordance with City standards.

2. Such spaces are publicly accessible and cannot be reserved or restricted by the owner or tenants of the property without approval of the Zoning Administrator.

3. On-street parking on private streets may be counted towards required parking provided that the street is publicly accessible (not gated) and the streets, parking spaces and sidewalks constructed are consistent with the standards for public streets in the City.

G. Credit for Bicycle Parking Facilities. The City encourages the use of alternative transportation modes such as the bicycle through a reduction in the number of required vehicular parking spaces in favor of additional bicycle parking facilities. The Zoning Administrator may authorize a credit towards on-site parking requirements for all non-residential uses for the provision of bicycle facilities beyond those otherwise required by this Ordinance, subject to the following guidelines:

1. Whenever bicycle parking is provided beyond the amount required per Section 4.4.6, credit toward required on-site vehicular parking may be granted at a rate of one (1) vehicular space per ten (10) additional bicycle spaces provided.

2. The number of required vehicle parking spaces shall not be reduced by more than five (5) percent or ten (10) spaces, whichever is less, for any use or building.

H. Parking Reductions

Required parking for any use may be reduced by the Zoning Administrator subject to the following:

1. Criteria for Approval. A request for reduced parking shall only be approved if the following criteria are found to be true:

   a. Special conditions, including but not limited to the nature of the proposed operation, transportation characteristics of persons residing, working, or visiting the site, exist that will reduce parking demand at the site.

   b. The use will adequately be served by the proposed parking; and

   c. A Parking Demand Study is submitted and shows parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

I. Parking Demand Study. In order to evaluate a proposed project's ability to reduce parking, the submittal of a parking demand study that substantiates the basis for granting a reduced number of spaces is required and shall include the following information:

1. Total square footage within existing and proposed development and the square footage devoted to each type of use.

2. A survey of existing on-street and off-street parking within 600 feet of the project site.

3. Standard parking requirements for the use, based on Table 4.8.4B.

4. Estimated parking demand for the use, using any available existing parking generation studies from the Institute for Transportation Engineers (ITE) or other professionally recognized, and/or accredited sources. If appropriate parking demand studies are not available, the City may require the applicant to conduct a parking demand survey of a development similar to the proposed.

5. Comparison of proposed parking supply with parking requirements.

6. A description any other characteristics of the site or measures being undertaken that could result in reduced parking demand, including staggered work shifts, telecommuting, shuttles to transit stations, or similar programs.

7. Other information as required by the City.

J. Parking Structures.

1. Location. Parking structures may be located in all Multi-family, Commercial, Industrial and in areas within P.A.D. zoning districts that are not designated for single-family residential development.

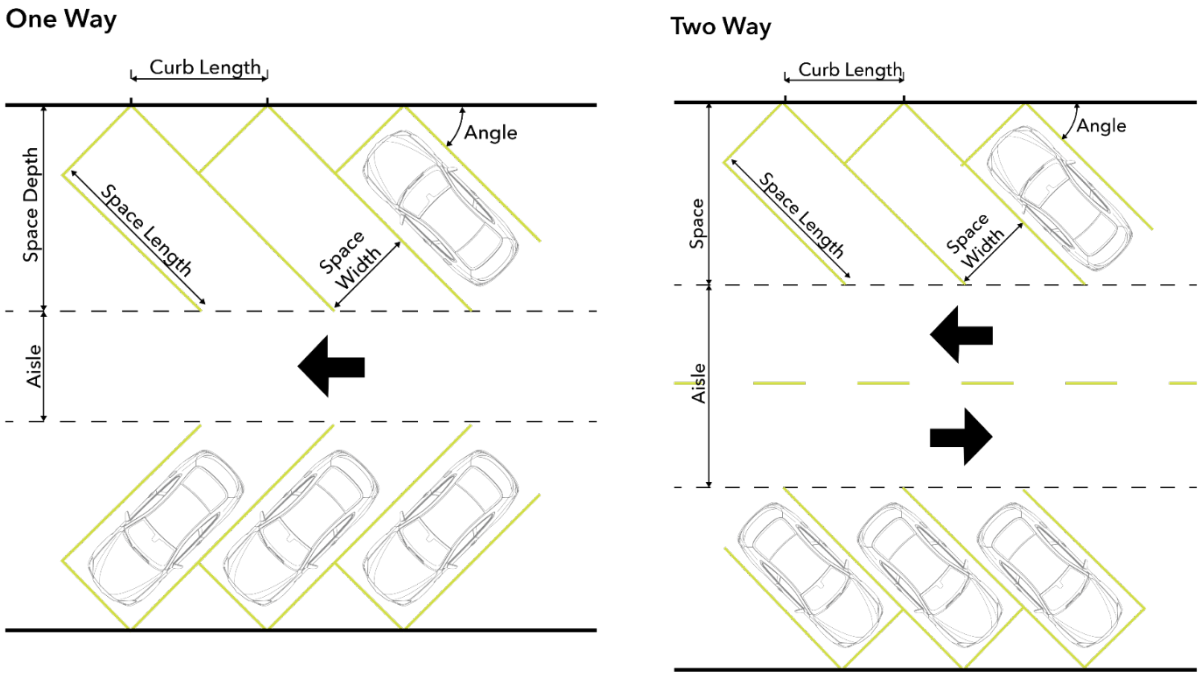
2. Development Standards. Parking structures shall conform to all principal building development standards, including setbacks, building heights, and lot coverage applicable to the zoning district in which parking structures are located.

3. Dimensions. Dimensions for parking spaces and maneuvering aisles shall meet the following minimum dimensions:

Table 4.4.3J – Parking Structure Space and Aisle Dimensions

PARKING ANGLE	SPACE WIDTH	SPACE DEPTH	ONE-WAY AISLE WIDTH	TWO-WAY AISLE WIDTH
Parallel or 0°	9' 0"	9' 0"	12'	20'
30°	9' 0"	17' 6"	11'	20'
40°	9' 0"	19' 0"	12'	22'
45°	9' 0"	20' 0"	13'	24'
50°	9' 0"	20' 6"	15'	24'
60°	9' 0"	21' 0"	18'	24'
70°	9' 0"	21' 0"	19'	24'
90°	9' 0"	18' 0"	24'	24'

Figure 4.8.3 - Parking and Aisle Dimensions



K. Additional Standards. All parking structures shall be designed to meet the following additional development and design standards:

1. Parking structures shall be designed to complement adjacent or integrated primary buildings by incorporating architectural details, colors and materials of the building(s) served, with specific focus on street level facades and circulation elements exposed to and utilized by pedestrians. The level of design enhancements required below shall be determined based on the location of the parking structure, its exposure to the view of the general public, the context of the site and other relevant project criteria;

2. On facades that face rights-of-way or other public areas, parking structures shall incorporate artistic elements, decorative panels, art screens, or other methods to deemphasize the appearance, massing, and scale of the parking structure;

3. Decorative panels for elevated levels of parking structures shall be solid and a minimum height of forty-two (42) inches above the parking surface to screen parked vehicles from adjacent streets and buildings;

4. Vehicles on the ground level shall be screened from adjacent public street frontages by a minimum thirty-six (36) inch wall which should include variations in color, texture, and/or materials, or landscaping that, upon maturity, establishes similar levels of opaqueness in screening; and

5. Decorative panels and architectural elements shall use durable materials to prevent wear including, but not limited to, formed

concrete, textured masonry, iron, steel, copper, aluminum, glass block, and brick.

4.4.4. Parking Requirements

A. Determination of Required Spaces. The calculations to determine the required number of parking spaces for a use, building or development shall be in accordance with the following:

1. In the case of fractional results in calculating parking requirements, the required number shall be rounded up to the nearest whole number if the fraction is one-half (0.5) or greater.

2. Except as otherwise provided herein, building gross floor area shall be used to calculate parking space requirements.

3. All uses not specifically designated, or similar to a specified use, shall have parking space requirements as determined by the Zoning Administrator.

4. Required accessible parking for non-residential developments shall be provided in conformance with all applicable accessibility standards of the prevailing Americans with Disabilities Act (ADA), Arizonans with Disabilities Act (AZDA), and the International Building Code (IBC).

5. Required accessible parking for multi-family residential developments shall be provided in conformance with all applicable accessibility standards of the prevailing Americans with Disabilities Act (ADA), Federal Fair Housing Act (FFHA), and International Building Code (IBC).

6. The required minimum number of developed parking spaces for the Manufacturing, Assembling and Processing Use Classification and the Warehouse or Distribution Facility Use Classification set forth in paragraph E. (General Industrial Manufacturing and Warehousing) of the Table below may be reduced for a known user if the known user's operations can demonstrate to the satisfaction of the Zoning Administrator that the user's parking needs can be met with fewer parking spaces because of the nature of the known user's operations (i.e. a user with a highly automated facility that requires minimal employees because of the automation). Although a known user may not be required to build the minimum number of required parking spaces reflected in the Table below, the property shall be developed such that additional parking spaces necessary to meet the minimum parking requirements in the Table below can be developed in the future should the user change. The site plan for the known user shall depict such future additional parking spaces, including the circulation that will be required to access such spaces, and the ability to accommodate the drainage for the additional parking.

B. Parking Requirements.

1. The number of required parking spaces for each use, building or development permitted by this Ordinance shall be in accordance with the following parking standards:

Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
A. Administrative and Financial	
Banks and other financial institutions	1 space per 300 sq. ft. floor area
Professional offices	1 space per 300 sq. ft. floor area
B. Automobile Related	
Automated or self service car wash	2 spaces
Automobile sales and rentals	1 space per 375 sq. ft. indoor floor area of sales and service building, but not less than 4 spaces per use. Outdoor displayed vehicles shall not occupy any required parking spaces for the use or site
General auto repair and service – garage, service station, full service car wash and drive-through oil and lube services	1 space per 300 sq. ft. floor area, including service bays, wash tunnels and retail areas
C. Eating and Drinking Establishments	
Restaurants, cafes, bars and similar uses	
Indoor Dining/Seating Area	1 space per 50 sq. ft.
Outdoor Serving (patio) Area	1 space per 150 sq. ft.
Take out only	1 space per 300 sq. ft.
D. Entertainment and Recreation	
Bowling alleys	5 spaces per lane plus ancillary use requirements
Golf course	1 space per 2 practice tees in driving range, plus 4 spaces per green plus ancillary use requirements
Health spas/clubs, gyms & tennis, handball, racquetball courts/clubs	1 space per 150 sq. ft. indoor floor area, excluding courts, which require 2 spaces per court
Miniature golf, amusement parks, carnival or circus grounds, water parks	1 space per 500 SF outside recreation area
Skating rinks, teen entertainment centers and similar recreational uses	1 space per 150 sq. ft. gross floor area used for recreational activities plus ancillary use requirements
Movie theaters	1 space for every 3 patron seats
E. General Industrial, Manufacturing and Warehousing	

Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
Data Centers	1 space per 5,000 sq. ft. for the 1st 200,000 sq. ft. of floor area & 1 space per 10,000 sq. ft. for the remaining floor area
Manufacturing, Assembling and Processing	1 space per 1,000 sq. ft. for the 1st 10,000 sq. ft. of floor area & 1 space per 5,000 sq. ft. for the remaining floor area & 1 space per 300 sq. ft. of office floor area (See Section 4.4.4.A above for allowed reduction of required parking)
Mini-storage or RV storage	1 space per 300 sq. ft. office area and 1 space per 50 storage units
Warehouse or Distribution Facility	1 space per 1,000 sq. ft. for the 1st 10,000 sq. ft. of floor area & 1 space per 5,000 sq. ft. for the remaining floor area + 1 space per 5,000 sq. ft. of yard-related area + 1 space per 300 sq. ft. of office floor area (See Section 4.4.4.A above for allowed reduction of required parking)
Motion picture or recording studio	1 space per 500 sq. ft. floor area
Other Industrial Uses	1 space per 1,000 sq. ft. for the 1st 10,000 sq. ft. of floor area & 1 space per 5,000 sq. ft. for the remaining floor area & 1 space per 300 sq. ft. of office floor area
F. General Retail and Personal Services	
Day care facility	1 space per 375 sq. ft. indoor floor area, but not less than 5 spaces
Outdoor sales and service areas (plant nurseries, building supplies, etc.)	1 space per 375 sq. ft. of sales and display area, but not less than 4 spaces per use
Personal services	1 space per 300 sq. ft. floor area
Retail	1 space per 300 sq. ft. floor area
G. Institutional	
Auditoriums, theaters, stadiums or similar places of public assembly	1 space for every 3 patron seats or one space per 300 sq. ft. where fixed seating is not provided
Elementary and junior high schools	1 space per 375 sq. ft. indoor floor area
Funeral home and mortuaries	1 space per 75 sq. ft. of indoor floor area used for public assembly

Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
Government offices	1 space per 300 sq. ft. floor area
High schools, academies, colleges, universities, trade or vocational schools	1 space per 200 sq. ft indoor floor area
Libraries, cultural institutions, museums and art galleries	1 space per 300 sq. ft. floor area
Places of worship, lodges and fraternal buildings, assembly halls and community centers	1 space per 75 sq. ft. of indoor floor area used for public assembly plus 1 space per 300 sq. ft. of other indoor area
H. Lodging	
Hotel and motel	1 space per room or suite of rooms 1 10 x 75 foot space for each 25 rooms for truck trailers and recreational vehicles Meeting rooms, restaurant and drinking establishments open to the public calculated separately
I. Medical	
Assisted living facility	0.75 spaces per unit
Hospitals	1 space per 400 sq. ft. indoor floor area
Medical or dental offices and out-patient	1 space per 200 sq. ft. indoor floor area
Nursing home	1 space per 400 sq. ft. indoor floor area
Veterinary clinic, hospital or office	1 space per 150 sq. ft. indoor floor area
J. Residential Uses	
Manufactured home / RV park	1 space per dwelling unit, plus 1 visitor parking space per 10 units.
Manufactured home subdivision	2 spaces per dwelling unit
Single-family	2 enclosed* spaces per dwelling unit, side-by-side or tandem
Single-family (built prior to 1980)	1 space per dwelling unit
Two-family	2 enclosed spaces per dwelling unit, side-by-side or tandem

Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
****Multi-family:**	
Efficiencies, studios	1 space per dwelling unit
One bedroom	1.5 spaces per dwelling unit
Two or more bedrooms	2 spaces per dwelling unit
Townhomes	2 spaces per dwelling unit

4.4.5. Off-Street Loading

A. Spaces Required. All commercial or industrial uses (except self-storage warehouses) which have an aggregate gross floor area of fifteen thousand (15,000) square feet or more, that require the delivery or distribution of material or merchandise by trucks measuring thirty-six (36) feet or more in length, including cab and trailer, shall provide a minimum of one (1) off-street truck loading or loading spaces. The City may determine that a higher number of off-street truck loading or unloading spaces is needed or adequate depending on various factors including, but not limited to, aggregate gross floor area in the Site Plan Review process.

B. Standards for Off-Street Loading Facilities. All required off-street loading facilities shall conform to the following standards:

1. Dimensions. Required loading spaces shall be at least forty-five (45) feet in length, twelve (12) feet in width and fourteen (14) feet in height, exclusive of aisle and maneuvering space.

2. Locations.

   a. Loading spaces shall not be located closer than fifty (50) feet to any existing or planned residentially zoned lot.

   b. Sufficient room for turning and maneuvering vehicles shall be provided on the site so that no backing onto or from a public street is required.

   c. Off-street loading facilities for a single use shall not be considered as providing required off-street loading facilities for any other use.

   d. Off-street loading facilities shall be located on the same site with the use for which the loading spaces are required.

4.4.6. Bicycle Parking

A. Requirements.

1. Non-residential uses of land or buildings which are required to provide at least forty (40) vehicle parking spaces shall be required to provide on-site bicycle parking spaces in a bicycle parking facility at a rate of one (1) for every ten (10) required vehicle parking spaces.

2. Non-residential uses of land or buildings which are required to provide less than 40 vehicle parking spaces shall be required to provide a minimum of four (4) on-site bicycle parking spaces in a bicycle parking facility.
3. In no event shall any use or building be required to provide more than one hundred (100) bicycle parking spaces.
4. The following uses are exempt from the foregoing bicycle parking requirements:
   a. All residential uses.
   b. Self-storage facilities.
   c. Other uses as determined by the Zoning Administrator.
5. Common or shared bicycle parking facilities may be provided for attached or in-line uses. Bicycle parking in mixed-use commercial centers shall be distributed throughout the project. A reduction of required bicycle parking spaces may be authorized by the Zoning Administrator.
6. A bicycle parking facility is a stationary object, typically a bicycle rack or locker, permanently affixed to the ground or a structure to which the operator can lock the bicycle frame and wheels to the object.

B. Standards.

1. Bicycle parking spaces shall be located on a paved surface within one hundred (100) feet of a primary building entrance. Bicycle parking spaces shall not encroach into any required landscaping or pedestrian access areas.
2. A bicycle parking space shall measure two (2) feet by six (6) feet. A pre-manufactured bicycle rack or locker which differs from these dimensions may be approved by the Zoning Administrator.

4.5. Outdoor Lighting

4.5.1. Purpose

The purpose of these standards is to establish comprehensive provisions for outdoor lighting within the City of Goodyear. This document intends to achieve a fair balance between safety and aesthetics, to encourage designs that provide for the proper quality and quantity of nighttime illumination, while minimizing negative impacts on the surrounding neighborhoods and our night sky. Proper exterior lighting design creates lighting systems that are sensitive to the surrounding neighborhoods by confining the illumination as much as possible within the boundaries of the project site. It also provides appropriate quantities and uniformity of both horizontal and vertical illumination on the site. This will involve the use of not only the appropriate fixtures and light sources, but also proper placement and operating schedules.

The City of Goodyear recognizes the intentions of the Recommended Practices and Design Guidelines put forth by the Illuminating Engineering Society (IES), and has incorporated those recommendations into these standards. Applicants may acquire more information by obtaining copies of the most recent IESNA publications.

4.5.2. Applicability

The requirements of Section 4.5 of this Ordinance apply to the development identified below, and approval of an Outdoor Lighting Plan is required prior to development of any outdoor lighting improvements associated with such development.

A. New Development. All new residential and non-residential development shall comply with the standards and requirements set forth in Section 4.5 of this Ordinance .

1. Additions, Alterations and Restoration of Residential and Non-Residential Constructions. Building additions, alterations, and/or restorations that meet one of the following criteria listed below shall comply with the standards and requirements set forth in Section 4.5 of this Ordinance.

a. Additions, alterations, and/or restorations that will increase the square footage of the facility by 50% or more.

b. Alterations, and/or restorations that involve work to 50% or more of the square footage of the facility.

c. Additions, alterations, and/or restorations the cost of which represents 50% or more of the value of the existing facility prior to such addition, alteration or restoration.

2. With respect to new construction of residential (attached and detached) and additions, alterations, and restorations of existing residential (attached and detached) only sections 4.5.19 through 4.5.24 of Section 4.5 apply.

B. Application Review and Approval Process.

1. Applications for Outdoor Lighting Plan approval shall be processed and reviewed in accordance with the procedures generally described herein and more fully described in the Administrative Process Manual and in this Ordinance, and in the Engineering Standards.

a. Applications for approval of an Outdoor Lighting Plan shall be filed with the Development Services Department in conjunction with an application for Site Plan approval and shall include all of the information identified in the application form(s), in this Ordinance, in the Engineering Standards, and any other data that may be required by the Zoning Administrator that is needed for review of the application.

b. Applications shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when applications are submitted.

2. The Development Review Committee shall review the application submittal for compliance with the requirements of Section 4.5 of this Ordinance, any other applicable requirements in this Ordinance, applicable Engineering Standards, and applicable provisions in the Goodyear City Code. Following the completion of the Committee's review, the Zoning Administrator shall approve, approve with conditions or deny the Outdoor Lighting Plan.

3. The approval date of the Outdoor Lighting Plan Approval shall be the date on which the application was approved by the Zoning Administrator. Outdoor Lighting Plan approvals are tied to other development approvals, which will be identified in the notification of Outdoor Lighting Plan approval; and the Outdoor Lighting Plan approval expires if such related development approval expires.

C. Compliance. Construction plans for outdoor lighting installations shall conform to the development reflected in the Outdoor Lighting Plan as approved by the Zoning Administrator and shall be submitted and approved as a condition precedent for the issuance of a building permit.

4.5.3. Lighting Zones

In order to be more responsive to the special needs of different portions of the City, a system of four different lighting "zones" has been established based upon the current and/or planned Uses and ambient brightness of the area. Each "zone" will have different development requirements and lighting restrictions. The "zone" for a particular project shall be assigned by City Planning staff during the development review process.

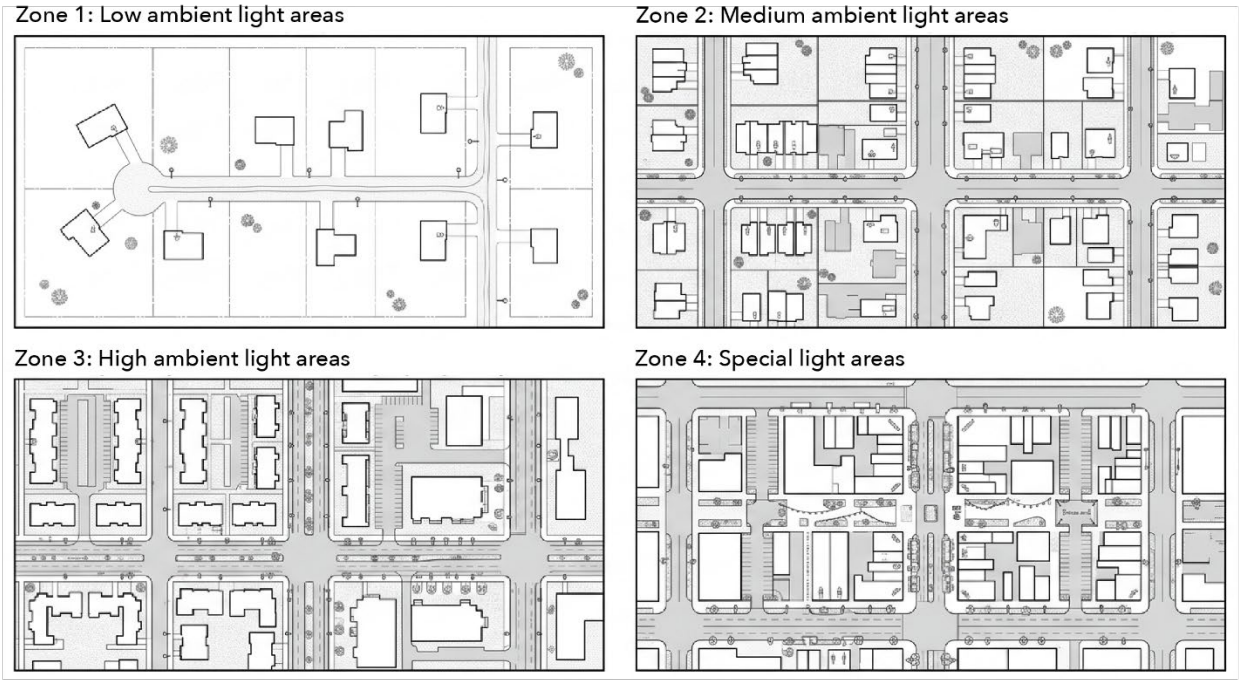
ZONE 1. Low ambient light areas – Rural residential areas or low density residential areas with limited commercial

ZONE 2. Medium ambient light areas – Urban residential areas mixed with light commercial

ZONE 3. High ambient light areas – Urban areas having both residential and commercial use and experiencing high levels of night time activity.

ZONE 4. Special light areas – Downtown and other special areas requiring thematic lighting or extreme light levels due to the nature of the events taking place in these areas.

Figure 4.9.3A - Lighting Zones



4.5.4. Operating Hours

Depending upon the "zone" that a project site is to be located in, there will be different restrictions on the hours that the outdoor lighting may operate. Every project shall be encouraged to reduce as much as possible the amount of outdoor lighting that operates after 10:00 PM, while projects in certain lighting zones shall be required to turn off all non-security lighting (except for flagpole lighting) as follows:

ZONES 1 AND 2. Security lighting only after 10:00 PM or within 1-hour after the close-of-business, whichever is later. All fixtures that are not Full-Cutoff shall be turned off at this time.

ZONE 3. All outdoor lighting shall be reduced by a minimum of 50% after 10:00 PM or within 1-hour after the close-of-business, whichever is later. All fixtures that are not Full-Cutoff shall be turned off at this time.

4.5.5. Light Sources and Fixture Shielding

Mercury Vapor light sources shall not be allowed. Searchlights and strobe/ flashing lights are not allowed in any Zone without a separate Use Permit, and the duration of the allowed use may be limited by Planning & Zoning staff. Lasers, exposed neon, and other intense linear light sources are not allowed in Zone 1, but are allowed in Zones 2 and 3 and subject to approval and stipulations by Planning & Zoning staff during the design review process. Lasers must be aimed at-or-below the horizontal plane and terminated on an opaque surface within the project site.

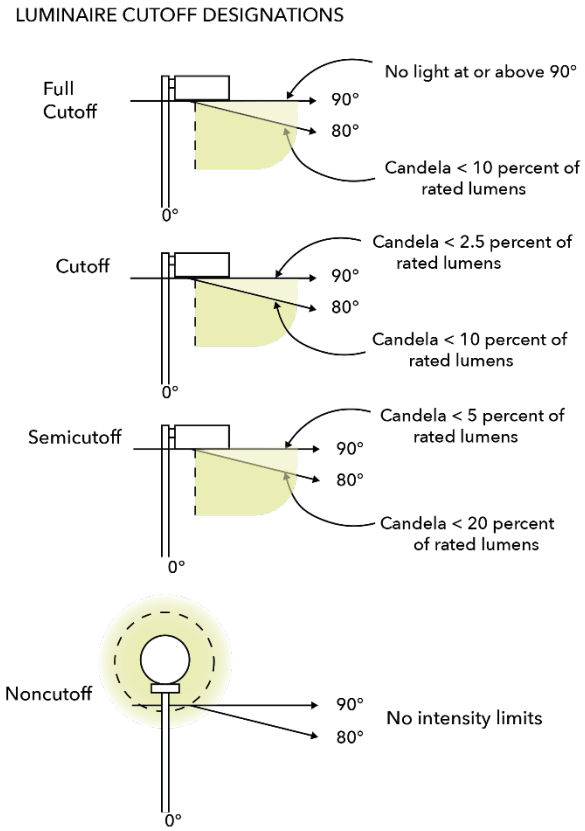
ZONE 1. Pole or wall-mounted fixtures shall be full-cutoff fixtures only. All perimeter fixtures shall possess house-side shielding Bollards shall be louvered and utilize coated lamps. All light sources shall have a color temperature of less than or equal to 3,200 Kelvin. Wall-mounted fixtures of greater than 1,800

lumens shall possess house-side shields. Uplighting fixtures shall not exceed 1,800 lumens.

ZONE 2. Pole or wall-mounted fixtures of less than or equal to 1,800 lumens may be semi-cutoff or cutoff. All other pole or wall-mounted fixtures shall be full-cutoff. All perimeter fixtures shall possess house-side shielding. Bollards shall be louvered with coated lamps or of a type where the lamp is recessed and not directly visible. Wall-mounted fixtures of greater than 3,500 lumens shall possess house-side shields. Uplighting fixtures shall not exceed 3,500 lumens.

ZONE 3. Pole or wall-mounted fixtures of less than or equal to 3,500 lumens may be semi-cutoff or cutoff. All other pole or wall-mounted fixtures shall be full-cutoff. All perimeter fixtures located within 30-feet of a single-family residential property line, excluding bollards, shall possess house-side shielding, and those fixtures that will also operate after 10:00 PM shall possess external shielding to the satisfaction of Planning & Zoning staff. Bollards shall be louvered with coated lamps or of a type where the lamp is shielded and not directly visible. Wall-mounted fixtures of greater than 6,500 lumens shall possess house-side shields. Uplighting fixtures shall not exceed 6,500 lumens.

Figure 4.9.5A - Fixture Shielding



4.5.6. Fixture Mounting Height and Equipment Finishes

The mounting height of a fixture is to be measured from finished grade to the fixture lens or luminous opening. Pole bases shall be finished in a fashion other than exposed

concrete (brushed finish, painted, etc.). No portion of any fixture that is attached to a wall that is common with another property shall be allowed to protrude above the top of the wall.

ZONE 1. Fixtures located within thirty (30) feet of a residential property line shall not exceed six (6) feet in height. All others shall not exceed fifteen (15) feet in height, and the pole color shall be dark and non-reflective (such as dark bronze or black).

ZONE 2. Fixtures located within thirty (30) feet of a residential property line shall not exceed six (6) feet in height. Fixtures located greater than thirty (30) feet and less than or equal to one hundred and fifty (150) feet from a residential property line, and not blocked from direct view by a structure, shall not exceed fifteen (15) feet in height and shall be full-cutoff. All others shall not exceed twenty-five (25) feet in height or the predominant height of the perimeter buildings (as determined by Planning & Zoning staff), whichever is less, and shall be full-cutoff. Pole color shall be dark and non-reflective, such as dark bronze or black, or as otherwise approved by Planning & Zoning staff.

ZONE 3. Fixtures located within one hundred and fifty (150) feet of a residential property line, and not blocked from direct view by a structure, shall not exceed fifteen (15) feet in height and shall be full-cutoff. All others shall not exceed thirty (30) feet in height or the predominant height of the perimeter buildings (as determined by Planning & Zoning staff), whichever is less, and shall be full-cutoff. Pole color shall be dark and non-reflective, such as dark bronze or black, or as otherwise approved by Planning & Zoning staff.

4.5.7. Illuminance Levels

Planning & Zoning staff shall place a limitation on the on-site horizontal average illuminance for all projects, and the perimeter vertical illuminance when the site is within one hundred and fifty (150) feet of a residential property line. On-site illuminance shall be based upon a "maintained" average horizontal value at finished grade, and the perimeter illuminance shall be based upon an "initial" maximum vertical value at 6 feet above finished grade. These illuminance limitations shall be different for each lighting "zone". The Light Loss Factor for all "initial" illuminance calculations shall be no less than 0.95. The Light Loss Factor for all "maintained" calculations shall be determined by the designer, and based upon the actual lamps selected and the projected operating conditions, to the satisfaction of Planning & Zoning staff.

4.5.8. Lighting Standards Matrix

Lighting Zone	Operating Hours	Light Sources and Fixture Shielding	Mounting Height & Pole Color	On-Site and Perimeter Illuminance Levels (lumens/sq. ft.)	Perimeter Vertical Illuminance (lumens/sq. ft.)	Uplighting
1 Low Ambient Light Areas	Security Lighting only after 10:00 PM. or 1-hour after Close	Light Sources <= 3,200K Full-Cutoff fixtures only.	6' height <= 30' from Residential Property Line.	1.50 Average	0.30 Maximum	<= 1,8000 Lumens Turn off at 10:00 PM. or 1-hour after

		HSS on Perimeter Fixtures	15; height > 30'. Dark and Non-Reflective Colors.			Close of Business.
2 Medium Ambient Light Areas	Security Lighting only after 10:00 PM. or 1-hour after Close of Business.	All Light Sources. Semi-Cutoff and Cutoff fixtures <= 1,800L. Full-Cutoff > 1,800L. HSS on Perimeter Fixtures	6' height <= 30' from Residential Property Line. >30' 15' ht. <= 150' 25' height > 150'. Dark and Non-Reflective Colors.	3.00 Average	0.80 Maximum	<= 3,500 Lumens Turn off at 10:00 PM. or 1-hour after Close of Business.
3 High Ambient Light Areas	50% Reduction after 10:00 PM or 1-Hour after Close	All Light Sources. Semi-Cutoff and Cutoff fixtures <= 3,500L. Full-Cutoff > 3,500L. HSS on Perimeter Fixtures External shielding after 10:00 PM.	15' height <= 150' from Residential Property Line. 30' height > 150'. Any Color, as approved by P & Z staff	4.50 Average	1.50 Maximum	<= 6,500 Lumens. Turn off at 10:00 PM. or 1-hour after Close of Business.
4 Special Light Areas	***	***	***	***	***	***

Explanation of Lighting Standards Matrix Terms

***	To be determined by Planning & Zoning Staff.
1,800 Lumens 3,500 Lumens	1,800 Lumens is approximately equivalent to the initial Lumen output of a 20-Watt LED (100-Watt incandescent), or a 26-Watt compact fluorescent lamp.

6,500 Lumens	3,500 Lumens is approximately equivalent to the initial Lumen output of a 42-Watt compact fluorescent, or a 50-Watt metal halide lamp. 6,500 Lumens is approximately equivalent to the initial Lumen output of a 70-Watt high pressure sodium lamp.
Kelvin (K)	<= 3,200K = A light source with a color temperature of less than or equal to 3,200 degrees Kelvin ("warm" colored light).
Light Sources	<= 1,800L = A light source which produces less than 1,800 initial Lumens.
Fixture Shielding	HSS <= 25 feet = Fixtures located less than or equal to 25 feet from a residential property line shall possess a external shielding on the rear and sides of the fixture in order to prevent direct view of the fixture lens or lamp from a residential property line.
Mounting Height	15' <=150' = Mounting height of 15' or less when the fixture is located less than or equal to 150 feet from a residential property line.
Pole Color	Dark = Dark, non-reflective colors such as Dark Bronze or Black.
Illuminance Levels	On-site maintained horizontal average illuminance and perimeter initial vertical illuminance (spill light).

4.5.9. Non-Residential Driveways

In order to maximize pedestrian safety, and to help improve emergency vehicle access, City sidewalks/paths that cross driveways shall be illuminated to a maintained average of not less than 1.0 lumen per square foot. This lighting shall operate from dusk until dawn. This requirement shall be waived if a city streetlight is located within 20 feet of the driveway. The perimeter spill light limitation shall be waived within 20 feet of a driveway.

4.5.10. Parking Canopies

Full-cutoff fixtures only in Zone 1. Non-cutoff fixtures are allowed in Zones 2, 3, and 4, but the fixtures must possess a diffusing lens and be located so that the sides of the canopy will block any direct view of the lens or fixtures from beyond the property lines.

4.5.11. Parking Structures

ZONE 1. NOT ALLOWED.

ZONE 2. Interior fixtures and roof-top fixtures shall be full-cutoff and incorporated into the architecture of the structure. The interior fixtures shall be attached to the ceiling or mounted no lower than the bottom of the support beams. Roof-top fixtures shall be set-back a minimum of 25 feet from the perimeter, and shall not exceed 14 feet in mounting height.

ZONE 3. Fixtures shall be incorporated into the architecture of the structure. Interior fixtures visible from any residential properties shall be full-cutoff. All others may be semi-cutoff, cutoff, but shall possess diffusing lenses or shielding so that the lamp is not

directly visible from off-site. Rooftop fixtures shall be full-cutoff, set-back a minimum of 25 feet from the perimeter, and shall not exceed 16 feet in mounting height.

4.5.12. Gas Stations/Convenience Stores

Fuel canopy fixtures shall be recessed into the canopy ceiling, with a lens that is flat and flush to the ceiling. The canopy light source shall be metal halide or any other source as approved by Planning & Zoning staff. In the event that the canopy is located within one hundred and fifty (150) feet of a residential property line, the canopy fascia shall be extended to a minimum depth of twelve (12) inches below the canopy ceiling. Exposed light sources (such as neon or fluorescent) on the canopy are not allowed. Back-lighted fascias are not allowed in lighting zones 1 and 2. Maintained average horizontal illuminance at grade under the canopy shall be calculated separately from the rest of the site and shall not exceed 20.0 lumens per square foot in Zones 1 and 2, and shall not exceed 30.0 lumens per square foot in Zones 3 and 4.

4.5.13. Drive-Throughs

All fixtures are to be full-cutoff and either recessed into the canopy ceiling, or mounted so that the lowest portion of the fixture is higher than the canopy fascia. All non-security lighting is to be turned off by 10:00 PM or within 1-hour after close of business, whichever is later.

4.5.14. Banks/ATMs

All fixtures for the ATM or teller areas shall be full-cutoff. The fixtures at drive-up canopies shall be either recessed into the canopy ceiling, or mounted so that the lowest portion of the fixture is higher than the canopy fascia. Maintained average horizontal illuminance at grade under the canopy or adjacent to the ATM shall be calculated separately from the rest of the site and shall not exceed 20.0 lumens per square foot in Zones 1 and 2, and shall not exceed 30.0 lumens per square foot in Zones 3 and 4.

4.5.15. Religious Facilities

Metal halide lighting sources are not allowed in Zones 1 and 2, and all other light sources must have a color temperature of less than or equal to 3,200K. Any facility in any Zone that is located within one hundred and fifty (150) feet of a residential property line must utilize light sources with a color temperature of less than or equal to 3,200K. All non-security lighting shall be turned off within 1-hour after the completion of the last service/event. Any fixtures located within 30 feet of a residential property line shall be included in the fixtures being turned off. All non-security outdoor lighting shall be automatically controlled by the equivalent of a 7-day timer, and programmed so that the lighting only activates on evenings when the facility is actually in use. In the event that the parking lot is sized for peak usage (holidays, etc.), control of the lighting is to be divided into "Tiers", so that the parking lot lighting in the peak-usage areas only operates during those peak times of the year.

4.5.16. Automotive Dealerships

A minimum of 50% of the outdoor illumination shall be turned off within 1-hour after the close of business. All non-full-cutoff fixtures shall be automatically turned off at this time. All perimeter fixtures shall possess house-side shields. This Use is subject to all other applicable provisions of this section except for the horizontal and vertical lumens per square foot limitations.

ZONE 1. NOT ALLOWED.

ZONE 2. Maintained average illuminance at grade in the sales areas shall not exceed 40.0 lumens per square foot. Other areas shall not exceed an average of 10.0 lumens per square foot. Poles shall be a dark non-reflective color such as dark bronze or black. Under-canopy lighting shall be full-cutoff, or the canopy fascia shall be extended on all sides so that is lower than any portion of the fixture lens.

ZONE 3. Maintained average illuminance at grade in the display parking sales areas shall not exceed 60.0 lumens per square foot. Other areas shall not exceed an average of 10.0 lumens per square foot.

4.5.17. Flagpole Lighting

Flagpole uplighting in Zone 1 shall not exceed the equivalent of two fixtures of 1,800 initial lumens each per flagpole. Uplighting in all other Zones shall not exceed the equivalent of two fixtures of 6,500 initial lumens each per flagpole. Flagpole lighting may operate all night, but is to be turned off at dusk if the flag is lowered.

4.5.18. Sportslighting for All Private and Public Facilities

All sports, path and parking lot lighting are to be illuminated in conformance with this Ordinance and the Recommended Practices prepared by the Illuminating Engineering Society (IES). All sports-fields shall utilize shielded luminaires from a list of manufacturers that have been pre-approved by the Planning & Zoning and Public Works departments. Luminaires on sports field poles with multiple cross-arms shall have a black exterior finish. All sport-courts shall be lighted with full-cutoff luminaires, and are to utilize "On" & "Off" push-buttons so that the lighting does not operate unless the courts are in actual use. All park luminaires shall be shielded and/or located so that no light source is directly visible from beyond the park property lines. Sports field poles are to be set-back a minimum of 50 feet from any residential property line or right-of-way. Initial vertical illuminance (spill light) shall be calculated along all park property lines at a height of 6 feet above finished grade. Automatic time-clocks or other programmable controllers are to turn off all non-security lighting at a curfew time to be determined by city staff.

ZONE 1. "Natural Night Sky" Neighborhood Park or School.

Sports field lighting shall not exceed 80 feet in height. Path and parking lot lighting shall not exceed 16 feet in height. Sport courts shall not exceed 25 feet in height, and all fixtures shall possess 4-sided shielding/skirting. Sportslighting shall not operate after 10:30 PM. Spill light shall not exceed 0.80 lumens per square foot at any point along a residential property line and lumens per square foot along any other property line.

ZONE 2. "Standard" Neighborhood Park or Elementary/Middle School.

Sports field lighting shall not exceed 80 feet in height. Path and parking lot lighting shall not exceed 20 feet. Sport courts shall not exceed 25 feet in height. Sportslighting shall not operate after 10:30 PM. Spill light shall not exceed 1.0 lumen per square foot at any point along a residential property line and 2.50 lumens per square foot along any other property line.

ZONE 3. "Regional" Neighborhood Park or High School.

Sports field lighting shall not exceed 90 feet in height. Path and parking lot lighting shall not exceed 25 feet. Sport courts shall not exceed 40 feet in

height. Sportslighting shall not operate after 11:00 PM. Spill light shall not exceed 1.0 lumen per square foot at any point along a residential property line and 2.50 lumens per square foot along any other property line.

ZONE 4. To be approved by Planning & Zoning staff.

4.5.19. Single Family Residences, Attached and Detached

A. Residential Sport Courts in All Zones. All fixtures shall be full-cutoff and must be turned off by 10:00 PM. Fixtures located within 20 feet of a property line must possess external house-side shielding. The mounting height of the fixtures shall not exceed 20 feet.

B. Mercury Vapor light sources are not allowed.

C. Motion sensor controlled fixtures are exempt from Sections D and E.

1. *ZONE 1*. All fixtures shall be shielded and/or located so that the light source is not directly visible from beyond any of the property lines. The mounting height of any fixture shall not exceed 15-feet from finished grade to the center of the fixture. Architectural and landscape uplighting shall be turned off by 10:00 PM. Vertical illuminance at any of the property lines shall not exceed 0.30 lumens per square foot between the hours of 10:00 PM and 6:00 AM.

2. *ZONES 2 & 3*. All fixtures of > 1,200 lumens shall be shielded and/or located so that the light source is not directly visible from any of the property lines. The mounting height of any fixture shall not exceed 20-feet from finished grade to the center of the fixture. Vertical illuminance at any of the property lines shall not exceed 0.80 lumens per square foot between the hours of 10:00 PM and 6:00 AM. All non-conforming fixtures shall be turned off between the hours of 10:00 PM and 6:00 AM.

4.5.20. Utility Exceptions

Electric utility leased lighting shall not exceed a mounting height of 20.5 feet in Zone 1 and 27.5 feet in Zone 2. The light sources utilized in Zone 1 shall not exceed a color temperature of 3,500 degrees Kelvin. Planning & Zoning staff, at its discretion, may approve the use of the equivalent of a "Half-Night Photocell" instead of a 10:00 PM timed shutdown.

4.5.21. Other Exceptions

Exceptions to any portion of this section may be granted by the Zoning Administrator or his/her designee, and subject to appeal to the Planning and Zoning Commission and the City Council.

4.5.22. Equipment Substitutions or Alterations

The outdoor lighting equipment installed at a project site (fixtures, lamps, poles, finishes, controls, etc.) and the locations thereof shall not be substituted or altered in any way from the approved plans (except for the use of alternate manufacturers already listed in the Fixture Schedule of the approved plans) without first submitting the change to Planning & Zoning staff and receiving written approval. Failure to comply with this Article can result in penalty action from the City, including a decline to issue the final Certificate of Occupancy or final Certificate of Completion until the project is brought into conformance with the approved plans, to the satisfaction of Planning & Zoning staff.

4.5.23. Verification

All outdoor lighting installations are subject to inspection/verification of the lighting equipment and illumination levels (adjusted for Light Loss Factors) by Planning & Zoning staff or designee, prior to the issuance of the final Certificate of Occupancy or final Certificate of Completion. Installations that are determined by Planning and Zoning staff to not be in compliance with the approved plans shall be corrected and brought into compliance with the approved plans prior to the issuance of the final Certificate of Occupancy or final Certificate of Completion. After lighting installation according to the approved plans, a property owner is responsible for ensuring that no lighting trespasses outside of the boundary of the property or lot and that no lighting from said property or lot causes a nuisance. If it is determined that there is lighting trespass or a nuisance related to lighting, a correction to come into compliance with the provisions of this section shall be required.

4.5.24. Other Types of Lighting

All other types of outdoor lighting not specifically addressed in this section shall be handled by Planning & Zoning staff as a Zone 4 Special Light Area.

4.6. Signage

4.6.1. Purpose

A. General Purpose. The purpose of regulating signs of all types is: to establish comprehensive provisions that will promote the public welfare and safety by safe placement and installation of appropriate signage; to establish reasonable regulations that promote effective messaging and economic vitality for local businesses and services; and to enhance the visual environment of the City of Goodyear. These regulations are intended to regulate the time, place, and manner of signage and not the content of speech. The regulation of signs within the City of Goodyear is necessary and in the public interest for the following reasons:

1. To facilitate the identification and location of businesses, services, and activities.
2. To provide reasonable opportunities for both commercial and noncommercial messages.
3. To allow effective signages while preventing visual clutter and the over-concentration of signs.
4. To maintain high quality signage throughout the City.
5. To provide consistent sign design standards that enable the fair and consistent enforcement of these regulations.

B. Constitutional Intent. It is the policy of the City of Goodyear to regulate signages in a content-neutral manner consistent with the First Amendment to the United States Constitution and applicable provisions of the Arizona Constitution. These regulations are not intended to favor commercial speech over noncommercial speech or to favor any particular message. If any provision of this Article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

C. Substitution of Noncommercial Messages. With the property owner's consent, a protected noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is permitted without consideration of message content. Such substitution of message may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over protected noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message.

D. Signs in Public Forums. Nothing in this Article shall be construed to prohibit a person the display of signs by individuals engaged in lawful picketing, protest, or other expressive activity on public property that constitutes a traditional or designated public forum. Such activities shall be subject to reasonable time, place, and manner restrictions necessary to:

1. Prevent obstruction of building entrances and exits;
2. Maintain safe pedestrian, bicycle, and vehicular circulation; and
3. Protect public health, safety, and welfare.

4.6.2. Requirement of Permit

A. Permit Required. Except as provided in Section 4.6.5 (Exemptions), it shall be unlawful for any person to construct, install, attach, place, paint, alter, relocate or maintain any sign within the City without first obtaining a sign permit in accordance with this Article. Application for a sign permit shall be submitted on forms provided by the Development Services Department and shall include all required plans, drawings and other supporting documentation necessary to demonstrate compliance with this Article.

B. Fees. Prior to the issuance of any sign permit, the applicant shall pay all applicable fees in accordance with a fee schedule adopted by the City Council. If work for requiring a permit is commenced prior to permit issuance, the applicable permit fee shall be doubled. Payment of such fee shall not relieve any persons from compliance with this Article or from any penalties prescribed herein.

C. Inspections. All signs requiring a permit shall be subject to inspections by the City of Goodyear Building Safety Division at such stages of construction as deemed necessary to ensure compliance with this Article and other applicable codes.

4.6.3. Requirement of Conformity

A. Compliance Required. No sign shall be erected, installed, placed, altered, or maintained within the City except in conformity with the provisions of this Article.

B. Conflicts with Other Regulations. Where the provisions of this Article conflict with any other applicable City code, ordinance, or regulations, the provision establishing the more restrictive standard shall apply.

C. Violations and Abatement. Any sign installed, placed, or maintained in violation of this Article is declared to be a public nuisance and may be subject

to enforcement and abatement as provided by law. Issuance of a sign permit does not authorize violation of any other applicable law, code, or regulation.

4.6.4. Nonconforming Signs

A. Legal Nonconforming Signs.

1. Definition. A legal nonconforming sign is a sign that was lawfully established but does not conform to the regulations of this Ordinance due to subsequent amendments, adoption of this Ordinance, or annexation.

2. Continuation. A legal nonconforming sign may continue to exist and be maintained in the same manner and to the same extent as it existed at the time it became nonconforming, except as otherwise provided in this Section.

3. Limitations. A legal nonconforming sign shall not be:

   a. Expanded in area or height;

   b. Structurally altered in any manner that increases its degree of nonconformity;

   c. Relocated, replaced, or reconstructed except in compliance with this Article; or

   d. Changes in a manner that requires structural modification, except for routine maintenance or change of copy.

4. Maintenance and Repair. Routine maintenance and repair of a legal nonconforming sign shall be permitted, provided such work does not increase the size, height, or degree of nonconformity of the sign.

5. Damage or Destruction. If a legal nonconforming sign is damaged or deteriorated to the extent that the cost of the repair equals or exceeds fifty (50) percent of the replacement cost of the sign, the sign shall be removed or reconstructed in full compliance with this Article.

6. Development Trigger (Conformance Requirement). When a property is subject to Site Plan, Design Review, or redevelopment approval, any legal nonconforming sign located within the area of development and under the control of the applicant shall be brought into conformance with this Article, except as provided below. If the nonconforming sign is a prohibited sign type under this Article, it shall be removed.

B. Reduction of Nonconformity (Amortization Approach). Nothing in this subsection shall require a sign to be reduced below the maximum size or height otherwise permitted on the site. Where a legal nonconforming sign exceeds the permitted height or area:

1. A structural modification shall require a minimum fifty (50) percent reduction of the nonconforming portion of the sign;

2. A maximum of two (2) such reductions shall be permitted;

3. Upon the third structural modification, the sign shall be brought into full compliance with this Article.

4. Minor Development Exceptions. For purposes of this subsection, usable floor area shall exclude restrooms, storage rooms, and similar non-occupiable spaces. The following development activities shall not trigger mandatory reduction of nonconforming signage: Additions less than 2,000 square feet that do not exceed fifty (50) percent of the existing usable floor area;
5. Additions greater than 2,000 square feet that do not exceed ten (10) percent of the existing usable floor area;
6. Modifications required by federal, state, or local regulations.
7. Relocation Due to Public Acquisition. A legal nonconforming sign may be relocated without losing its status when a portion of the property is acquired by a public entity, provided that: The sign is not increased in height or area;
8. The sign remains substantially the same in design and structure;
9. The sign is relocated to a position as similar as practicable to its original location; and
10. The relocation complies with all applicable safety requirements.
11. Previously Approved Signs. A sign approved through a variance or Comprehensive Sign Package prior to the adoption or amendment of this Article shall not be considered nonconforming.
12. Signs for Legal Nonconforming Use.
    a. No new or additional sign shall be permitted for a legal nonconforming use.
    b. A sign associated with a legal nonconforming use, shall be removed or brought into compliance if:
    c. The use is discontinued for a period of three hundred sixty-five (365) consecutive days; or
    d. The use becomes conforming.
13. Signs Rendered Abandoned.
    a. Determination of Abandonment. A sign shall be deemed abandoned if any of the following conditions exist:
        i. The sign displays no message, copy, or content for a continuous period of three (3) months;
        ii. The business, use, or activity to which the sign pertains has ceased operations for a period of three (3) months; or
        iii. The sign advertises or relates to a time, event, or purpose that is no longer applicable.
14. Prohibition. Any abandoned sign is prohibited and shall be brought into compliance with this Article.
15. Removal and Maintenance Requirements. Within three (3) months after a sign is deemed abandoned, the responsible party shall:

a. Remove all sign copy, lettering, graphics, and associated components;

b. Repair, refinish, and restore the building façade or sign structure to a clean, safe, and professional condition; and

c. Remove or replace any sign panels as follows:

i. Cabinet signs and panels on freestanding monument or pylon signs shall be replaced with a blank panel, consistent with the overall design of the structure;

ii. Blank panels shall be maintained in good condition and shall not ben display faded, damaged or incomplete copy.

16. Responsible Party. The responsible party shall include the property owner, sign owner or any person or entity in control of the property or sign

17. Failure to Comply. Failure to comply with this Section shall constitute a violation subject to enforcement and abatement in accordance with Section 4.7.14.

18. Unsafe Signs.

19. Determination of Unsafe Condition. If the Chief Building Official, or designee, determines that any sign or sign structure is unsafe, insecure or constitutes a hazard to public health or safety, the Chief Building Official shall provide written notice to the responsible party requiring correction of the condition within forty-eight (48) hours.

20. Failure to Comply. If the required correction is not completed within the specified time period, the Chief Building Official, or designee, may:

a. Order the removal of the sign; or

b. Cause the sign to be removed, repaired or otherwise secured as necessary to eliminate the hazard. All costs associated with such removal, repair or securing shall be the responsibility of the sign owner and/or property owner.

21. Immediate Hazard. Notwithstanding the above, if the Chief Building Official determines that a sign poses an immediate threat to public safety, the City may take such action as necessary to remove or secure the sign without prior notice. The responsible party shall be liable for all costs incurred by the City.

4.6.5. Exemptions

A. Exempt from Signs Regulations. The following shall be exempt from the provisions of this Article:

1. Government signs. Signs erected, maintained, or required by the City, State or Federal government, or any public or quasi-public utility.

2. City Kiosks and Public Information Structures. Kiosk signs or similar structures erected, maintained or authorized by the City.

3. Flags. Any such flags that are not used for commercial advertising purposes and are only displayed in a customary manner.

4. Memorials and Historical Markers. Tablets, grave markers, headstones, statuary or remembrances of persons or events, located on private property.

5. Works of Art. Works of fine art, murals, and historic or cultural artifacts that are not used for commercial advertising purposes. Works of art shall not include any logo, trademark, product image, or other commercial message.

6. Seasonal and Holiday Decorations. Temporary decorative displays, associated with holidays or cultural events, that are not used for commercial advertising purposes, located on private property.

7. Required Regulatory Signs. Signs required to be installed by any governmental entity or a public or quasi-public utility.

8. City-Approved Digital Marquee Signs. Digital marquee signs located on City-owned or leased property and approved by the City Council pursuant to a development agreement, license or other authorization, provided the City Council determines that the sign serves a public purpose.

B. Exempt from Permit Requirements. The following activities shall not require a sign permit, provided the sign complies with all applicable provisions of this Article.

1. Routine Maintenance and Repair. Routine maintenance of a legally permitted sign, including cleaning, repainting, or minor repair, that does not change the color, size, location, design or appearance of the sign.

2. Replacement of Sign Panels. Replacement of sign panels on an approved sign structure, provided the replacement panel is substantially the same size, design, color, and appearance as the original.

3. Relocation Required by Government Action. Relocation of a sign when required by the City, State or Federal Government or a public or quasi-public utility.

4.6.1. Prohibited Signs

A. General Prohibition. Any sign not expressly permitted by this Article is prohibited. The following signs and sign types are specifically prohibited unless otherwise expressly authorized by this Article.

B. Prohibited Sign Types and Characteristics

1. Illegal Content. Any sign containing content that is not protected by the First Amendment to the United States Constitution or applicable provisions of the Arizona Constitution.

2. Off-Site Signs and Billboards

3. Billboards.

4. Off-premises signs, except as may be expressly permitted by this Article.

5. Signs on Public Property and Rights-of-Way. Signs attached to or placed upon any utility pole, street light, traffic signal, tree, fence, fire hydrant, bridge, park bench, or any structure located on City-owned property, public rights-of-way, or other public property, unless expressly permitted.
6. Vehicle Signs (Prohibited Uses). Signs affixed to vehicles where the primary purpose of the vehicle is to serve as a stationary advertisement, except as permitted under the Temporary Sign regulations.
7. Prohibited Illumination and Motion. Signs that include any of the following features, except as expressly permitted by this Article:
    a. Flashing, intermittent, or strobe lighting
    b. Rotating or moving components
    c. Animated displays
    d. Audible sound or emissions
    e. Visible emissions such as smoke, vapor, or similar matter
8. Attention-Attracting Devices. The following devices are prohibited, except as expressly permitted under Temporary Sign regulations:
    a. Banners, flying banners, and pennants
    b. Streamers, wind-driven devices, and spinners
    c. Balloons and tethered attention-attracting devices
    d. Feather flags, flutter flags, and blade signs
    e. Inflatable signs, air dancers, and similar devices
    f. Searchlights, beacons, laser displays, holographic projections, or similar lighting devices
9. Roof Signs. Signs located on, attached to, or above any roof, parapet, or rooftop equipment.
10. Obstruction and Safety Hazards. Signs that:
    a. Obstruct free ingress or egress from any door, window, or required exit
    b. Interfere with pedestrian or vehicular circulation
    c. Are located within a sign visibility triangle
11. Portable and Temporary Signs. Portable signs, including A-frame signs and similar devices, except as expressly permitted under Temporary Sign regulations.
12. Pole Signs. Pole signs exceeding six (6) feet in height.
13. Nonconforming and Unpermitted Signs. Nonconforming signs that are:
    a. Not legal nonconforming signs; or
    b. Signs installed or maintained without a required permit

14. Signs Otherwise Prohibited by Location or Design. Any sign installed, constructed, or maintained in a manner or location prohibited by this Article.

C. The enumeration of prohibited signs in this Section is not intended to be exhaustive. Any sign not expressly permitted by this Article is prohibited.

4.6.2. General Sign Regulations

A. *Design And Construction of Permanent Signs*. All signs shall be structurally designed, constructed, erected and maintained in accordance with all applicable provisions and requirements of the City of Goodyear codes and ordinances.

1. All signs and sign structures, including conforming and legally nonconforming signs, shall be maintained in good condition, repair, and appearance at all times so as not to constitute a danger or hazard to the public safety or create visual blight as determined by the Zoning Administrator or his/her designee. The following shall constitute a violation of this section:

   a. Peeling, cracking or faded paint

   b. Torn or missing sign faces

   c. Broken or missing components

   d. Exposed wiring or structural elements

   e. Inoperable illumination for illuminated signs

   f. Rust, corrosion, or other visible deterioration as

2. There shall be no visible raceways, angle iron supports, guy wires, braces or secondary supports, except in the case of projecting signs. All sign supports shall be an integral part of the design.

3. Illumination of signs shall meet all regulations as set forth in Section 4.6 (Outdoor Lighting) of this Ordinance. The source of a sign's illumination shall be shielded and not directly visible from any street, sidewalk, or adjacent property. This shall not preclude the use of exposed neon or LED sign elements within the commercial zoning districts, as long as such elements are not visible from surrounding residential properties. However, neon, LED or other forms of illumination shall not be used as a border or outline for any architectural element of a building. No illuminated wall sign shall be permitted on a building elevation abutting a residential district or use. Illumination of signs shall meet all regulations as set forth in Section 4.6 (Outdoor Lighting):

   a. The source of illumination shall be shielded and not directly visible from any public street, sidewalk, or adjacent property.

   b. Exposed neon or LED lighting may be permitted in commercial and industrial zoning districts, provided the illumination is not visible from adjacent residential properties.

c. Neon, LED, or other illumination shall not be used to outline architectural features such as rooflines, parapets, canopies, or building edges.

d. Illuminated walls signs shall not be permitted on building elevations that directly face and are within one hundred (100) feet of a residential district or use.

4. Signs shall be compatible with and complement the architecture and design theme of the specific development in which the signs are located in terms of color, materials and architectural style.

B. Placement of Signs.

1. Signs shall not be located in a manner that interferes with pedestrian or vehicular travel, poses a hazard to either pedestrians or vehicles, or within the specified "sight visibility triangle" as defined in the Engineering Design Standards & Policies Manual, adopted September 8, 2025, as amended from time to time.

2. Free-standing signs shall be located a minimum of five feet from a property line and freeway pylon signs shall be located a minimum of 15 feet from a property line. Setbacks shall be measured from the property line to the nearest edge of the sign structure, including the sign base.

3. Signs shall not be located within, on or projecting over any easement, public street right-of-way or City property.

4. Signs shall not be placed in such a manner that obstructs the view or conflict with any traffic control sign or device or any other governmental-required sign.

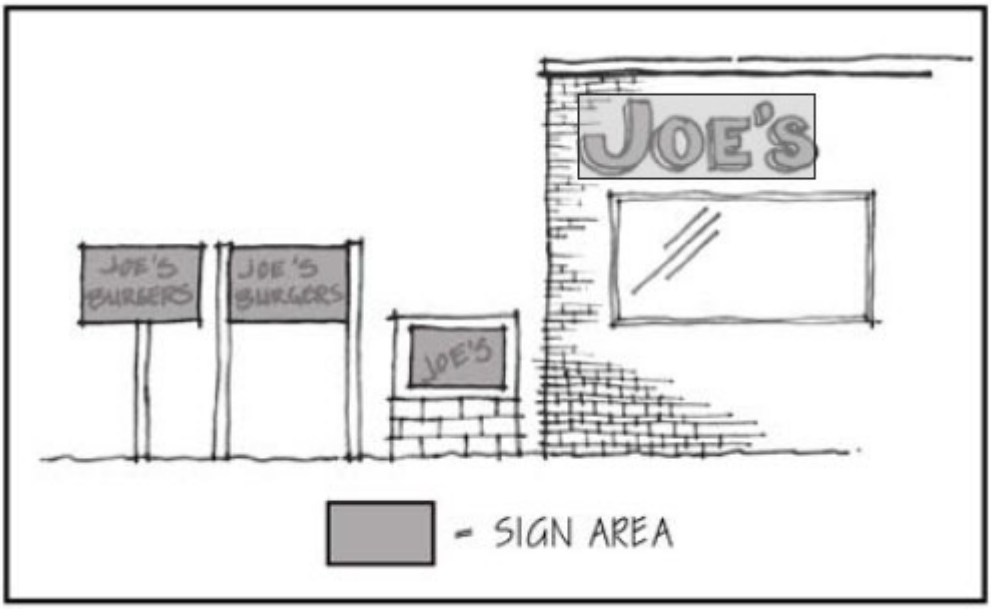
C. Comprehensive Sign Packages

1. Any commercial or industrial development that contains, or is planned, platted, or designed to contain, three (3) or more businesses, tenants, or pad sites shall be required to submit a Comprehensive Sign Package. See Section 4.7.13 of this Ordinance for additional information.

4.6.3. Sign Area and Height

A. Sign Area. Sign area shall be measured as follows:

1. Sign copy mounted on a panel of a monument sign or other freestanding sign shall be measured as that area of the sign panel. The base of a freestanding monument sign shall not be included in the sign area unless said base contains sign, copy, graphics or tenant panels (see definition of a sign).



2. Sign copy mounted as individual letters and/or graphics on a building wall or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangles that will enclose each word and each graphic in the total sign copy.



SIGN AREA WHEN BACKGROUND NOT PART OF SIGN

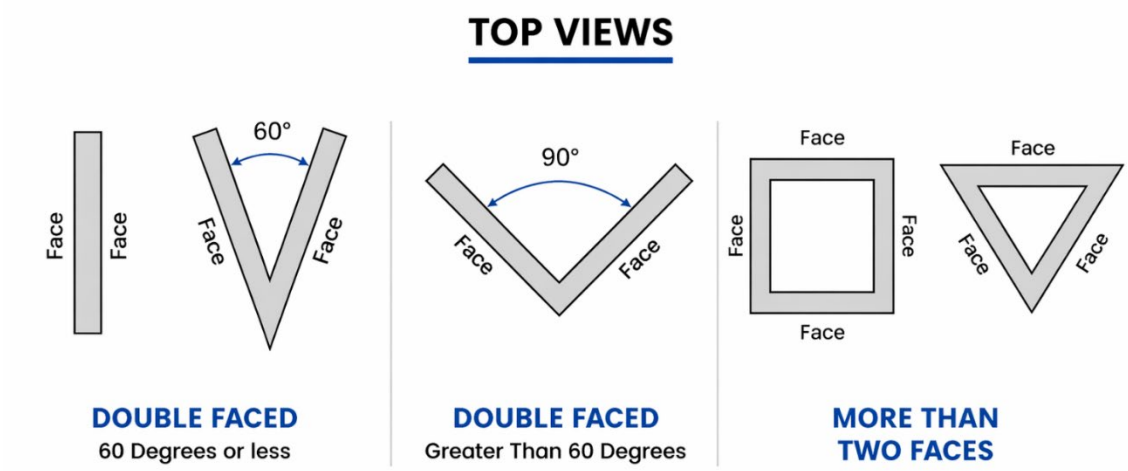
3. Sign copy mounted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as the smallest rectangle that will enclose both the sign copy and background area together.
4. Sign area shall include all cabinets, raceways, background panels, and structural components that form an integral part of the sign display.
5. Where a sign consists of multiple components intended to be read as a single sign, the total area of all components shall be calculated as one sign.
6. Multi-face signs shall be measured as follows:
   a. Where a sign has two faces back-to-back, and the distance between faces does not exceed four feet, or where the angle

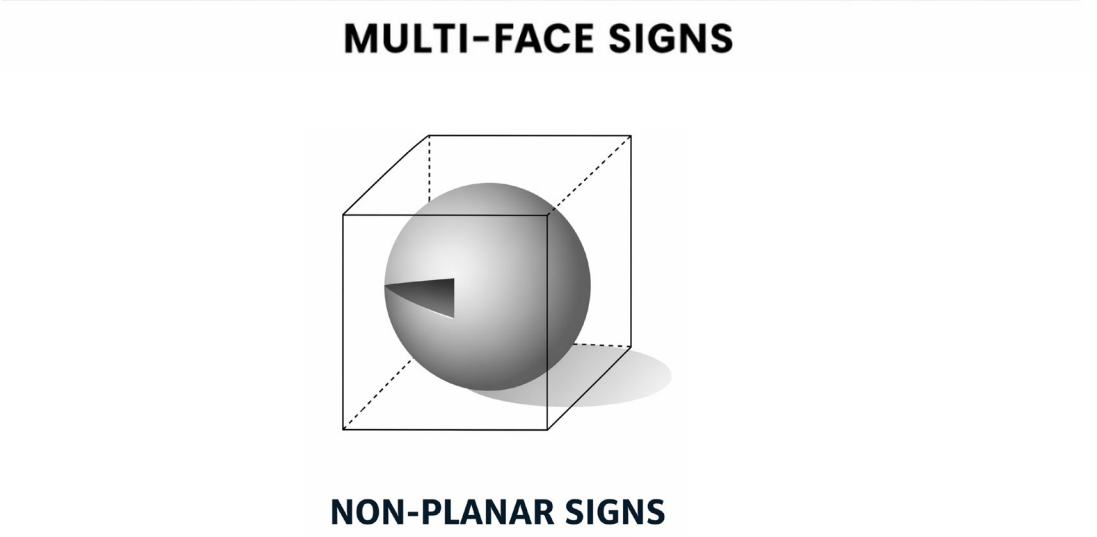
between two faces is 60 degrees or less, the sign area shall be calculated using only one face.

b. Where the distance between sign faces exceeds four feet, or the angle between faces exceeds 60 degrees, the sign shall be calculated as the sum of both faces.

c. Where a sign has three or more faces, the sign are shall be calculated as 50 percent of the total area of all faces.

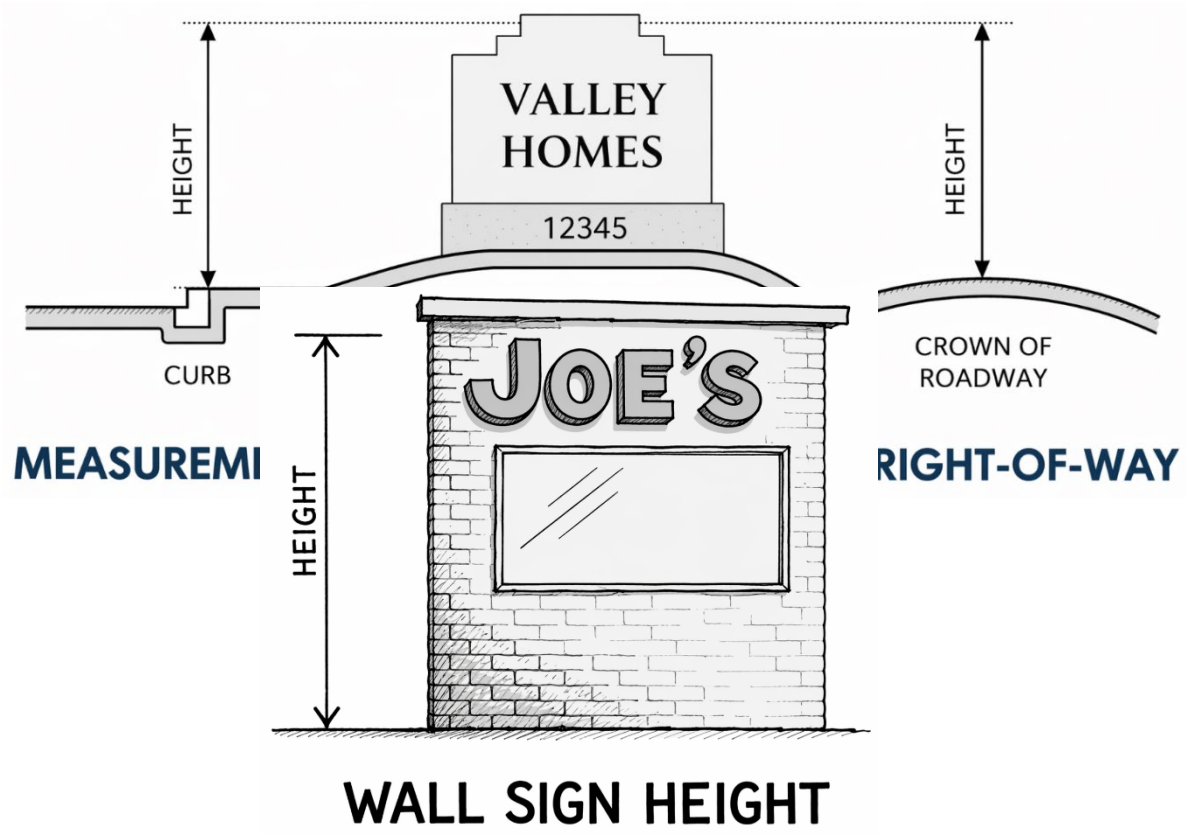
d. Where a sign is a spherical, free-form, sculptural, figurative or other non-planar sign, the sign area shall be calculated as 50 percent of the sum of the areas calculated by using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure.





B. Sign Height. Sign height is defined and shall be measured as follows:

1. The height of a freestanding monument sign located within 30 feet of an adjacent street right-of-way shall be measured as the vertical distance from the top of the highest element of the sign structure to the top of the curb or crown of the adjacent roadway where no curb exists. Any monument base or other structure erected to support or enhance the sign shall be measured as part of the sign height.
2. The height of all other freestanding monument signs or ground-mounted signs, not located within 30 feet of an adjacent street right of way, shall be measured as the vertical distance from the top of the highest element of the sign structure to the adjacent grade.
3. Architectural embellishments such as caps, columns, or decorative features may extend a maximum of two feet above the maximum permitted sign height, provided such embellishments do not contain signage.
4. The height of a wall sign shall be measured as the vertical distance from the base of the wall on which the sign is located to the top of the sign structure.



C. Permitted Signage by Zoning District and Use

1. Unless otherwise specified, the maximum number of monument signs permitted shall be based on street frontage, with a maximum of one (1) monument sign per street frontage.
2. Where a development contains multiple tenants, monument signs shall be shared and designed to accommodate multiple tenants.
3. All signage within a multi-tenant development shall be subject to an approved Comprehensive Sign Package.
4. Electronic message displays shall be integrated into monument signs and shall not be permitted as a separate freestanding sign unless specifically allowed.
5. Menu boards, directional signs, and directory signs shall not count toward the maximum permitted monument sign area; however, the sign copy area of such signs shall be included in the total aggregate sign copy area permitted for the development.

Site Signs
For the purposes of this Ordinance, a Site Sign shall mean any permanent freestanding sign installed in the ground and not attached to a building including monument signs, freeway pylon signs, directional signs, directory signs, and menu boards.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Directional	All zoning districts	All permitted Residence non-residential uses	See Section 4.6.9.(A)
Directory	All zoning districts	Multi-family Residence Uses; All permitted non-residential uses	See Section 4.6.9.(B)
Drive Through Menu Board	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.(C)
Drive-Through Speaker Canopies (Detached)	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.(D)
Drive-Through Clearance Bars	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.(E)
Electronic Changeable Copy Display	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Gasoline service stations	See Section 4.6.9.(F)
Electronic Message Display	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	In conjunction with a permitted monument sign	See Section 4.6.9.(G)
Monument	All zoning districts	Multi-family Uses; All permitted non-residential uses	See Section 4.6.9.(H)
Freeway Pylon	Subject to approval of Use Permit as specified in Sections 6.4 and 4.6.9	Subject to approval of Use Permit as specified in Sections 6.4 and 4.6.9	See Section 4.6.9.(I)

Building Signs*
For the purposes of this Ordinance, a Building Sign shall mean to any permanent or semi-permanent sign affixed to a building, including windows and architectural elements, used to identify, advertise or communicated information related to a permitted use.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Awning	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	All permitted uses	See Section 4.6.10.(A)
Canopy	MF-12, MF-18, MF-24, CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Leasing Office or Clubhouse of Multi-family Residence Uses; All permitted commercial uses	See Section 4.6.10.(B)
Projecting	CO, C-1, C-2, CBD, PFD, BPD, and Commercial PADs	All permitted uses	See Section 4.6.10.(C)
Shingle	CO, C-1, C-2, CBD, PFD, BPD, and Commercial PADs	All permitted uses	See Section 4.6.10 (D)
Wall	All zoning districts	All permitted uses	See Section 4.6.10.(E)
Window	CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted uses	See Section 4.6.10.(B)

*Note: Building signs shall be subject to the applicable development standards of this Article, including but not limited to sign area, height, placement, and illumination.

Temporary Signs (Not Requiring a Sign Permit)*
For the purposes of this Ordinance, a Temporary Sign not requiring a permit refers to signs intended for short-term use.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Accessory Flag	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	Sales Office of Multi-family Residence Uses; Model home of a permitted subdivision	See Section 4.6.11.A (1)
Directional	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	All permitted residential uses	See Section 4.6.11.A (2)
Sign Walker	All zoning districts	Multi-family Residence Uses; All permitted non-residential uses	See Section 4.6.11.A (3)
Special Event	All zoning districts	Requires a Special Use Permit for all permitted temporary uses	See Section 4.6.11.A (4)
Temporary Subdivision	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	Subdivision with more than 40 lots during construction	See Section 4.6.11.A (5)

Temporary Use	All zoning districts	Uses requiring a Temporary Use Permit	See Section 4.6.11.A (5)
Vehicle	CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.A (6)
Window	All zoning districts	All permitted uses	See Section 4.6.11.A (7)
Yard	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	All permitted residential uses	See Section 4.6.11.A (8)

*Note: Temporary signs not requiring a permit shall comply with all applicable placement, size, and operational standards of this Article and shall not be located within the public right-of-way unless expressly permitted.

Temporary Signs (Requiring a Sign Permit)
For the purposes of this Ordinance, a Temporary Sign, which does not require a sign permit, shall refer to any sign that is used for a very short duration commonly used to advertise events, promotions or services or to convey a unique, but temporary message.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Construction	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.B (2) for specific sign standards
Limited-Duration	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.B (4) for specific sign standards
Portable	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.B (5) for specific sign standards
Real Estate	All zoning districts	All permitted uses	See Section 4.6.11.B (6) for specific sign standards

4.6.4. Specific Regulations for Site Sign Types

A. Directional Signs

1. Non-Residential Use in a Residential Zoning District

a. One (1) sign shall be permitted at each driveway and at each major internal intersection.

b. The maximum sign copy area shall be six (6) square feet.

c. The maximum height shall be three (3) feet.

d. Directional signs shall not be located within the sight visibility triangle of any driveway.

2. Commercial Use in a Commercial District

a. One (1) sign shall be permitted at each driveway onto a public street and at each major internal intersection.

b. The maximum sign copy area shall be six (6) square feet.

c. The maximum height shall be three (3) feet.

d. Directional signs shall not be located within the sight visibility triangle of any driveway.

e. Directional signs shall contain no advertising copy and shall be limited to directional information such as ingress, egress, parking, delivery, drive-through, or building identification.

3. Industrial Use in an Industrial District

a. One (1) sign shall be permitted at each driveway onto a public street and at each major internal intersection.

b. The maximum sign copy area shall be six (6) square feet.

c. The maximum height shall be three (3) feet.

d. Directional signs shall not be located within the sight visibility triangle of any driveway.

e. Directional signs along designated, internal truck routes shall not exceed an area of twelve (12) square feet or height of six (6) feet. Such directional signs shall utilize a monument base with a width at least 50% the width of the sign and the sign shall be architecturally compatible with the design of the other onsite monument signs.

B. Directory Signs

1. Multi-family Use in a Residential Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite. One (1) sign may also be permitted for each entrance to the property from a street.

b. The maximum sign copy area shall be eighteen (18) square feet.

c. The maximum height shall be six (6) feet.

d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

e. Directory signs shall not count toward the maximum permitted monument sign area.

2. Non-Residential Use in a Residential Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite. One (1) sign may also be permitted for each entrance to the property from a street.

b. The maximum sign copy area shall be eighteen (18) square feet.

c. The maximum height shall be six (6) feet.

d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

e. Directory signs shall not count toward the maximum permitted monument sign area.

3. Commercial Use in a Commercial Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite.

b. The maximum sign copy area shall be eighteen (18) square feet.

c. The maximum height shall be six (6) feet.

d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

e. Directory signs shall not count toward the maximum permitted monument sign area.

4. Industrial Use in an Industrial Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite.

b. The maximum sign copy area shall be eighteen (18) square feet.

c. The maximum height shall be six (6) feet.

d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

e. Directory signs shall not count toward the maximum permitted monument sign area.

C. Drive Through Menu Board Signs

1. Commercial Use in a Commercial District

a. A drive-through restaurant may have up to two (2) menu boards per drive-through lane.

b. A menu board shall have a maximum height of eight (8) feet and maximum copy area of fifty (50) feet. Menu board signs may be freestanding or wall – mounted.

c. A menu board shall be internally illuminated. External illumination of a menu board sign may be permitted, provided lighting is shielded and directed on the sign face only.

d. A menu board may also contain an electronic or video display screen and audio component for interaction with the customer in accordance with the following standards:

i. Messages shall be static and not change more than once every eight (8) seconds. The transition between messages shall be immediate.

ii. Display brightness shall not exceed three hundred (300) nits from dusk till dawn.

iii. The use of the electronic message display for off-site advertising is prohibited.

e. The menu board(s) shall be screened from public view by enhanced landscaping, screen walls, and other design elements as deemed appropriate by the Zoning Administrator or his/her designee.

f. A menu board shall be located at least forty-five (45) feet from any public right-of-way or residential property line.

g. Speakers, illuminated sign faces, electronic message displays, digital displays and other menu board lighting shall be directed away from residential property lines.

h. All freestanding menu boards shall be designed as monument-style signs and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material. The base shall have a width of not less than fifty (50) percent of the width of the sign face. Base materials and colors shall be consistent with the primary building materials used on the main building or as specified in an approved Comprehensive Sign Package. The area surrounding the base shall be landscaped. Exposed poles, metal supports, and prefabricated cabinet-style menu boards without a monument base are prohibited.

D. Drive-Through Speaker Canopies (Detached)

1. Commercial Use in a Commercial District

a. Drive-through speaker canopies that are not attached to or integrated into a drive-through menu board shall be subject to the following standards:

i. Monument-Style Design Required. Detached drive-through speaker canopies shall be designed as monument-style structures and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

ii. Base Width Requirement. The base of the speaker canopy structure shall have a width of not less than fifty

(50) percent of the width of the canopy or supporting structure.

iii. Architectural Compatibility. Detached speaker canopies shall be architecturally compatible with the associated drive-through menu board and the primary building in terms of materials, colors, and architectural style, and shall be consistent with an approved Comprehensive Sign Package where applicable.

iv. Prohibited Support Structures. Exposed metal poles, prefabricated metal canopy structures, and temporary or portable canopy structures shall be prohibited unless fully screened by an approved monument-style base or screen wall.

v. Height. Detached speaker canopies shall not exceed nine (9) feet in height as measured from adjacent grade to the highest point of the structure.

vi. Landscaping. The area surrounding the base of the detached speaker canopy shall be landscaped in a manner consistent with the landscaping provided for the drive-through menu board.

vii. Location. Detached speaker canopies shall be located a minimum of forty-five (45) feet from any public right-of-way and residential property line and shall be oriented away from residential property lines.

viii. Lighting and Audio. Any lighting associated with the speaker canopy shall be shielded and directed downward. Speaker volumes shall be adjusted so that sound is not audible from adjacent residential property lines.

ix. Integration with Menu Board Design. Detached speaker canopies shall be designed as part of the overall drive-through menu board design and shall utilize the same or similar materials, colors, and architectural elements as the menu board structure.

E. Drive-Through Clearance Bars

1. Commercial Use in a Commercial District

a. Drive-through clearance bars shall comply with the following standards:

i. Design Compatibility. Clearance bars shall be designed to be architecturally compatible with the primary building, drive-through menu board, and speaker canopy in terms of materials, colors, and overall design.

ii. Support Structure. Clearance bars shall be supported by permanent posts or columns of masonry, concrete, or metal posts with an architectural finish. Exposed unfinished metal poles are prohibited.

iii. Height Bar. The clearance bar shall be suspended from a permanent crossbeam or decorative support structure. The use of chains attached to temporary or freestanding poles is prohibited unless integrated into an architecturally designed feature.

iv. Color and Materials. Clearance bars shall be painted or finished in colors that are complementary to the primary building. High-visibility striping may be used on the bar itself for safety purposes.

v. Landscaping. Where feasible, the base of the support structure shall be integrated into a landscaped area consistent with the drive-through lane landscaping.

vi. Location. Clearance bars shall be located within the drive-through stacking lane and shall not be located within the public right-of-way.

vii. Height Clearance. The minimum clearance height shall be posted on the clearance bar and shall match the clearance height of the drive-through canopy or structure.

viii. Illumination. Drive-through clearance bars may be illuminated for safety purposes. Illumination shall be shielded and directed downward onto the clearance bar only and shall not produce glare onto adjacent properties or public right-of-way. Flashing, animated, or color-changing lighting and exposed LED strip lighting are prohibited. Illumination shall comply with Outdoor Lighting Standards of this Ordinance.

F. Electronic Changeable Copy Display Signs

1. Electronic Changeable Copy Display (Fuel Price Signs) for Gasoline Service Station Use in a Commercial District

a. Stand-Alone Gasoline Service Station. A stand-alone gasoline service station that is not part of an approved Comprehensive Sign Package may incorporate an electronic changeable copy display for fuel pricing into a permitted monument sign, subject to the following:

i. The electronic changeable copy display shall not exceed twenty-four (24) square feet in area.

ii. The electronic changeable copy display shall be included as part of the monument sign and shall not exceed fifty (50) percent of the permitted monument sign area.

b. Gasoline Service Station within a Commercial Center. A gasoline service station located within a commercial center and subject to an approved Comprehensive Sign Package may be permitted one (1) freestanding monument sign with an electronic changeable copy display for fuel pricing, in addition

to other permitted freestanding signage, subject to the following:

i. The electronic changeable copy display shall not exceed twenty-four (24) square feet in area.

ii. The electronic changeable copy display shall not exceed six (6) feet in height.

iii. The base of the sign shall have a width of at least fifty (50) percent of the width of the sign.

c. Corner Lot and Multiple Street Frontage Allowance. An additional electronic changeable copy display monument sign may be permitted for gasoline service stations located on a corner lot or with multiple street frontages, provided that each street frontage adjacent to the site is at least three hundred thirty (330) feet in length. Only one (1) electronic changeable copy display sign shall be permitted per street frontage.

d. Display Standards

i. Electronic changeable copy displays shall be limited to fuel pricing and fuel-related information only.

ii. Displays shall be static and shall not change more frequently than once every eight (8) seconds.

iii. Displays shall not include animation, scrolling, flashing, fading, dissolving, or other movement.

G. Electronic Message Display

1. Commercial Use in a Commercial District

a. A permitted monument sign may utilize one (1) electronic message display per side.

b. The electronic message display shall be integrated into the monument sign and shall not be mounted above the monument sign cabinet or pole.

c. An electronic message display may occupy up to fifty (50) percent of the allowable sign area of the monument sign or twenty-four (24) square feet, whichever is less.

d. An electronic message display shall have static displays. The display of video, animation, or special effects, such as traveling, scrolling, fading, dissolving, and bursting, shall be prohibited. No sound may be emitted by the display.

e. Static displays on an electronic message display shall not be changed more than once every eight (8) seconds. Change of display shall occur through an immediate transition.

f. An electronic message display shall include a sensor or other device that automatically reduces the brightness of the display during low-light conditions. Display brightness shall not exceed three hundred (300) nits from dusk till dawn.

g. An electronic message display shall be shut off between 10:00 P.M. and sunrise when such display is located within one hundred and fifty (150) feet of a single-family residential zoning district.

h. Should an electronic message display malfunction, the display shall be shut off until such time that repairs have been completed to restore the electronic messaging system.

i. The use of an electronic message display for off-site advertising is prohibited.

H. Monument Signs

1. Non-Residential Use in a Residential Zoning District

a. One (1) monument sign per driveway onto a public street.

b. A monument sign shall have a maximum area of 32 square feet when adjacent to an arterial street and 16 square feet when adjacent to a collector or local street. Every monument sign shall have a maximum height of six (6) feet.

c. The base of the sign shall have a width at least 50% the width of the sign and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

d. Street address numerals shall be provided on any monument sign located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on the sign. Numerals shall be sized in accordance with the International Fire Code, as amended.

I. Commercial Use in a Commercial Zoning District

1. A maximum of one (1) monument sign per street frontage. Additional monument signs may be permitted where a development has multiple driveways on the same street frontage, provided monument signs are spaced a minimum of one hundred and fifty (150) feet apart.

2. The maximum height shall be eight (8) feet and the maximum sign copy area shall be thirty-two (32) feet. Within a unified commercial development containing three (3) or more businesses and subject to an approved Comprehensive Sign Package, the maximum height shall be twelve (12) feet and the maximum copy area shall be forty-eight (48) square feet, unless otherwise specified in an approved Comprehensive Sign Package.

3. The base of the monument sign shall have an aggregate width at least 50% the width of the sign and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

4. Street address numerals shall be provided on any monument sign located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on

the sign. Numerals shall be sized in accordance with the International Fire Code, as amended.

5. A monument sign for a commercial use in a commercial zoning district may utilize one (1) electronic message display in accordance with the provisions of Section 4.6.9.(F)

6. One (1) internal monument sign per commercial parcel is permitted when said parcel is located within a unified, multi-parcel commercial development and approved as part of a Comprehensive Sign Package in accordance with the following provisions for internal monument signs:

   a. Internal monument signs shall be located at least 50 feet from any public right-of-way and may not be visible from the right-of-way.

   b. The maximum height of the internal monument shall be six (6) feet.

   c. The maximum copy area of the internal monument sign shall be 16 square feet.

   d. The base of the internal monument sign shall have an aggregate width at least 50% the width of the sign and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

   e. Internal monument signs shall not be located within the sight visibility triangle of any driveway nor in any other location that restricts or blocks visibility of vehicles traveling within the development.

   f. Internal monument signs shall be used for tenant identification only and shall not include electronic message displays.

7. Industrial Use in an Industrial Zoning District

   a. A maximum of one (1) monument sign per street frontage. Additional monument signs may be permitted where a development has multiple driveways on the same street frontage, provided monument signs are spaced a minimum of one hundred and fifty (150) feet apart.

   b. The maximum height shall be eight (8) feet and the maximum sign copy area shall be thirty-two (32) square feet. Within a unified industrial development containing three (3) or more businesses and subject to an approved Comprehensive Sign Package, the maximum height shall be twelve (12) feet and the maximum sign copy area shall be forty-eight (48) square feet, unless otherwise specified in the approved Comprehensive Sign Package.

   c. The base of the monument sign shall have an aggregate width at least 50% the width of the sign and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

d. Street address numerals shall be provided on any monument sign located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on the sign. Numerals shall be sized in accordance with the International Fire Code, as amended.

e. A monument sign for an industrial use in an industrial zoning district may utilize one (1) electronic message display in accordance with the provisions of Section 4.6.9.(H)

J. Freeway Pylon Signs

1. Freeway Pylon Signs shall require a Use Permit approved in accordance with the provisions of Section 1-2-6 of this Ordinance. The authorization of a Use Permit for a Freeway Pylon Sign shall be upon an additional finding by the City Council that the proposed Freeway Pylon Sign is consistent with the purpose and intent of this section and the Freeway Pylon Sign Design Guidelines contained herein, and that the proposed Freeway Pylon Sign furthers the interests of the community and is reasonable and necessary to provide business identification and economic vitality. The burden of proof that the proposed Freeway Pylon Sign meets the required findings for the Use Permit and is consistent with the provisions of this section rests with the applicant.

a. The purpose of the Freeway Pylon Sign Use Permit is to:

i. Provide for the identification of certain existing and proposed regional commercial, industrial or mixed-use developments, in an appropriate manner that assists in the achievement of economic sustainability for businesses within the City.

ii. Maintain a balance between the needs of the business community and the desire of Goodyear's citizens and visitors to preserve view corridors along the freeways and maintain a high visual quality for the community.

iii. Promote the effectiveness of Freeway Pylon Signs by preventing their over concentration, improper placement and deterioration, and insuring that they are well designed, appropriately sited, and aesthetically pleasing.

iv. Protect motorists on freeways from injury or damage as a result of distraction or obstruction of vision attributable to large signs.

v. Assure that benefits derived from expenditures of public funds for the improvement and beautification of freeways shall be protected by exercising reasonable control over the character and design of large sign structures.

b. A Use Permit request for a Freeway Pylon Sign shall be evaluated based upon the Freeway Pylon Sign Design

Guidelines contained in this Section and the following City objectives for Freeway Pylon Signs:

i. Encourage development of property in harmony with the desired character of the City while providing due regard for the public and private interests involved.

ii. Promote the effectiveness of Freeway Pylon Signs by preventing their over concentration, improper placement, deterioration, and excessive size and number.

iii. Enhance the flow of traffic and the convenience, ease and enjoyment of travel along Goodyear's freeways.

iv. Protect travelers on Goodyear's freeways from injury or damage as a result of distraction or obstruction of vision attributable to large signs.

v. Regulate advertising distractions which may contribute to traffic accidents.

vi. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of freeways and other public structures and spaces shall be protected by exercising reasonable control over the character and design of large sign structures.

vii. Provide a pleasing visual environment for the citizens of and visitors to the City of Goodyear.

viii. Require that signs are properly maintained for safety and visual appearance.

ix. Ensure that the maximum sign height, sign area and the location approved for each individual Freeway Pylon Sign is the minimum required to provide for necessary business identification while maintaining public view corridors and preventing an excessive number of freeway signs.

c. In addition to the findings required for approval of a Use Permit as specified in Sections 6.4 of the Zoning Ordinance, a freeway pylon sign may be approved only upon a finding by the City Council that such freeway pylon sign is also consistent with the provisions of this Section 4.6.9 (Sign Regulations).

2. Freeway Pylon Sign may be approved only as a component of a Comprehensive Sign Package for a planned commercial, industrial or mixed-use development within which it will be located that is on property abutting a freeway, or part of a complex/center abutting a freeway, that is oriented to and intended to be read from the freeway for the purpose of identifying an associated commercial, industrial or mixed-use development.

3. A Freeway Pylon Sign shall be subject to Site Plan review and approval in accordance with provisions of Section 6.3. The Use Permit and Site

Plan applications may be processed concurrently, if deemed appropriate by the Community Development Director.

4. Design Guidelines. Although this section does not set forth specific standards or minimum requirements for Freeway Pylon Signs, a proposed Freeway Pylon Sign should be located, designed, constructed and maintained in accordance with the following Design Guidelines, and each individual Use Permit for a proposed Freeway Pylon Sign shall be evaluated based on the level of conformity of the proposed sign with the following Design Guidelines.

   a. The parcel or approved development site upon which the sign is to be located should contain at least thirty (30) contiguous acres and have a minimum of one thousand feet (1,000') of frontage adjacent to the freeway.

   b. A minimum separation distance of one-half (1/2) mile should be observed between any such Freeway Pylon Signs located on the same side of the freeway.

   c. Typically, only one (1) Freeway Pylon Sign is considered reasonable and appropriate for each qualified development site, although consideration for additional signs may be given for a site that is substantially in excess of thirty (30) acres or has a tenant or tenants of regional significance that require freeway signage.

   d. All proposed signs should be located no greater than two hundred feet (200') from the right-of-way line of the adjacent freeway, and no part of the sign shall be closer to the freeway right-of-way than fifteen feet (15').

   e. The proposed maximum height of all signs shall be no greater than that which is reasonably necessary to be visible from a vehicle approaching on the either side of the freeway. In determining the maximum height to provide adequate sign visibility, the applicant shall submit empirical observation (e.g. field test with crane or balloon), computer simulation, or other evidence as required by the Community Development Director, or his designee.

   f. The proposed maximum sign area for each sign shall be no greater than that which is reasonably necessary in order to provide adequate visibility and identification of the development name and a reasonable number of the major or significant tenants within the development as viewed from the adjacent freeway.

   g. The sign copy of all Freeway Pylon Signs shall be limited to the development name, logo identification, and the identification of major or significant tenants. The inclusion of the name "Goodyear" as a prominent component of the sign is highly encouraged.

   h. All signs shall be of high architectural quality that contributes positively to Goodyear's visual environment, promotes

creativity, and has a distinctive image for the development. The architectural form, textures, colors, and materials for each sign shall be complimentary to the primary building architectural design of the development and consistent with other proposed signs in the development.

i. The identification of the development name and tenant names on the sign should be in the form of individual pan channel lettering, aluminum routed lettering with acrylic background, or other high quality sign design characteristics. Removable tenant panels made completely of acrylic or plexi-glass materials are discouraged unless they exhibit a high quality appearance.

j. In general, each sign should have low maintenance, and architectural-grade surfacing materials such as metal, masonry, ceramic tile, glass or stucco.

k. Freeway Pylon Signs typically should contain only internal illumination of sign copy. External illumination, exposed neon, argon or krypton tube lighting, exposed incandescent lighting, or other exposed artificial lighting to outline the sign or portion thereof, may be considered as a component of the sign provided artificial lighting to outline the sign or portion thereof, may be considered as a component of the sign provided such illumination:

   i. Constitutes a design component of the overall Freeway Pylon Sign architecture;

   ii. Is an integral component of the primary physical elements of the Freeway Pylon Sign and is harmonious with the architectural style of the structure;

   iii. Serves only the purpose of embellishing the nighttime architecture of the Freeway Pylon Sign, and does not portray an advertising message;

   iv. Is compatible with the land use and architecture of adjacent developments;

   v. Complies with the Outdoor Light Standards contained in Section 4.6 of this Ordinance, as evidenced by the submittal of complete lighting design plans and specifications as prescribed by that Article;

   vi. Is maintained in a fully functional manner, and if any component of the lighting becomes nonfunctional, then neither the entire lighting system, nor any portion thereof, may be illuminated until the entire lighting system is repaired.

   vii. Will not exceed the light intensity levels specified in the approved Outdoor Lighting Plans, and a certification can be provided from the sign manufacturer prior to the issuance of a building permit that the light intensity

levels that have been factory pre-set do not exceed those levels.

viii. A Freeway Pylon Sign using an electronic message display may be considered for approval provided the display is limited to text messages only, with no animation or video, and the message change sequence is accomplished immediately or by means of fade or dissolve modes, with each message being displayed for a minimum period of one hour or at an interval specified by the City Council. Continuous traveling or scrolling displays are discouraged.

l. The City Council may approve modifications or alternatives to these Design Guidelines for a specific Freeway Pylon Sign when:

i. An individualized assessment reveals the existence of extraordinary conditions involving topography, land ownership, adjacent development, parcel configuration, or other factors relating to the development site; or,

ii. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent a clear variation from conventional development; or,

iii. The proposed Freeway Pylon Sign incorporates special design features, or unique architectural elements that represent superior quality; or,

iv. Such modifications or alternatives are consistent with the intent of these Guidelines and will result in conditions that are commensurate with or superior to the Guidelines.

m. An existing freeway pylon sign shall not be modified, altered, or enlarged unless such change is also deemed consistent with the provisions set forth in this Section 4.7 (Sign Regulations).

4.6.5. Specific Regulations for Building Sign Types

A. Awning Signs

1. Commercial Use in a Commercial Zoning District

a. A maximum of 25% percent of the front face area of the awning shall be used for signage.

B. Canopy Signs

1. Multi-family Use in a Residential Zoning District

a. A leasing office or clubhouse utilizing an attached or detached canopy associated with a multi-family use may use a portion of its wall sign allocation for a sign on the canopy. However, no canopy sign shall exceed an area of six (6) square feet.

b. One (1) canopy sign may be permitted per street frontage. Said signs may not extend above the canopy.

2. Commercial Use in a Commercial Zoning District

a. A business utilizing an attached or detached canopy (i.e. gasoline service station) may use a portion of its wall sign allocation for a sign on the canopy. However, no canopy sign shall exceed an area of six (6) square feet.

b. One (1) canopy sign may be permitted per street frontage. Said signs may not extend above the canopy.

c. Signs may not be placed on parking canopies.

C. Projecting Signs

1. Commercial Use in a Commercial Zoning District

a. One (1) projecting sign may be permitted per ground floor business. A business may use a portion of its allocation of wall signage for a projecting sign. However, no projecting sign shall exceed an area of fifteen (15) square feet.

b. A projecting sign shall have a minimum clearance of eight (8) feet between the bottom of the sign and the sidewalk.

D. Shingle Signs

1. Commercial Use in a Commercial Zoning District

a. One (1) shingle sign may be permitted per ground floor business. A shingle sign shall have a maximum area of three (3) square feet.

b. A shingle sign shall have a minimum clearance of eight (8) feet between the bottom of the sign and the sidewalk.

E. Wall Signs

1. Single Residence Use in a Residential Zoning District

a. One (1) wall sign per residence is permitted.

b. The maximum area shall be three (3) square feet.

c. The maximum height shall be six (6) feet.

2. Multi-family Use in a Residential Zoning District

a. One (1) wall sign per building façade facing an arterial street is permitted.

b. The wall sign shall be placed on the building façade facing the arterial street.

c. The maximum sign area shall not exceed one (1) square foot per linear foot of building frontage or forty (40) square feet, whichever is less.

d. The wall sign shall not extend above the top of the wall or parapet and shall not exceed fifteen (15) feet in height measured from finished grade.

3. Non-Residential Use in a Residential Zoning District

   a. One (1) wall sign per building façade facing a public street is permitted.

   b. The maximum sign area shall be thirty-two (32) square feet when adjacent to an arterial street and sixteen (16) square feet when adjacent to a collector or local street.

   c. The maximum height of a wall sign shall be ten (10) feet, measured from the base of the wall to the top of the sign.

4. Commercial Use in a Commercial Zoning District

   a. Wall signs shall be permitted on the exterior walls of the tenant space occupied by the business.

   b. Sign area shall be calculated as follows:

      i. Primary Building Elevation. One (1) square foot of sign area per linear foot of tenant frontage or thirty-five (35) square feet, whichever is greater.

      ii. Secondary Elevations. One-half (0.5) square feet of sign area per linear foot of tenant frontage on each additional building elevation with public exposure.

   c. Wall signs shall not extend horizontally more than eighty percent (80) percent of the width of the wall or tenant space frontage upon which the sign is mounted.

   d. Wall-mounted cabinet signs exceeding ten (10) square feet in area are prohibited unless the cabinet sign utilizes a custom-shaped or figurative design.

   e. For multi-story buildings, wall signs shall be limited to the ground floor tenant space and the top floor tenant space only.

   f. Accessory Buildings in a Commercial Zoning District

      i. Applicability. Wall signs on accessory buildings located within commercial zoning districts shall be permitted only in conjunction with a permitted primary use on the same site and shall comply with the provisions of this Section.

      ii. Sign Allowance. Accessory buildings shall not be considered separate buildings for the purpose of calculating allowable wall signage. Signage on accessory buildings shall be included in the total allowable wall sign area for the primary building or tenant space.

      iii. Maximum Sign Area. Wall signage on an accessory building shall not exceed:

         1) One-half (0.5) square foot of sign area per linear foot of the accessory building façade on which the sign is located; and

2) A maximum of twenty (20) square feet per accessory building façade.

iv. Number of Signs. A maximum of one (1) wall sign per accessory building façade shall be permitted.

v. Design and Placement

1) Signs shall be limited to identification signage only and shall not be used for general advertising.

2) Signs shall be architecturally compatible with the primary building and overall development.

3) Signage shall be located on facades facing internal circulation areas or building entrances and shall not be oriented toward public streets unless otherwise approved as part of a Comprehensive Sign Package.

4) Signage shall not be placed on service-oriented structures (e.g., trash enclosures, utility buildings) unless the sign is limited to identification or directional information.

vi. Integration with Comprehensive Sign Package. Where a Comprehensive Sign Package is required or approved, signage on accessory buildings shall be consistent with and governed by the approved Comprehensive Sign Package.

5. Industrial Use in an Industrial Zoning District

a. Wall signs shall be permitted on the exterior walls of the tenant space occupied by the business.

b. Sign area shall be calculated as follows in accordance with the following guidelines:

i. Primary Building Elevation. One (1) square foot of sign area per linear foot of tenant frontage or thirty-five (35) square feet, whichever is greater.

ii. Secondary Elevations. One-half (0.5) square feet of sign area per linear foot of tenant frontage on each additional building elevation with public exposure.

c. Wall signs shall not extend horizontally more than eighty percent (80) percent of the width of the wall or tenant space frontage upon which the sign is mounted.

d. Wall-mounted cabinet signs exceeding ten (10) square feet in area are prohibited unless the cabinet sign utilizes a custom-shaped or figurative design.

e. For multi-story buildings, wall signs shall be limited to the ground floor tenant space and the top floor tenant space only.

F. Window Signs

1. Commercial and Industrial Uses in respective Commercial and Industrial Zoning Districts

   a. Window signs, including permanent and temporary signs, shall not exceed thirty (30) percent of the total area of each individual ground-floor window through which such the sign is located.

   b. Window signs shall only be permitted on ground-floor windows.

   c. Permanent window signs may be illuminated but shall not be animated and shall not include electronic message displays.

   d. Window signs shall be installed on the interior surface of the window and shall not be placed on the exterior of the window.

   e. Window signs shall utilize materials and colors that are consistent with the building and tenant branding.

   f. Window signs shall not obstruct visibility into the tenant space in a manner that creates a safety concern, as determined by the Development Services Director or his/ her designee.

   g. Perforated window vinyl, window wraps, and neon window signs shall be considered window signs and shall be included in the window sign area calculation.

   h. Window signs shall not count toward the maximum permitted wall sign area.

4.6.6. Specific Regulations for Temporary Sign Types

A. Temporary Signs Not Requiring a Sign Permit. Temporary signs shall not be located within the public right-of-way unless expressly permitted by this Ordinance. Temporary Signs shall be maintained in good condition and shall be removed upon expiration of the permitted display period. The following temporary signs are permitted without a sign permit, subject to the standards below.

1. Multi-Family Sales/Leasing Offices Accessory Flags

   a. A maximum of eight (8) accessory flags may be placed at a sales or leasing office for a multi-family development.

   b. Accessory flags shall have a maximum area of twelve (12) square feet per flag and a maximum height of twenty-five (25) feet.

   c. Accessory flags shall be removed no later than one (1) year from the issuance of the first Certificate of Occupancy for the development.

2. Model Home (Residential Subdivisions) Temporary Signs

   a. Welcome Entry Sign

      i. One (1) temporary welcome entry sign shall be permitted per model home complex entrance.

      ii. The maximum sign area shall be six (6) square feet.

iii. The maximum sign height shall be six (6) feet.

iv. Signs shall be located within the entrance area associated with the model home complex and outside of any sight visibility triangle.

v. Signs shall not be illuminated.

b. Model Home Identification Sign

i. One (1) temporary model home identification sign shall be permitted per model home.

ii. The maximum sign area shall be six (6) square feet.

iii. The maximum sign height shall be six (6) feet.

iv. Signs shall be located within the lot associated with the applicable model home.

v. Signs shall not be illuminated.

c. Model Home Promotional Flags

i. Promotional flags shall be removed when ninety-five (95) percent of the lots within the subdivision are sold or when the on-site sales office closes, whichever occurs first.

ii. Accessory promotional flags shall be permitted only at:

1) Model home complexes; or

2) Residential subdivision sales offices.

iii. A maximum of:

1) Four (4) accessory promotional flags per model home; and

2) Eight (8) accessory promotional flags total within a subdivision shall be permitted.

iv. Promotional flags shall:

1) Not exceed twelve (12) square feet in area per flag; and

2) Not exceed twenty-five (25) feet in height.

v. Flags shall be mounted on permanently installed flagpoles or integrated architectural supports.

vi. Feather flags, flutter flags, blade flags, pennants, streamers, and similar flexible wind-driven signage are prohibited.

vii. Promotional flags shall be maintained in good condition and free from fading, tearing, or fraying.

3. Noncommercial Flags

a. Flags displaying noncommercial messages protected under the First Amendment to the United States Constitution or corollary

provisions of the Arizona Constitution, including governmental flags, shall be permitted subject to the following standards:

i. Flagpoles displaying noncommercial flags may exceed the height limitations applicable to promotional flags;

ii. The maximum height of such flagpoles shall not exceed two (2) times the height of the tallest building located on the site;

iii. Such flags shall not contain commercial advertising, pricing information, product information, or other commercial promotional content;

iv. Flagpoles and flags shall be maintained in good condition and installed in a safe manner.

4. Temporary Residential Development Signs

a. One (1) temporary residential development sign shall be permitted per subdivision frontage prior to issuance of the first Certificate of Occupancy.

b. The maximum sign area shall be thirty-two (32) square feet.

c. The maximum sign height shall be eight (8) feet.

d. Signs may be installed following approval of the subdivision final plat or issuance of a grading permit.

e. Signs shall be removed upon the earliest of the following:

i. Installation of a permanent subdivision monument sign;

ii. Opening of the subdivision sales office; or

iii. Issuance of the first Certificate of Occupancy for the subdivision.

5. Temporary Residential Construction Activity Signs

a. One (1) temporary sign associated with residential subdivision construction activity shall be permitted during active construction operations.

b. A maximum of one (1) construction activity sign per model home complex parking lot or subdivision entrance shall be permitted.

c. Construction activity signs shall not exceed:

i. Thirty-two (32) square feet in area;

ii. Eight (8) feet in height.

d. Construction activity signs shall be removed within thirty (30) days following:

i. Completion of subdivision infrastructure improvements; or

ii. Issuance of the final Certificate of Occupancy for the subdivision phase served by the sign

6. Sales Office Window Signs

   a. Window signs associated with temporary subdivision sales offices shall comply with the window sign standards of this Ordinance.

   b. Window signs shall not exceed thirty (30) percent of the area of each individual window on which such signs are displayed.

   c. Window signs shall not be animated, electronic, or audible.

   d. Any permitted temporary sign authorized by this Section may display a noncommercial message in lieu of any other permitted message.

   e. Any permitted temporary sign authorized by this Section may display a noncommercial message in lieu of any other permitted message.

7. Temporary Directional Signs (Residential Uses)

   a. Temporary directional signs are permitted in residential zoning districts for residences and multiple residence developments.

   b. A maximum of four (4) directional signs may be displayed per development during daylight hours only.

   c. The maximum sign height shall be three (3) feet, and the maximum sign copy area shall be six (6) square feet.

   d. Directional signs shall not be located within the public right-of-way or within any sight visibility triangle.

8. Sign Walkers.

   a. Sign walkers are permitted in all zoning districts.

   b. Sign walkers shall be located only at grade level and at least five (5) feet from the street, as measured from the back of curb or edge of pavement where no curb exists.

   c. Sign walkers shall be located at least thirty (30) feet from any street intersection or driveway, measured from the back of curb or edge of pavement where no curb exists.

   d. Sign walkers shall not be located in raised or painted medians, parking aisles, parking stalls, driving lanes, equestrian or multi-use trails.

   e. Sign walkers shall not be located:

      i. In a manner that leaves less than four (4) feet of clear pedestrian pathway on any sidewalk or walkway;

      ii. Within twenty (20) feet of another sign walker;

      iii. In a manner that results in physical interaction with motorists, pedestrians, or bicyclists.

   f. Sign walkers shall yield the right-of-way to pedestrians and bicyclists at all times.

g. Signs shall be displayed during daylight hours only and shall be held, worn or balanced by a person at all times.

h. Sign walkers shall not utilize illumination, animation, mirrors, reflective materials, balloons, ribbons, speakers, feather flags, blade flags, or inflatable devices.

9. Special Event and Temporary Use Signs.

a. Temporary signs associated with an approved a Special Event Permit or Temporary Use Permit shall be permitted in accordance with an approved sign plan showing the proposed location, placement and size of all temporary signs.

10. Temporary Subdivision Signs

a. During the construction phase, each recorded subdivision having more than forty (40) lots may have one (1) temporary subdivision sign.

b. The temporary sign must be removed when ninety-five (95) percent of the lots within the subdivision are sold and/or the on-site sales office closes, whichever occurs first.

c. The temporary sign shall have a maximum area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

d. The temporary sign shall not be located within one hundred (100) feet of any property line of an existing residence.

e. Temporary subdivision signs shall not be illuminated.

11. Vehicle Signs (Commercial and Industrial Districts)

a. Vehicle signs are permitted in commercial and industrial zoning districts.

b. One (1) vehicle sign is permitted per business.

c. The vehicle upon which the sign is affixed shall be operable and licensed use on public streets.

d. The vehicle shall be used daily operation of the business.

e. The vehicle shall be parked on-site in a designated parking space and shall not be used primarily for advertising.

f. Signs may be magnetic, painted, or otherwise affixed to the vehicle as originally intended by the manufacturer and shall not. extend beyond or alter the silhouette of the vehicle.

g. Vehicle signs shall not be illuminated, animated, or utilize an electronic display.

12. Window Signs

a. Windows signs are permitted in all zoning districts.

b. The total area of all window signs, including both permanent and temporary signs, shall not exceed thirty (30) percent of the total area of each individual window on which the signs are displayed.

c. For commercial, industrial, and non-residential uses in residential zoning districts, window signs shall be displayed on ground-floor windows only.

d. Window signs shall not be illuminated, animated, or utilize an electronic display.

13. Yard Signs (Residential Districts)

a. Yard signs are permitted in residential zoning districts.

b. One (1) yard sign shall be permitted per property.

c. Yard signs shall not exceed six (6) square feet in area or six (6) feet in height.

d. Yard signs shall not be illuminated.

B. Temporary Signs Requiring a Sign Permit.

1. General Requirements

a. A temporary sign permit approving the time, place, and manner of temporary signage addressed in this Section shall be obtained from the Zoning Administrator on forms provided by the Department.

b. Temporary signs shall not be located within the public right-of-way unless expressly permitted by this Ordinance.

c. Temporary signs shall be maintained in good condition and shall be removed upon expiration of the permitted display period.

d. Temporary signs shall not be placed in required parking spaces, drive aisles, or sight visibility triangles.

e. Unless otherwise specified, temporary signs shall not be illuminated.

f. Feather flags, blade flags, and animated inflatable signs are prohibited.

2. Construction Signs

a. A non-illuminated temporary construction sign may be placed on properties zoned for commercial, industrial, multi-family or permitted non-residential uses in residential districts when active construction is occurring on-site.

b. A maximum of one (1) construction sign shall be permitted per street frontage.

c. The maximum sign copy area shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet.

d. A sign permit shall not be issued prior to the issuance of a building permit.

e. The sign shall be removed within ten (10) days following the issuance of a Certificate of Occupancy.

3. Temporary Development Signs (Multi-Family Developments)

   a. Temporary development signs may be permitted for multi-family developments for the intended purpose of advertising leasing, new management, rebranding, renovation, future tenants, or development of the property.

   b. A maximum of one (1) sign per street frontage shall be permitted.

   c. The maximum sign area shall be sixty-four (64) square feet. For developments greater than ten (10) acres, the maximum sign area may be increased to ninety-six (96) square feet.

   d. The maximum sign height shall be eight (8) feet.

   e. Signs may be installed after issuance of the first building permit.

   f. Signs shall be removed at the earliest of the following:

      i. Twelve (12) months after the first Certificate of Occupancy is issued;

      ii. When the development reaches ninety (90) percent occupancy;

      iii. When the leasing or sales office closes.

   g. Signs occurring after a tenant improvement or change of ownership may be displayed for a maximum of ninety (90) days.

4. Grand Opening and Special Promotion Signs (Limited-Duration Signs)

   a. Temporary signs for grand openings, special promotions, or seasonal sales may be permitted in commercial, industrial, multi-family, or permitted non-residential uses in residential districts.

   b. Temporary signs may be displayed for a maximum of thirty (30) consecutive days, no more than four (4) times in any given calendar year. Temporary signs may be displayed on the building, within landscaped areas, or in other approved areas on private property. For every 10,000 square feet of building area, fifty (50) square feet of temporary signage shall be permitted, up to a maximum of five hundred (500) square feet.

   c. The total temporary signage area shall include banners, pennants, inflatables, balloons, portable signs, and similar temporary displays. Temporary signs shall be subject to the following limitations:

      i. Displays shall not be animated by mechanical or other means.

      ii. Animated inflatable signs are prohibited.

      iii. Displays shall not be illuminated.

      iv. No sign shall be placed on or above the roof of any building.

v. Balloons shall be tethered and shall not exceed the maximum building height for the zoning district.

vi. Displays shall not be placed in required parking spaces, or drive aisles, or on City-owned property or rights-of-way.

vii. Inflatable Advertising Devices. Inflatable advertising devices shall be permitted only in conjunction with grand openings or special promotions and shall comply with the following:

1) Inflatable advertising devices shall be limited to a maximum of two (2) events per calendar year per business.

2) Each event shall not exceed seven (7) consecutive days.

3) Inflatable advertising devices shall be included in the total allowable temporary signage area.

4) Inflatables shall be securely anchored at all times.

5) Inflatables shall not exceed the maximum building height permitted for the zoning district.

6) Inflatables shall not be located within the public right-of-way or within any sight visibility triangle.

7) Inflatables shall not be placed on, attached to, or supported from any roof, parapet, or rooftop equipment.

8) Inflatables shall not emit sound or utilize flashing or strobe lighting.

9) Inflatable advertising devices are prohibited except as expressly permitted in this subsection.

5. Portable Signs Opening and Special Promotion Signs (Limited-Duration Signs)

a. Portable signs shall be permitted in commercial, industrial, multi-family and permitted non-residential uses in residential districts.

b. A maximum of one (1) portable sign per business shall be permitted.

c. The portable sign shall be subject to an annual permit renewal.

d. Portable signs may only be displayed during daylight hours.

e. The maximum sign copy area shall be six (6) square feet and the maximum height shall be three (3) feet.

f. Placement of the portable sign shall maintain a minimum of four (4) feet of unobstructed pedestrian access.

g. Portable signs shall be located within three (3) feet of the building and within ten (10) feet of the primary building entrance.

h. Portable signs shall be constructed of durable materials with a stable base and shall be white or a color that complements the building.

i. Portable signs shall not be illuminated or animated.

j. Portable signs shall not be attached to light poles, trees, traffic signals, benches, street signs, fences, or bike racks, and shall not be located within the public right-of-way.

6. Real Estate Signs (Sale or Lease)

a. Non-illuminated temporary real estate signs may be placed on properties zoned for commercial, industrial, multi-family or permitted non-residential uses in residential districts when the property is for sale or lease.

b. For developed property and undeveloped property less than forty (40) acres in size, one (1) sign per street frontage is permitted, with a maximum sign area of thirty-two (32) square feet and a maximum height of eight (8) feet.

c. For undeveloped commercial or industrial property between forty (40) and one hundred (100) acres, one (1) sign per street frontage is permitted, with a maximum sign area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

d. For undeveloped commercial or industrial property greater than one hundred (100) acres and adjacent to a freeway, one (1) sign with a maximum sign area of five hundred (500) square feet and a maximum height of twelve (12) feet may be permitted.

e. One (1) non-illuminated temporary real estate sign may be permitted on properties greater than forty (40) acres in size that are zoned for agricultural or residential uses and are offered for sale or lease. The maximum sign area shall be thirty-two (32) square feet, and the maximum height shall be eight (8) feet.

f. Real estate signs shall be removed within ten (10) days following the sale or lease of the property.

Quick Reference Table

Sign Type	Permit	Max Time
Construction	Yes	Until C of O
Temporary Development (Apartments)	Yes	12 months / 95% occupancy
Rebranding	Yes	90 days

Sign Type	Permit	Max Time
Grand Opening	Yes	30 days
Limited Duration	Yes	30 days, 4x/year
Inflatable Devices (Event Only)	Yes	7 days, 2x/year
Portable	Yes	Annual
Real Estate	Yes	Until sold/leased

4.6.7. Comprehensive Sign Packages

A. Purpose. The purpose of a Comprehensive Sign Package (CSP) is to ensure a coordinated, high-quality signage program for multi-tenant and unified developments. A CSP is intended to promote consistency in design, enhance visual quality, and allow flexibility from standard sign regulations where superior design and integration are achieved.

B. Applicability

1. A Comprehensive Sign Package shall be required for the following:

   a. Any commercial, industrial, mixed-use, or non-residential development within a residential zoning district containing three (3) or more buildings or tenant spaces; and

   b. All Planned Area Developments (PADs); and

   c. Any unified development where multiple tenants or users will share signage or site identity.

2. A Comprehensive Sign Package shall be approved prior to the issuance of any individual sign permits within the development.

C. Review and Approval Procedures

1. Applications for a Comprehensive Sign Package shall be processed in accordance with the procedures and timelines outlined in the City of Goodyear Administrative Process Manual.

2. A Comprehensive Sign Package that complies with all provisions of this Section may be approved administratively by the Zoning Administrator following review by the Development Review Committee.

3. A Comprehensive Sign Package that proposes modifications or deviations from the standards of this Article shall require approval by the Planning and Zoning Commission and City Council.

D. Required Submittal Content

1. A Comprehensive Sign Package shall include written and graphic materials that clearly describe and illustrate the proposed signage program for the entire development, including:

   a. Sign locations and site placement

   b. Sign types and quantities

   c. Sign dimensions, height, and copy area

   d. Materials, colors, and architectural details

e. Illumination methods and intensity

f. Design themes and integration with building architecture

g. Any proposed deviations from this Article

E. Design Standards and Evaluation Criteria

1. Comprehensive Sign Packages shall be evaluated based on the following criteria:

a. Size and Height. Signage shall be no larger than necessary to achieve adequate visibility and legibility. Consideration may be given to traffic speeds, roadway classification, visibility distances, and site conditions.

b. Location and Orientation. Signs shall be appropriately located and oriented to serve both pedestrian and vehicle traffic without creating hazards or visual clutter. Consideration shall be given to site layout, access points, and visibility angles.

c. Design, Colors and Materials. Signage shall be architecturally integrated with the development and shall utilize high-quality, durable materials and a cohesive color palette that complements the buildings.

d. Compatibility with Surrounding Uses. Signage shall be designed to minimize impacts on adjacent properties, particularly residential uses. Consideration shall be given to lighting, scale, placement, and orientation.

e. Unified Sign Package. The CSP shall establish a consistent signage framework that ensures all future signs within the development are cohesive in design, scale, and placement.

F. Amendments to an Approved Comprehensive Sign Package

1. Minor Amendments. Minor amendments may be approved administratively and shall include:

a. Changes that do not increase the number of signs

b. Changes that do not increase sign area or height beyond approved limits

c. Changes that remain consistent with the approved design intent and this Section.

2. Major Amendments. Major amendments shall include any changes not qualifying as minor amendments and shall be reviewed and approved in the same manner as the original Comprehensive Sign Package.

G. Effect of Approval.

1. Upon approval of a Comprehensive Sign Package, all signage within the development shall conform to the approval package. The CSP shall be enforceable in the same manner as any provision of this Article.

2. Approval of a Comprehensive Sign Package does not guarantee approval of individual sign permits that are inconsistent with the approved package or that demonstrate poor design execution.

H. Existing Comprehensive Sign Packages

1. Any Comprehensive Sign Package approved prior to the effective date of this amended Section shall remain valid and may continue to be implemented in accordance with its original approval.

4.6.8. Violations

A. Enforcement. Violations of this Section shall be prosecuted pursuant to Section 7.2 of the City of Goodyear Zoning Code, as amended.

B. Responsible Parties. A responsible party shall be liable for violations regardless of whether the responsible party or its agent committed the violation or failed to prevent the violation. The responsible party for any violations of this Article shall include any one or more of the following:

1. The owner of the sign;

2. The owner of the real property on which the sign is located

3. Any person or entity in possession or control of the sign or the real property.

C. Remedies. In any such action under this Section, the court with jurisdiction, in its discretion, may issue a temporary restraining order, a preliminary injunction, or a permanent injunction upon such terms and conditions as will do justice and enforce this Ordinance. The City may remove or cause the removal of any sign in violation of this Section and recover the cost of such removal from the responsible party.

4.6.9. Appeals

A. Decisions By the Zoning Administrator.

1. The approval or denial of a sign permit or any written interpretations of a sign regulation made by the Zoning Administrator, pursuant to his/her authority under Section 5.3, may be appealed to the Board of Adjustment pursuant to Sections 5.7(B) and (C).

2. Challenges to the constitutionality of any provision of this Article regulating signs shall only be processed pursuant to Section 4.6.15(B) below.

3. Any person with standing who is aggrieved by the decision of the Zoning Administrator may appeal such decision by filing a written notice of appeal within 15 calendar days of the date the decision was issued.

4. The appeal shall be filed with the Zoning Administrator on a form(s) provided by the Development Services Department and shall be processed in accordance with the procedures generally described in Section 5.7(C) and the Administrative Process Manual.

5. The Board of Adjustment may affirm, reverse, or modify the decision of the Zoning Administrator, which decision will be final.

6. Any person aggrieved by the decision of the Board may, at any time within 30 days after a decision has been rendered, file a complaint for

special action in the superior court of Maricopa County pursuant to Section 5.7(D).

B. Constitutional Issues Involving Application of Sign Regulations.

1. When an appeal raises an issue(s) involving the application of Federal or Arizona constitutional law in the issuance or denial of a sign permit, the revocation of a sign permit, or an order to alter or remove a sign, the constitutional issue(s) shall be referred to a hearing officer appointed by the City for hearing and decision.

2. The appeal shall be filed with the Zoning Administrator on a form(s) provided by the Development Services Department.

3. The appeal shall be in writing and shall include the following information:

   a. The name and address of the applicant.

   b. The ordinance, code provision, or other City document or policy statement that is alleged to be unconstitutional.

   c. Any relevant facts and supporting documents.

   d. The names and addresses of any witnesses.

4. The Zoning Administrator shall forward the appeal and all supporting documents to the hearing officer within ten (10) working days of receipt with a copy to the applicant.

5. The Zoning Administrator may prepare and include with the transmittal to the hearing officer a written statement of the City's response to the appeal accompanied by any supporting documents, names of witnesses, and any other matters considered relevant.

6. Upon receipt of the appeal, the hearing officer shall contact the Zoning Administrator and the applicant acknowledging receipt and scheduling a time for the appeal to be heard not later than 30 days after receipt. The applicant shall be given a notice at least ten (10) days prior to the time when the appeal will be heard unless he/she agrees to a shorter time period.

7. The applicant shall bear the burden to establish that the subject Ordinance, Code Provision, or other City document or policy statement is unconstitutional.

8. The hearing officer shall decide the appeal and issue a written decision setting forth findings of fact and conclusions of law within five (5) working days after the appeal is heard.

9. The decision shall be transmitted to the Zoning Administrator and the applicant at the address provided by the applicant.

10. If the hearing officer finds that the subject Ordinance, Code Provision, or other City document or policy is unconstitutional, in whole or in part, the City shall issue within 30 days of the hearing's office decision a written notice to the applicant stating that it will either (1) repeal or otherwise amend the challenged Ordinance, Code Provision, or other

City document or policy to cure the constitutional deficiency or (2) take no action.

11. Any person aggrieved by the City's response to the hearing officer's decision may file, at any time within 30 days thereafter, a complaint in a court of competent jurisdiction to review the City's response based upon the record of the appeal to the hearing officer.

4.6.10. Conflict and Severability

A. Conflict.

1. In the event any provision of this Section is found to be in conflict with any other zoning, building, fire safety, health, or other code provision of the City, the provision which establishes a higher standard for the promotion and protection of the public health, safety, and welfare of the residents of the City shall prevail.

B. Severability.

1. A finding by a court of competent jurisdiction that any part, subsection, paragraph, subparagraph, sentence, clause, phrase, term, or word within this Section is declared invalid shall not invalidate the remaining portions. A permit issued pursuant to this Section does not grant any authority to violate any other law or regulation that may apply. Any permit or approval issued in conflict with this Section shall be void.

4.7. Hillside Development

4.7.1. Purpose

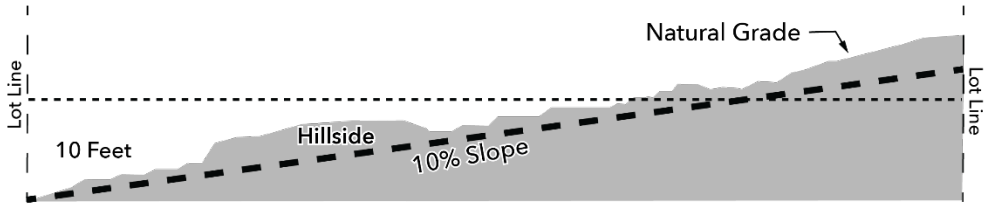
The purpose of this section is to establish development standards for properties containing hillside terrain to protect scenic resources, maintain the natural hillside environment, ensure safe and functional development, and regulate grading, site disturbance, building height, and vegetation in hillside areas.

4.7.2. Applicability

A. Hillside Development Area Identification

A lot, parcel, is considered a hillside development area when the natural terrain on any portion of the lot contains a slope of ten percent (10%) or greater within any horizontal distance with a ten-foot (10') elevation change (see Figure 4.11.2A below).

Figure 4.11.2A - Hillside Identification



B. Application of Standards

All development, grading, site improvements, and alterations within a hillside development Area are subject to the provisions of this Section, regardless of zoning district.

C. Concurrent Regulations

Hillside development is also subject to applicable subdivision, grading, drainage, and engineering regulations of the City. Where conflicts exist, the regulations of this Section govern.

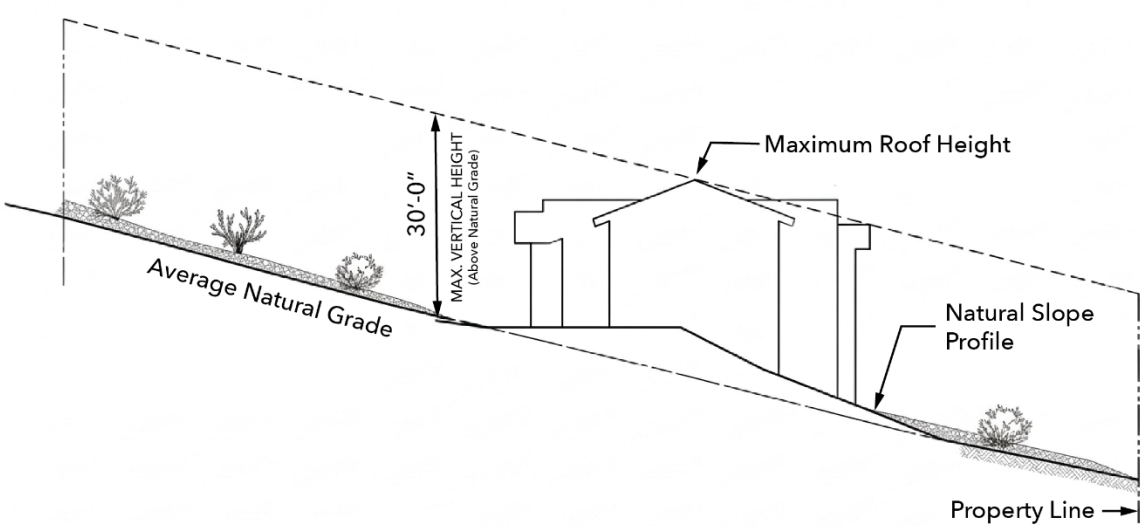
4.7.3. General Development Standards

A. Disturbance. The extent of all disturbance on that portion of a Lot which has a natural slope of ten percent (10%) or greater, shall be limited to a total disturbance of 35% of the gross lot area, or 20,000 square feet, whichever is less, and shall be located entirely within the setbacks, except that disturbance related to the driveway and utility connections may extend outside the setbacks to the property line.

B. Building Height and Wall Regulations.

1. The height of all buildings and structures on any hillside development area property shall not exceed the 30-foot plane parallel to the average natural slope. This is measured vertically from the ground of the natural slope through any Building cross section to the 30-foot plane parallel to the average natural slope (See Figure 4.11.3A)

Figure 4.11.3A - Height and Wall Regulations



2. The maximum length of any continuous retaining wall shall not be more than 100 linear feet. The maximum height of any retaining wall shall not be more than eight (8) feet. The height of a retaining wall is measured from the low side of natural grade when retaining fill slopes and from finished grade when retaining cut slopes to the top of the wall; whether the top is retaining earth or not.

3. Where retaining walls are provided, they shall be color treated, textured, or veneered to blend in with the surrounding natural colors and textures of the native rock and soils at the site.

C. Driveways. The driveway shall be the shortest practical route from the street to the buildable area of the lot and shall be the narrowest practical width with a maximum slope of 20 percent.

D. Drainage. All hillside development requires a drainage plan. The entrance and exit points and continuity of all natural drainage channels on a hillside development site shall be preserved.

E. Stabilization and restoration.

1. All cut and fill slopes shall be completely contained by retaining walls or by substitute materials acceptable under the provisions of the City adopted building codes (including riprap materials) except for the minimum amount of swale grading necessary for drainage purposes. Fill slopes 25% or greater shall be completely contained by retaining walls.

2. Vegetation shall be reestablished on all exposed fill slopes, cut slopes, and graded areas, or areas otherwise disturbed, by means of a mixture of native plants including but not limited to shrubs, trees or cacti to provide a basic ground cover which will prevent erosion and permit natural revegetation. In lieu of the reestablishment of native vegetation, all exposed cut slopes shall be riprapped with stone or treated with materials which blend in with the natural setting.

ARTICLE 5 – ADMINISTRATION

5.1. Purpose

The purpose of this Article is to establish the overall administrative framework necessary for the effective implementation, interpretation, and enforcement of the Zoning Ordinance. This Article defines the roles, responsibilities, and authority of the City's governing and administrative bodies, officials, and staff as they relate to zoning administration.

This Article is intended to ensure consistent application of zoning regulations, provide clear lines of authority and accountability, and support orderly development that is consistent with the City's General Plan and adopted policies.

5.2. Zoning Administrator

1. The office of Zoning Administrator is hereafter established and such Zoning Administrator shall have the responsibility for enforcement and interpretation of the Zoning Ordinance and the authority to approve, conditionally approve, or deny site plan and design review applications, pursuant to the processes set forth in this Ordinance and the Engineering Standards. The Development Services Department Director of the City shall serve as the Zoning Administrator.
2. In interpretation and application, provisions of this Ordinance shall be considered the minimum requirements for the promotion of public health, safety and general welfare.
3. Provisions of this Ordinance are not intended to interfere with, abrogate, or annul any ordinance, rule, regulation or permit not in conflict with this Ordinance. This Ordinance is not intended to interfere with, abrogate or annul any easement, covenant or other agreement between parties.
4. A property owner and/or occupant shall allow the Zoning Administrator, or authorized agents, access to private property for such inspections as are necessary to ensure that requirements of this Ordinance are met.

5.3. Injunction

1. If any building or structure is constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used, in violation of this Ordinance, or of a condition upon which approval of any amendment, Use Permit or Site Plan is based, any owner or tenant of real property in the same zoning district or the Zoning Administrator or any duly authorized representative thereof may institute an appropriate action:
   A. To prevent unlawful construction, reconstruction, alteration, repair, conversion, maintenance, or use of the land, whether improved or otherwise;
   B. To prevent occupancy of the building, structure or land whether improved or otherwise;
   C. To prevent any illegal act, conduct, business or use in or about the premises; or,

D. To restrain, correct or abate the violation.

2. When any action is instituted pursuant to this Section 5.3, notice shall be served upon the City Attorney when suit is begun, and by personally serving a copy of the complaint to the owner and/or tenant.

3. In any such action under this Section 5.3 the court with jurisdiction, in its discretion, may issue a temporary restraining order, a preliminary injunction, or a permanent injunction upon such terms and conditions as will do justice and enforce this Ordinance.

5.1. Planning and Zoning Commission

5.1.1. Purpose.

The Planning and Zoning Commission (hereinafter "Commission") is created to provide analysis and recommendation of the City's General Plan, proposed developments, rezonings, and Ordinance amendments to the City Council. Its purpose is to review all aspects of a proposed and future development including, but not limited to present and projected growth of the City, site planning and the relationship of the development to the surrounding environment and community. The Commission recognizes the interdependence of land values, aesthetics and good site planning by promoting harmonious, attractive and compatible development that is therefore considered to be in furtherance of the public health, safety and general welfare.

5.1.2. Organization.

There is created a Planning and Zoning Commission to consist of seven (7) members, each of whom shall be a resident of the City, to be appointed by the Mayor with the approval of the City Council. Four members shall constitute a quorum, or as otherwise specified in the Commission's By-Laws. The members of the City Planning and Zoning Commission shall serve for three (3) year terms unless sooner removed by the Council, provided nothing herein shall effect the expiration of the current terms of said City Planning and Zoning Commission. All members shall hold office until their successors are appointed and qualified. Any member of the Commission may be removed by the Mayor with the consent of a majority vote of the City Council for inefficiency, neglect of duty, malfeasance in any office, or other good and sufficient cause. Any vacancy shall be filled within a reasonable time and by appointment by the Mayor with approval of the City Council for the unexpired term.

1. The members of the Commission may be compensated for the time spent in performance of official duties at such rates and schedules as the Council may establish. Individuals may not serve more than three (3) consecutive terms subsequent to the effective date of this Ordinance.

   A. The Commission shall elect a Chairman and Vice Chairman from among its own members.

   A. Meetings of the Commission shall be open to the public. The minutes of its proceedings, showing the vote of each member and records of its examinations and other official actions shall be kept and filed in the office of the City Clerk as a public record.

   B. The Commission shall adopt rules of procedure not inconsistent with the provisions of this Ordinance for the conduct of its business and procedure.

C. The concurring vote of a simple majority of those members present of the Commission shall be necessary to recommend approval of any application. Any other motion shall be governed by Robert's Rules of Order.

D. The Zoning Administrator or their designee shall serve ex-officio as Secretary of the Commission, but shall have no vote.

E. The Commission may hold closed executive sessions or like sessions for the purposes and the manner provided by law.

F. When any Commission member has direct pecuniary or proprietary interest in any matter before the Commission, said member shall declare same, be excused, and refrain from participating in voting on any matters over which the conflict occurs while being considered by the Commission.

5.1.3. Powers.

The Planning and Zoning Commission shall have the following powers:

A. Hear requests for amendments, which include Planned Area Developments, of the text of this Ordinance or the Zoning Map of the City, and recommend approval, denial, or approval with revisions of such requests to the City Council.

B. Hear requests for the granting of Special Use or Use Permits required and stipulated by this Ordinance and recommend approval, denial, or approval with revisions of such requests to the City Council.

C. Hear requests for planned area developments and recommend approval, denial, or approval with revisions of such requests to the City Council.

D. To promulgate rules of procedure and to supervise the enforcement of rules so promulgated by the Commission.

E. To advise the City Council in all such matters that may pertain to planning and zoning.

F. To oversee, and conduct requisite public hearings for the adoption, updating and processing of amendments to the General Plan.

5.2. Development Review Committee

5.2.1. Creation, Composition, and Meetings.

A. A Development Review Committee (hereinafter "Committee") is created which shall include the Zoning Administrator, City Engineer, Chief Building Official, Police Chief, Fire Chief, and City Utilities Managers, or their respective designees, and any other City staff as deemed appropriate by the Zoning Administrator.

B. When any Committee member has direct pecuniary or proprietary interest in any matter before the Committee, said member shall be excused and refrain from participating in the review of any matters over which the conflict occurs while being considered by the Committee.

C. Meetings shall be at the call of the Zoning Administrator or on an as-needed basis.

D. The Zoning Administrator shall be responsible for coordinating and directing the meetings of the Committee and issuing all written decisions.

5.2.2. Purpose.

The primary purpose of the Development Review Committee is to review development plans and proposals and provide technical review, guidance and direction to the Zoning Administrator in making a decision to approve, conditionally approve, or deny an application for site plan review or design review. The Development Review Committee may also provide a prospective developer or builder with advice or direction for the purpose of achieving site development that conforms with Goodyear's General Plan, City Code and regulations, and the City's goals for quality development in the community.

5.2.3. Powers, Duties, Jurisdiction.

A. The Committee shall advise the Zoning Administrator whether to approve, conditionally approve, or disapprove any application for Site Plan review or design review. The applicant shall be responsible for proving that the intent and purpose of this Ordinance and other applicable provisions of the Goodyear City Code will be satisfied.

B. The Committee, upon reviewing an application for site plan review or design review, may recommend to the Zoning Administrator reasonable conditions to carry out the intent of this Ordinance.

C. The Committee shall also provide technical review and recommendations to the Zoning Administrator for transmittal to the Planning and Zoning Commission and City Council on zoning amendments, Use Permits, Special Use Permits, preliminary and final subdivision plats, General Plan amendments, and all other land use and development applications that require Planning and Zoning Commission and/or City Council review and action.

5.3. Board of Adjustment

5.3.1. Creation, Composition.

A. The Board of Adjustment is created to provide for relief from the terms of this Ordinance through the grant of variances, and to hear and decide appeals from decisions of the Zoning Administrator.

B. The Planning and Zoning Commission shall sit as the Board of Adjustment (and is referred to as the "Board" when it is acting in that capacity).

C. The Chairman of the Commission shall serve as the Chairman of the Board and shall have power to administer oaths and to take evidence. The Vice-Chairman of the Commission shall serve as the Vice-Chairman of the Board and shall act as the Chairman of the Board in the absence of the Chairman.

D. Meetings of the Board shall be open to the public. The minutes of its proceedings, showing the vote of each member and records of its examinations and other official actions shall be kept and filed in the office of the City Clerk as a public record.

E. The Board shall adopt rules of procedure not inconsistent with the provisions of this Ordinance for the conduct of its business and procedure.

F. The Goodyear City Clerk or his/her designee shall serve ex-officio as the Secretary of the Board, but shall have no vote.

G. In the event a conflict of interest prevents the City Attorney or his/her designee from representing the Board on an appeal of a decision of a Zoning Administrator, the City shall appoint outside counsel to represent the Board in such appeals.

5.3.2. Powers.

A. Except as otherwise expressly provided in this Ordinance or the Goodyear City Code, the Board shall hear and decide appeals in which it is alleged there is an error in an order, requirement or decision made by the Zoning Administrator in the enforcement of this Ordinance.

B. Upon determination by the Board that there is an error in an order, requirement or decision by the Zoning Administrator in the enforcement of this Ordinance, the Board may reverse or affirm, wholly or partly, or modify the order, requirement or decision of the Zoning Administrator being appealed and may impose conditions as the Board deems necessary to fully carry out the provisions and intent of this Ordinance. The violation of any conditions of approval or other condition imposed by the Board shall be a violation of this Ordinance.

C. The Board shall hear and decide requests for variances as more fully provided in this Ordinance.

D. The Board of Adjustment may not make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the Zoning Ordinance, provided the restriction in this paragraph shall not affect the authority of the Board to grant variances as provided in this Ordinance.

5.3.3. Appeals of Decision of Zoning Administrator.

Unless otherwise provided in this Ordinance or the Goodyear City Code, persons with standing who are aggrieved by a decision of the Zoning Administrator, shall be entitled to appeal such decision by filing a written notice of appeal within fifteen (15) calendar days of the date the decision was issued. The appeal shall be filed with the Zoning Administrator and shall be processed in accordance with the procedures generally described herein and more fully described in the Administrative Process Manual.

A. The notice of appeal shall be filed on a form(s) provided by the Development Services Department and shall include all of the information identified in such form(s) and the additional information below. The appeal shall be signed by the aggrieved person and all applicable fees shall be paid when the appeal form is submitted.

B. The appeal form(s) shall be accompanied by: a statement describing the decision of the Zoning Administrator that is the subject of the appeal; citations to any applicable laws, ordinances, codes, policies or regulations the appellant alleges have been improperly interpreted, applied, or violated and appellant's interpretation of such laws, ordinances, codes, policies or regulations; documentation and evidence supporting appellant's interpretation and/or position that the Zoning Administrator's decision improperly applied or violated applicable laws, ordinances, codes, policies or

regulations; and any other documentation the appellant would like the Board to consider.

C. The party filing the appeal bears the burden of proof.

D. The party challenging the interpretation(s) of the Zoning Administrator of the Ordinance and/or provisions of the Goodyear Code of Ordinances bears the burden of proving that the Zoning Administrator's interpretation is clearly contrary to legislative intent or that it is without rational basis.

E. The party challenging factual determinations by the Zoning Administrator bears the burden of proving that no reasonable person could have made such factual determination.

F. The filing of an appeal to the Board shall stay all proceedings in the matter appealed from unless the Zoning Administrator certifies in writing to the Board that in the Zoning Administrator's opinion, based on the facts presented in the Zoning Administrator's certification, the stay would cause imminent peril to life or property. Upon such certification, the proceedings shall not be stayed except by a restraining order granted by the Board or court of record upon on application and notice to the Zoning Administrator.

G. The Board shall hold a hearing, at which time all interested persons shall be given the opportunity to be heard.

H. The concurring vote of a simple majority of those members present of the Board shall be necessary to reverse or modify any decision of the Zoning Administrator.

5.3.4. Special Action in Superior Court.

A person aggrieved by a decision of the Board, a taxpayer who owns or leases the adjacent property, or a property within three hundred (300) feet from the boundary of the immediately adjacent property, and/or an officer or a department of the municipality affected by a decision of the Board may, at any time within thirty (30) days after a decision has been rendered, file a complaint for special action in the superior court of Maricopa County to review the Board's decision. Filing the complaint does not stay proceedings on the decision sought to be reviewed, but the court may, on application, grant a stay and on final hearing may affirm or reverse, in whole or in part, or modify the decision reviewed.

ARTICLE 6 – APPLICATIONS & PROCEDURES

6.1. Purpose

The purpose of this Article is to establish the requirements and processes under which development, land use, and zoning-related requests are submitted, reviewed, and decided in accordance with this Ordinance. This Article specifies application types, submittal requirements, review authority, notice provisions, and decision-making procedures applicable to requests subject to zoning regulation.

The provisions of this Article are intended to ensure the orderly administration of the Ordinance, provide for consistent interpretation and implementation of zoning regulations, and ensure compliance with the City's General Plan and applicable state laws. This Article further establishes procedures necessary to support informed decisions and orderly growth while protecting the public health, safety, and general welfare.

6.2. Application Process Overview

Table 6.9.1: Application Procedures								
Review & Hearing Procedure: R = Review, Rec = Recommendation, D = Decision								
	Review & Hearing Body							
Application Type	Staff/Development Review Committee	Planning Commission	Board of Adjustment	City Council	Citizen Review	Owner Authorization Required	Application & Review Procedures	Public Notification Requirements
Zoning Amendment	R/Rec	Rec		D	R	Yes	See Sec. 6.9	See Table 6.13.2
PAD (Planned Area Development) – Overlay	R/Rec	D			R	Yes	See Sec. 6.8	
PAD (Planned Area Development)	R/Rec	Rec		D	R	Yes	See Sec. 6.8	
Special Use Permit (SUP)	R/Rec	Rec		D	R	Yes	See Sec 6.6	
Use Permit	R/Rec	Rec		D	R	Yes	See Sec. 6.5	
Variance	R/Rec		D		R	Yes	See Sec. 6.7	
Text Amendment (Non-Site Specific)				D		No	See Sec 6.9	

6.3. Site Plan Requirement and Review Process

6.3.1. Applicability.

Site Plan Review and approval is required prior to development activities on property located in zoning districts for which site plan review is required as specified in this Ordinance. This includes, by way of example, but not limitation: all uses within commercial and industrial zoning districts; all uses in certain residential districts such as multi-family residential district; manufactured home subdivision district; mobile

home/recreational vehicle district; and uses in residential districts that require a Use Permit. Site Plan review for single-family, two-family uses and model home complexes shall be done concurrently with an application for a building permit for such uses.

6.3.1. Approval Authority.

Except as otherwise expressly provided in this Ordinance or as otherwise required by City Council as a stipulation in a zoning amendment, the Zoning Administrator shall have the authority to approve, conditionally approve, or deny any application seeking approval of Site Plan or an amended Site Plan. Violation of any conditions imposed by the Zoning Administrator shall be considered a violation of this Ordinance, and shall render any permit null and void.

6.3.2. Purpose.

The Site Plan review process promotes the health, safety and welfare of the citizens of the city and the general public by promoting safe, functional, attractive, harmonious, and compatible development within the city and insuring that structures, utilities, streets, parking, circulation systems, yards, and open spaces are developed in accordance with the goals and objectives of the City's General Plan and the requirements of this Ordinance, City of Goodyear Code of Ordinances, the Engineering Standards, and any other applicable federal, state, and/or local laws, ordinances, codes, rules, regulations, policies, and guidelines.

6.3.3. Application Process.

Site Plan applications will be processed and reviewed in accordance with the procedures generally described herein and more particularly described in City Codes, Ordinances and Engineering Standards.

Applications for a Site Plan shall be filed with the Development Services Department on form(s) provided by the Development Services Department and shall include all of the information identified in the: application form(s) related to Site Plans; in the Engineering Standards, and any other data that may be required by the Zoning Administrator which is needed to insure compliance with applicable requirements.

Site Plan applications shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted.

6.3.4. Requirements.

A Site Plan and the development reflected therein shall be consistent with the goals and objectives of the City's General Plan; shall comply with the specific requirements for the zoning district in which it is located; shall comply with all Zoning Conditions attached to the property; and shall comply with the requirements set forth in:

A. This Ordinance;

B. The Subdivision Regulations;

C. The Engineering Standards;

D. The Flood Prevention Regulations;

E. Any applicable Development Agreement;

F. Any applicable Development Master Plan; and,

G. All other applicable federal, state, and/or local laws, ordinances, codes, rules, regulations, policies and/or guidelines.

6.3.5. Review.

The Development Review Committee shall review the Site Plan for compliance with all applicable requirements. The review procedure is intended to be applied in a flexible manner to allow for creative designs, varying development concepts, locations and innovative response to applicable requirements. In the review, the Committee shall be guided by the following design review criteria and principles of development:

A. The proposed development complies with all provisions of this Ordinance and all other ordinances, master plans, general plans, goals, objectives and standards of the City of Goodyear.

B. The proposed development does not have any detrimental effect upon the general health, welfare, safety, and convenience of persons residing or working in the neighborhood, and shall not be detrimental or injurious to the neighborhood.

C. The proposed development promotes a desirable relationship of structures to one another, to open spaces, and to topography both on the site and in the surrounding neighborhood.

D. The height, location, materials, color, texture, area, setbacks, and mass of any structures, buildings, walls, signs, lighting, and landscaping is appropriate to the development, the neighborhood, and the community.

E. Ingress, egress, internal and external traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways, are so designed as to promote safety and convenience and to be aesthetically pleasing.

F. The architectural character of the proposed structures is in harmony with, and compatible to, structures in the neighboring environment and the architectural character desired for the City; avoiding excessive variety or monotonous repetition.

G. Mechanical equipment, appurtenances and utility lines are concealed from view or are otherwise integral to the building and site design.

H. Street lights shall be installed along all perimeter streets and streets within the development in accord with City standards.

6.3.6. Approved Site Plan.

Following the approval of the Site Plan, the applicant shall prepare a Site Plan that conforms with the approved site plan and any conditions and/or terms of approval. Compliance with the approved Site Plan and all conditions of approval shall be reviewed and enforced through the building permit and/or civil permit review process, as applicable. Development activities shall substantially conform with the approved Site Plan and any conditions or restrictions attached thereto, and any substantial deviation from the approved Site Plan and any conditions or restrictions attached thereto is a violation of this Ordinance.

6.3.7. Period of Approval.

An approved Site Plan shall expire two (2) years from the date of approval unless either a building permit for the development reflected in the Site Plan has been

obtained and construction commenced or an extension has been obtained prior to the expiration date. A single one (1) year extension may be granted if the applicant demonstrates that circumstances beyond the owner's control prevented the owner from obtaining a building permit and/or commencing construction within one (1) year of the date the Site Plan was approved and that no changes in City codes or ordinances (including changes in this Ordinance and the Engineering Standards) that would have significantly altered the requirements for the prior Site Plan approval. Requests for extensions hereunder shall be approved by the authority that approved the Site Plan for which the extension is being sought. Prior to the expiration of the extension, at the discretion of the Zoning Administrator, a pause on such expiration may be issued as long as substantial progress and good faith effort has been made through the submittal of a development application. Upon expiration of the Site Plan or any extension thereto, the property owner will be required to file a new application for Site Plan approval before undertaking any development activities on the site.

6.3.8. Amendments to an Approved Site Plan.

Following approval of a Site Plan, modifications may be approved in accordance with this Section.

A. Minor Modifications. Minor modifications that do not materially alter the overall design, intensity of use, circulation, building placement, open space, landscaping, or compliance with conditions of approval may be reviewed and approved administratively through the building permit or civil permit review process, as determined by the Zoning Administrator.

B. Administrative Amendments. Modifications that result in measurable but not substantial changes to building square footage, building footprint, parking layout, access points, landscaping configuration, or similar site elements, and that remain consistent with the original approval and all applicable standards, shall require an administrative Site Plan Amendment approved by the Zoning Administrator.

C. Major Amendments. Any modification that materially alters the approved land use, increases building height beyond what was approved, increases overall building area or intensity of use beyond thresholds established by the Zoning Administrator, significantly modifies vehicular access or circulation, reduces required open space or landscaping below approved levels, or otherwise deviates substantially from the approved Site Plan shall require a new Site Plan application and approval by the original approving authority.

6.3.9. Appeal Procedure.

A. An applicant may appeal the decision of the Zoning Administrator on any Site Plan application to the Planning and Zoning Commission. The appeal, along with any required processing fee, shall be filed in writing to the Development Services Department Director within fifteen (15) working days of the date of the decision is issued in writing. The appeal shall give reasons for the appeal and the relief requested.

B. The Planning and Zoning Commission may approve, approve with modifications, conditionally approve, or deny the appeal. The decision of the Planning and Zoning Commission shall be in writing and shall be binding, unless such decision is appealed to the City Council.

C. The applicant may appeal the decision of the Planning and Zoning Commission to the City Council. The appeal, along with any required processing fee, shall be filed in writing with the City Clerk within fifteen (15) working days from the date of the decision by the Planning and Zoning Commission. The appeal shall provide reasons for the appeal and the relief requested.

D. The City Council may approve, approve with modifications, conditionally approve, or deny the appeal. The decision of the City Council shall be in writing and shall be final.

E. Persons with standing who are aggrieved by a decision of the City Council hereunder may, within thirty (30) days after the Council rendered its decision, file a complaint for special action in the superior court of Maricopa County to review the Council's decision.

6.4. Zoning Permits

A. Zoning Permits may be granted only when expressly permitted by this Ordinance. Approval of a Zoning Permit must be based on a finding that the Zoning Permit:

1. Will not be materially detrimental to persons residing or working on the subject property or within the vicinity of the property, to the neighborhood, or to the public welfare; and,

2. That the proposed use is reasonably compatible with uses permitted in the surrounding area.

B. Applications for Zoning Permits shall be processed and reviewed in the accordance with the procedures in this Ordinance and in the Engineering Standards if applicable.

C. Applications shall be filed with the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.

1. The applications shall include all of the information identified in the application form(s); the information identified in the City Codes and Ordinances; the information identified in Engineering Standards if applicable; and any other relevant data required by the Zoning Administrator that is needed for the review of the Zoning Permit Application. The application shall be signed by the property owner(s) or an authorized agent of the property owner(s).

The Zoning Administrator shall review the application submittal, and may impose specific conditions or requirements as a condition of approval related to the property or operation of the requested Zoning Permit use.

6.5. Use Permits

A. Use Permits shall be obtained for those specific uses as identified in Table 2.2.2 and Table 2.3.2 of this Ordinance. Applications for Use Permits are decided by City Council following receipt of recommendations from the Planning and Zoning Commission. Use Permits required hereunder may be approved or approved with conditions only upon a finding by City Council that the

proposed development and/or use reflected in the application submittal for the Use Permit:

1. Will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare; and
2. That the proposed use is reasonably compatible with uses permitted in the surrounding area.

The applicant bears the burden of demonstrating to the City Council's satisfaction that the forgoing requirements have been met. In making this finding the City Council shall evaluate whether the application submittal addresses the concerns and potential problems associated with the use as identified in this Ordinance or whether the concerns and potential problems can be mitigated through the imposition of additional conditions, such as: imposing conditions to address potential impacts on surrounding properties that will result from noise, lighting, odors and/or placement of trash receptacles; imposing conditions that will insure adequate parking, ingress and egress so as not to increase traffic congestion; limiting the hours of operation; imposing requirements for enhanced landscaping, screening, and buffering measures that will preserve reasonable use and enjoyment of adjacent properties.

B. Applications for a Use Permit shall be processed and reviewed in accordance with the procedures generally described below and more particularly described in the Administrative Process Manual and in this Ordinance.

1. Applications for a Use Permit shall be filed with the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.
2. The application shall include all of the information identified in the application form(s), the information identified in the Administrative Process Manual, the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the Use Permit application.
3. A conceptual Site Plan shall be provided and shall provide sufficient detail to demonstrate that the concerns and potential problems associated with the use as identified in this Ordinance either do not exist at this site and/or can be adequately addressed through mitigation efforts.
4. The application shall be signed by the property owner(s) or an authorized agent of the property owner(s).
5. The Zoning Administrator shall process such application and shall adhere to the posting and publication requirements specified in Section 6.13 and as required by Arizona law and shall comply with the Citizen Review Process provided in Section 6.12 of this Ordinance prior to the public hearing before the Planning and Zoning Commission.
6. The Development Review Committee shall review the application submittal. Following the completion of the Committee's review, the Zoning Administrator shall forward the application submittal with a

recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review.

7. Requests for a Use Permit shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to the City Council. Following a public hearing at which interested parties and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to the City Council, recommending approval, approval with conditions or denial of the Use Permit application and the reasons for such recommendations. Such recommendation may or may not be consistent with the recommendations of the Development Review Committee.

8. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

9. The City Council may approve, approve with conditions or deny the application for Use Permit. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission.

10. The City Council may decide the application for Use Permit without holding a second public hearing if City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by any person appearing in opposition to the Use Permit application at the Planning and Zoning Commission, or by any person who filed a written protest to the Use Permit application in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the Use Permit application. If the City Council does not intend to adopt the Planning and Zoning Commission's recommendation without change, the City Council shall continue the matter until a public hearing can be scheduled before City Council decides the matter. Notice of the date, time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Planning and Zoning Commission.

11. A Use Permit may be granted for a designated period of time with a stated date of expiration or it may be granted for an indefinite period of time.

C. The use authorized by the Use Permit shall be established within two (2) years of the date of the Use Permit was approved by the City Council, unless an extension is obtained as provided herein ("Establishment Period"). A Use Permit shall be considered established on the site upon commencement of the use, or commencement of construction pursuant to a valid building permit. If the use authorized by the Use Permit is not established within Establishment Period and extension for the establishment of the use is not obtained prior to the expiration of the Establishment Period, the Use Permit approval shall become null and void, in accordance with the following provisions:

1. Upon expiration of the Establishment Period (initial two (2) year period plus and any subsequently granted extension), the Zoning Administrator shall send a notice by certified mail to the property owner and holder of the Use Permit advising that the Use Permit has expired. If after thirty (30) days the property owner or holder of the permit does not request an extension and provide evidence that the Use Permit is still being pursued, the Zoning Administrator shall send a second notice by certified mail to the property owner or holder of the Use Permit declaring the Use Permit null and void. If an extension has been requested, the Zoning Administrator shall wait to send a final notice of expiration until the application for an extension has been decided. If the application for an extension is denied, the Zoning Administrator shall send a second notice by certified mail to the property owner holder of the Use Permit declaring the Use Permit null and void.
2. The Zoning Administrator may authorize a one (1) year extension upon a finding that the establishment of the Use Permit is actively being pursued; that special circumstances prevented the property owner or holder of the permit from obtaining a building permit and/or commencing construction; and that no significant changes have occurred either in City ordinances or the immediate area that might have altered the previous Use Permit approval.

6.6. Special Use Permits

A. Special Use Permits shall be obtained for those specific uses as identified in Table 2.2.2 and Table 2.3.2 of this Ordinance. Applications for a Special Use Permit shall be processed in the same manner as an application to amend the boundaries of a zoning district as set forth in Section 6.9 of this Ordinance and as supplemented herein. Applications for Special Use Permits are decided by the City Council following receipt of recommendations from the Planning and Zoning Commission. Special Use Permits may be approved or approved with conditions only upon a finding that the proposed development and/or use reflected in the application submittal for the Special Use Permit:

1. Will be desirable or necessary to the public convenience or welfare; and,
2. Will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites;
3. Is in conformance with the adopted General Plan and any adopted Area Plans; and,
4. Will not be detrimental to surrounding properties or persons in the area due to:
5. Impact on the circulation system of the adjacent neighborhood;
6. Excessive noise or light generated from within the site;
7. Excessive scale or height in relationship to surrounding properties;
8. Hours of operation;
9. Inadequate parcel size to provide adequate buffers or mitigation measures to surrounding properties;

10. Inconsistency with the development character or architecture of the adjacent properties.

11. The applicant bears the burden of demonstrating to the City Council's satisfaction that the forgoing requirements have been met.

12. The Planning and Zoning Commission may recommend, and the City Council require, such conditions and restrictions, if necessary, upon the height and bulk and area of occupancy of any site approved for a Special Use Permit as may be reasonable under the particular circumstances to ensure compliance with this Ordinance.

B. Applications for a Special Use Permit shall be processed and reviewed in accordance with the procedures set forth in Section 6.9 of this Ordinance for processing an application to amend the boundaries of a Zoning District as supplemented herein.

1. Applications for a Special Use Permit shall be filed the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.

2. The application shall include all of the information identified in the application form(s), the information identified in the Administrative Process Manual; the information set forth herein and specified elsewhere in this Ordinance including the information identified in Table 2.2.2 and Table 2.3.2 of this Ordinance; and any other data that may be required by the Zoning Administrator that is needed for the review of the Special Use Permit application.

3. The application shall be signed by property owner(s) or an authorized agent of the property owner(s).

4. The Zoning Administrator shall process such application and adhere to the posting and publication requirements specified in Section 6.13 and as required by Arizona law, except that the applicant may, at their option, complete the required on-site posting in accordance with Section 6.13. The Zoning Administrator shall ensure compliance with the Citizen Review Process provided in Section 6.12 of this Ordinance prior to the public hearing before the Planning and Zoning Commission.

5. The Development Review Committee shall review the application submittal. Following the completion of the Committee's review, the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review.

6. Requests for a Special Use Permit shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to City Council. Following a public hearing at which interested parties and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to the City Council, recommending approval, approval with conditions or denial of the Special Use Permit application and the reasons for such recommendations. Such recommendation may or may not be

consistent with the recommendations of the Development Review Committee.

7. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

8. The City Council may approve, approve with conditions or deny the application for Special Use Permit. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission.

9. The City Council may decide the application for Special Use Permit without holding a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by any person appearing in opposition to the Special Use Permit application at the Planning and Zoning Commission, or by any person who filed a written protest to the Special Use Permit application in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the Special Use Permit application. If the City Council does not intend to adopt the Planning and Zoning Commission's recommendation without change, the City Council shall continue the matter until a public hearing can be scheduled before City Council decides the matter. Notice of the date, time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Planning and Zoning Commission.

10. A Special Use Permit may be granted for a designated period of time with a stated date of expiration or it may be granted for an indefinite period of time.

C. The use authorized by the Special Use Permit shall be established within two (2) years of the date the Special Use Permit was approved by the City Council, unless an extension is obtained as provided herein ("Establishment Period"). A Special Use Permit shall be considered established on the site upon commencement of the use, or commencement of construction pursuant to a valid building permit. If the use authorized by the Special Use Permit is not established within Establishment Period and an extension for the establishment of the use is not obtained prior to the expiration of the Establishment Period, the Special Use Permit approval shall become null and void, in accordance with the following provisions:

1. Upon expiration of the Establishment Period (initial two (2) year period plus and any subsequently granted extension), the Zoning Administrator shall send a notice by certified mail to the property owner and holder of the Special Use Permit advising that the Special Use Permit has expired. If after thirty (30) days the property owner or holder of the permit does not request an extension and provide evidence that the Special Use Permit is still being pursued, the Zoning Administrator shall send a second notice by certified mail to the property owner or holder of the Special Use Permit declaring the Special Use Permit null and void. If an extension has been requested, the Zoning Administrator shall

wait to send a final notice of expiration until the application for an extension has been decided. If the application for an extension is denied, the Zoning Administrator shall send a second notice by certified mail to the property owner holder of the Special Use Permit declaring the Special Use Permit null and void.

2. The City Council may authorize a one (1) year extension upon a finding that the establishment of the Special Use Permit is actively being pursued; that special circumstances prevented the property owner or holder of the permit from obtaining a building permit and/or commencing construction; and that no significant changes have occurred either in City ordinances or the immediate area that would have altered the previous Special Use Permit approval.

3. If an application for a Special Use Permit is denied by the City Council, or the application is withdrawn after the Planning and Zoning Commission hearing, the Commission shall not consider an application for the same Special Use on the same property within one (1) year from the date of the original hearing.

6.7. Variances

A. Applications for a variance from the terms of this Ordinance will be processed and reviewed in accordance with the procedures generally described herein and more particularly described in the Administrative Process Manual and in this Ordinance, which procedures shall comply with the posting requirements, publication requirements as required by law. Applications for a variance shall be filed with the Zoning Administrator upon form(s) provided by the Development Services Department. Applications for a variance shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. Applications for a Variance shall include all of the information and supporting documentation identified in the application, in this Ordinance and in the Administrative Process Manual. The application shall be accompanied by:

1. Plans and description sufficient to indicate the nature of the proposed development and specific terms of this Ordinance from relief is sought; and,

2. Sufficient documentation and other evidence that will allow the Board to find all of the requirements necessary for the granting a Variance, as set forth below, have been met; and,

3. Evidence satisfactory to the Board of the applicant's ability and intention to proceed with actual construction within six (6) months of the issuance of a variance; and,

4. Any other data that may be required by the Zoning Administrator necessary for review of the application.

6.7.1. Requirements.

A Variance shall not make any changes in the Use and/or densities permitted in any zoning district. A variance from terms of this Ordinance shall not be granted unless the Board finds, upon sufficient evidence, all of the following:

A. existence of special circumstances or conditions applicable to the property, including its size, shape, topography, location or surroundings; and,

B. that such special circumstances were not created by the property owner or former owner of the property or any agent thereof; and,

C. the strict application of this Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and,

D. the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general; and,

E. the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

6.7.2. Approval.

The Board shall hold a public hearing for which due and proper notice has been provided in accordance with Section 6.12 and all interested persons shall be given the opportunity to be heard. The concurring vote of a simple majority of those members present of the Board shall be necessary to grant a variance. Any variance granted may be subject to such conditions deemed applicable by the Board. Variances shall be void if the subject property does not conform to all conditions, requirements, and standards prescribed by the Board as a condition for approval of the variance.

6.7.3. Time Limitations.

A variance shall expire one (1) year from the date the variance was granted unless either a building permit for the development for which the variance was granted has been obtained and construction commenced or an extension has been obtained prior to the expiration date. The Board may grant an single one (1) year extension if the applicant demonstrates that circumstances beyond the owner's control prevented the owner from obtaining a building permit and/or commencing construction within one (1) year of the date the variance was granted and that there have been no changes in the City codes or ordinances (including changes in this Ordinance and the Engineering Standards) that would have affected any of the Board's findings when it granted the variance as set forth above.

6.8. Planned Area Developments

An application for a Planned Area Development (PAD) may be filed as provided herein. A PAD can be used either as an overlay (PAD-O) to provide flexibility in an otherwise established land use district, or it can be used as an independent district (PAD). Prior to submitting an application for a PAD Overlay or PAD a pre-application meeting shall be held between the owner or owners representative(s) and the City to determine which process would be applicable to the proposed development.

6.8.1. Planned Area Development (PAD-O) Overlay

A. Application

An application for a PAD Overlay shall be filed on form(s) provided by the Development Services Department and shall include: the information identified on

the application form(s); the information identified in the Administrative Process Manual; the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the application. Applications for an amendment shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. The application shall include all of the following:

1. Location information including an area map showing adjacent property ownership and existing uses within six hundred (600) feet of the parcel.
2. A legal description of the metes and bounds of the parcel.
3. History and background of the property including prior zoning actions
4. Existing topographical features; potential constraints including any portions of the site that are subject to flooding (indicating the extent and frequency, retention areas, calculations and maintenance responsibility); proposed roadway or major utility line extensions which may impact development; areas within aircraft approach and holding patterns and such other impediments to the property's use and improvement as may be present or planned for the future.
5. Project Narrative providing a description of what is being proposed on the property including the following:
    a. The reason(s) for the PAD request, how the amendment may impact adjacent properties, and any City policies supporting the proposal
    b. Written summary that demonstrates compatibility with the approved General Plan
    c. All proposed deviations from the Development Standards of the underlying Zoning District and justification for each.
    d. Proposed development phasing and timing
6. Proposed site plan that depicts the following:
    a. The location and nature of the various buildings and their areas in square feet, total number of dwelling units and approximate percentage allocation by dwelling type, calculation of the residential density in dwelling units per gross acre as defined in the General Plan;
    b. The proposed circulation, including any public or private improvements;
    c. Required open space (including a general statement regarding ownership and maintenance) with indication of responsiveness to General Plan recreation/open space and perimeter treatments.

B. Review and Approval

Applications for a PAD Overlay shall be processed in the same manner as an amendment to the boundaries of a zoning district pursuant to Section 6.9 of this

Article. The Planning and Zoning Commission shall conduct at least one (1) public hearing and make a recommendation to the City Council following receipt of a report and recommendation from the Development Review Committee.

The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of a PAD Overlay. In making its recommendation, the Commission shall consider the standards applicable to zoning map amendments set forth in Section 6.9 and shall find that the proposed PAD Overlay is consistent with the General Plan and applicable provisions of this Ordinance.

Upon receipt of the Planning and Zoning Commission's recommendation, the City Council shall decide the application for an amendment without a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by a person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with state law.

The City Council shall hold a public hearing if requested by a party aggrieved, any member of the public, or any member of the City Council, or if a public hearing was not held by the Planning and Zoning Commission.

Upon City Council adoption of the Planning and Zoning recommendation of an application for PAD Overlay, the zoning of the property shall be, by Ordinance, reflected on the City zoning map as being a PAD Overlay.

6.8.2. Planned Area Development (PAD)

A. Application.

An application for a Planned Area Development (PAD) district shall be filed on form(s) provided by the Development Services Department and shall include: the information identified in the application form(s); the information set forth herein and specified elsewhere in this Ordinance; any other data that required by the Zoning Administrator that is needed for the review of the application. Applications for an amendment shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. The application shall include:

1. Location information including an area map showing adjacent property ownership and existing uses within six hundred (600) feet of the parcel.
2. A legal description of the metes and bounds of the parcel.
3. History and background of the property including prior zoning actions
4. Existing topographical features, potential constraints, including any portions of the site that are subject to flooding (indicating the extent and frequency, retention areas, calculations and maintenance responsibility); proposed roadway or major utility line extensions which may impact development; areas within aircraft approach and holding patterns and such other impediments to the property's use and improvement as may be present or planned for the future.
5. Project Narrative providing a description of what is being proposed on the property including the following (the Narrative should be separate from the PAD book):

a. The reason(s) for the PAD request, how the amendment may impact adjacent properties, and any City policies supporting the proposal

b. Written summary that demonstrates compatibility with the approved General Plan

c. A statement of intended design philosophy and quality (text, graphics, or photographic examples)

d. All proposed deviations from the provisions of the Zoning Ordinance, City Code, and Engineering Standards (enhanced or reduced) and justification for each.

e. Proposed development phasing and timing

6. Proposed site plan that depicts the following:

a. The location and nature of the various buildings and their areas in square feet, total number of dwelling units and approximate percentage allocation by dwelling type, calculation of the residential density in dwelling units per gross acre as defined in the General Plan;

b. The proposed circulation, including any public or private improvements;

c. Required open space (including a general statement regarding ownership and maintenance) with indication of responsiveness to General Plan recreation/open space and perimeter treatments.

7. A development plan, which includes, at a minimum, plans showing location and type of all improvements including schematic grading plans with proposed treatment of sloped retention areas; and the following explanatory, supporting details:

a. Traffic analysis, including interior roadways, typical development envelopes for residential uses and building arrangements for recreational, employment, commercial or institutional uses; and,

b. Standards including demand and capacity analyses for municipal systems such as transportation, water supply, sewage disposal, and other community facilities, such as schools, public safety, cultural and social services (such as libraries or multi-generational activity centers); and,

c. If the development is to be phased, a general indication, with chronology of the intended total project's staging; and,

d. Conceptual plans and elevations of building types, materials, and colors, to be developed within the PAD district; and,

e. The number of dwelling units by type with estimated school enrollment to be generated within the entire PAD district.

8. Conceptual water, sewer and drainage plans that conform to the requirements of all applicable federal, state, and local laws,

ordinances, codes, rules, regulations, policies, and guidelines, including, but not limited to, this Ordinance, the Subdivision Regulations, the Engineering Standards, the Flood Prevention Standards and the City's General Plan.

B. Review and Approval.

1. Applications for a PAD District shall be decided by the City Council following receipt of recommendations from the Planning and Zoning Commission. Such applications shall be processed pursuant to the procedures set forth in Section 6.9 of this Ordinance for processing an application to amend the boundaries of a Zoning District as supplemented herein. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the same considerations set for in Section 6.9 of this Ordinance that are to be considered in their review of an application to amend the boundaries of a Zoning District.

2. The City Council may approve, approve with conditions, or deny an application for a PAD District.

3. City Council may approve a PAD District only upon finding that the proposal meets the intent, objectives and general requirements of the PAD and is in conformance with all applicable federal, state, and local laws, ordinances, codes, rules, regulations, policies, and guidelines, including, but not limited to, this Ordinance, the Subdivision Regulations, the Engineering Standards, the Flood Prevention Standards and the City's General Plan.

4. The Council may, as necessary, attach conditions to the PAD approval, which may include but are not limited to the following considerations: intensities and densities; use limitations; landscaping; screen planting; setback and height of building; paving, location of drives and parking areas; storm drainage and storm water retention; public and/or private open space; shape and size of lots; grouping and uses of buildings; maintenance of grounds; regulation of signs; fences and walls; adequacy of vehicle and pedestrian circulation and access; timing and phasing; elevations and architectural theme; or any other reasonable considerations the Council finds germane to maintain community character and neighborhood quality.

5. Development of property within a PAD shall meet all applicable standards of design and construction required by applicable federal, state, and local laws, ordinances, codes, rules, regulations, policies, and guidelines, including, but not limited to, this Ordinance, the Subdivision Regulations, the Engineering Standards, the Flood Prevention Standards and the City's General Plan, unless modifications are accepted by the City Council when approving the PAD. The applicant shall submit and the Development Services Department shall make a part of the case file record statements regarding any and all approved deviations from the provisions of the Zoning Ordinance.

6. Upon City Council approval of an application for PAD, the zoning of the property shall be, by Ordinance, reflected on the City zoning map as being in the PAD District.

6.8.3. PAD Amendments

A. Purpose

This Section establishes the procedures and criteria for amendments to an approved Planned Area Development Overlay (PAD Overlay) or Planned Area Development District (PAD), including amendments to the associated Development Plan.

B. Major Amendments

A major amendment shall be processed in the same manner as the original PAD Overlay or PAD approval, including public hearings and final action.

A major amendment shall include any modification that:

1. Increases approved residential density;
2. Increases maximum building height;
3. Modifies permitted or conditional land uses (PAD only);
4. Substantially alters the approved land use plan, circulation plan, open space configuration, or development concept;
5. Modifies approved development standards in a manner not previously evaluated; or
6. May create a substantial impact on adjacent properties.

C. Minor Amendment

1. The Zoning Administrator may approve minor amendments to an approved PAD Overlay or PAD Development Plan.
2. A minor amendment is any modification that does not meet the definition of a Major Amendment in this Section.
3. If the Zoning Administrator determines that a proposed amendment qualifies as a Major Amendment, the request shall be processed in accordance with the procedures for Major Amendments.
4. Approval of a minor amendment shall be documented in writing and maintained as part of the official project record.

6.9. Zoning Amendments

Regulations set forth in this Ordinance and boundaries of Zoning Districts established by the City may be amended, supplemented, changed, modified or repealed when deemed necessary to best serve the public interest, health, comfort, convenience, safety and general welfare of the citizens of the City.

6.9.1. Approval Authority.

Amendments of this Ordinance; and amendments establishing or changing the zoning district applicable to property within the City through the amendment of the boundaries of a Zoning District ("Rezoning Ordinances") and any amendments of any terms, conditions, stipulations or other type of requirements set forth in an ordinance amending the boundaries of a Zoning District (collectively referred to as "amendments" and individually referred to "amendment") shall be decided by the City Council following receipt of recommendations from the Planning and Zoning Commission.

6.9.2. Initiation of Amendment.

A. An application to amend the boundaries of a Zoning District or to amend or enforce of any terms, conditions, stipulations or other type of requirements set forth in an ordinance amending the boundaries of a Zoning District may be initiated by any of the following:

B. All of the owners of the subject property by application executed by all of the owners of the subject property; or, an agent of all of the property owners authorized to sign on behalf of all of the property owners, when the authority is in writing and filed with the application;

C. The Planning and Zoning Commission or City Council by its own motion at a public meeting; or,

D. Zoning Administrator for the purpose of rezoning property to bring such land into conformance with the General Plan; rezoning of City-owned property; or reversion of the zoning on any property which fails to comply with a condition of approval or schedule of development.

E. An application for an amendment to the text of this Ordinance may be initiated by any of the following:

1. The Planning and Zoning Commission or City Council by its own motion at public meeting; or,

2. The Zoning Administrator to promote implementation of goals and objections of the City's General Plan; to respond to changes in the law, statutory or case law; to address zoning and/or development issues or processes; to address inconsistencies in terms of the Ordinance or problems and/or conflicts in implementation of specific sections of the Ordinance; or to implement new standards or practices that would benefit the community.

6.9.3. Application Process.

Applications for amendments shall be processed and reviewed in accordance with the procedures generally described below, which procedures shall comply with the posting requirements, publication requirements and Citizen Review Process as required by law.

A. Applications for an amendment shall be filed with the Development Services Department on form(s) provided by the Development Services Department and shall include all of the information identified in the application form(s) and in the Administrative Process Manual and any other data that may be required by the Zoning Administrator needed for the review of the application.

B. Applications for an amendment shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted.

6.9.4. Review Process For Amendments To Zoning Map.

A. The Development Review Committee shall review the application submittal for an amendment of the boundaries of a Zoning District. Following the completion of the review by Development Review Committee and the Citizen Review Process specified in Section 6.12 the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with

conditions or denial to the Planning and Zoning Commission for review at a public hearing for which due and proper notice has been provided in accordance with Section 6.13.

B. Requests for amendments shall be considered by the Planning and Zoning Commission at a public hearing for the purpose of making a written recommendation to City Council. Following a public hearing at which parties of interest and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to City Council recommending approval, approval with conditions or denial of the amendment and the reasons for such recommendations. Such recommendation may or may not be consistent with the Committee's recommendations.

C. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the following considerations:

1. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted;
2. Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district;
3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values;
4. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning;
5. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand;
6. Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such as water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment;
7. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided;
8. General public's concerns;
9. Whether the amendment promotes orderly growth and development; and
10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

D. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

E. The City Council may approve, approve with conditions, or deny the application for amendment. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission. The City Council may decide the application for an amendment without a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by a person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the application for amendment. If the City Council does not intend to adopt the recommendations of the Planning and Zoning Commission without change, the City Council shall continue the matter until a public hearing can be scheduled before the City Council decides the matter.

F. Adoption of an amendment may be subject to such conditions as the City Council deems applicable to enforce this Ordinance. If one condition is a schedule for development of specific uses for which zoning is requested, and at expiration of that period the property has not been developed according to said schedule, it may be reverted to its former zoning classification by action of the City Council after conducting a public hearing for which public notice has been posted and published in accordance with the requirements of Arizona law.

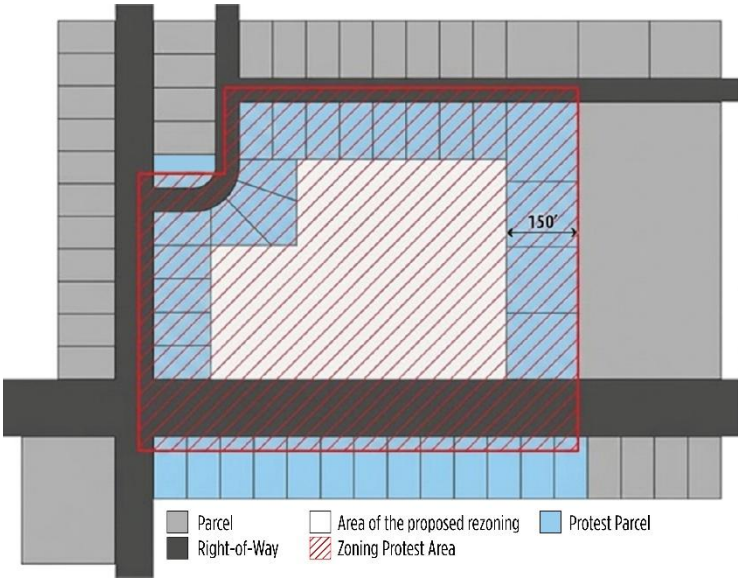
G. If the owners of twenty (20) percent or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths (3/4) of all members of the Council. If any members of the Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the Council, provided that such required number of votes shall not be less than a majority of the full membership of the Council. For the purposes of this subsection, the vote shall be rounded to the nearest whole number. A protest filed pursuant to this subsection shall be signed by the property owners opposing the proposed amendment and filed in the office of the City Clerk not later than 12:00 noon one (1) business day before the date on which the Council will vote on the proposed amendment.

For the purposes of this Section, "zoning area" means both of the following:

a. The area within one hundred fifty (150) feet, including all rights-of-way, of the affected property subject to the proposed amendment or change.

b. The area of the proposed amendment or change.

Figure 6.9.4A - Protest Area



H. If an application for amendment to amend the boundaries of a Zoning District or to amend any terms, conditions, stipulations or other type of requirements set forth in and ordinance amending the boundaries of a Zoning District is denied by the City Council, or the application is withdrawn after the Planning and Zoning Commission hearing, the Planning and Zoning Commission shall not consider an application for the same amendment within one (1) year from the date of the original hearing.

I. Vertical construction in the rezoned area shall commence within two (2) years of City Council approval of the rezone request, or the City Council may rescind the zoning unless an extension of time is granted.

6.9.5. Review Process For Text Amendment.

A. The Development Review Committee shall review the application submittal for an amendment to this Ordinance. Following the completion of the review by Development Review Committee, the Zoning Administrator shall forward to the Planning and Zoning Commission the application submittal along with a recommendation to approve, to approve subject to modifications, or to deny the application for the Planning and Zoning Commission's review at a public hearing for which due and proper notice has been provided in accordance with Section 6.11.

B. Requests for amendments to this Ordinance shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to City Council. Following a public hearing, the Planning and Zoning Commission shall issue a recommendation to be forwarded to City Council recommending approval of the amendment as proposed, recommending approval of the amendment subject to modifications or recommending denial of the amendment. Such recommendation may or may not be consistent with the Committee's recommendations.

C. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the following considerations:

1. Documentation indicating inconsistencies in terms of the Ordinance or problems and/or conflicts in implementation of specific sections of the Ordinance that will be resolved by the amendment;
2. Whether amendment is needed to respond to changes in the law, statutory or case law;
3. Whether amendment is needed to address zoning and/or development issues or to improve processes for addressing such issues;
4. Whether amendment will to promote implementation of goals and objections of the City's General Plan;
5. Any other factors related to the impact of the amendment on the general health, safety or welfare of the citizens of the City and the general public.

D. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

E. The City Council may decide the application for amendment without a second public hearing unless a public hearing is requested in writing by the applicant, by any person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with Arizona Law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the application for amendment.

F. Following and consideration of the application submittal and public hearing, if held, the City Council shall render a decision on the application for amendment and either approve, approve with modifications, or deny the application for amendment. Such action may or may not be consistent with the Planning & Zoning Commission's recommendation.

6.10. Building Permits and Certificates of Occupancy

Neither building permits nor certificates of occupancy may be issued until the use of building(s) and land conform with this Ordinance and all other applicable codes and ordinances, including conditions of approval for any Ordinance amending the zoning district of the subject property and conditions of approval for any permit or authorization approved pursuant to the requirements of this Ordinance or the Subdivision Regulations. No building or construction permits shall be issued without having first obtained approval of a site plan review application and design review application in conformance with this Ordinance.

6.11. Applications and Fees

6.11.1. Applications.

A. All Land Use and Development Applications Required Under the Zoning Ordinance shall be filed in the office of the Zoning Administrator on forms provided by the Development Services Department. Applications shall include:

the information identified on the application form(s); the information identified in the Administrative Process Manual and Engineering Standards, if applicable; the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the application.

B. Applications will be processed and reviewed by the Zoning Administrator in a manner that is consistent with the procedures generally described in this Ordinance and as more particularly described in the Administrative Process Manual and Engineering Standards, if applicable.

C. Except as otherwise expressly provided in the Administrative Process Manual, all applications referred to herein shall be executed by all of the owners of the subject property and their respective spouses, if any, or an agent of all of the property owners authorized to sign on behalf of all of the property owners and their respective spouses when such authorization is in writing and filed with the application. An application must be made by the property owner or authorized agent, unless otherwise specified in this Ordinance.

D. All applications shall be actively pursued to a decision. If a complete and full submittal of all documents and information requested in the staff written review comments has not occurred within 180 calendar days from the date on staff's written review comments, the application will be deemed inactive and shall expire. The applicant may file a request for an extension. Any and all requests for an extension shall be made in writing and received prior to the expiration date. The Zoning Administrator may authorize, in writing, No more than one extension of one hundred and eighty days for good cause if there is a reasonable belief that the application will be actively pursued during the extension period. This provision applies to all land use and development applications required under the Zoning Ordinance.

6.11.2. Fees.

A. Fees for all matters pertinent to the administration of this Ordinance will be set from time to time by Resolution of the City Council.

B. All application fees shall be paid when the application is submitted. Application fees shall not be refundable.

6.12. Citizen Review Process

A. Prior to any public hearing, as required under Article 6 of this Zoning Ordinance, on any application for any zoning ordinance that changes any property from one zoning district to another, including those for PAD Overlay and PAD district approval; for a Use Permit; and for a Special Use Permit application that imposes any regulation not previously imposed, or that removes or modifies any such regulation previously imposed, the Zoning Administrator shall require the applicant to conduct a neighborhood meeting or an acceptable alternative prior to a public hearing to consider the proposal. A written notice of the application shall be sent by first class mail to the owners of all properties within six hundred (600) feet of the property that is subject to a rezoning, Use Permit or Special Use Permit application; one thousand two hundred (1,200) feet of the property that is subject to a Planned Area Development Overlay or Planned Area Development; and to such other persons as the Zoning Administrator reasonably determines to be potentially affected citizens. In

determining the number of potentially affected citizens, the Zoning Administrator shall review the density and intensity of residential development in the general vicinity, the existing street system, and other factors that may be related to the impact of the proposed zoning amendment, Use Permit, or Special Use Permit on the character of the neighborhood.

B. The written notice shall also include a general explanation of the substance of the proposed zoning amendment, Use Permit or Special Use Permit application and shall state the date, time and place scheduled for a neighborhood meeting, at which any adjacent landowner(s) or those other potentially affected citizens, will be provided a reasonable opportunity to express any issues or concerns that the landowner or citizen may have with the proposed zoning amendment, Use Permit or Special Use Permit application before any public hearing required by this Ordinance is held.

C. The written notice shall be given at least fifteen (15) days before the neighborhood meeting in one or more of the following manners:

1. The notice shall be published once in a newspaper of general circulation published or circulated in the City of Goodyear; or,

2. The notice shall be posted upon the sign required in Section 6.13.2 Notice of Public Hearing, unless waived by the Zoning Administrator; or,

3. The notice shall be mailed in accordance with the procedures required in Section 6.13.2 Notice of Public Hearing.

D. The Zoning Administrator, upon consultation with the applicant, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant, adjacent landowners and those other potentially affected citizens to discuss and express their respective views concerning the application and any issues or concerns that they may have with the proposed zoning amendment, Use Permit or Special Use Permit application. The Zoning Administrator shall attend the meeting but is not required to conduct the meeting. The Zoning Administrator shall report the results of the neighborhood meeting to the Planning and Zoning Commission and Mayor and City Council when such body considers taking action on the application.

E. At the discretion of the Zoning Administrator, an alternative citizen review process may be used that does not involve a neighborhood meeting. The alternative process shall consist, at a minimum, of the following:

1. The written notice described in Section 6.10, except that the notice shall only indicate the name, address and phone number of the member of the planning staff whom adjacent landowners, or other potentially affected citizen, may contact to express any issues or concerns that the landowner or citizen may have with the proposed zoning amendment, Use Permit or Special Use Permit applications.

2. A staff report summarizing any issues or concerns expressed by adjacent landowners shall be presented to the Planning and Zoning Commission and Mayor and Council when such body considers taking action on the application.

6.13. Public Hearings

6.13.1. General Provisions.

Applications for amendments, including those for Preliminary PAD district and Final PAD district approval, Special Use Permits, and Use Permits shall require a public hearing before the Planning and Zoning Commission. Prior to the public hearing before the Commission, the application shall adhere to the citizen review process set forth in this Ordinance.

6.13.2. Notice of Public Hearing.

Table 6.13.1. Application Notification Requirements

Request	Public Hearing Required	Mailed Notice	Site Posting	Newspaper Notice	Notification Radius	Timing Notice
Neighborhood Meeting	N/A	Yes	Yes	No	Dependent on Request	At least 15 days prior to neighborhood meeting
Zoning Map Amendment	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing
Planned Area Development (PAD)	Yes	Yes	Yes	Yes	Property owners within 1200 feet	At least 15 days prior to hearing
Planned Area Development (PAD)	Yes	Yes	Yes	Yes	Property owners within 1200 feet	At least 15 days prior to hearing
Special Use Permit (SUP)	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing
Use Permit	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing
Variance	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing (per public notice requirements)
Zoning Text Amendment	Yes	No mailed notice	No posting	Yes	N/A	At least 15 days prior to hearing

Notification of a public hearing shall comply with State Statutes governing public hearings and this Ordinance:

A. At least fifteen (15) days prior to the scheduled public hearing, a notice of the public hearing shall be posted on the subject property; published in a newspaper of general circulation in the City; and provided by first class mail to all property owners within distance from the subject properties specified in Table 6.13.1 Application Notification Requirements.

B. Notice shall include, where applicable, the location and general explanation of the proposed action, a general description of the affected area, and the date, time and location of the scheduled public hearing. If the matter to be considered applies to territory in a high noise or accident potential zone as defined in ARS Section 28-8461, the notice shall also include a general statement that the matter applies to property located in the high noise or accident potential zone.

C. When the proposed amendment involves land that abuts other municipalities or unincorporated areas of Maricopa County or a combination thereof, notice of the public hearing shall be sent to the planning agency of the adjacent governmental unit.

D. When the proposed amendment involves land that is located within the territory in the vicinity of a military airport or ancillary military facility as defined in ARS Section 28-8461, notice of the public hearing shall be sent to the military airport.

E. Failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.

F. Amendments to the text of this Ordinance, which are of a general nature and are not directed at a specific real property, shall require a notice to be published once in a newspaper of general circulation in the City at least fifteen (15) days prior to the scheduled public hearing.

ARTICLE 7 – ENFORCEMENT & NONCONFORMITIES

7.1. Purpose

The purpose of this Article is to establish the procedures used by the City to enforce this Code, ensure compliance, and remedy violations. This Article also identifies the remedies and penalties applicable to violations of this Code, and regulates lawfully established uses, structures, lots, site characteristics, and signs that no longer conform to current requirements, collectively referred to as nonconformities.

7.2. Violations and Penalties

7.2.1. Violations

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.

7.2.2. 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 (here-after "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.

7.2.3. 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:

A. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or,

B. 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.

7.2.4. Separate and Continuing Offenses

Each day that the violation exists constitutes a separate and distinct offense. A violation continues until the responsible party has fully corrected the condition and has obtained all required approvals and permits.

7.2.5. Abatement and Cost Recovery

If the responsible party fails to correct a violation, the City may enter the property, abate the condition, and recover all costs, including administrative fees, equipment, labor, contractor expenses, and any associated penalties.

7.2.1. No Vested Rights in Violations

No unlawful use, structure, or activity shall ever be granted legal status based on the duration of the violation. Delayed enforcement does not confer approval.

7.3. Nonconforming Uses & Buildings

Lawful use of a building or land existing at the effective date of this Ordinance, although such use does not conform to these provisions, may be continued, provided only reasonable repairs and alterations are made.

7.3.1. Uses.

A. Such nonconforming use discontinued for a period of six (6) months shall be presumed to be abandoned, and any future use of said building or land shall be in conformity with this Ordinance, unless the owner is able to establish that such use was not intended to be abandoned.

A. A nonconforming use of a building or land may not be changed to another nonconforming use. When a nonconforming use has been changed to a conforming use, it shall not thereafter be changed to a nonconforming use.

B. An existing building or land devoted to a use not permitted under this Ordinance for the district in which located shall not be enlarged, extended, reconstructed, or structurally altered unless the use conforms with this Ordinance. Reasonable repairs or alteration shall be permitted, so long as such repairs or alterations do not permit the expansion of the nonconforming use.

7.3.2. Buildings.

A. Any building or land in existence at the effective date of this Ordinance, which does not conform to the district in which located, that shall be destroyed to extent of fifty (50) percent of its value, (as determined by three [3] competent appraisers) then, without further action by Council, said building or land shall, from date of destruction, be subject to this Ordinance.

B. Nothing in this Ordinance shall be interpreted as authorization for continuance of the use of a building or land in violation of zoning regulations in effect prior to adoption of this Ordinance.

C. Nothing in this Ordinance shall be interpreted to require any changes in:

D. An existing building that was legally permitted and/or approved or annexed with an existing condition; or

E. A building for which a building permit has been issued and construction has been diligently pursued within three (3) months of the date of permit, and ground story framework (including second tier of beams) has been completed within six (6) months of date of the permit, and the entire building was completed within one year from date of this Ordinance.

ARTICLE 8 - DEFINITIONS

8.1. Meanings of Words and Terms

For this Ordinance, certain terms and words are herein defined.

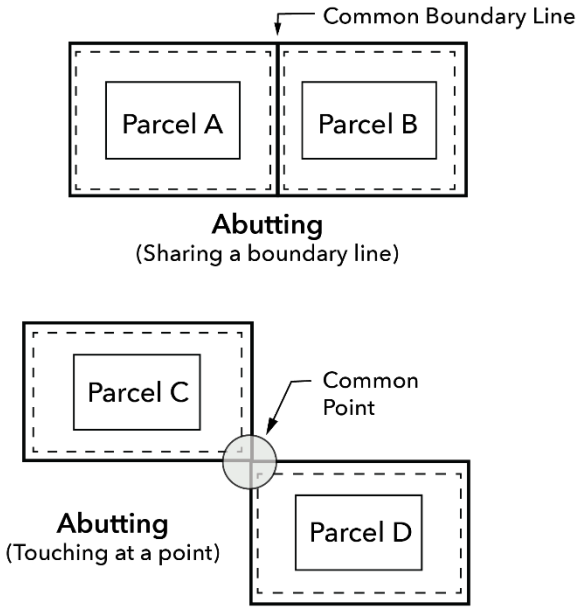
1. Present tense shall include future tense; singular number shall include plural, and plural shall include singular; "shall" is mandatory, "should" is generally required though alternatives may be considered, and "may" is permissive; "persons" include individuals, partnerships, corporations, clubs or associations; reference to one gender shall include the other.
2. The following terms may be used interchangeably; lot, parcel, plot, or premises; used, arranged, occupied or maintained; building or structure; sold or dispensed; zone or district.
3. Illustrations and photographs are included in this ordinance for illustrative purposes only. In case of any difference of meaning or implication between the text of this ordinance and any illustration or photograph, the text shall control.
4. "City" shall mean the City of Goodyear; "Board" shall mean the Board of Adjustment; "Commission" shall mean the Planning and Zoning Commission; "Council" shall mean the City Council; Committee shall mean the Site Plan Review Committee.
5. Defined words appear in bold throughout the text.
6. Words and phrases not specifically defined in this Ordinance shall be construed according to their common and ordinary meaning. Where a term is not defined herein, the most recent edition of *Merriam-Webster's Collegiate Dictionary* or another generally recognized English dictionary may be consulted by the Zoning Administrator to determine the common meaning of the term.

8.2. Definitions

Abandoned Vehicle. Any vehicle which is without the required current license plates or tabs, inoperable, stripped, unclaimed, scrapped, junked or discarded. Inoperable shall also mean a vehicle being repaired, other than at a commercial facility intended for such use, when such repairs take seventy two hours or more.

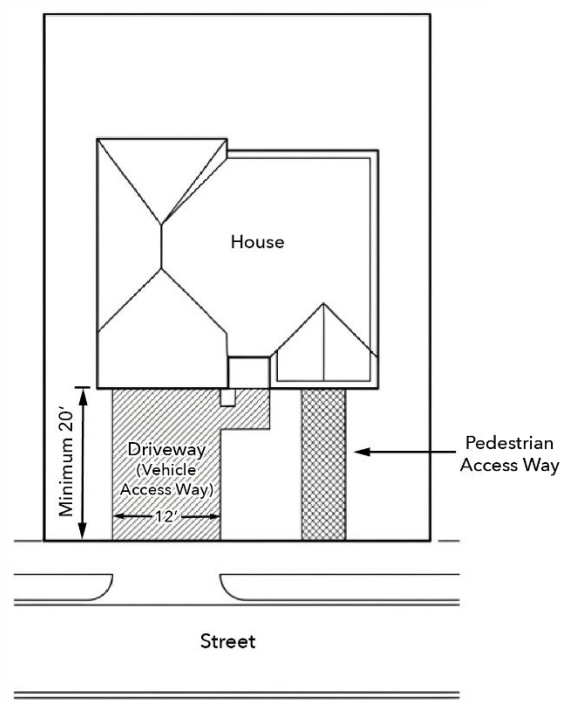
Abutting. Two adjoining properties sharing a common property line; also where two or more adjoin only at a corner, but not including cases where adjoining lots are separated by right-of-way.

Figure 8.2A - Abutting Properties



Access or Access Way. Designated area, means or way by which pedestrians and vehicles have safe, adequate and usable ingress to a property or use, as required by this Ordinance.

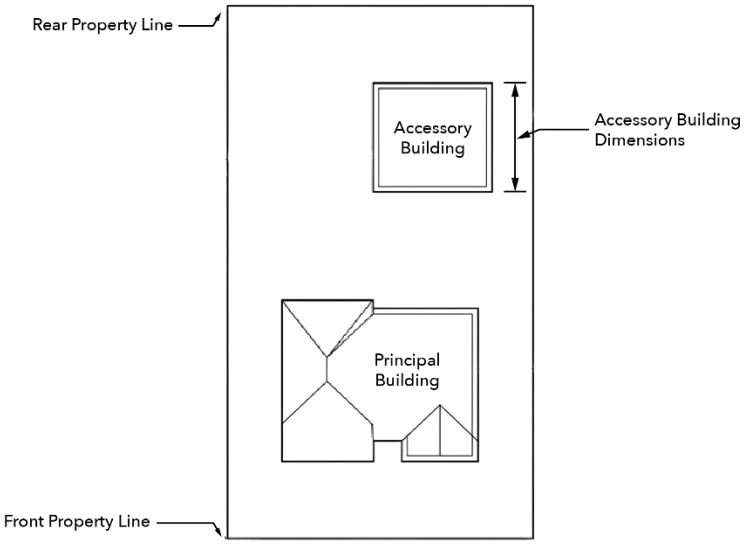
Figure 8.2B - Access/Access Way



Accessory Dwelling Unit. A self-contained attached or detached accessory building that is located on a lot or parcel of a single-family dwelling unit. The Accessory Dwelling Unit includes a bedroom, bathroom and may include kitchen (cooking) facilities.

Accessory Building: A building whose use is customarily incidental to that of a principal use of the main building or premises. (e.g. garage, pool house, etc.)

Figure 8.2C - Accessory Building



Accessory Flag. A non-permanent flag constructed of fabric, vinyl, or similar flexible material, mounted on a pole or staff, and displayed on a lot in a manner that is incidental and subordinate to a principal use or structure on the same lot.

Accessory Structure: A subordinate structure to that of a principal building, which may be served with utilities, but does not enable human habitation. (e.g. closed or open roof patio cover, gazebo, shed, etc.)

Accessory Use. Use customarily incidental, related, appropriate and clearly subordinate to the main use of a lot or building, which does not alter the principal use of subject lot or building, or adversely affect other properties in the district.

Active Recreation. Leisure activities that require physical exertion, organized play, or specific equipment. It typically takes place on areas set aside for recreational activities that are typically improved with some form of equipment, sports courts or fields, buildings or other structures, which are appropriately sized to accommodate the intended activity.

Adjacent. The condition of being near to or close to but not necessarily having a common dividing line. Two (2) properties which are separated by only a street, alley, canal or another feature shall be considered as adjacent to one another.

Administrative Process Manual. The City of Goodyear Administrative Process Manual as adopted and amended from time to time by the City Council.

Adult Businesses. The following terms relate to definitions, distinctions and types of Adult Business:

Adult Bookstore. A commercial establishment having as a substantial portion of its stock in trade, books, magazines and other periodicals depicting, describing or relating to "specified sexual activities" or which are characterized by their emphasis on matters depicting, describing or relating to "specified anatomical areas".

Adult Live Entertainment Establishment. A business that offers any of the following entertainment during any part of any two (2) or more days within any continuous thirty (30) day period:

A. Topless or bottomless dancers, male or female striptease dancers, or male or female go-go dancers whose clothing less than completely and opaquely covers:

B. Human genitals and pubic region, and

C. Buttocks, and

D. Entire female breasts below a point immediately above the top of the areola.

E. Nude models or models where costuming is as described in paragraph a., above.

F. Nothing in the definition of "adult live entertainment establishment" shall be construed to apply to the presentation, showing, or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opinion or communication of ideas, information, or comments differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Adult Novelty Store: A commercial establishment which:

As one of its principal business purposes, offers for sale or rental, for any form of consideration, any one or more of the following:

A. Books, magazines, periodicals, or other printed matter which depict or describe "specified sexual activities" or "specified anatomical areas" or

B. Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities" excluding condoms and other birth control and disease prevention products.

C. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of the above-listed items and still be characterized as an adult novelty store. Such other business purposes will not serve to exempt such commercial establishment from being characterized as an adult novelty store so long as one of its principal business purposes is offering for sale or rental for consideration the above-listed items; or

D. Regularly excludes all minors from the premises or a section thereof because of the sexually explicit nature of the items sold, rented or displayed therein.

Adult Theater: An enclosed building or open air drive-in theater regularly used for presenting any film or plate negative film or plate positive film or tape designed to be projected on a screen for exhibition, or films, glass slides or transparencies, either in negative or positive form, designed for exhibition by projection on a screen depicting, describing or relating to "specified sexual activities" or characterized by an emphasis on a matter depicting, describing, or relating to "specified anatomical areas" for observation by patrons therein.

Erotic Dance or Performance Studio: A business which emphasizes and seeks, through one or more dancers or other performers, to arouse or excite the patrons' sexual desires. Nothing in the definition of "erotic dance or performance studio" shall be construed to apply to the presentation, showing or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opinion or communication of ideas or information differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Advanced Manufacturing. The use of innovative technologies to create products. Advanced manufacturing can include production activities that depend on information, automation, computation, software, sensing, and networking. Advanced Manufacturing is characterized by precision production, research and development integration, and a clean, controlled, and often low-impact operational environment.

Agricultural, General. The use of land for agricultural purposes, where growing and harvesting activities associated with horticulture, floriculture, viticulture, and associated apiaries and grazing of livestock uses along with necessary accessory uses (such as caretaker facilities, greenhouses/nurseries, incidental raising of agricultural animals, or the storage of agricultural related equipment used on the premises and temporary storage of agricultural products used and/or produced on the premise) takes place; provided, however, that the operation of any such accessory use shall be secondary to that of the normal agricultural activities. General Agriculture uses may or may not be owner-occupied and may utilize employees who are not owners or family of the owners. This use includes supporting office uses and wholesale of produce and plants, but does not include on-site retail sales of produce or plants. This use does not include agriculture, intensive operations such as dairies, commercial animal breeding, concentrated animal feeding operations (CAFO), slaughter and meat packing plants, or fertilizer yards.

Agricultural, Intensive Operation. A lot or building or combination of contiguous lots or buildings, designed and intended for the confined feeding, breeding, raising, or holding of animals (including commercial feedlot, hog operations, dairies, and raising and marketing of chickens/eggs or turkeys). Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on. The facilities are specifically designed as a confinement area where manure may accumulate and the concentration of animals is such that vegetative cover is not maintained within the enclosure. Use also includes fertilizer yards.

Agricultural, Noncommercial. The cultivation of food and/or horticultural crops. Such use may include the production and sale of food products from food grown on the premises. Noncommercial agriculture may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. This definition includes gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, vegetable gardens and other similar activities.

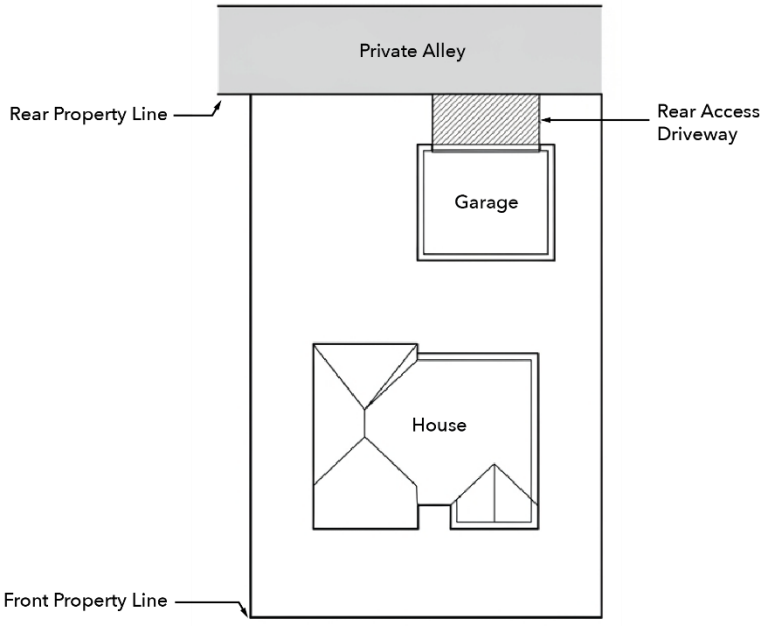
Agricultural Stand. A structure for the display and commercial sale of agricultural and horticultural products raised on the premises.

Airport/Heliport/Helistop. Property used or intended primarily for taking off and landing of aircraft, and appurtenant areas used or intended for airport buildings or facilities (e.g., open spaces, taxiways and tie down areas, hangers and accessory buildings). **Heliport.** Area used or intended for landing and takeoff of helicopters; may include areas of buildings appropriate to accomplish these functions.

Alley. Public thoroughfare which affords only secondary vehicular access to abutting property and is not intended for general traffic circulation.

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.

Figure 8.2D - Alley-Loaded Residential



Amendment. Change in wording, context, or substance of this Ordinance (e.g., addition or deletion, or change in district boundaries or classifications on district map) which imposes any regulation not heretofore imposed, or removes or modifies any regulation heretofore imposed.

Amusement Park. An outdoor facility, which may include structures and buildings, where there are various devices for entertainment, including permanent rides, booths for the conduct of games or sale of items, and buildings for show and entertainment.

Analogous Use. Comparable, similar, or resembling listed uses. Analogous uses shall not be any more deleterious, obnoxious, or harmful than uses permitted as determined by the Zoning Administrator.

Animals. The following terms relate to definitions, distinctions, and types of animals.

Domestic Animals

Any animal customarily kept by humans for companionship including, but not limited to, dogs, cats, birds, rabbits, hamsters, mice, turtles, and the like.

Large Animals

Cattle, horses, mules, sheep, goats, pigs, beasts of burden, llamas, alpacas, or any other animal not listed weighing more than twenty (20) pounds, except Domestic Animals, unusual/exotic animals, or donkeys.

Small Animals

Any animal that does not reside in a home, including rabbits for agriculture purposes, chickens, roosters, fowl or any other animal weighing less than twenty (20) pounds, except domestic animals or unusual/exotic animals.

Animal Keeping. The keeping or raising of large or small animals domestic animals for personal or agricultural purposes. This does not include commercial breeding or kennels or the raising of domestic animals. All animal keeping must follow standards for lot size, setbacks, and sanitation to prevent noise, odor, and other nuisances.

Animal Kennel. A place where four or more dogs over the age of 3 months are boarded, bred, or offered for sale.

Animal Pet Day Care Facility. A retail establishment in which household pets are kept regularly for the primary purpose of day care for the benefit of persons who do not reside on the premises. Facilities may provide shelter, feeding, grooming and retail sales. This shall not include breeding or raising of household pets or animals or facilities for which the primary use is overnight pet boarding.

Animal Shelter. A facility used to house or contain stray, homeless, abandoned, or unwanted animals that is owned, operated, or maintained by a public body, humane society, animal welfare society, society for the prevention for cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals

Apartment. An efficiency apartment, a single room or a suite of rooms, with cooking facilities and private bath and toilet facilities, used for living purposes. Each apartment shall be considered a dwelling unit.

Assisted Living Facility. A facility, licensed by the State of Arizona to provide supervised care for more than ten (10) adults who are living together by reason of age, disability, illness, infirmity or companionship and for whom meals, recreation or other diversion, and general health care is provided.

Attached Building. Building with parts of exterior wall in common with another building or which is structurally integrated with the main building.

Automobile Rental. A business engaged in the short-term rental or leasing of passenger automobiles, recreational vehicles (RVs), boats and light trucks to the general public, typically on an hourly, daily, or weekly basis. Such use may include vehicle storage, cleaning, minor servicing, customer service offices, and parking areas accessory to the rental operation. Automobile rental does not include long-term vehicle storage, vehicle sales, or major vehicle repair activities.

Automobile Refueling Stations. Retail business engaged primarily in the sale of motor fuels or electricity used exclusively for electric vehicle charging, and supplying of incidental customer services and products; and does not include or contain a truck stop/travel center as defined in this section.

Automobile Repair, Major. Repair of automobiles, boats, trucks, motorcycles, and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes engine repair shops; body, and fender shops, transmission shops, restoration, refurbishing, but excludes dismantling or salvaging and tire re-treading or recapping.

Automobile Repair, Minor. The service and repair of automobiles, boats, light-duty trucks, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, battery replacement and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles under service are stored outside overnight.

Automobile Storage Facility. Building or lot designed or used for storing of four or more vehicles.

Auto Sales, New. Franchised agency selling new motor vehicles and providing services commonly associated with motor vehicle sales. New automobile dealership may include sale of used motor vehicles.

Auto Sales, Used. Agency selling used motor vehicles not in conjunction with or on same site as new motor vehicle franchise and providing services commonly associated with motor vehicle sales.

Awning. Structure of canvas or metal projecting above a window or door, or over patio as protection from sun and rain.

Banner. A temporary sign of fabric, plastic, paper or other light pliable material not enclosed in a rigid frame.

Balcony. Portion of building projecting into required yard, and floor height is four feet or more above grade.

Bar or Cocktail Lounge. Business establishment devoted primarily to alcoholic beverage service to which food service is only incidental, i.e. where state sales tax receipts from the sale of alcoholic beverages equals or exceeds fifty-five percent (55%) of the total state sales tax receipts including food.

Barrel. A barrel container that can hold no more than 31 gallons.

Basement. Portion of a building located partly underground but having not less than half its floor to ceiling height below the average grade of the adjoining ground.

Battery Energy Storage System (BESS). One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time. A BESS

typically includes batteries, battery management systems, inverters, switchgear, and associated equipment for storing and discharging electricity.

Billboard. A permanent sign or structure containing a commercial or noncommercial message, which directs attention to something offered or existing elsewhere than upon the property where the sign is located.

Block. Property abutting one side of the street, and lying between two nearest intersecting streets or rail-road rights of way, unsubdivided acreage, or waterway (but not an alley or utility easement), of sufficient width as to interrupt continuity of development on both sides of block.

Boardinghouse or Lodging House. A dwelling or building that is used to provide lodging for compensation to unrelated individuals (either with or without meals) and where rent or a lodging fee is charged separately for the individual room(s) or partitioned areas that are occupied by a renter or occupant. Individual rooms or partitioned areas may or may not be equipped with kitchen facilities and congregate dining facilities may or may not be provided for the renters or occupants. A dwelling unit located within a single family residential district in which leases, subleases, and/or agreements for individual rooms and/or partitioned areas are entered into with unrelated persons, that are not a single housekeeping unit shall be considered a boardinghouse. Notwithstanding, a boardinghouse is not a Group Home, short-term rental, hotel or motel.

Body Piercing Studio. A business that as one of its principal uses implants, perforates, or pierces the skin or other body part to make a hole, mark or scar for a non-medical purpose. A Body Piercing Studio shall not include a Jewelry Store, Beauty Parlor or similar establishment that uses a mechanized, pre-sterilized ear piercing system that penetrates the outer perimeter or lobe of the ear or both as an accessory use to a principal use.

Brewery. A facility engaged in the manufacture of beer for commercial purposes that produces beer in quantities exceeding the maximum annual production threshold for a microbrewery as established under Arizona state law. A brewery is licensed by the State of Arizona as a producer or brewer (ARS § 4-203) and may include packaging, storage, distribution, offices, tours, and tasting or sampling areas when permitted by the applicable license..

Brewpub. A restaurant with facilities for the brewing of beer for onsite consumption and retail sale at the restaurant. A brewpub must derive at least 40% of its gross revenue from the sale of food.

Building. Any structure, including patio and similar type coverings for shelter, housing or enclosure of persons, animals, chattels, or property of any kind, (with the exception of dog houses, play houses, and similar structures). Each portion of a building separated by a dividing wall without openings may be deemed a separate building when issuing building permits.

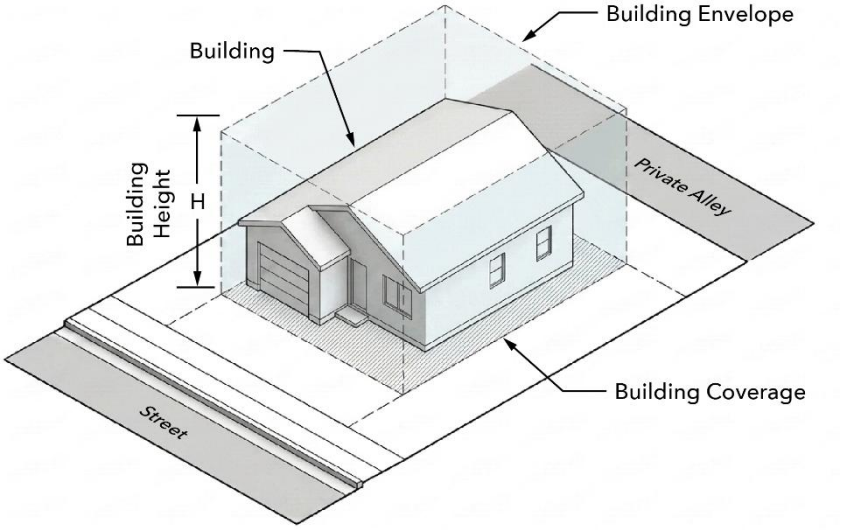
Building Coverage. That portion of a lot occupied by any building or structure, including those buildings or structures not intended for human occupancy, calculated by dividing the total building ground floor area by the net site area. Portals to be excluded from the calculation.

Building Envelope. That area of a lot lying between the front, rear, and side yard setback lines and between ground level and the maximum allowable building height

amounting to the three dimensional area available for potential building construction.

Building, Height of. Vertical distance measured from point of reference elevation (fourteen inches above average elevation at top of crown of roadway, if no curb) to the highest point of coping of a flat roof, or to the highest point of a mansard roof, or to the highest gable of a pitch or hip roof. When drainage considerations supersede this Ordinance, the point of reference elevation shall be subject to the approval of the Chief Building Official, or his designee.

Figure 8.2E - Building Terminology



Building Material Sales, Wholesale. An establishment for the sale of materials, hardware, lumber, and landscaping materials customarily used in the construction of buildings, other structures and site improvements on a retail or wholesale basis. Display and sale of materials typically occurs inside a principal building, but storage of material occurs outside. Examples include lumber yards, stone slab suppliers masonry suppliers, soil and mulch suppliers, landscape rock yards, irrigation supply yards, and artificial turf suppliers. This use is not a retail home improvement or hardware store, but may include the sale of material commonly found within such establishments.

Building Site. Area of building, plus associated parking areas and open space required by this Ordinance. Building site may encompass more than one lot.

Business. For purposes of Section 4.6 (Signage), any commercial or noncommercial activity conducted within or outside a building or structure located on a property, parcel, or any part of a property or parcel.

Carport. Accessory building, or portion of a main building, with two or more open sides, designated or used for parking of motor vehicles. Enclosed storage facilities may be a part of a carport.

Car Wash, Automatic. A structure containing facilities for washing automobiles using chain conveyor or other method of moving the cars along, and automatic or semi-automatic application of cleaner, brushes, rinse water and heat for drying.

Car wash, Hand. A facility for washing, cleaning, drying and waxing of passenger vehicles, recreational vehicles, or other light duty equipment. A car wash may be self-service or full service.

Cellar. That portion of the building between floor and ceiling wholly or partly below grade (vertical distance from grade to floor is equal to or greater than from grade to ceiling).

Cemetery/Mausoleums. Property used for interment of deceased persons. Cemeteries may include associated mausoleums, columbaria and chapels. The term does not include "mortuary" or "crematory," except where separately permitted, and does not include a pet cemetery

City Code or Goodyear City Code. The Goodyear Code of Ordinances as adopted and amended from time to time by the City Council.

Club. An association of persons, whether or not incorporated, religious or otherwise, for social purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

College. Private or public places of general instruction (not including day nursery schools, dancing schools, riding academies, or trade or specialized vocational schools) authorized to award baccalaureate or higher degrees.

Commercial Use. Use operated for profit or compensation that provides retail of goods or rendering of service.

Committee. The Development Review Committee as described in Section 5.5 of this Ordinance. Common Open Space. Useable open space, other than private open space or required setbacks, may include recreation oriented areas.

Community Playfields and Parks. A tract of land owned by a public entity and available to the general public for recreational purposes. This definition includes indoor recreational facilities, swimming pools, playgrounds, and lighted and unlighted athletic fields.

Comprehensive Sign Package. A submittal required for any commercial or industrial development that contains three or more businesses, for a master planned residential or mixed-use community, and for all Planned Area Developments (PADs), to provide unified signage throughout the proposed development.

Condominium. Ownership in real property consisting of undivided interest in common in a portion of a parcel or real property, together with a separate, undivided interest in air space in residential, industrial or commercial buildings on such real property (e.g., apartment, office or store).

Convalescent Home or Nursing Home. Place or institution with provisions for bed care, or for chronic or convalescent care for one or more persons (exclusive of relatives). Persons with communicable diseases (including contagious tuberculosis) shall not be admitted or cared for in homes licensed under the State of Arizona as convalescent or nursing homes.

Convenience Store. A retail establishment, generally less than 7,500 square feet, primarily engaged in the sale of a limited selection of groceries, prepackaged food items, beverages, tobacco products, and other household goods for off-premises consumption. Convenience stores typically operate with extended hours and may be located independently or in conjunction with an automobile refueling station. This use excludes supermarkets or other large-scale retail establishments.

Convenience Use. Convenience uses include those commercial uses in which:

A. Retail gasoline is sold.

B. 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 (hand and/or automated), quick service oil, drive through laundry/dry cleaners, and drive through video stores.

D. The Development Services Director makes a determination that an establishment is a "convenience use" by virtue of being an analogous use to the businesses described above.

Crematory. A facility used exclusively for the cremation of human or animal remains using combustion or other thermal processes. A stand-alone crematory does not include funeral, memorial, visitation, chapel, or embalming services, nor does it include retail sales of funeral merchandise, except items incidental to the disposition of cremated remains. Bodies or remains are delivered to and removed from the facility without ceremonial services conducted on site.

Cul-de-Sac. Local street having one end open to vehicular traffic, and other terminated by a vehicular turnaround.

Cultural facility or Museum. Museums, historic sites, art galleries, performing arts facilities, libraries, and similar uses

Curb Elevation. Average elevation of the curb adjacent to a development from which height of building is determined.

Data Centers. A facility or portion of a facility housing networked computer systems and telecommunications equipment used for remote storage, processing, and distribution of data.

Day Care Facility. A facility not occupied as a residence that is used to provide day time care and super- vision for more than ten (10) children or more than ten (10) adults not related to the proprietor.

Day Care, Home. A residential dwelling used by persons residing on the premises to provide day time care and supervision for up to ten (10) children or up to ten (10) adults not related the residents. It is a form of Home Business.

Decibel (dB). A unit used to measure the intensity of a sound by comparing it with a given level on a logarithmic scale.

Decibel, A-Weighted Scale (dBA). The sound level, in decibels, measured using an electronic filter in a sound level meter which approximates the frequency response of the human ear.

Density. Ratio of the number of dwelling units to net land area in acres as provided in the Zoning Ordinance or Goodyear General Plan as amended from time to time.

Development Review Committee. The Development Review Committee as described in Section 5.5 of this Ordinance.

Distillery. A facility engaged in the manufacture of distilled spirits through fermentation and distillation processes, including the production, bottling, and

storage of spirits, and licensed by the State of Arizona as a distiller or craft distillery. A distillery may include accessory uses such as tasting rooms, retail sales of spirits produced on-site, tours, and related commercial activities as permitted by state law and applicable licenses.

District. An area classification as shown on zoning map, having uniform or singular regulations governing use of buildings and premises, or height and area of buildings.

District Map. Official zoning map (part of Zoning Ordinance) of the City of Goodyear.

Donation Drop-Off Box. Any container, storage unit or structure, other than an accessory building or shed, that can or is used for the holding of charitable or for-profit donated items by the general public, including but not limited to clothing, toys, books, and newspapers, with the collection of those donated items made at a later date or time and which is located for such purposes outside an enclosed building.

Drive-In Restaurant. Building and improvements where food and drink are served for consumption on the premises, by order from and service to vehicular passengers. The term does not include restaurants that provide designated parking spaces used solely for mobile or online order pick-up without on-site vehicle service.

Drive-In Theaters. An outdoor facility designed for the exhibition of motion pictures on a large screen, where patrons view films from parked motor vehicles. Such venues may include accessory uses such as concession stands, restrooms, and ticketing areas, and require site design accommodating vehicle circulation, parking, and compliance with noise and lighting standards.

Drive-Through. A facility where food or other products may be purchased, or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through facilities include fast-food, coffee, pharmacies, bank teller windows, dry cleaners, quick service oil change, etc., but do not include automated teller machines (ATMs), refueling stations or other uses, which are separately defined.

Dust Free. Treatment of native soil with covering of asphalt, concrete, or masonry.

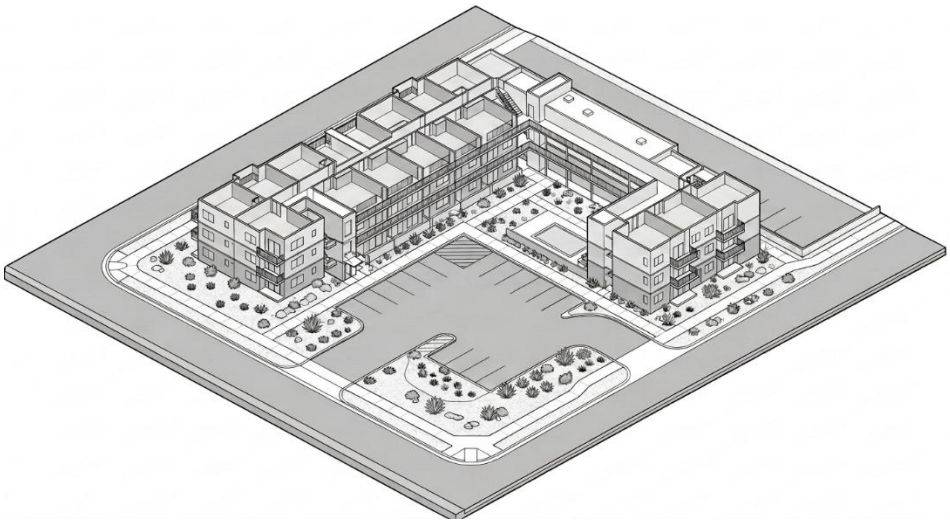
Dwelling for a Watchman or Caretaker. A dwelling unit located on the same site as a permitted non-residential use, provided exclusively for an individual employed as a watchman or caretaker responsible for security, maintenance, or oversight of the property. This use is accessory to the principal use and not intended for general residential occupancy.

Dwelling Group. Two (2) or more buildings on the same lot, each containing one (1) or more dwelling units.

Dwelling Unit. A room or group of rooms within a building containing cooking accommodations and occupied exclusively by one (1) family. An apartment shall be considered a dwelling unit.

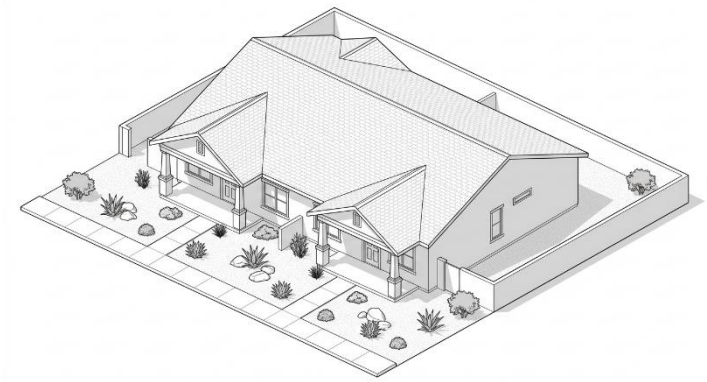
Dwelling, Multi-family. A single building or buildings containing three or more dwelling units on an individual lot for occupancy by a housekeeping unit living independently of each other. Within apartments, the building and land are under single ownership and dwelling units are rented or leased. Within a condominium, ownership consists of the airspace within a unit and the building(s) and all land within the development is under common ownership.

Figure 8.2F - Multi-Family Dwelling



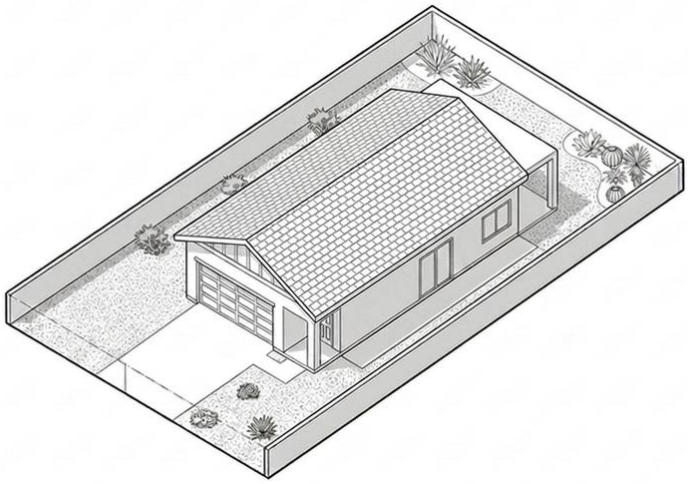
Dwelling, One Single Family Attached. A dwelling unit designed for or used by one housekeeping unit, located on an individual lot, and having any portion of one or more walls in common with adjoining dwelling units. Each dwelling unit has its own external entrance.

Figure 8.2G - Single-Family Attached Dwelling



Dwelling, One Single Family Detached. A dwelling unit designed for or used by one housekeeping unit, located on an individual lot, and having no walls in common with adjoining dwellings.

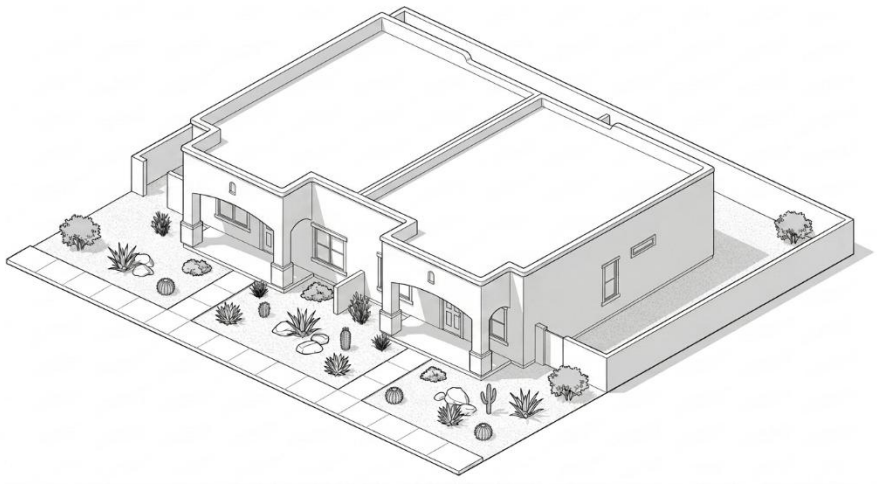
Figure 8.2H - Single-Family Detached Dwelling



Dwelling, Single Family. A parcel containing only one (1) family unit

Dwelling, Two Family (Duplex). A single building containing two dwelling units located on a common lot designed for or used by two single housekeeping units living independently of each other. Dwelling units are typically attached by a common vertical wall and may be side by side or up and down.

Figure 8.2I - Two-Family (Duplex) Dwelling



Efficiency Apartment. Dwelling unit with only one combined living and sleeping room (may also have a separate room containing only kitchen facilities, and may contain a separate room containing only sanitary facilities).

Electronic Message Display. A permanent on-site sign capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means.

Eligible Facilities Request. A request for modification of an existing wireless tower or base station that involves collocation, removal, or replacement of transmission equipment and that does not constitute a substantial change to the physical dimensions of the existing structure under 47 CFR § 1.6100. Such requests shall be approved administratively and shall not be subject to discretionary review, consistent with federal law.

Embellishment. Irregular forms or similar ornamentation, whether or not attached to, affixed to, or imposed upon advertising signs.

Emissions Testing & Vehicle Licensing. An establishment licensed to conduct vehicle emissions inspections and/or oversee registration and titling functions, often including facilities where vehicles are tested, documented, and processed for compliance with state and federal environmental and vehicle registration standards. Such facilities may include drive through test bays, office counters, and outdoor queuing areas, and are subject to commercial zoning, licensing, and site design standards to ensure adequate access, queuing space, ventilation, and compliance with air quality regulations.

Energy Generation Facility. A facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including but not limited to facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to on-site electric generation equipment as defined herein when such use is an accessory use to a principal permitted use nor does this definition apply to Battery Energy Storage Systems as a principal use.

Engineering Standards. The City of Goodyear Engineering Design Standards and Policies Manual as adopted and amended from time to time by the City Council.

Entertainment Establishments, General. An establishment or facility that provides indoor entertainment and recreational activities, which may include but are not limited to interactive games, sports simulators, bowling, arcades, laser tag, movie theater or similar attractions. These uses are typically designed for social gatherings, leisure, and amusement, and may include ancillary food and beverage service.

Entertainment Venue, Indoor. A use providing entertainment, diversion, or pleasure that comes from watching a performer, sports competition, etc. whether public or private, conducted indoors as a business, including concert halls, performance theatres, stadiums, and uses analogous to these uses that typically have assigned seating. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

Entertainment Venue, Outdoor. An establishment, structure, or outdoor area designed and used for live entertainment, performances, or public gatherings. Such venues may include stages, seating, lighting, sound systems, and space for vendor booths, and are intended for activities such as concerts, festivals, cultural events, and other programmed assemblies. These venues require appropriate permits and must comply

with zoning standards regarding noise, parking, public safety, pedestrian access, and site planning.

Event Venue. An establishment or facility designed to host gatherings, events, or assemblies, such as social functions, performances, ceremonies, or community activities. Events may be indoor, outdoor, or both, and typical venues include banquet halls, wedding or event centers, and similar uses. These facilities often require specialized infrastructure for parking, staging, seating, and crowd management, and may be subject to zoning approvals, permits, and additional standards for noise, traffic, and safety.

Exhibition Hall and Convention Facilities. A facility containing over 20,000 square feet of gross floor area and designed to accommodate and support meetings or conferences for on-site or off-site guests. The facility may be either freestanding or incorporated into a hotel or office facility and may include eating and drinking facilities.

Facilities and Storage Areas Incidental to a Construction Process. An area located on or adjacent to an active construction site, established for a limited duration to support the construction process. These facilities may include offices, workshops, parking and storage areas for equipment and materials, and other support services necessary for onsite construction operations. Use is temporary, accessory to the primary construction project, and subject to applicable zoning standards and permit requirements.

Family.

A. Individual; or

B. Two (2) or more persons, including children, related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit, a Family includes two (2) persons in a domestic relationship and the biological, adopted and foster children of either person living together as a single housekeeping unit in a dwelling unit; or; or

C. No more than six persons not related, living together as a single housekeeping unit within a dwelling unit; or

D. Persons with development disabilities, as defined by Arizona Revised Statutes, and operators of a residential facility as defined in this section.

Farm. Area of five or more contiguous acres used for raising of farm animals and/or production of crops (e.g., vegetables, fruit trees, fiber or grain) and their storage.

Farmers Market. A temporary or seasonal outdoor market where individual vendors sell agricultural products, food items, or handcrafted goods directly to the public. Products typically include fresh fruits and vegetables, meats, dairy products, baked goods, prepared foods, flowers, plants, and other items produced by the vendor or sourced from local or regional producers. A farmers market is conducted in open-air settings, operates on a recurring schedule at a designated location, and utilizes removable structures such as tents, tables, or booths. A farmers market is not a permanent retail establishment.

Financial Institution. An establishment that provides banking services, lending, or similar financial services to individuals and businesses. This definition includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities but shall not include deferred presentment companies.

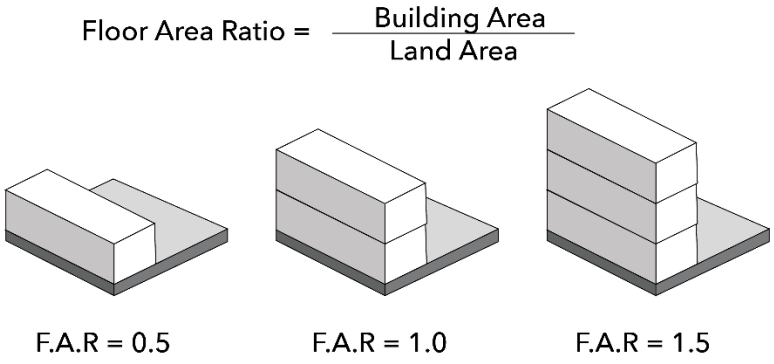
Fine Art Sales & Studio. A facility or area that is open to the public and is intended for the display, appraisal, purchase, sale, loan of art books, paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value.

Flood Prevention Regulations. Chapter 16 of the Goodyear City Code as adopted and amended from time to time by the City Council.

Floor Area. For determining parking requirements, total floor area of a building measured from interior faces of load bearing walls (excluding air shafts, stair wells, elevator shafts, rest rooms, and mechanical equipment rooms).

Floor Area Ratio (F.A.R.). Ratio of gross building floor area to gross lot area of a building site.

Figure 8.2J - Floor Area Ratio (F.A.R.)



Flying Banner. A type of vertical banner made of flexible material, with the longer dimension typically attached to a pole or rod attached to the ground. Also sometimes called a feather, sail or teardrop banner.

Food Truck. A self-contained, motorized mobile food vendor vehicle designed and equipped to prepare and sell food or beverages for off-site consumption.

Freeway. The Papago Freeway (Interstate 10), the Loop 303 Freeway, the future Tres Rios Freeway (Arizona State Route 30), future Interstate 11, and any other future controlled-access highway or controlled-access highway modification located or to be located within the City.

Food Bank. A non-profit facility operated by a government or charitable organization for the storage, distribution, or preparation of food to individuals in need. Uses may

include walk-through pantries, emergency food pickups, and related administrative activities. Such facilities are subject to health, sanitation, parking, accessibility, and zoning standards applicable to institutional and food service uses.

Foundry/Casting. An establishment engaged in the casting or forming of metal products using molds, conducted entirely within enclosed buildings and designed to minimize noise, vibration, dust, and emissions. Such facilities operate at a scale and intensity compatible with light industrial zoning and comply with applicable environmental and safety standards.

Frontage. All property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of a street (if street is dead end, then all property abutting one side between an intersecting street and the street's termination), including property fronting on a cul-de-sac.

Funeral Home. An establishment providing services for the preparation, viewing, or disposition of deceased persons, which may include embalming facilities, chapels or viewing rooms, funeral ceremonies, and administrative offices. Such uses typically require specialized infrastructure and are subject to operational, licensing, and zoning standards to ensure compatibility with surrounding land uses.

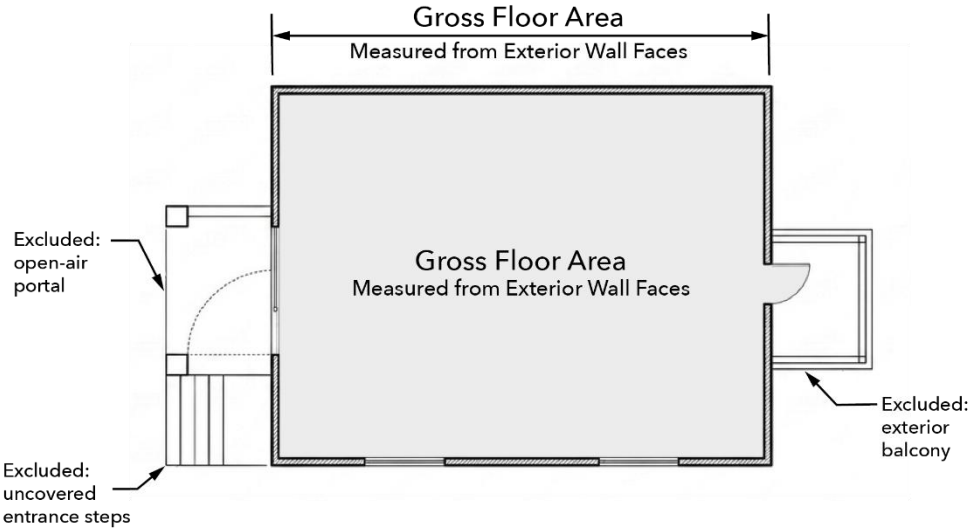
Golf Course. Facility, other than a miniature golf course, for playing of golf which includes a clubhouse with restrooms and locker rooms as well as additional services customarily furnished (swimming, outdoor recreation and related retail sales, including restaurant and cocktail lounge if approved as part of required Use Permit).

Governmental or Quasi-governmental Facilities. A facility owned, operated, or occupied by any level of government to provide a governmental service, but not including offices for the provision of governmental services or facilities for any government operation separately defined in this code.

Grade. (Adjacent ground elevation) Lowest point of elevation of finished surface of ground between the exterior wall of a building and a point five feet from the wall, or the lowest point of elevation of a finished surface of the ground between an exterior wall of a building and a property line, if less than five feet from a wall, or if walls are parallel to and within five feet of a public sidewalk, alley or public way, then the grade shall mean the top of the crown of a street (if no curb exists) established at the midpoint of a front of lot. For establishing heights of walls, fences or other screening devices, see Section 4.3.2. Walls, Fences.

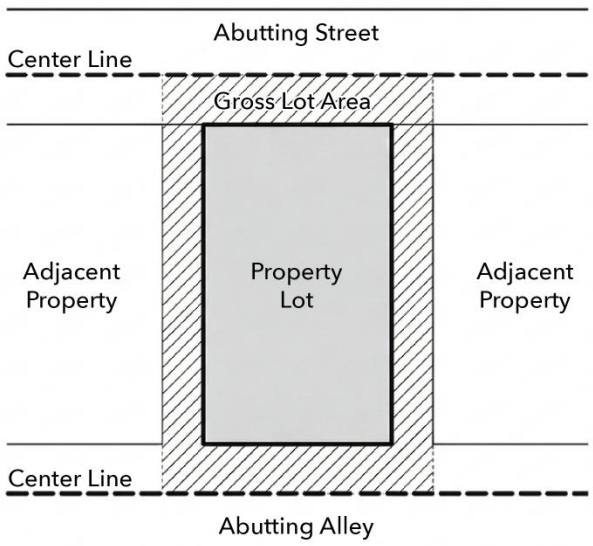
Gross Floor Area. Sum of gross areas of several floors of a building or buildings, measured from the exterior wall, or from a center line of a wall separating two buildings. Gross floor area shall not include: underground parking space; uncovered steps; portals; or exterior balconies.

Figure 8.2K - Gross Floor Area



Gross Lot Area. Area of a lot including one half of all dedicated streets and alleys abutting the property.

Figure 8.2L - Gross Lot Area



Group Home. A facility licensed or authorized by a governmental authority having jurisdiction over operations for persons with disabilities who reside together and who receive care, supervision, or counseling from one (1) or more staff persons. This use includes residential scaled elderly care homes; behavioral health homes, sober living homes, group care agencies, hospice and similar residential living arrangements, not to exceed ten (10) residents. This definition shall not include foster care, transitional housing, recidivism reduction, prison release or halfway homes.

Guest House. Accessory building used to house guests of occupants of the principal building, which is never rented or offered for rent. Any guest house providing cooking facilities shall be considered a dwelling unit.

Guest Ranch. Building or group of buildings located on ten (10) or more contiguous acres, containing guest rooms or dwelling units, some or all of which share separate entrances leading directly from outside of a building, with garage or parking space located on the lot and designed primarily for accommodation of guests, but having not more than two (2) rental units per acre, and having outdoor recreational facilities (horseback riding, swimming, tennis courts, shuffle board courts, barbecue and picnic facilities). (See also: Resort).

Guest Room. Room designed to be occupied by one or more guests for sleeping purposes, having no kitchen facilities (not including dormitories for sleeping).

Hazardous Materials/Explosives. Any substance characterized as flammable solids, corrosive liquids, radioactive materials, oxidizing materials highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric materials and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means.

Health Club/Gym. A facility primarily featuring equipment for exercise and other active physical fitness and/or recreational sports activities, such as swimming, racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of sports and fitness facilities.

Heavy Equipment Rental & Sales. An establishment engaged in the display, sale, and rental of equipment, tools, supplies, machinery or other equipment used for commercial, industrial, or construction enterprises, such as, but not limited to, trucks, trailers, semi-tractor trailers, farm equipment, bulldozers, cranes, backhoes, rollers, loaders, lifts, power generation or hand-held tools. This use includes the sale of farm-specific vehicles such as tractors, tillers, farm trailers, back hoes, graders, boom lifts, and front-end loaders, but not including "Automotive Sales or Rental." Uses typically include outdoor display and storage.

Heliport. Area used or intended for landing and takeoff of helicopters; may include areas of buildings appropriate to accomplish these functions.

Highway Maintenance Facilities. A facility or yard operated by a public agency or its contractor for the storage, staging, and deployment of equipment, materials, and personnel to support highway and roadway maintenance activities. Components may include equipment shops, material/salt storage, vehicle parking, maintenance offices, labs, and related infrastructure for tasks such as pavement repair, drainage maintenance, vegetation management, debris removal, and emergency roadway response.

Home Business

An occupation or profession carried on entirely within the confines of any Single Family dwelling, including in a detached accessory building, a manufactured home, or in a mobile home by a member of a family residing on the premises, which is clearly incidental to the use of the structure for dwelling purposes and meets all of the following requirements:

A. does not change the exterior character of the premises in any way;

B. does not involve the direct sale or bartering of goods;

C. does not involve the use of materials or mechanical equipment not recognized as part of normal household or hobby use

D. does not involve manufacturing

E. does not involve cabinet or furniture making;

F. does not involve auto or appliance repair;

G. does not involve the provision of services to animals at the dwelling, such as veterinary offices, and kennels;

H. does not involve the sale or distribution of food products at the dwelling;

I. does not include any sort of "waiting" area and that serves only one customer at a time.

Hospital. A licensed medical facility providing inpatient and/or outpatient medical care, including emergency services, surgical services, diagnostic services, and overnight accommodation of patients. A hospital is characterized by the presence of inpatient beds and the ability to admit and house patients for overnight or extended stays.

Hotel. A lodging establishment providing transient overnight accommodations to the general public, with rooms or suites accessed from interior corridors, and offering limited accessory services such as a lobby, business services, fitness room, or restaurant. A hotel is not primarily designed or marketed as a destination resort and does not rely on extensive on-site recreational or leisure amenities as a defining feature of the use.

Household Employee's Quarters. Accessory building located on the same premises with a dwelling unit, used solely as a dwelling for persons employed on the same premises as a dwelling unit, and having no cooking facilities.

Inert Material Landfill. An area in which construction debris that is neither chemically reactive nor biodegradable and will not decompose, such as concrete, brick, rocks and uncontaminated sands, soils and earth may be deposited to facilitate land reclamation of a public project borrow pit.

Intermodal Regional Transportation Hub. An establishment or facility where two or more modes of transportation—such as rail, bus, shuttle, bike share, rideshare, and freight—converge to facilitate efficient transfers of passengers and/or goods. These hubs typically include platforms, parking, ticketing, waiting areas, and supporting infrastructure such as bike racks and shuttle zones. Intermodal regional transportation hubs serve as focal points in the regional transit network and support connectivity, multimodal access, and efficient transportation operations.

Institution. Building or buildings occupied by a nonprofit corporation or nonprofit establishment for public use.

Irrigation System. Underground watering system or access to water resource district lateral canal used for the purpose of sustaining and promoting plant life.

Junkyard. The use of more than two hundred (200) square feet of the area of any lot, whether inside or outside a building, for the dismantling or wrecking of automobiles or other motor vehicles or machinery, or for the storage or keeping of abandoned and/or inoperable vehicles, parts, and/or equipment resulting from such dismantling

or wrecking, or for the storage or keeping of junk including scrap metal or other scrap materials.

Laundry and Cleaning Service. Establishments primarily engaged in the operation self service laundry and dry cleaning equipment for use on the premises.

L_{eq}. The equivalent steady-state sound level which in a stated period of time contains the same acoustic energy as the time-varying sound level during the same time period.

Live Entertainment. Live musical performances, disc jockeys, karaoke, dancing, and similar activity. This definition excludes establishments that provide other types of entertainment activity as the principal use such as a cinema, a performing arts theater, amusement arcade, bowling alley, skating rink, or recreational assembly uses for families and/or children.

Loading Space. An off street space on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and for which appropriate means of access is provided.

Lot. Legally created parcel of land occupied, or intended for occupancy by one (1) main building, with its accessory building(s), and uses customarily incidental to it, including open spaces required by this Ordinance, and having its principal frontage upon a street.

Lot Area. Net area included within lot lines after all rights of way dedications have been made.

Lot, Corner. Lot adjoining two (2) or more streets at their intersections with two (2) or more frontages on those same adjoining streets.

Lot Depth. Horizontal distance between front and rear lot lines.

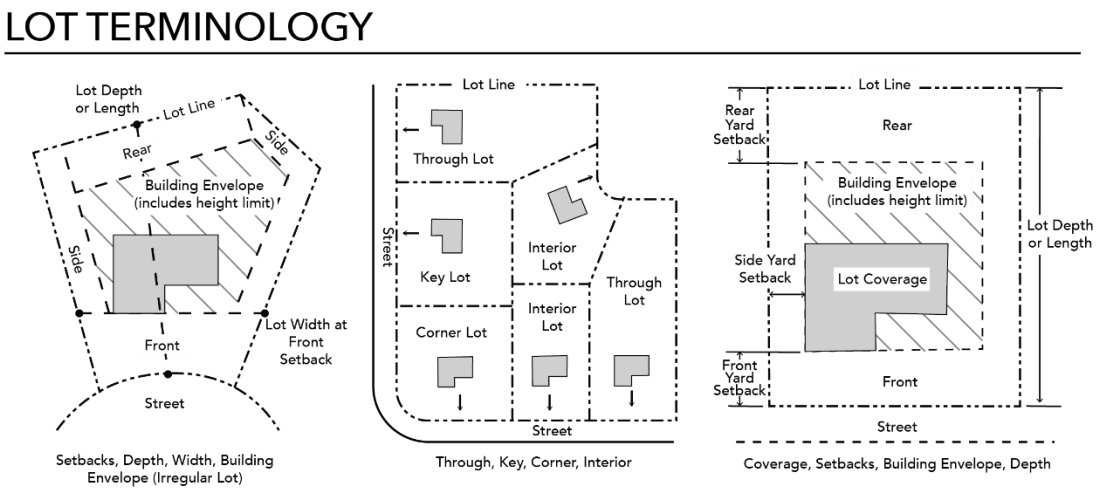
Lot, Through lot, Double Frontage. Lot having frontage on two non intersecting parallel (or approximately parallel) streets.

Lot, Interior. Lot other than a corner lot or key lot.

Lot, Key. Lot adjacent to a corner lot, having its side lot line in common with rear lot line of a corner lot, and facing on a street which forms a side boundary of a corner lot.

Lot Lines. Property lines bounding a lot.

Figure 8.2M - Lot Terminology



Lot Line (Front).

Front lot line shall be determined as follows:

A. Corner Lot

Shorter of two (2) lot lines adjacent to streets as originally platted or laid out. Where lot lines are equal, the front lot line shall be that lot line obviously front by prevailing custom of other buildings in block. If such front is not evident, then either may be considered the front of lot, but not both.

B. Interior Lot

Lot line bounding a street frontage.

Lot Line (Rear). Rear lot line shall be determined as the lot line opposite to the front lot line. Where side lot lines meet in a point, the rear lot line shall be the line not less than ten (10) feet long, lying within the lot and parallel to the front lot line. If the front lot line is curved, then the rear lot line shall be a line not less than ten (10) feet long, lying within the lot and parallel to a line tangent to the front lot line at its midpoint.

Lot Line (Side). Side lot lines are those lines connecting the front and rear lot lines. Lot Length

Length (depth) of a lot shall be:

A. The shortest distance between such lines where front and rear lines are parallel.

B. If front and rear lines are not parallel, the shortest distance between the midpoint of a front line and midpoint of a rear lot line.

C. If the lot is triangular, the shortest distance between the front lot line and a line parallel to the front lot line, not less than ten (10) feet long lying wholly with the lot.

Maintenance. For the purposes of Section 4.6 (Signage), the replacement or repair of a part or portion of a sign required by ordinary wear, tear or damage, with like material, color and design.

Maneuvering Area. Any portion of a lot that is used for the circulation of vehicles into or from off-street parking spaces or loading spaces, including but not limited to, off-street parking spaces or loading spaces, driveways, drive aisles, and fire lanes.

Manufactured Home. A building built on or after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974. Manufactured homes are typically built on permanent chassis and designed to be used with or without a permanent foundation when attached to the required utilities. The term includes park models, but does not include a mobile home, modular home, or a recreational vehicle.

Manufactured Home Lot. Parcel of land within an approved manufactured home subdivision, shown in the records of the Maricopa County Recorder's Office and designed and intended for accommodation of one manufactured home or pre-existing mobile home.

Manufactured Home Park. Approved residential development shown on the City records, with accessory buildings and uses for enjoyment and benefit of residents, in which individual spaces are provided for placement of manufactured homes or pre-existing mobile homes or recreational vehicles for dwelling units or sleeping purposes, whether or not a charge is made for accommodation.

Manufactured Home Sales. A facility where manufactured homes are displayed, stored, and offered for sale or lease by a licensed dealer. These establishments provide sales and delivery services for factory-built homes constructed in accordance with HUD-Code or state standards. They are regulated as commercial sales uses and must comply with all applicable building, zoning, licensing, and health and safety requirements.

Manufactured Home Space. Area within an approved manufactured home park, shown on the City records, and designed and intended for accommodation of one manufactured home.

Manufactured Home Subdivision. Residential subdivision shown on the records of the Maricopa County Recorder's Office, with accessory buildings and uses for enjoyment and benefit of residents, in which the individual ownership of a lot is permitted, for placement of a manufactured home or pre-existing mobile home for a dwelling unit or sleeping purposes.

Manufacturing and Assembly, Major. Manufacturing, processing, compounding, assembling, packaging, treating or fabricating of finished parts or products, mass produced from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Major manufacturing and assembly uses may be conducted entirely outdoors and have moderate to significant off-site impacts, including visual impacts. Uses involving radioactive or highly toxic materials or chemicals, highly combustible or explosive materials, or other materials and substances of a noxious nature in the manufacturing process are included in this classification. This classification includes, but is not limited to, steel fabrication, concrete block manufacturing, and truss plants. Products require shipping by semi-trucks or rail.

Manufacturing and Assembly, Minor. The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not involve significant truck traffic or railroad operations and do not create material amounts of noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where

such assembly, fabrication, or processing takes place, and where such processes are housed entirely within an enclosed building, except as may be authorized in this code. Minor manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials along with incidental storage, sales, and distribution of such products. Examples of activities include but are not limited to fabrication of sporting goods or wearing apparel, small medical or specialty equipment, or musical instruments; commercial digital printing operations; finished wood products; fabricated metal products; and assembly of small appliances or electrical equipment.

Marijuana Dual Facility. A marijuana establishment that is co-located with a non-profit medical marijuana dispensary and/or a medical marijuana dispensary cultivation location.

Marijuana Dual Licensee. An entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

Marijuana Establishment. An entity, other than a medical marijuana dispensary and/or medical marijuana dispensary cultivation location, licensed by the State of Arizona to operate all of the following:

A. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.

B. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

C. A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

Marijuana Products. Marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

Marijuana Testing Facility. The State of Arizona or another entity that is licensed by the State of Arizona to analyze the potency of marijuana and test marijuana for harmful contaminants.

Massage and Spa Establishments. A facility where manual or mechanical techniques are applied to the external parts of the human body for therapeutic or aesthetic purposes. These establishments may include services such as massage, bodywork, facials, and spa treatments and can operate as fixed-site businesses or through mobile/out-call services. They must comply with applicable health, sanitation, licensing, and safety standards, and are considered regulated personal service uses under this ordinance.

Medical Laboratories. A facility equipped and staffed for performing clinical or diagnostic testing of human biological specimens. Characteristics include specialized laboratory space, trained personnel, and equipment necessary to conduct tests in compliance with applicable health and safety regulations. These establishments may be subject to licensing, permitting, and oversight under state and federal laboratory standards.

Medical Marijuana. All parts of any plant of the genus cannabis, whether growing or not, and the seeds of such plant used to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition, as defined in A.R.S. §36-2801.

Medical Marijuana Designated Caregiver Cultivation. The cultivation of marijuana by a registered designated caregiver for a registered qualifying patient, as defined in A.R.S. §36-2801 which is conducted as an accessory use to the primary residence of the registered designated caregiver and in conformance with the standards in Section 3.11.20.

Medical Marijuana Cultivation Location. An enclosed, locked facility used for the cultivation of medical marijuana for a registered medical marijuana dispensary and medical marijuana infusion using the product of such cultivation.

Medical Marijuana Dispensary. A building used by a not-for-profit entity that acquires, possesses, cultivates, manufactures (including medical marijuana infusion), delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to a registered qualifying patient, registered designated caregiver, or a registered nonprofit medical marijuana dispensary agent.

Medical Marijuana Infusion. The process by which medical marijuana is incorporated into consumable or edible goods by means of blending, cooking, processing or other means of incorporation.

Medical Marijuana Qualifying Patient Cultivation. The cultivation of marijuana by a registered qualifying patient, as defined in A.R.S. §36-2801 which is conducted as an accessory use to the primary residence of the registered qualifying patient and in conformance with the standards in Section 3.11.20.

Medical Office/Clinics. A public or private facility primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical, medical imaging, or other services to individuals, including the offices of chiropractors, physicians, dentists, drug therapists, rehabilitation therapists and other health practitioners, medical and dental laboratories, outpatient care and outpatient care facilities. Patients are not kept overnight except under rare emergency conditions.

Microbrewery. A brewery licensed by the State of Arizona as a microbrewery that produces more than 1,000 gallons but less than 6,200,000 gallons of beer annually. A microbrewery may sell beer produced on the premises for on-site consumption, off-site consumption, sampling, and distribution as authorized under its license. Accessory uses may include a tasting room or taproom, food service, and retail sales directly related to beer produced on-site..

Mobile Business. A business operated from a motor vehicle or trailer that provides goods or services at various locations and does not operate from a fixed permanent structure. Examples include, but are not limited to, mobile barbers, mobile pet groomers, and similar personal service providers.

Mobile Food Vendor. A person or business that prepares, sells, or serves food or beverages from a food truck, trailer, cart, or other mobile unit licensed by the Arizona Department of Health Services or a county health department.

Mobile Home. A structure, transportable in one or more sections, that is at least eight (8) feet in width and thirty-two (32) feet in length and that is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation, when connected to on-site utilities, and that was not constructed in

accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974. A modular or prefabricated house shall not be considered a mobile home.

Mobile Home Room Addition. Building addition or alteration to a mobile home, other than factory de- signed and assembled.

Modular Home. A prefabricated, factory-built dwelling unit, excluding mobile homes and manufactured homes defined herein. Such housing is certified as meeting the state and local building codes as applicable to modular housing and shall be considered equivalent to a site-built building and which requires substantial assembly on site. Also referred to as '"factory built"' in Department of Building, Fire and Safety Rules, State of Arizona.

Model Home Complex. Two or more uninhabited dwelling units used by a residential builder as models for the sales of residential lots and dwellings. A model home complex may include a sales office, customer parking, a design and decorating center, and similar activities.

Motel. Building or group of buildings containing guest rooms or dwelling units accessed primarily from exterior corridors, walkways, or directly from the outdoors, and where parking is located on the same lot in close proximity to individual guest rooms. Motels are typically automobile-oriented in design and may include limited accessory amenities. The term includes motor courts, motor lodges, and tourist courts, but does not include hotels, resorts, or mobile home parks.

Motion Picture Studio. A facility or group of buildings designed and equipped for the production of motion pictures, television programs, or similar media content. Such facilities typically include sound stages, sets, editing rooms, and technical support areas, and may provide outdoor or backlot spaces for filming.

Motor Home. Vehicular unit built on or permanently attached to a self propelled vehicle chassis, van or chassis cab, as an integral part of the complete vehicle, to provide temporary living quarters for recreational, camping or travel use.

Net Site. See Lot Area.

Noise Sensitive Uses. Schools, places of worship, childcare facilities, hospitals, nursing homes, libraries, and similar facilities determined pursuant to Section 2.5.1B.

Non-Chartered Financial Institutions. Business, other than a state or federally chartered bank, credit union, mortgage lender, or savings and loan association that receives more than 25% of its net income from providing any of the following services or any combination of the following services: (1) check cashing services provided for a percentage fee or for a flat fee that varies on the amount of the check; (2) loans provided for periods of less than six months that are secured by an assignment of wages, the assignment of an auto title, or the holding of an auto title and for which the borrower pays a flat percentage fee, a flat fee that varies on the amount being advanced, or any other fee or interest that is not based on a disclosed annualized percentage rate for the transaction and; (3) pawn brokerage services; and/or (4) deferred present services under which a party accepts a check and agrees for a percentage fee or flat fee that varies on the amount of the check to hold the check for at least five days before presentment for payment or deposit.

Non-Climbable. Not easily climbed by a young child, not having a ladder or horizontal rung effect by which a young child can gain uninvited access to the top, nor having vertical openings through which a four (4) inch sphere can pass.

Nonconforming Building. Building or portion thereof which was lawful when established, but which does not conform to subsequently established district or regulations.

Nonconforming Lot. Parcel which was lawful when established, but having less area, frontage or dimensions than now required in the district in which it is located.

Nonconforming Use. Use of a building or land which does not conform after passage of this Ordinance (or amendment thereto) with the use regulations of the district in which it is located.

Nursery, Retail. An establishment engaged in the propagation, cultivation, and sale of plants, trees, shrubs, seeds, and related garden supplies. Such facilities may include outdoor growing areas, greenhouses, and accessory structures, and may offer incidental sales of fertilizers, soil, pots, and similar items.

Nursery School. Institution for care of children under the age of two. Even though some instruction may be offered, it shall not be considered a "school."

Off-Street Parking Area. Reserved for transient storage of motor vehicles, including parking spaces, maneuvering areas, aisles and driveways completely located on the property it serves. (For further information on standards and requirements please see Section 4.5, Off-Street Parking.)

Office, Business or Professional Use. An establishment that provides executive, management, administrative, or professional services, but not involving the sale of goods and merchandise except as directly related to the principal use, and not including a medical office or clinic. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, broadcasting, call centers, and similar offices.

On-Site Electric Generation Equipment. Equipment located on-site which is an accessory use to the principal permitted use on the premises and supplies electricity predominantly for use on the same site from backup generators for emergency use only or alternative energy sources, such as solar or wind, provided such equipment otherwise complies with adopted design guidelines and development standards.

Open Space. Land area devoted to passive or active outdoor enjoyment for purposes of recreation, leisure, scenic and visual enjoyment. (Golf courses, desert land, portions of natural washes and preserved agricultural land may contribute to a portion of required common open space. See: District Development Standards, e.g., Section 2.2.3.)

Ordinance. The Zoning Ordinance of the City of Goodyear, Arizona as adopted and amended from time to time by the City Council.

Outdoor Display. The placement, arrangement, or exhibition of goods, merchandise, materials, or equipment outside of an enclosed building for the purpose of sale, lease, storage, or promotion, where such outdoor display is a primary or integral component of the use. Outdoor display areas are typically permanent or long-term in nature, occupy a substantial portion of the site, and may include open yards, display pads, racks, bins, or similar features.

Outdoor Display, Limited. The incidental and secondary display of goods or materials outside of an enclosed building that is clearly subordinate to the primary indoor use. Limited outdoor display is temporary or seasonal in nature, occupies a minor portion

of the site, shall be located immediately adjacent to the principal building, and is limited in area, duration, and intensity. Limited outdoor display is intended only to supplement indoor sales and shall not function as a primary outdoor sales or storage area.

Outdoor Seating. An area located outside a building, designed and furnished for seating patrons or visitors for dining, drinking, or social interaction. Such areas may include tables, chairs, benches, and shade structures, and must maintain clear pedestrian access, comply with accessibility standards, and meet applicable health, safety, and zoning requirements. This definition does not include seating areas located within a public plaza, public park, public right-of-way, or other publicly owned or publicly accessible open spaces intended for general public use.

Outdoor Storage. Exterior storage of material, goods, or equipment with restricted public access.

Parking Lot. A parcel or portion of a parcel of land in which members of the general public may park their motor vehicles for the purpose of utilizing an adjacent use or facility. This area is not intended for parking tractor-trailers or other commercial vehicles associated with industrial or warehouse operations. (For further information on standards and requirements please see Article 4.5, Off-Street Parking.)

Parking Lot, Commercial. A lot or area used primarily for short-term parking of motor vehicles, where a fee or other charge may be assessed for parking on an hourly, daily, or other transient basis. This use may include related facilities such as access drives, payment kiosks or meters, control gates, lighting, and attendant booths.

Parking Space. Permanently surfaced area, enclosed or unenclosed, having a minimum width of nine (9) feet and an area of 180 square feet, which will accommodate a car. Parking is off street, with access from streets or secondary means.

Parking Structure. A building or portion of a building designed for the parking of motor vehicles on two (2) or more levels. A parking structure may be located above or below grade and may be integrated with other permitted principal or accessory uses.

Paved. A surface covered in hard materials such as concrete, masonry, bricks, pavers, cobblestone, asphalt and the like.

Pawn shop. An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker).

Pennant. Any piece of lightweight plastic, fabric or other material suspended from a rope, wire or string, displayed in series and capable of movement in the wind.

Permitted Use. Use specifically permitted, or use analogous, as determined by the Zoning Administrator, to those specifically permitted.

Personal Services. Establishments primarily engaged in providing services involving the care of a person or of the care or repair of his or her personal goods or apparel. Personal services usually includes but is not limited to: laundry, including cleaning and pressing service, beauty shops, nail salon, barbershops, small appliance repair, shoe repair, personal copying/shipping services, health spas, photographic studios, tailor/seamstress shop, tanning salon, and similar uses.

Places of Worship (Churches/Temples/etc.). A facility used primarily to provide assembly and meeting areas for religious activities. Accessory uses include cultural

events, parking, caretaker's/clergy housing, buildings ancillary to a religious function, and group living facilities such as convents.

Portable Storage Container. A portable, enclosed container designed for storage of personal property, typically delivered and removed by vehicle. Such containers are not permanently affixed to the ground and may include units commonly known as portable on-demand storage containers or similar modular storage units.

Portal. An architecturally defined covered pedestrian entry into a yard within a defined lot.

Preschool. Public or private establishment providing supervision and educational training for four or more children two years of age or older, not related to proprietor.

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

Private Open Space. Usable area intended for exclusive use of the occupant(s) of a dwelling unit to which it is adjacent. The term does not include common or shared open space areas.

Private Use. Restricted to occupants of a lot or building with their guests, where compensation for use is not received, and where no business or commercial activity is associated with the use or building.

Processing & Refining. Large-scale industrial operations that involve the transformation, extraction, or chemical processing of raw materials into finished or semi-finished products. These uses typically require significant energy inputs, generate substantial emissions or waste byproducts, and may involve hazardous substances or processes.

Product Processing. A facility that produces or processes materials and food for human consumption or use. This use includes but is not limited to commercial bakeries; dairy products processing; fats and oil product processing; fruit and vegetable canning, preserving, and related processing; grain mill products and by-products; meat, poultry, and seafood canning, curing, and by-product processing; miscellaneous food preparation from raw products; and dyeing and finishing of textile products including bulk laundry and dry cleaning services that are independent from food stores or restaurants.

Professional Business, Trade or Vocational Schools. A school, which may be operated as a commercial venture which, is primarily established to teach students skills to be used in a specific trade or occupation. Such facilities may not include lodging for students or faculty.

Prohibited Use. Use not specifically permitted, or a use analogous to those not specifically permitted.

Public Project Borrow Pit. An area where material has been removed from the ground for use in a public construction project.

Public Utility Facilities, Major. A service of a regional nature that normally entails the periodic construction/expansion of buildings or structures, and that typically has employees on the site on an ongoing basis. Examples include, but are not limited to: wastewater treatment plants, water treatment plants, reservoirs, power plants, and accessory maintenance yards.

Public Utility Facilities, Minor. A service that is necessary to support development within the immediate vicinity and that involves only minor structures. Employees typically are not located at the site on an ongoing basis. Examples include, but are not limited to: electric transformer stations; gas regulator stations; telephone exchange buildings; well, water, and sewer pumping stations; water storage tanks; and water pressure regulating stations.

Public Works Facilities. A facility operated by a public agency or its contractor for the construction, maintenance, or management of essential infrastructure and services. Such facilities may include street maintenance yards, and similar installations necessary to support public utilities, transportation networks, and community services.

Public View. Visibility of a structure, activity, storage area, equipment, or other feature from any public right-of-way, public park, public open space, or from any adjacent property at ground level, including from a residential yard or outdoor living area of a rented or leased portion of the same property which is not occupied by the same residents or tenants of said private property.

Race tracks/speedways. A facility designed for competitive racing events involving motorized or non-motorized vehicles, typically including a track or course and areas for spectators. Such facilities may host professional or amateur events and often require specialized infrastructure for safety, seating, and event operations.

Raceway. A structure used for wall-mounted signage with individual letters or characters located upon the exterior wall surface between the wall and the letters or sign characters. Raceways contain wiring, conduit, transformers and other electrical components.

Ranch. Area of ten (10) or more contiguous acres used for the raising of livestock on a commercial basis (does not include commercial pen feeding/feed lots). Ranch includes horse breeding and training, but not riding stables.

Recreational Vehicle

The following definitions delineate different types of Recreational Vehicles:

A. Vehicular or portable unit mounted on chassis and wheels, not more than eight (8) feet wide and forty (40) feet long, primarily designed to provide temporary living quarters for recreational, camping or travel use, and either has its own motive power, or is mounted on or drawn by another vehicle (e.g., trailer coach, travel trailers, truck campers, camping trailers and motor homes). Total width of a recreational vehicle once sited for occupancy, including all tip outs and/or slide outs, shall not exceed fourteen (14) feet. For purposes of measuring length, the trailer hitch and/or tongue shall not be excluded.

B. All all-terrain cycles, motorcycles, motorbikes, jet skis, boats, trailers (for transporting said vehicles) which are used for leisure activity and not for work.

Recreational Vehicle Awning. Light weight overhead structure used in conjunction with a recreational vehicle, for shading or weather protection of carports, patios, porches, and windows. Awnings shall not be permitted to have attached siding.

Recreational Vehicle Park. Approved residential development shown in City records, with accessory buildings and uses for enjoyment and benefit of the patrons, in which individual spaces are provided for parking of recreational vehicles for temporary portable housing and sleeping purposes, whether or not a charge is made for accommodation.

Recreational Vehicle Space. Parcel within an approved recreational vehicle park shown in the City records, designed for accommodation of one recreational vehicle.

Recreation Facility. A facility designed for indoor or outdoor recreational activities, providing spaces or structures for leisure, physical exercise, cultural programs, or social interaction. Such facilities may include parks, playgrounds, sports fields, trails, swimming pools, recreation centers, and accessory buildings intended for recreational purposes. These may be publicly or privately owned and primarily serve non-commercial, community-oriented uses.

Recycling Facility. A facility used for the acceptance of recyclable materials from the public. Recyclable materials may be collected, sorted, bundled, bailed and/or temporarily stored prior to delivery to a permanent disposal site or shipment to others for reuse and/or processing.

Research and Development Laboratories. A facility primarily engaged in scientific research, product development, and testing of materials, products, or processes. Such facilities may include offices and laboratories and may involve limited prototype manufacturing incidental to research activities. This use excludes large-scale manufacturing and laboratories requiring high-level biosafety containment.

Residential Facility. Home in which persons with development disabilities live; licensed, operated, supported, or supervised by the State of Arizona. Developmental disability shall mean autism, cerebral palsy, epilepsy or mental retardation.

> Residential facility serving six (6) or fewer persons shall be considered a residential use property if the facility provides care on a twenty four (24) hour per day basis. Residents and operators of the facility shall be considered a family. Limitation of six (6) or fewer persons does not include the operator of the residential facility, members of the operator's family, or persons employed as staff (except that the total number of all persons living at the residential facility shall not exceed eight (8)).

Residential Uses. Single, two and multiple family dwelling units, dormitories, mobile homes, and residential facilities (does not include hotels, motels or the like).

Resort. Group of buildings containing more than five (5) guest rooms, suites, villas, casitas, or similar units, designed to provide short-term visitor accommodations in conjunction with on-site recreational, leisure, entertainment, or wellness amenities. Such amenities may include, but are not limited to, pools, golf courses, spas, fitness facilities, recreational programming, outdoor activities, and event or conference facilities. A Resort may include accessory uses customarily associated with hospitality establishments, such as restaurants, bars, retail shops, and meeting or banquet facilities.

Resource Extraction and Processing. The on-site extraction of surface or subsurface mineral products or other natural resources, including but not limited to quarries, borrow pits, sand and gravel operations, oil and gas extraction, and mining operations. Such uses shall also include resource processing and bulk sale of material originating from on-site or off-site such as central mixing plants for cement or concrete, construction/landscape aggregate, asphalt processing and petroleum refining.

Rest Home. Premises used for the housing of and caring for the ambulatory, aged or infirm. There shall be only incidental convalescent care not involving either trained

nurse or physician residing on the premises. There shall be no surgery or other activities as are customarily provided in hospitals.

Restaurant. An establishment whose primary business is the preparation and service of food or drink to the public for consumption on the premises. A restaurant may include the sale of beverages incidental to the service of food and may provide indoor and/or outdoor seating.

Retail. Sale of tangible personal property for any purpose other than for resale.

Retail, General. Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Any such uses shall include pharmacies, wearing apparel, home furnishings, hardware stores, jewelry stores, variety stores, gift shop, retail printing, bookstores, florists and similar uses.

Retail, Large. A single retail establishment that provides goods directly to the consumer, where such goods are available for immediate purchase and removal from the premises by the consumer, and which occupies more than one hundred thousand (100,000) square feet of gross floor area. Any such uses shall include grocery stores, apparel shops, appliance stores, electronic stores, department stores, home improvement stores, furniture stores, membership based wholesale retail stores, factory outlet stores, and similar uses.

Retail, Shopping Center. A planned commercial development designed and operated as a single, cohesive entity with shared access, parking, and uniform architecture, landscaping, and signage. These centers accommodate multiple retail and service uses within a unified environment and may range in scale from meeting daily neighborhood needs to serving broader community and regional shopping demands. All individual uses within a shopping center must be considered as specified within the Use Classification table for the applicable underlying zoning district.

Roofed. Covered by a permanent roof structure attached to and supported by a building or structural supports, whether enclosed or open-sided, and constructed of materials customarily used in building construction. A covering shall be considered roofed if fifty percent (50%) or more of the horizontal surface area is solid or otherwise designed to provide weather protection. Lattice, pergolas, or similar open-slat structures with less than fifty percent (50%) solid coverage shall not be considered roofed. Temporary coverings, awnings without structural supports, and shade sails are not considered roofed.

Rooming House. See "Boarding house."

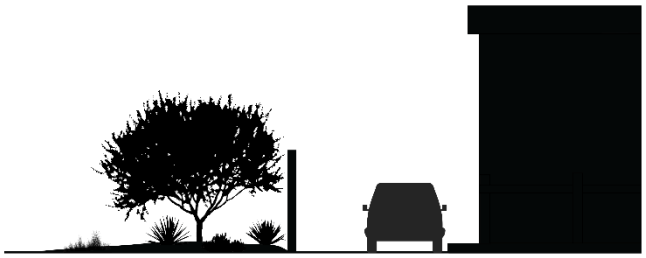
Sand Blasting. A process of cleaning, smoothing, or preparing a surface by forcibly propelling a stream of abrasive material, such as sand or similar substances, against the surface using air or water pressure.

School, Private. A private place of general instruction, including but not limited to parochial, religious, or charitable institutions, and including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes. Such facilities may include accessory services and facilities intended to serve students or faculty. Day care centers, business schools, trade or vocational schools, and instructional schools are separate use classifications and are defined and regulated pursuant to their respective provisions of this Code.

School, Public/Charter. A publicly funded place of general instruction which does not charge tuition for attendance, including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes, providing primary or secondary instruction, certified by and meeting all compulsory education laws of the State of Arizona and the State Board for Charter Schools, where applicable. Such facilities may include accessory services and facilities intended to serve students or faculty. Day care centers, professional business schools, trade or vocational schools, and instructional schools are separate use classifications and are defined and regulated pursuant to their respective provisions of this Code.

Screen Wall/Screening Wall. A solid masonry wall designed and constructed so as to conceal areas used for refuse, mechanical equipment, parking, storage, and service and loading bays from street and public view, and to separate potential incompatible land uses.

Figure 8.2.N - Screening Wall



Secondhand Store, Resale. A retail establishment primarily engaged in the purchase, resale, or exchange of previously owned clothing, footwear, accessories, and related personal items. Merchandise is typically curated, selectively accepted, and resold based on style, condition, or brand rather than donated. A resale store operates as a for-profit business and may compensate individuals by cash, store credit, or exchange for merchandise. This use does not include thrift stores or charitable donation-based retail establishments.

Secondhand Store, Thrift. A retail establishment primarily engaged in the sale of used or donated goods, including clothing, furniture, household items, and similar merchandise, where the majority of inventory is acquired through donations rather than direct purchase from the public. Thrift stores are commonly operated by nonprofit or charitable organizations and may be used to support social services, job training, or community programs. Merchandise is generally not curated based on brand or style.

Seed and Feed, Retail and Sales Office. A retail establishment primarily engaged in the sale of feed, grain, seed, and related agricultural supplies intended for livestock or crop production. This classification does not include retail pet stores, pet supply stores, or businesses primarily serving household pets..

Self-Service Storage Facility. A building or group of buildings designed and operated for the rental of individual, compartmentalized storage spaces to occupants who store and remove their own personal property on a self-service basis. Such facilities may include outdoor storage for vehicles as an accessory use, but shall not be used for residential purposes or include on-site sales, repair, or servicing of goods.

Sewage Disposal & Treatment Plant. A facility designed and operated for the collection, treatment, and disposal of sanitary sewage and related wastewater. Such plants utilize physical, chemical, and biological processes to remove contaminants and may include associated structures, equipment, and appurtenances necessary for treatment and discharge or reuse. This use does not include individual or shared residential wastewater systems, including septic tanks, leach fields, aerobic treatment units, or other on-site or small-scale residential sewage disposal systems.

Shed. A small, detached, accessory structure used for storage of tools, equipment, or household items, and not intended or permitted for human habitation.

Sign. Any structure, board, poster, placard, or device, which contains or comprises a display designed, used, or intended to attract the attention of the public. As used in Section 4.6 (Signage), sign includes the sign structure, display surface, and all other components.

Sign, Abandoned. Any sign that has ceased to be actively maintained and is in a dilapidated or deteriorated condition, or any sign for a business or other premises that has been vacant or does not have an active business license for six or more months.

Sign, Animated. Any sign or part of a sign which changes physical position by any movement, rotation or undulation or by the movement of any light used in conjunction with a sign such as blinking, traveling, flashing or changing degree of intensity of any light movement other than burning continuously.

Sign, Awning. A sign that is mounted, painted on, or attached to an awning.

Sign, Cabinet. A three-dimensional structure, which includes a frame, borders and sign panel face and which may include internal lighting.

Sign, Canopy. A sign that is mounted, painted on, or attached to a canopy.

Sign, Commercial. A permanent or temporary sign, which identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, without limitation, any sign naming a brand of good or service and any sign that is not a noncommercial sign.

Sign, Construction. A temporary sign, limited to the period of construction, located on the premises of an existing construction project.

Sign, Digital Marquee. A permanent sign or structure, which is capable of displaying words, symbols, figures or images that can be electronically changed by remote or automatic means, for the purpose of directing attention to something offered or existing elsewhere than upon the property where the sign is located.

Sign, Directional. A permanent or temporary sign typically containing information for the purpose of directing vehicular traffic or pedestrian travel to the identified property or other location.

Sign, Directory. A permanent on-site sign typically listing the names, uses and/or locations of persons, businesses or activities conducted within a building or group of buildings.

Sign, Electronic Changeable Copy Display. A sign or portion of a sign that uses electronic, digital, or light-emitting technology to display characters, letters, numbers, symbols, or graphics that can be changed electronically without replacing the sign face.

Sign, Figurative. An on-site sign that advertises the occupant activity or business through the use of graphic or crafted symbols, such as shoes, keys, glasses, books, etc. Figurative signs can be incorporated into any of the allowable sign types identified in this Ordinance.

Sign, Freeway Pylon. A permanent freestanding identification sign located on property abutting a freeway, or part of a complex or center abutting or in close proximity to a freeway that is oriented to and intended to be read from the freeway.

Sign, Governmental. Any sign erected, constructed, or placed and maintained on government-owned or privately-owned real property, including, but not limited to, public buildings, public rights-of-way, public schools, and community facilities, by the City or any other governmental entity of the State of Arizona, a public or quasi-public utility, or the Federal Government or an agency thereof, including any sign placed and maintained pursuant to a government contract or license. Government signs also include official traffic, fire and police signs, signals and devices and markings of the State of Arizona and the City of Goodyear or other authorized public agency, and the posting of notices as required by law.

Sign, Illuminated. A permanent sign with the surface artificially lighted, either internally or externally.

Sign, Inflatable. A type of sign that achieves its shape through inserted air or gas. Includes balloons and other air or gas blown displays.

Sign, Kiosk. A City-installed or licensed informational sign indicating directions to destinations within the community, including, but not limited to, government and community facilities, residential developments, schools, and businesses.

Sign, Legal Nonconforming. A sign lawfully erected and maintained prior to the adoption of this Ordinance, which does not conform to the requirements of this Ordinance.

Sign, Limited-Duration. A sign type that can be composed of several different elements (including banners, balloons, inflatables, pennants, flags and streamers) which is displayed for a temporary and predefined period of time and is required to be removed upon expiration of that time period, regardless of message content.

Sign, Menu Board. A permanent sign typically displaying items for sale at a drive-in or drive-through restaurant, with or without ordering capability.

Sign, Monument. A freestanding, permanent self-supported identification sign that is not attached to the supportive elements of a building.

Sign, Noncommercial. A permanent or temporary sign, which in no way identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, or portrays or symbolizes a good, property, or service, especially, but, without limitation, a brand or trade name, an identifiable container shape, or a trademark. Noncommercial signs include, but are not limited to, political and ideological messages.

Sign, Off-Site. A temporary sign, other than a billboard, that directs attention to an activity, business, commodity, service, entertainment, product or attraction sold, offered, or existing elsewhere than upon the property where the sign is located.

Sign, Permanent. A sign that is permanently attached to a building, structure, or the ground and that is intended to be used for an ongoing, indefinite period of time.

Sign, Portable. A temporary sign not affixed to a structure or ground-mounted on a site, but rather is self-supporting and designed to be moved from place to place.

Sign, Projecting. A permanent sign attached to a building or other structure and extending in whole or in part more than 12 inches beyond the building or other structure.

Sign, Reader Panel. A permanent on-site sign, which is designed to permit immediate change of copy by manual means.

Sign, Real Estate. A temporary, on-premises sign associated with the sale, lease, or rental of the property on which the sign is located.

Sign, Roof. A permanent sign erected on, above or over the roof so that it projects above the highest point of the roofline, parapet or fascia.

Sign, Shingle. A permanent sign suspended from, and located entirely under a covered porch, covered walkway or an awning and is anchored or rigidly hung to prevent the sign from swinging due to wind movement.

Sign, Temporary. A sign that is not permanently affixed or attached to a building, structure, or the ground and that is intended to be used for limited periods of time.

Sign, Vehicle. A sign mounted, painted or otherwise placed on a truck, bus, car, boat, trailer or other vehicle or equipment and used in such a manner that the sign is visible from a public street or right-of-way and the primary purpose of such vehicle or equipment is for the display of such signage.

Sign, Wall. A permanent sign fastened to or painted on the exterior wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign.

Sign, Window. Any poster, cut-out letters, painted text or graphic, or other text or visual presentation affixed to the interior or exterior of a window, or placed within six feet of a window pane, and placed so as to be read from the exterior of the building. This does not include any item, such as merchandise, normally displayed within a store window.

Sign, Yard. A temporary sign made of corrugated plastic, metal, grey board, or similar type of material and that is generally supported by stakes inserted into the ground.

Sign Shop. A business primarily engaged in the design, fabrication, production, painting, lettering, printing, or finishing of signs and sign components. Activities may include digital printing, vinyl cutting, illumination assembly, and related fabrication incidental to sign production. All operations, storage, and fabrication shall occur entirely within an enclosed building and shall be conducted in a manner that does not create objectionable impacts, including odor, dust, smoke, noise, glare, or vibration beyond the premises.

Sign Walker. Any person who wears, holds or balances a sign as defined and regulated by Section 4.6.11 and A.R.S. § 9-499.13, as amended.

Single Housekeeping Unit. A group of one (1) or more persons residing together in a dwelling who share use of and responsibility for common areas, household activities, and responsibilities such as meals, chores, household maintenance, and expenses. Single housekeeping unit status shall not apply to the occupants of a sorority or

fraternity, motel, hotel, boarding or lodging home, recidivism or prison transitional home, or any facility that is required to be licensed by a public agency.

Site Area, Gross. The total area of a development site including, where applicable, dedicated portions of abutting streets.

Site Area, Net. Developable portions of a site not including abutting streets.

Site Plan. A plan of development showing proposed and existing structures; circulation, access and maneuvering areas; open space, landscaping, parking lots and other amenities and or required features. The plan is submitted for evaluation by the Site Plan Review Committee as described in Section 5.6.

Sleeping Room. Room, other than a guest room, in which no cooking facilities are provided.

Smoking Establishment. Any business or location that is dedicated, in whole or in part, to the use of tobacco or other substances emitting smoke or allowing inhalation of smoke or vape, including but not limited to establishments also referred to as cigar bars or lounges, hookah bars or lounges, and tobacco clubs or bars.

Social Clubs and Fraternal Organizations. A nonprofit, membership-based organization established for social, fraternal, civic, benevolent, or recreational purposes. Such organizations typically provide meeting spaces and may include accessory uses such as food and beverage service for members and their guests. These uses are not primarily engaged in commercial activities and are not open to the general public except for occasional events permitted by law.

Specified Anatomical Areas

(See: Adult Business). Areas that depict, describe or relate to:

Less than completely and opaquely covered:

A. Human genitals, pubic region;

B. Buttock; and

C. That portion of the female breast constituting the nipple and areola (the more darkly pigmented portion of the breast encircling the nipple).

D. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities

(See: Adult Business). Activities that depict, describe, or relate to:

E. Human genitals in a state of sexual stimulation or arousal;

F. Acts of human masturbation, sexual intercourse or sodomy; and

G. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

Stable, Private. Detached accessory building for the keeping of horses, mules or ponies owned by the occupants of the premises (not kept for remuneration, hire or sale).

Stable, Commercial. Area of ten (10) or more contiguous acres containing stables for horses, mules or ponies which are bred, hired, shown or boarded on a commercial basis.

Story. Portion of a building between the upper surface of a floor and the upper surface of the floor next above; the top most story shall be a portion of the building included between the upper surface of the top most floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six (6) feet above grade or more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above grade at any point, the basement, cellar or unused underfloor space shall be considered a story.

Street. Dedicated public or private passageway which affords the principal means of access to abutting property. The term does not include alleys.

Street, Centerline. Centerline of a street right of way determined by the City Engineer, or designee.

Street, Line. Dividing line between a lot, tract or parcel and a contiguous street (right of way).

Structural Alterations. Change in supporting members of a building (bearing walls, or partitions, columns, beams, or girders) or the complete rebuilding of a roof.

Structure. Piece of work constructed or erected, use of which requires location on the ground or attached to something having location on the ground (not a tent, vehicle, trailer coach or mobile home).

Structure, Temporary. Piece of work readily movable and used or intended for a period not to exceed ninety (90) consecutive days. Structure shall be subject to applicable property development standards for the district in which it is located.

Subdivision Regulations. Chapter 15 of the Goodyear City Code as adopted and amended from time to time by the City Council.

Swap Meets. A marketspace where groups of sellers rent space to display, barter or sell goods to the public. The marketspace is composed of semi-enclosed or outdoor stalls, stands or spaces, and is distinguished from a farmer's market or craft fair in that the principal items sold, displayed or bartered are used or previously owned items, and are not fresh produce items, art items or handicrafts.

Swimming Pool, Private. A contained body of water used for bathing or swimming purposes either above or below ground level with the container being eighteen (18) inches or greater in depth at any point.

Swimming Pool, Public. Same as private pool, but operated as a commercial business. Public swimming pools shall conform with Maricopa County health requirements.

Synthetic Turf. A surface cover of artificial material created and installed in order to mimic the natural look, feel, and color of turf.

Tattoo Studio. A business that marks the skin with any indelible design, letter, scroll, figure, symbol or any other mark that is placed by the aid of needles or other instruments upon or under the skin with any substance that will leave color under the skin and that cannot be removed, repaired or reconstructed without a surgical procedure. A Tattoo Studio may or may not be operated in conjunction with a Body Piercing Studio.

Tobacco Retailer. Any Licensed business who primarily sells or offers for sale, tobacco, tobacco products, or tobacco paraphernalia, vape products, hookah or who distributes samples of tobacco products or paraphernalia. These businesses include

but are not limited to, tobacco shops, cigars and pipe retailer, cigarette or electronic cigarette, vape, or hookah retailer, and smoking establishments.

Temporary Construction Offices. A temporary structure or facility located on the same site as, or immediately adjacent to, an active construction project, used for administrative or management purposes related to that project. Such offices are permitted only for the duration of the construction activity under a valid building permit and shall be removed upon completion of the project or expiration of the permit.

Temporary Use. A use, business, sale, display, or event which is conducted for a specified, limited amount of time that are generally related to a particular seasonal, cultural, traditional or community activity.

Townhouse. A dwelling unit consisting of attached residential units sharing common (party) walls, with no side yard separating adjoining units.

Trailer, Accessory. Vehicle used or designed for temporary living or sleeping purposes, having axles and wheels (one or more). Dwelling unit for density and parking requirement purposes, but not considered a single or multiple family dwelling, apartment, efficiency apartment, rooming unit or guest room.

Trailer, Travel. Vehicle or portable unit mounted on a chassis and wheels, not exceeding eight (8) feet wide and/or forty (40) feet long, and is drawn by a motor vehicle to provide temporary living quarters for recreational, camping, or travel use.

Trailer, Work. Portable vehicular attachment with axle and wheels used exclusively for business or occupational purposes.

Transfer Company, Trucking Terminal. A facility used for the receipt, transfer, and short-term storage of goods transported by truck, and for the parking, dispatch, and minor maintenance of trucking fleets. Such facilities may include loading docks, maintenance bays, and administrative offices. Trucking terminals do not include major vehicle repair operations, prolonged storage of goods or materials for extended durations with limited turnover, inventory management functions, or storage-oriented operations occupying substantial building area, and are characterized by high truck turnover and operational activity and does not include retail fuel sales or traveler-oriented commercial services.

Transmitting Stations. A facility used for sending radio, television, or other electromagnetic signals for communication purposes. A transmitting station may include antennas, towers, transmitters, and related equipment necessary for signal transmission.

Truck, Camper. Portable unit, consisting of a roof, floor, and sides designed to be loaded onto and un- loaded from the bed of a pickup truck, to provide temporary living quarters for recreational, camping, or travel use.

Truck Parking Facility. A lot or area designed and operated primarily for the short-term or overnight parking and staging of commercial motor vehicles and trailers, where parking may be provided with or without a fee. A truck parking facility may include basic accessory features such as lighting, security measures, restrooms, or driver amenities, but does not include fuel sales, freight transfer operations, or customer-serving retail uses.

Truck Stop/Travel Plaza. A commercial facility designed primarily to serve the needs of commercial motor vehicle operators and the traveling public, offering fuel,

convenience retail, and accessory services. Typical accessory uses may include food service establishments, restrooms, showers, vehicle servicing, weigh scales, and short-term parking for passenger vehicles and commercial trucks. Truck parking at a truck stop is accessory to the primary commercial services and is not intended for long-term storage of commercial vehicles. A travel plaza may also include overnight accommodations and restaurant facilities primarily for the use of truck crews. Other facilities may also be present, such as convenience markets and restaurants.

Turf. A surface cover of natural grass or other natural non-weed lawn cover.

Use. Purpose for which land or a building is occupied or maintained, arranged, designed or intended.

Use, Accessory. Subordinate use customarily incidental to, and conducted on the same lot with, a principal use of a building, including household employee's quarters.

Use Permit. Permit granted to a property owner by the Council to conduct a permitted use in a zoning district subject to a Use Permit. Use permit may be granted at the discretion of Council after receiving a recommendation from the Planning Commission.

Use Permit Use. A Use Permitted in a particular zoning district only upon showing that such use will comply with all the conditions and standards for the location and/or operations of such use as specified in this Ordinance and authorized by the City Council.

Variance. Modification of the literal provisions of the Zoning Ordinance, granted by the Board of Adjustment upon finding that the strict enforcement would cause undue hardship, owing to circumstances unique to an individual property for which the variance is granted, and not caused by the applicant.

Ventilation Court. An area provided within a building site, open to the sky, for the purpose of providing light and air to rooms intended for human habitation which do not other wise have window exposure to a street, alley or other open space. The width of a court shall be its least horizontal dimension.

Veterinary Hospital. An office maintained by a licensed doctor of veterinary medicine for the treatment and care of small animals, namely the usual household pets and other animals of a similar size and nature but not livestock. Does not include overnight boarding of animals that are not under medical care.

Veterinary Office/Clinic. A facility used by one or more licensed veterinarians to provide medical services to household pets (e.g., dogs, cats, rabbits, iguanas, etc.) and/or a facility where pets are provided general hygienic and similar care using non-prescriptive over-the-counter supplies. Does not include overnight boarding of animals that are not under medical care.

View Fence. A partially or completely open barrier designed to maintain boundary lines or security while preserving sightlines and a sense of openness, with being composed of approximately two (2) feet or fewer of concrete masonry unit (CMU) wall.

View Wall. An architectural feature or landscaping element designed to intentionally frame, control, or obscure an outdoor line of sight, with being composed of approximately four (4) feet of concrete masonry unit (CMU) wall.

Volume. Volume of a building occupying a particular site (determined by multiplying gross floor area of individual floors, by height of each story).

Volume Ratio. Ratio of building volume to net lot area of a building site.

Wall. An artificially constructed barrier of solid stucco, masonry, rock or concrete material erected to enclose or screen areas of land.

Warehouse/Wholesale/Distribution Facility. An establishment primarily engaged in the sale, trade or distribution of finished goods and materials in large quantity to retailers or other businesses for resale to the general public or business customers, and limited retail uses when directly associated with the wholesale use. This use shall not include heavy manufacturing, agriculture intensive operations, food processing, bulk storage of hazardous or explosive materials, or scrap or salvage operations. Wholesale uses that sale to the general public, including membership-based uses, shall be considered retail, large.

Waste Facility, Landfill. A planned and approved method or system of waste disposal in which the waste is disposed or buried in layers, compacted by earth or other approved methods, also known as sanitary landfill.

Waste Facility, Transfer Station. A facility or site where solid waste from households, businesses, and industries is transferred from one type of collection vehicle or container to another. Transfer activities are entirely within covered structures. A transfer station is an intermediary point between the locations of waste generation and the sites of ultimate processing or disposal. Does not include liquid waste transfer, hazardous or toxic waste disposal, solid waste disposal, or liquid waste recycling or refining activities.

Wireless Communications Facilities. Any structure, equipment, or system used to transmit or receive wireless voice, data, or video communications, including but not limited to towers, small wireless facilities, antennas, antenna support structures, transmission equipment, equipment cabinets, utility pole-mounted equipment, and associated accessory facilities. Wireless communications facilities include both freestanding and building-mounted installations and encompass facilities used for commercial, public, or private wireless communications services.

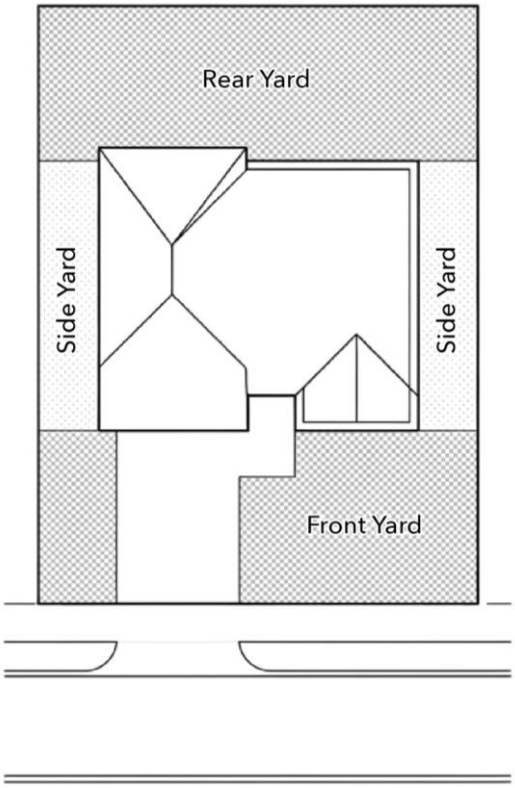
Yard. Open space at grade level between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward. Width of side yard, depth of front yard, or depth of rear yard measured as a minimum horizontal distance between lot lines and a main building.

Yard, Front. Open, unoccupied space on the same lot with a main building, extending the full width of the lot, and situated between a street line and the front line of the building projected to the side lines of the lot. Front yard on a residential corner lot is the yard adjacent to the shorter street frontage; front yard of a commercial corner lot is the yard adjacent to the major street, unless otherwise determined by the Zoning Administrator.

Yard, Rear. Open space on the same lot with a main building, between the rear line of the principal building and the rear line of the lot, extending the full width of the lot.

Yard, Side. Open, unoccupied space on the same lot with a main building situated between the building and the side line of the lot, and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line. Interior side yard is defined as a side yard adjacent to a common lot line.

Figure 8.2.O - Yard Terminology



Zoning Administrator. The Development Services Department Director, or designee.

Zoning Clearance. Written authorization issued by the Zoning Administrator, or designee, confirming that a proposed use, building, structure, or development complies with the provisions of this Zoning Ordinance.

Zoning Conditions. Conditions and/or stipulations imposed by the City Council as a condition of approval of a zoning amendment.

Zoning Ordinance. The Zoning Ordinance of the City of Goodyear, Arizona as adopted and amended from time to time by the City Council.

Zoning Permit. Permit granted to a property owner through the 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 may be limited by specific conditions, restrictions, terms, or time period.

Zoo. A facility open to the public where live animals are kept in captivity for exhibition, education, conservation, and recreational purposes. A zoo may include associated structures such as animal enclosures, visitor amenities, and educational facilities. All operations must comply with applicable animal welfare, safety, and environmental standards.

Attachment B - BESS Regulation Comparisons

Regulatory Conditions	Goodyear (Proposed)	Buckeye	Mesa	Maricopa County	Phoenix	Peoria	Surprise
Definition	Assembled devices, energy storage distribution, associated equipment	Utility-scale	Principal use greater than 5,000kW; accessory use less than 5,000kW	Utility-scale designed for energy market/grid services	Residential BESS: 3kWh – 27kWh over counter permit	Under development/ consideration	Assembled devices, energy storage distribution, associated equipment
Where Allowed	Special use in I-1/I-2; Residential applications exempt	CUP in AG/R1-43; Permitted in I-1/I-2	Principal use in GI and HI w/ PAD overlay; accessory allowed in AG, Res, Com, MU	Principal use w/ POD in IND-2 and IND-3	Conditional use in Industrial Use (A-1, A-2) categories		Overlay Zoning District, except for the Surprise Heritage District (SHD), or on any individual residential dwellings
Separation	330' from Res/Sensitive Uses, can request reduction to 150'; 150' from Com & Ind, can request reduction to 100' if adjacent to BPD, I-1 & I-2	150' from Residential	1,000' from Res/Sensitive Uses; 150' from Com & Ind	100' feet from lot line	Follows 2018 International Fire Code (IFC) with local amendments, plus several NFPA standards.	Follows 2018 International Fire Code (IFC) with local amendments, plus several NFPA standards.	Located no closer than fifteen hundred feet (1,500') from any existing dwelling
Site & Bldg. Design	Setbacks, screening, underground utilities, building mass/height limits	Enforce UL 9540 and NFPA 855 Standards; screening; height exceptions for utilities; landscaping	Setbacks, screening, underground utilities (if necessary), building mass/height limits	Baseline standards subject to POD process	Enforce Fire Code and NFPA Standards	Enforce Fire Code and NFPA Standards	Setbacks, screening, landscaping
Noise	Baseline; Compliance & Monitoring request; mitigation	Hazard mitigation analysis (people/environment)	Baseline + post-construction + annual monitoring; mitigation	Baseline standards subject to POD process			Baseline study; mitigation
Operation Plan	Decommissioning plan; Enforce UL 9540 and all applicable NFPA Standards	decommissioning plan; Enforce UL 9540 and NFPA 855 Standards	Emergency response plan and decommissioning plan	Baseline standards subject to POD process			decommissioning plan; Enforce UL 9540 and NFPA 855 Standards

Attachment C - Data Center Regulation Comparisons

Regulatory Conditions	Goodyear (Proposed)	Phoenix	Mesa	Chandler	Tempe	Marana	Tucson (under development)	Maricopa County
Definition	Facility or portion of facility; network computer systems; remote storage, processing, data distribution	Facility used for energy storage distribution and associated equipment, excludes accessory conditions	Very broad facility; advance operations (AI, blockchain, crypto, modeling)	Facility or portion of facility; network computer systems; data storage, processing, distribution	Very broad facility; primary service is data processing or data storage and houses computer systems and associated components	Broad facility; servers, utilities, data management	Facility, multiple facilities, or portion of a facility; gross floor area greater than 50,000 SF or uses greater than 50 MW of energy, housing networked computer systems	Facility primarily used for the processing, management, or storage of digital information, housing computer servers, data storage equipment, and related infrastructure.
Where Allowed	Permitted with Conditions in I-1 & I-2; accessory allowed with limits	Permitted with conditions in C-2, C-3, CP/GCP, A-1 and A-2 (w/ a special permit)	Principal use in PAD; accessory allowed under conditions	Principal use in PAD only; accessory allowed with limits	Principal use in the MU-ED, GID, and HID with a use permit	Principal via Specific Plan (PAD); accessory use in LI/HI	Special exception I-2, PAD or PCD. Increased Notification Radius to all property owners within ½ mile and all HOA's within 2 miles	Permitted use with a Plan of Development (POD) approval within IND-2 (general industrial and IND-3 (heavy industrial)
Site & Bldg. Design	Setbacks residential (300'), screening, underground utilities, landscape buffers, building mass/height limits	Setbacks (150' from ROW or residentially zoned property), screening, landscape setback, enhanced architecture, lines 12k and below underground	Setbacks residential (400')/non-residential (base stds), PAD standards, landscape buffers, massing/façade treatments; flexible via PAD	Setbacks, screened equipment, landscaping, architectural treatments	Setbacks residential use or district (500'), must comply with use permit approval criteria	Setbacks residential (400'), non-residential (100"), screening, underground utilities, landscape buffers, building mass/height limits	2,640 feet of separation from urban residential zones and noise-sensitive uses (e.g., schools) ; 1,000 feet of separation from commercial or office zones	No special considerations
Noise	Baseline; Compliance & Monitoring request; mitigation	Facility and associated equipment will not exceed 55 DB(A) between set hours and 45 DB(A) at night	General operational compliance; enforcement tied to occupancy	Baseline + post-construction + annual monitoring; mitigation; liaison	Generators shall be located within an enclosed building to reduce impacts on noise	Baseline + post-construction + annual monitoring; max level by use	Baseline + annual monitoring; max level by use	No special considerations
Backup Power	Screened/setback; must meet noise limits; website	Screened/setback; must meet noise limits	Covered under operational/PAD review	Restricted hours, notice, sound mitigation	See above	Diesel Tier IV, emergency use, limited hours	Diesel Tier IV generator, emergency use only, limited hours	No special considerations
Water & Utilities	Electric & Water source documentation	Energy will serve letter, additional studies as requested (water, fire, hazardous materials	Reviewed during PAD/special approval	Considered during PAD review	"Extreme-Water Use" shall submit a water use plan	Must demonstrate adequate electricity/ water; potable water prohibited for cooling	Must demonstrate adequate electricity/ water and disclose energy demand; additional water regs for large users (over 10K ccf)	No special considerations
Parking	Reduced parking ratio w/ adequate space for expansion	Minimum distance from transit; streetscape/shaded paths	Minimum parking ratios defined	Minimum parking ratios defined	No special considerations	No special considerations	Righted sized parking standards to reduce paved surfaces	No special considerations

Municipalities that do not currently have a standalone "data center ordinance": Scottsdale, Glendale, Peoria. Overall, these municipalities generally regulate data center facilities using existing industrial and commercial zoning/development standards, which focus on aligning projects with city codes, infrastructure capacity, and, increasingly, sustainable water usage. Town of Gilbert is currently looking into preparing a text amendment to the town's Land Development Code to create new standards and procedures for data center development.

Alternative Data Center Development Model: Project Baccara, Maricopa County (Obtained Certificate of Environmental Compatibility from ACC on 2/4/26 for power plant (subject to ARS 40-360.06: Factors to be considered in issuing a certificate of environmental compatibility), P&Z Commission *Approved project application 4/9/26*, BOS scheduled for *early May*) – Developers are seeking to build a 700-megawatt gas-fired power plant to fuel a data center project on a 160-acre site. Project Baccara is offering an alternative to the typical data center model, which can strain the existing power grid and contribute to rising utility costs. The developer is pursuing a BYOP (bring your own power) approach. Eventually, their plan is to hook the power plant up to the grid as a peaker source during times of high demand.

It's a Great time to be in Goodyear.

CITY OF GOODYEAR

Zoning Code Update



Timeline

Jan. 2025
Project Kick-Off

March 2025
Council One on Ones

April 2025
Community Workshop

June 2025
Dev. Community Forums

Nov. 2025
Commission and Council Work Sessions

Timeline

March 2026
Commission and Council Work Sessions

April 2026
Public Draft available for review

May 2026
Community Workshop



June 2026
Commission and Council Work Sessions

July 2026
Commission Recommen-dation and Council Action

Touch Points Topics

Work Session #1 – November 3, 2025

- Temporary Signage
- Noticing Requirements
- Use Permit Uses
- New Housing Options

Work Session #2 – March 9, 2026

- Battery Energy Storage Systems (BESS)
- Data Centers
- Off-street parking
- Convenience uses

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Battery Energy Storage Systems (BESS) Update



It's a Great time to be in Goodyear.

Data Centers Update



It's a Great time to be in Goodyear.

Noticing Requirements Update



It's a Great time to be in Goodyear.

Additional Highlights


More Housing Options


Off-Street Parking


Industrial Height



Temporary Signage



Convenience Uses


Multi-family Height

Next Steps

July 1, 2026

Planning Commission Public Hearing & Recommendation

July 6, 2026

Council Public Hearing & Action

Thank you!

ITEM #: 3.
DATE: 06/15/2026
AI #:3289

CITY COUNCIL ACTION REPORT

SUBJECT: WATER RESOURCE ALLOCATION POLICY - PROPOSED AMENDMENTS TO THE GOODYEAR CITY CODE OF ORDINANCES; CHAPTERS 1, 14, AND 18 UPDATE

STAFF PRESENTER(S): Barbara Chappell, Water Services Director

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OTHER PRESENTER(S):
Michele Van Quathem, Water Counsel

SUMMARY

Council will receive an update on proposed amendments to provisions in the Goodyear City Code (Attachment A) related to the provision of water service implementing the Water Resource Allocation Policy (Attachment B) adopted by the City Council on May 19, 2025.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Council to receive an update on the amendments to the Goodyear City Code of Ordinances; Chapters 1, 14, and 18 and provide direction to staff. No action will be taken. Council adoption of the City Code changes will be requested at a future meeting. (Barbara Chappell, Water Services Director)

FISCAL IMPACT

The future adoption of amendments to the City Code has no direct fiscal impact.

BACKGROUND AND PREVIOUS ACTIONS

Similar to many Arizona water providers, the City of Goodyear recognized the need to further manage available water resources and water demand growth to promote sustainability and reliability in the city's provision of water services to both existing and new customers. Several water providers in the Phoenix and Tucson metropolitan areas have in the past few years adopted variations of water services ordinances that provide processes and standards applicable to new large water demand, although the definition of "large" varies widely among

the water providers depending on available resources and growth area. The ASU Kyle Center for Water Policy at the Morrison Institute summarized some (but not all) of these provisions in a paper published in September 2025 (Attachment C). In recognition of the need to manage its available water resources, on May 19, 2025, Council adopted the Water Resource Allocation Policy (Attachment B) establishing a strategic framework for managing growth and ensuring long-term sustainability for both current and future customers. The proposed ordinance (Attachment A) implements the Water Resource Allocation Policy through the amendment of various provisions in the Goodyear City Code related to water services.

STAFF ANALYSIS

Prior to bringing these proposed ordinance changes to Council, city staff engaged in substantial public outreach. This outreach included the following, along with a number of one-on-one communications with key stakeholders

Timeline of Public Outreach:

- April 7, 2025 - Council Work Session on the proposed Water Resources Allocation Policy
- May 19, 2025 - Council adoption of the Water Resource Allocation Policy
- August 20, 2025 - Development Advisory Forum. Staff presentation on the Water Resources Allocation Policy followed by a question-and-answer session
- November 19, 2025 - Development Advisory Forum. Staff presentation on the Water Resources Allocation Policy followed by a question-and-answer session
- December 4, 2025 - City staff meeting with Valley Partnership to address questions and comments
- March 16, 2026 - City staff meeting with Valley Partnership, Home Builders of Central Arizona, National Association of Industry and Office Park (NAIOP) to address questions and comments
- March 20, 2026 - April 3, 2026 – City initiated a 2-week public comment period on the proposed ordinance changes to solicit feedback from the development community
- April 28, 2026 - City posted responses to input received during the public comment period

Following the two-week public comment period, the city gathered all feedback submitted by the development community. In collaboration with the City's water attorney, city staff carefully reviewed these responses to identify and establish general categories of concern. Staff have now addressed each of these themes in a comprehensive response document (Attachment D), which was publicly posted by the city on May 1, 2026.

The goals of the proposed changes to the City Code are both to continue to provide reasonable water service to existing city water customers at their current average usage and to continue to support the development of a planned level of new services within properties in City Water Planning Areas 2 and 3. The revisions to the City Code provisions are written to accommodate future overall increases and decreases in the quantity of uncommitted city water resources.

Proponents of new large water uses that exceed the city’s planning allocation for a property may apply to the city for additional or increased water services commitment, and the City Council may grant or deny the request based upon a cost/benefit/resource availability review as provided in the proposed ordinance. If the city, upon review, agrees that the city should provide water service to a large water user, the city will require a service agreement to specifically manage the large water use. The city may require that a large water user dedicate user-provided imported new water resources to support the city’s water service to that large

water use.

The proposed changes represent a balanced approach to resource management that safeguards our current residents while providing a clear, predictable pathway for high-value future development. Staff will request, at a future council meeting, that the City Council move to adopt the proposed ordinance amendments as presented to secure Goodyear's long-term water independence and economic resilience.

Attachments

Attachment A - DRAFT Ordinance (Redline Version)

Attachment B - Water Resource Allocation Policy

Attachment C - ASU Kyle Center for Water Policy at the Morrison Institute

Attachment D - Summary of Comments and Responses

Staff Presentation

ORDINANCE NO. XXXX-XXXX

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 1 OF THE GOODYEAR CITY CODE BY AMENDING SECTION BY AMENDING SECTION 1-3-2 PERTAINING TO DEFINITIONS AND INTERPRETATIONS; AMENDING CHAPTER 14 OF THE GOODYEAR CITY CODE BY AMENDING SECTION 14-1-1 PERTAINING TO DEFINITIONS, SECTION 14-2-2 PERTAINING TO PRIVATE WATER SYSTEMS, SECTION 14-2-3 PERTAINING TO APPLICATION FOR SERVICE, SECTION 14-2-4 PERTAINING TO GROUNDS FOR REJECTION OF APPLICATION, ADDING A NEW SECTION 14-2-10 PERTAINING TO SUSTAINABLE WATER POLICY FOR NEW OR EXPANDED SERVICE, AND AMENDING 14-3-3 PERTAINING TO TERMINATION UNDER CERTAIN CONDITIONS, SECTION 14-5-7 PERTAINING TO WASTE OF WATER PROHIBITION, SECTION 14-8-1 PERTAINING TO SECTIONS AS PART OF CONTRACT, SECTION 14-10-1 PERTAINING TO ENFORCEMENT, PENALTIES, AND AMENDING CHAPTER 18 OF THE GOODYEAR CITY CODE BY AMENDING SECTION 18-1-4 PERTAINING TO AUTHORITY TO ISSUE CIVIL CITATIONS.

WHEREAS, on May 19, 2025 the City adopted a Water Resource Allocation Policy to guide future water services availability and processes within the City; and

WHEREAS, the City desires to enact certain ordinance updates and new provisions to implement the City's Water Resource Allocation Policy and to make certain other Code updates.

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

SECTION 1. AMENDMENTS TO GOODYEAR CITY CODE.

Chapters 1, 14, and 18 of the Goodyear City Code are hereby amended as shown in **Exhibit A** attached hereto and incorporated herein by reference.

SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. CLERICAL CORRECTIONS

The City Clerk is hereby authorized to correct typographical, clerical, and grammatical errors, if any, related to this Ordinance, and to make formatting changes appropriate for purposes of clarity, form, or consistency with the City Code. Any changes shall be in writing and approved by the City Attorney.

SECTION 4. EFFECTIVE DATE

This Ordinance shall become effective in the manner provided by law.

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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:

_____
Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

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Exhibit A
Amendments to the Goodyear City Code of Ordinances, Chapters 1, 14, and 18

HOW TO READ THIS DOCUMENT:

Applicable sections titles of the affected City Code are in **highlighted bold text** for ease of readability.

Provisions being deleted are show in red strikethrough text, like this: ~~Provisions that are being deleted.~~

Provisions that are being added are shown in underlined blue text, like this: Provisions that are being added.

Only those changes noted in the blue or red styles above are changes. Plain black text and missing regulations, graphics, or other text in the existing Code is unchanged.

Amend Chapter 1 - General Provisions, Section 1-3-2 Definitions and Interpretations, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

1-3-2. Definitions and Interpretations.

For the purpose of ~~this chapter~~the Goodyear City Code, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

(A) Acts by agents. When an act is required to be done which may by law as well be done by an agent as by the principal, such requirements shall be construed to include all such acts when done by an authorized agent.

(B) AND, OR. AND may be read or, and OR may be read and, if the sense requires it.

(C) BOND. When a bond is required, an undertaking in writing shall be sufficient.

(D) CHARTER. The Charter of the City of Goodyear.

(E) CITY. The City of Goodyear, Maricopa County, Arizona, except as otherwise provided. The words IN THE CITY or WITHIN THE CITY shall mean and include all territory over which the City has jurisdiction for the exercise of its police powers or other regulatory powers as authorized by statute.

(F) CODE. The municipal code of the City of Goodyear, unless the context indicates otherwise.

(G) COUNCIL. The City Council of the City of Goodyear.

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(H) COUNTY. Maricopa County, Arizona, unless the context clearly requires otherwise.

(I) DAY. The period of time between any midnight and the midnight following.

(J) DAYTIME, NIGHTTIME. DAYTIME is the period of time between sunrise and sunset. NIGHTTIME is the period of time between sunset and sunrise.

(K) DEPARTMENT, BOARD, COMMISSION, OFFICE, OFFICER OR EMPLOYEE. Whenever any DEPARTMENT, BOARD, COMMISSION, OFFICE, OFFICER OR EMPLOYEE is referred to, it shall mean a department, board, commission, office, officer or employee of the City unless the context requires otherwise.

(L) Gender; singular and plural. Words of the masculine gender include the feminine; words in the singular include the plural and words in the plural include the singular.

(M) Joint authority. All words purporting to give a joint authority to three or more city officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.

(N) KEEPER, PROPRIETOR. Includes persons, firms, associations, corporations, clubs and partnerships, whether acting by themselves or through an agent, servant or employee.

(O) MONTH. A calendar month.

(P) OATH. Includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words SWEAR and SWORN shall be equivalent to the words AFFIRM and AFFIRMED.

(Q) OWNER. Applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of part of such building or land.

(R) PERSON. Includes a corporation, company, partnership, association or society as well as a natural person.

(S) PERSONAL PROPERTY. Every species of property, except real property as defined in this section.

(T) PRECEDING, FOLLOWING. Next before and next after, respectively.

(U) PROPERTY. Includes lands, tenements and hereditaments and personal property.

(V) PUBLIC PLACE. Any thoroughfare, park, open space or building not privately owned or controlled.

(W) REAL PROPERTY. Lands, tenements and hereditaments.

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(X) SHALL, MAY. SHALL is mandatory and MAY is permissive.

(Y) SHALL HAVE BEEN. Includes past and future tenses.

(Z) SIDEWALK. Any portion of a street between the curbline and the adjacent property line intended for the use of pedestrians.

(AA) SIGNATURE or SUBSCRIPTION BY MARK. Includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his or her own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

(BB) STATE. The State of Arizona unless the context clearly requires otherwise.

(CC) STREET. Any alley, lane, court, boulevard, public way, public square, public place, sidewalk or thoroughfare.

(DD) TENANT or OCCUPANT. Applied to a building or land shall include any person holding a written or an oral lease of or who occupies the whole or part of such building or land, either alone or with others.

(EE) Tenses. The present tense includes the past and future tenses, and the future includes the present.

(FF) Time; computation. The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday, Sunday or holiday it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight, shall be excluded.

(GG) Time; reasonable. In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.

(HH) WEEK. A week consists of seven consecutive days.

(II) WRITING. Any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language unless expressly provided otherwise.

(JJ) YEAR. A calendar year unless otherwise provided.

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Amend Chapter 14 - Water, Section 14-1-1 Definitions, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-1-1. Definitions.

For purposes of this ~~chapter~~Chapter 14, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AIR GAP means a physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An approved air gap shall be at least double the diameter of the supply pipe measured vertically above the overflow rim of the vessel — in no case less than one inch.

ALLOCATE or ALLOCATION shall mean the City's act(s) of estimating water resources the City controls or may control in the future that is reasonably available for delivery in the City's water system to current and future water customers. Allocation of water under this Chapter 14 does not convey any rights to the use of, or ownership, or reservation of such water resources to any customer being served or potentially to be served by the City's water system. City allocations will change over time as conditions change, including shortage conditions.

APPROVED BACKFLOW PREVENTION ASSEMBLY means an assembly of the size and type approved by the City that has been manufactured in full conformance with the American Water Works Association standards for reduced pressure principle assembly devices, as modified from time to time, and have met completely the laboratory and field performance specifications of the foundation for cross-connection control and hydraulic research of the University of Southern California as exist from time to time and, where on a fire system, have underwriters laboratory and factory mutual approval, or as otherwise described, limited or provided in this chapter.

BACKFLOW means the reversal of flow of water or mixture of water and other liquids, gasses or other substances into municipal distribution pipes or the potable supply of municipal water.

CERTIFIED BACKFLOW PREVENTION ASSEMBLY TESTER means a person who is certified to test backflow prevention assembly by either the American Backflow Prevention Association or other recognized certifying body.

CITY MANAGER means the City of Goodyear City Manager or his/her designee.

COMMERCIAL ACCOUNT means an account for utility services from the City for any use other than a ~~profit or nonprofit business, and multi-family residential dwelling units excluding Single Family Residence~~single family residence.

COMMUNITY WELL means any well that is not part of a public water system.

CONTAMINANT means the same meaning as found in A.R.S. §§ 49-171 and 49-201.

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CROSS-CONNECTION means a cross-connection as defined in § 104-M of the Plumbing Code as amended and as adopted by the City from time to time.

CUSTOMER means the property owner or any person, renter, lessee, occupant, government agency, nonprofit or entity responsible for payment of utility service(s) provided by the City.

DIRECTOR means the person or his/her designee authorized by the City Manager to administer, implement and enforce the provisions of this chapter.

DWELLING UNIT means a room or a group of rooms within a building designed for occupancy by one family, and having independent living facilities including permanent provisions for living, sleeping, eating, cooking, and sanitation.

ENVIRONMENTAL SERVICES DIVISION means the Environmental Services Division Manager or designee, or any entity with which the City contracts to provide the specific service(s) identified in this chapter on behalf of the City.

HAZARDOUS SUBSTANCE means the definition provided in 40 CFR Part 261.3.

INACTIVE SERVICE LINES means City water service lines connecting to properties with or without City meters that have not maintained active accounts with the City for water services, and have not received water from the City under such accounts for twelve consecutive months.

INHABIT means to live or dwell in any structure required to have a utility account on a temporary or permanent basis.

KNOWINGLY means with respect to conduct or to a circumstance described by an ordinance defining an offense, that a person or enterprise is aware or believes that his/her/its conduct is of that nature or that the circumstance exists. It does not require any knowledge of the unlawfulness of the act or omission.

LARGE WATER USER shall mean existing and new City water users in any land use category or categories that make a change or intend to develop, redevelop, or otherwise make a change in property or water use that causes or will cause total water demands to exceed the City's water use allocation.

OCCUPANT means a person, persons or legal entity that, through rights of ownership, tenancy or other legal means has possession or the use of the subject real property.

PERSON means any enterprise, individual, partnership, co-partnership, firm, company, corporation, association, trust, estate, governmental entity, municipality, State or Federal agency or any other legal entity; or their legal representatives, agents, assigns or employee thereof.

POTABLE WATER means water that meets the standards for drinking purposes as defined by State and Federal law.

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PRIVATE PROPERTY means any real or personal property which is privately owned.

PRIVATE WATER SYSTEM means a water system that consists of an exempt well, as defined in A.R.S. § 45-402, installed at, or in proximity to, a site or an alternative, engineered system installed at a site to supply potable water for use at the site. A private water system does not include water systems that are classified as a community water system, as defined in A.R.S. § 45-341, or a public water system, as defined in A.R.S. § 49-341.

PROPERTY means buildings, ground, lots, tracts of land, or other real property whether publicly or privately owned.

PROPERTY OWNER means any person, with reference to real property, that holds or has any of the following: (A) fee title, (B) equitable title, (C) any possessory right, (D) the right to occupy the premises, or (E) the right to lease, sublease or authorize another to occupy the premises for real property located in the City of Goodyear. A person is presumed to be a property owner if identified as such on any of the following: a deed, contract, lease agreement, sales agreement, the Maricopa County Recorder's Office, Maricopa County Assessor's Office and/or any other public record system wherein these records may be located.

PUBLIC PLACE means any and all streets, sidewalks, boulevards, alleys or other public ways and any and all public parks, squares, spaces, grounds, buildings, facilities or other real or personal property which are publicly owned.

PUBLIC WATER SYSTEM means a system owned and operated by the City of Goodyear for the provision to the public of water for human consumption through pipes or other constructed conveyances or as defined in the Safe Water Drinking Act of 1996, as amended.

REDEVELOPMENT or REDEVELOP shall mean any change that causes an increase in annual water use, regardless of whether the change requires a permit or approval from the City. Redevelopment includes, by way of example, but not limitation, use changes, tenant improvement changes, zoning changes, construction changes, and landscape changes.

SINGLE FAMILY RESIDENCE means a ~~single family~~ detached ~~dwelling~~ building containing a room or group of rooms designed for occupancy by one family, and having independent living facilities including permanent provisions for living, sleeping, eating, cooking, and sanitation located on a legally recognized parcel of land intended to contain one dwelling unit and its accessory structures, which accessory structures may include a building with a room or group of rooms designed for occupancy by one family, and having independent living facilities including permanent provisions for living, sleeping, eating, cooking, and sanitation.

SINGLE FAMILY RESIDENTIAL ACCOUNT means an account for a single family ~~detached dwelling~~ residence which receives utility services from the City.

WATER USE ALLOCATION means the following:

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(1) For existing City water customers as of January 1, 2026, the customer's historic annual average water use of City-provided water resources of all types for the continuation of the same average annual water use for full calendar years of water use in 2023, 2024, and 2025 so long as such continued uses were and remain consistent with applicable conservation requirements or
(2) So long as sufficient uncommitted water resources remain reasonably available for commitment to new or expanded uses by the City, the most recent City Council-accepted allocation of water demand for the applicable land use in the water master plan.

The City's determination of a water use allocation for existing or new City water customers may change over time as City resources change, such as for shortage conditions. The water use allocation is a maximum limit for water services that is intended to assist the City to reasonably plan and control use of shared scarce resources fairly among many users. The water use allocation is not a water right or City promise or guarantee that such level of water service will be available.

UNDUE HARDSHIP means an undue or unreasonable burden or requiring extreme difficulty or expense, as determined on a case-by-case basis.

UTILITY ACCOUNT means all accounts with the City of Goodyear for sanitation, sewer and/or water when provided by the City.

UTILITY SERVICE(S) means sewer, sanitation and/or water service provided by or on behalf of the City of Goodyear.

WATER MAIN means a water supply pipe for public or community use.

WATER MASTER PLAN shall mean the most recent City Council-approved integrated water, wastewater, and reclaimed water master plan, including any supplement or amendment thereto.

WATER METER means a device used to measure the quantity or rate of water flowing through a pipe.

WATER UTILITY means any public service corporation engaged in the generation, transmission or delivery of water, including the State or any political subdivision or agency of the State. For purposes of this section only, water utility shall also include an irrigation district.

Amend Chapter 14 - Water, Section 14-2-2 Private Water Systems, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-2-2 Private water systems.

(A) Where water service by a public water system is not available as provided in ~~Section~~Sections 14-2-1 and 14-2-4 or because the City has otherwise denied service, and if allowed by law, a new or existing private water system or ~~an existing community well~~ a new or existing private or shared well may be used to provide potable water to the site. There shall be

no connection to the City's water distribution system with a private water system or a private or shared well. The use of an individual on-site potable water storage system using hauled water may only be accepted as the source of potable water for the site when a sworn signed statement from the Arizona Department of Water Resources or a professional hydrologist and/or geologist registered with the State of Arizona stating that water is not available to the site by way of an individual well is submitted to the City Engineer or designee, for review and approval.

(B) New Buildings. Before issuance of a building permit for any building to be served by a private water system, the applicant must demonstrate that all of the following requirements have been met:

~~(1) The water system for the building has been designed so that a private water system service line stub is located in the front of the building to facilitate future connection to the public water system; and~~

(1)~~(2)~~ The property owner(s) have signed and recorded with the Maricopa County Recorder's Office an affidavit of disclosure stating that the current and future property owner(s) rely on a private well, shared well, or hauled water, if applicable, and agree not to object to any application by the City to drill a public well for the public water system ~~that is intended to provide water service to the property.~~;

(2) The applicant certifies to the City that the applicant has access to a legally available and reliable source of water; and

(3) The applicant has recorded with the Maricopa County Recorder a waiver that runs with the land in a form approved by City that holds City harmless for any claims related to or arising from a lack of water being available to the building, including any government enforcement actions resulting from a lack of water availability to the property.

(C) Existing Buildings. Where an existing building is served by a private water system, the use of the private water system may continue after a public water service is available. However, if the property owner chooses to connect to the public water system, and if the City agrees to provide service per City policies in effect at the time request for water service is made, then~~,~~ the private water system shall be discontinued and abandoned in accordance with the standards and requirements of the Arizona Department of Water Resources, Arizona Department of Environmental Quality and the Maricopa County Environmental Services Department. The City Manager shall be authorized to allow the continued use of a private water system in those situations where discontinuance of the private water system will create an undue hardship on the property owner(s) and continuance of the private water system will not adversely affect the operation of, or water supply for, the City's public water system.

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Amend Chapter 14 - Water, Section 14-2-3 Application for Service and Expanded Service, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-2-3 Application for Service and Expanded Service.

(A) Application for Utility Service at Existing and Proposed Service Locations; Expanded Service Requests. Service applications are required of all persons requesting activation of utility service(s) at properties already fully connected to the City's water distribution system including transfers, for all requests to increase existing water volumes or to add or increase the size of meters, and for proposed new connections to the City's water services. Application information must be submitted for each service address and proposed service address. An application must also be submitted when requesting any transfer of service. An activation fee will be charged for the activation of any new utility service. The activation fee will be due any time an application is submitted, but will be refunded if the City declines a service activation or connection request. No more than one activation fee will be required when a person is signing up for multiple utility services with the City at one location. Once the application for water service has been approved, activation of water service will occur on the next business day. Same business day activation and request for activations outside of business hours will result in the assessment of an additional fee.

(B) Required Information. Applicants shall provide the following information when activating an account:

(1) Single Family Residential Accounts.

(a) Legal names of all responsible parties, entity or individual, must include all persons identified on the rental or lease agreement;

(b) Social security number and/or Federal tax identification number for commercial entities;

(c) Service address;

(d) Mailing address, if different;

(e) If property owner, provide proof of ownership;

(f) If tenant, provide landlord's name and address and copy of occupancy agreement (rental or lease agreement);

(g) If agent, provide proof of agency;

(h) Applicant's employer's name, address and phone number;

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(i) Requested start date;

(j) A photocopy of a valid driver's license/identification card or other official government identification;

(k) For a proposed new City water service connection or expansion of service, details of the proposed connection location, use, property to be served, copies of any City agreements regarding water service, and

~~(k)~~ (l) Any other information deemed relevant by the Director.

(2) Commercial ~~and Multi-Family Residential~~ Accounts.

(a) Legal name(s) of all responsible parties/entities;

(b) Federal tax identification number and/or social security number;

(c) Service address;

(d) Mailing address, if different;

(e) Name and address of property owner(s);

(f) If property owner, provide proof of ownership;

(g) If tenant, provide:

1. Landlord's name and address and copy of rental or lease agreement.

2. Names of all persons identified on the rental or lease agreement;

(h) If agent, provide proof of agency;

(i) Requested start date;

(j) A photocopy of a valid driver's license/identification card, or other official government identification;

(k) For a proposed new City water service connection or expansion of service, details of the proposed connection location, proposed meter size(s), proposed uses, projected quantity of water to be purchased per calendar year, a full description of the property to be served, copies of any City agreements regarding water service, and

~~(k)~~ (l) Any other information deemed relevant by the Director.

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(C) All applications for any and all utility service(s) submitted by any person or entity shall be signed by the person who will be responsible for payment of the utility services to be provided by the City, or a person legally authorized to act on their behalf. When submitting an application electronically, the named applicant(s) on the application will be deemed to have signed the applications.

(D) It is the responsibility of the customer to ensure that the customer's contact and billing information on file with the City remains current at all times.

Amend Chapter 14 - Water, Section 14-2-4 Grounds for Rejection of Application, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-2-4 Grounds for Rejection of Application for New Connections to City's Water System, Expansions of Uses, and Transfers of Existing Service Connections.

Provided there is no change in the volume of water that will be required, the City will transfer existing active service connections to successor active customers, subject to compliance with the City's then-current ordinances and policies regarding such water service. New water service connections, new meters, and reactivation of inactive service lines may not be available for areas inside and outside the City due to limited uncommitted water resource availability. The City's decision whether to establish a new water service connection and/or set a new or replacement meter at any location inside or outside the City will be made by the City at the time an application is submitted to the City, applying the then-current City water master plan and policies. The City may condition new services with enforceable annual water quantity limitations as are determined by the City to be needed to protect the City's water resources for reasonable protection of water access of all City water customers. New water uses and existing users who seek expanded service must comply with section 14-2-10. The City also reserves, at all times, the right to reject an application or terminate any utility service should any person provide~~provides~~ false or misleading information on their application; fail~~fails~~ or refuse~~refuses~~ to provide all information requested on the application; water service is not available under a standard rate; providing water service involves excessive service expense; or until the applicant requesting sanitation service pays in full any and all outstanding utility balance(s) for all utility accounts of the named applicant(s).

Appeals. Any person aggrieved by a decision made under this section 14-2-4 may appeal in writing to the City Manager or designee. Such written appeal will occur within 30 days after notice of the city's action complained of has been mailed to the aggrieved person or entity at the address identified in the application. The appeal shall contain a written statement describing the grounds for the appeal and the relief requested. The City Manager shall issue a written decision within 30 days from receipt of the written statement. The City Manager's written decision will be final and conclusive.

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Amend Chapter 14 - Water, New Section 14-2-10, Sustainable Water Policy for New or Expanded Service, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-2-10 Sustainable Water Policy for New or Expanded Service

(A) Sustainable Water Policy Adopted.

(1) Goodyear has finite water resources that are insufficient to serve all future uses in all parcels currently located within the Goodyear planning area. Goodyear allocates available and uncommitted water supplies to new and expanded uses consistent with Goodyear's water master plan as such plan is updated from time-to-time. Water resources have not been planned for acreage outside city limits, and annexations will not be made for the sole purpose of extending new water service to the land. The water allocation policy and requirements in this section will assist Goodyear in maintaining a sustainable water supply for existing users and to fairly allocate uncommitted and available water resources to a limited quantity of future uses. This sustainable water policy applies to proposed expansions in the quantity and nature of existing uses and proposed new uses to be served by Goodyear. This sustainable water policy does not apply to non-city water services, such as water services provided by privately-owned water providers within Goodyear.

(B) Maximum Water Use.

(1) The water usage of all water users receiving or seeking to receive water services from the City is limited to the City water use allocation.

(2) The City water use allocation for a mixed-use development shall include a separate calculation for each land use for each parcel within the development.

(3) The City water use allocation for vacant acres within the City cannot be shifted to other acres.

(4) Any unused or underused City water use allocation for undeveloped or developed acres shall not be considered available for use by other acres and shall remain in City's control.

(5) Large water users may only exceed the City water use allocation if the Water Services Director specifically grants an increase in the water use allocation in accordance with this Chapter through a large water user service agreement approved by the City Council and executed by the applicant.

(6) The Water Services Director may waive the requirements of this chapter for a water user that requires a new meter or expanded water use on a parcel that already has

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water service where the total water use will not exceed the City water use allocation for that use in the City's newest water master plan.

(C) Large Water User Service Application.

(1) A large water user water service application shall be required to request in advance new or expanded water service if the new or expanded water service may exceed the City's water use allocation.

(2) The large water user service application shall identify the type of water use proposed, the size of the structures and landscaping in the development or redevelopment, annual and monthly water use, proposed conservation measures, the phasing of development or redevelopment as applicable, and any other information required by the Water Services Director.

(3) The Water Services Director shall review and may approve or deny a large water user service application. In determining whether to extend service for a large water user, the City may consider, among other things:

(a) Economic impacts of the proposed large water use to residents, businesses, and the City, which includes the benefits of the proposed use as well as the impacts of decreased water availability for potential future private and city development opportunities
(b) Necessity of a proposed service to an area of the City where such service is inadequate
(c) Availability of uncommitted City water resources
(d) Conservation measures taken

(4) Large water user maximum water use determination.

(a) The Water Services Director will determine whether, based on City water resources availability and the most recent water master plan and the factors in this section, the development or redevelopment associated with a proposed large water use, or other change in water use exceeding the City water use allocation, is eligible for additional water and if so, how much.

(b) If the Water Services Director determines that additional water is not available for the development or redevelopment or other change in use, then to receive such service the large water user must purchase and dedicate to the City the additional quantity of water exceeding the City water use allocation, including a purchase of such water from the City if the City determines in its sole discretion to make such water available for a use. Additional water resources dedicated to the City must be sustainable water resources available in the City's approved order of designation of assured water supply for no less than 100 years, and that are deliverable to the City in a manner and at a cost acceptable to the City in its sole discretion.

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(5) Appeals. Any person aggrieved by a decision made under this section 14-2-10 may appeal in writing to the City Manager or designee. Such written appeal will occur within 30 days after notice of the city's action complained of has been mailed to the aggrieved person or entity at the address identified in the application. The appeal shall contain a written statement describing the grounds for the appeal and the relief requested. The City Manager shall issue a written decision within 30 days from receipt of the written statement. The City Manager's written decision will be final and conclusive.

(D) Large Water User Water Service Agreement Required.

(1) A large water user who is approved for the use of any amount of water in excess of the City's water use allocation shall enter into a large water user water service agreement. The large water user water service agreement shall include:

(a) A term not to exceed one hundred (100) years.

(b) The agreed maximum water use that is permitted for the property and the specific use. The agreed maximum water use is not a guarantee of availability but rather a maximum limit, and is still subject to applicable conservation and shortage provisions applicable to all other City water customers unless otherwise specifically agreed by the parties.

(c) Provisions for transfer to subsequent owners of the real property underlying the agreed maximum water use with continued equivalent water use only upon City approval.

(d) Terms and conditions for the large water user's purchase and delivery of additional water resources necessary for service to the property and use.

(e) Other terms and conditions City determines necessary for City to agree to the allocation of additional water service to the property and use.

(f) Provisions for enforcement of the agreed maximum water use for repeated exceedances or other violations, including violations of ordinances and the City's installation of a flow restriction device and/or termination of water services.

(g) Recording with the Maricopa County Recorder within thirty (30) days after the City executes the agreement.

(2) City may, but is not required to, on a case-by-case basis, assist an applicant to locate, purchase, and transport a water resource to enable City to provide additional water service to such applicant. Such City assistance may include, but is not required to include, City sale of access to water supplies that the City has or may purchase from time-to-time for City use. Payments to the City for water resources, if arranged in the

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City's sole discretion, shall be determined by the City on a case-by-case basis through a written agreement, and any payments related to such additional water resources are not development fees as that term is defined in Arizona Revised Statutes section 9-463.05.

Amend Chapter 14 - Water, Section 14-3-3 Termination Under Certain Conditions, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-3-3 Termination under certain conditions.

(A) The City may terminate water service under any of the following conditions:

(1) To prevent fraud or abuse

(2) For the violation of this chapter or of any Federal, State, or local laws applicable to water service or environmental issues including violations listed in section 14-5-5, 14-5-7. and section 14-2-10;

(3) Insufficient supply caused by factors outside the control of the City;

(4) Legal process;

(5) Direction of public authorities;

(6) Local emergency requiring emergency measures, or for emergency repairs;

(7) Tampering with meter by the customer or someone on their behalf;

(8) Nonpayment of any utility charges or deposit(s); ~~or~~

(9) False information provided in the application or in the application process; or

(10) In accordance of terms in a large water user water service agreement entered pursuant to subsection (D) of section 14-2-10.

(B) The City will use reasonable efforts to notify customers prior to the termination of services due to emergency circumstances. In the event the City has determined it necessary to discontinue services for reasons listed in subsection (A)(1), (A)(2), or (A)(7) of this section, the City is authorized to terminate services without prior notice to the customer. Prior to terminating service for reasons listed in subsection (A)(3), (A)(4), (A)(5), or (A)(8) or (A)(10) of this section, the City will give written notice to the customer. All customers will be provided an opportunity ~~for a hearing with~~ to appeal the termination of service to the City Manager ~~to address any complaints that may arise with the termination of service~~. Except for appeals of terminations for nonpayment, which shall ~~All hearings will~~ be held in accordance with Section 14-2-8(D), appeals for terminations under this Section 14-3-3 shall be submitted in writing to the City Manager within 30 days after notice of the city's action complained of has been mailed to the aggrieved person or entity at the address identified in the application. The appeal shall contain a written statement describing the grounds for the appeal and the relief requested. The City Manager shall issue a written decision within 30 days from receipt of the written statement. The City Manager's written decision will be final and conclusive.

(C) Inactive Meters. If a City meter has been inactive and had unpaid service for more than 12 months, after providing the landowner of record with 30 days' advance written notice, the City may permanently remove the City's meter at such connection. Upon removal of the City meter and the City's accounts for such meter will be inactivated and will stop accruing monthly service charges, but all prior sums due shall remain due until paid. City may, but is not required to, re-start service with installation of a new meter at the connection only if all outstanding sums due

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for all prior users of the old meter, regardless of identity, are first paid in full. After meter removal by City under this subsection, any request to reconnect the service will be deemed to be a request for a new service connection subject to the City's then-current policies for new connections including related fees and without regard to the history of service at the connection.

(1) Any fire service lines serving the same properties as standby service with separate supply line may be inactivated under this subsection at the City's discretion concurrently with City meter removal.

Amend Chapter 14 - Water, Section 14-5-7, Waste of Water Prohibition, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-5-7 Waste of water prohibition.

(A) Waste of Water. For the purposes of this section, **WASTE OF WATER** shall mean to use, overconsume~~consume~~ based on historical use, or to expend water through leaks on water customer's property or elsewhere, at such a rate that ~~it~~ water overflows the basin or object into which it flows, including the landscaped areas of any premises, creates standing water on the customer's property, leaks into adjacent properties, leaks into public property or into the rights-of-way including gutters, storm drains, ditches or other drainage conveyances, or sprays from a permanently installed irrigation system with a broken head or emitter, or sprays more than 10% of the total spray from a misdirected emitter, onto the surrounding basin or object, onto public property or into the rights-of-way including gutters, storm drains, ditches or other drainage conveyances. All persons and customers shall prevent waste of water and keep all water outlets closed when not in use. All water outlets, including those used in conjunction with hydrants, urinals, water closets, bathtubs and other fixtures shall not be left running while unattended. The washing of motor vehicles, automobiles, trucks, trailers, boats and other types of mobile equipment shall be done only with a handheld~~hand held~~ hose equipped with an automatic shut-off nozzle that completely shuts off the flow of water, even if left unattended. Except as otherwise provided herein, it is a waste of water to water turf (water grass) installed after January 1, 2027 unless the turf is intended for active recreational activities and that are typically improved with recreational equipment or facilities such as sports courts, fields, buildings or other structures and the size of the turfed area does not exceed what is reasonably needed to accommodate the intended recreational activity.

(B) Exceptions. WASTE OF WATER shall not include:

(1) Flow resulting from fire fighting or routine inspections of fire hydrants or from fire training activities.

(2) Water applied to abate spills of flammable or otherwise hazardous materials.

(3) Water applied to prevent or abate health, safety, or accident hazards when alternative methods are not available.

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(4) Water that reaches or flows onto adjacent property, public rights-of-way or easements, including private easements when caused by vandalism, wind, rain, emergencies, electrical outages, natural disasters or acts of terrorism.

(5) Flows resulting from a routine inspection or maintenance of the following:

(a) The City's water utility system;

(b) A private water utility system;

(c) An irrigation district; or

(d) A Homeowners Association.

(6) Water used by the City, a private water utility or an irrigation district in installation, maintenance, repair or replacement of public facilities and structures including, but not limited to, traffic control devices, storm and sanitary sewer structures, and road and street improvements.

(7) Water used by the City, a private utility, or their respective contractors and/or subcontractors for saw cutting of pavement, dust control, compaction or other uses identified under the terms of applicable contracts.

(8) Storm water runoff~~run-off~~.

(9) Flows resulting from system failures or malfunctions of the City, a private water utility or an irrigation district's water or wastewater system.

(10) The uses of water which are necessary to protect public health and safety for essential government services such as police, fire, public works and other similar emergencies.

(11) Watering of Turf located within a Single Family Residential lot.

(C) Violations.

(1) It shall be unlawful for any person to intentionally, knowingly, recklessly, or negligently:

(a) Operate and maintain any irrigation structure, delivery ditch, waste ditch, or any irrigation structure in which said person has a vested right or interest to accept flood irrigation water, so as to permit or cause the escape or flow of flood irrigation water in such quantity as to cause waste of water;

(b) Cause the waste of water such that the overflow or spray:

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1. Causes damage to public property or public rights-of-way;

2. Interferes with pedestrian or automobile traffic;

3. Ponds over a cumulative surface area greater than 150 square feet; or

4. Discharges with a depth greater than one-quarter of an inch into a gutter, storm drain, ditch or other drainage conveyance.

(c) Violate the mandatory water use restrictions of a stage 1 (water watch), 2 (water alert) or 3 (water warning curtailment).

(2) It shall be unlawful for any person ~~residential, commercial or industrial facility or operation that is within~~ who receives water services from the City's ~~jurisdiction, or is served flood irrigation waters by an irrigation district,~~ public water system to cause or permit to occur, any waste of water.

(3) It shall be unlawful for any person that owns or rents property that is served flood irrigation waters by an irrigation district, to cause or permit to occur, any waste of water.

(4) It shall be unlawful for any person to take or receive water from the City's public water system without having established an account for water services with the City and without having obtained and installed a water meter if required.

(5) It shall be unlawful for any person to use volumes of water in excess of the maximum water use amount authorized by the City under section 14-2-10.

(D) Enforcement. The City is authorized to make inspections in the normal course of business or when the City has reason to believe that a violation of this section has been or is being committed, or the City may respond to a complaint of a possible violation. A written notice and/or civil citation may be issued for a violation of this ordinance by the Code Compliance Manager, a Code Compliance Officer, the Director of Water Services, the Water Conservation Specialist, City Prosecutor, ~~or~~the City Attorney, ~~or~~the City Manager or a peace officer. Service of the written notice or citation may be accomplished and will be deemed proper and complete if a copy thereof is personally served upon the owner, occupant, lessee, agent, or manager of the property; any person of a responsible age present on the property; or is posted in a conspicuous place on or about the property affected by such notice. ~~The authorized issuance official may order, at the discretion of the City Manager or his or her designee, the installation of flow restriction or reduction devices, or discontinuation of water service if the violator has a previous citation.~~

(1) Written Notice. Prior to the issuance of a citation for a violation, a written notice shall be provided. A written notice shall contain at a minimum:

(a) The date and location of the alleged violation;

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(b) A reference to the City Code provision or ordinance violated;

~~(c) Recommendations as to how the waste of water can be abated and the time frame within which the waste of water must be abated. The time provided to cease waste of water may range from a requirement of immediate compliance to 30 days, at the discretion of the authorized enforcement official, depending upon the facts and the circumstances of the case;~~

~~(d) A warning that civil action may be initiated unless the waste of water ceases within the time frame required for corrective action;~~
(c) A time period for taking corrective action to remedy the violation and for obtaining an inspection by the City to confirm the remedy, and a warning that a citation may be issued if the corrective action and re-inspection have not been completed within such time period;

(d)~~(e)~~ The name, address, telephone number and email address of the authorized enforcement official who issued the written notice;

(e)~~(f)~~ Any previous citation against the person or property in question; and

(f)~~(g)~~ The procedure for compliance with the written notice including obtaining a re-inspection by the issuing official.

(g) A warning that the City may, if there has been a previous citation issued for violation of this section, install a water flow restrictor on an interim basis until a final resolution of the violation through a civil or criminal citation process.

(2) The time period for compliance may be extended if the official issuing the written notice determines that the owner, occupant, lessee, agent, or manager of the property or any person of a responsible age present on the property is making reasonable progress towards compliance. All extensions must be in writing. If, upon re-inspection of the site of the violation by the issuing official, the official is satisfied that the activity previously found to be in violation of this section has been abated, the waste of water case will be closed and no further action will be required of the recipient of the written notice.

(3) Civil Citation. After receipt of a written notice, any person who remains in violation of any provision of this section after the time provided ~~to cease waste of water~~ to take corrective action to remedy the violation may also be subject to a civil citation. The civil citation shall be issued and processed in accordance with Article 18-1 of this Code. Upon a legal ruling of responsibility or liability for the violation of a provision of this section or an admission of responsibility or liability for the violation of this section by the person subject to a civil citation, the City may terminate water service or install a water flow restrictor if the person has been previously found to have violated this section either through a legal ruling of responsibility or an admission of responsibility for a violation of this section.

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(4) Nothing in the section prohibits the City from issuing criminal citations for violations of any provision in this chapter in accordance with Article 1-8. Upon a finding of guilty of a violation of a provision of this section or an admission of guilt by the person subject to a criminal citation, the City may terminate water service or install a water flow restrictor if the person has been previously found to have violated this section either through a legal ruling of responsibility, an admission of responsibility for a violation of this section, a finding of guilt of a violation of this section, or an admission of guilt of a violation of this section.

Amend Chapter 14 - Water, Section 14-8-1, Sections as Part of Contract, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-8-1 Sections as part of contract.

All sections contained in this chapter shall be considered a part of the contract of every person taking or using water from the City of Goodyear's public water system, and every person taking or using water shall be considered as having expressly consented to be bound thereby. All persons outside the City limits who accept water service from the City shall be deemed to have agreed to be bound by and shall comply with all sections of this chapter.

Amend Chapter 14 - Water, Section 14-10-1, Enforcement, Penalties, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 14-10-1 Enforcement, penalties.

(A) Enforcement Official. Law Enforcement, Code Enforcement, Water Quality Technicians, the Environmental Services Operation Supervisors and the Water Superintendent shall have the authority and responsibility for enforcement and compliance with this chapter.

(B) No oversight or dereliction of duties by any person assigned to enforce the provisions of this chapter shall legalize, allow, or excuse a violation of this chapter.

(C) All violations of this chapter, including violations of large water user agreement provisions per section 14-2-10, are subject to criminal and civil penalties and enforcement provisions, including abatement, collections, and liens, pursuant to Article 1-8 and Article 18-1. Notwithstanding the foregoing, the City shall be entitled to take any action authorized in a large water user agreement for a breach of the agreement without having to resort to criminal or civil penalties, or enforcement provisions.

(D) If a person pleads responsible or is found to be responsible for a civil violation of Section 14-2-1 the court shall impose a civil sanction in accordance with the following guidelines: for a first time offense, the civil sanction shall be in an amount not less than $500 nor more than $750; for a second offense, the civil sanction shall be in a sum not less than $750 nor more than $1,000, and for a third offense or subsequent offense, the civil sanction shall be in an amount not less

than $1,000. Any violation of Section 14-2-1 may be dismissed or the fines may be reduced or suspended when proof is filed and accepted by the court which shows that the property owner or tenant has signed up for utility service with the City and paid, or reached an agreement with the City for a payment plan, for the outstanding balance due on the account.

(E) Each day any violation of any provision of this code or any ordinance incorporated herein, or the failure to perform any act or duty required by this code or ordinance incorporated herein, continues shall constitute a separate offense.

(F) The City may obtain an administrative warrant from the Goodyear Municipal Court authorizing the City to enter the property located in the City at reasonable times to inspect the property to ensure compliance with the provisions of this chapter or when there is probable cause to believe a condition, object, activity or circumstance exists on the property that justifies the inspection.

Amend Chapter 18 – Civil Code Enforcement, Section 18-1-4, Authority to Issue Civil Citations, only as follows, leaving all other sections and subsections not specifically referenced unchanged:

§ 18-1-4 Authority to issue civil citations.

Any of the following persons may issue a civil citation pursuant to this chapter:

(A) Any peace officer;

(B) The City Attorney or any assistant;

(C) The City Prosecutor or any assistant;

(D) The Code Compliance Officer;

(E) The Code Compliance Manager;

(F) Any other person designated by the City Manager in writing filed with the City Clerk.

(G) Any other person authorized by the Goodyear City Council

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Water Resource Allocation Policy

PURPOSE

The city of Goodyear (city) holds a 100-year Designation of Assured Water Supply (DAWS) for its existing residents, but the city does not currently have a sufficient volume of total water resources to sustainably serve a future "full buildout" of the city's planning area.

The city's Integrated Water Master Plan (IWMP) addresses water resource and infrastructure planning for some portions of the city's incorporated limits. The city desires to take additional steps to plan and organize the sustainable and fair allocation of the city's uncommitted water resources in a manner that reasonably protects existing city water users while allowing the city to serve new customers under its Designation.

SCOPE

This policy is only applicable to the city's water service area. It does not apply to any Certificates of Convenience and Necessity (CC&N) held by private water providers operating within the city.

WATER ALLOCATION

The city will use the most current adopted IWMP and its water resource planning quantities to determine the amount of water resources available for each vacant parcel in the city's water service area or proposed future water service area. Any parcel currently receiving city water service will be allotted the historic water usage on that parcel. No water use changes that exceed the historical water usage for a parcel will be approved without further evaluation and analysis.

Allocation of water resources to a vacant parcel per the IWMP does not guarantee city water resources will be available if the city determines at its reasonable discretion that water resources are not reasonably available for a proposed use. Water resources planned in the IWMP for a parcel may not be moved or transferred to another parcel.

LARGE WATER USER

New large and multiple meter water users and other users that seek water resources in excess of those in the current IWMP may submit a request for additional water resources. Any such request must include details needed by the city to conduct an objective evaluation and analysis for the proposed use.

ANNEXATIONS

Annexations of unincorporated areas into the city may be considered for a number of reasons, including to realize planned or anticipated city growth, to support development that is economically beneficial to the city, or to take actions to improve the quality of life of city residents. City annexations will not be made for the sole purpose of extending city water resources to newly incorporated areas. Any annexation request must provide information and details related to use and demand for water resources. Any annexation request must include details needed by the city to conduct an objective evaluation and analysis for the proposed use and annexation.

REZONING

Requests to rezone parcels within the city and the city's water service area must account for the allocation of city water resources per the IWMP for the impacted parcel(s). For rezoning requests where the proposed water resource uses for the impacted parcel(s) exceed the IWMP allocation, a request must be submitted for additional water resources. Any such request must include details needed by the city to conduct an objective evaluation and analysis for the proposed use and the rezoning request.

The rezoning process does not guarantee the availability of future city water resources or services.

EVALUATION AND ANALYSIS OF REQUESTS

As noted above, water resource requests associated with a large water user, annexation applications, and/or rezoning actions are subject to additional evaluation analysis.

In its sole discretion, the city will conduct an evaluation and analysis of any requests to exceed the city allocation of water resources for a parcel per the IWMP or a request for city allocation of water resources for a parcel not included in the IWMP. The city may consider various aspects of the request and the proposed uses including, but not limited to:

- economic impacts to the city and its residents and businesses, such as
    - one-time and ongoing sales tax revenues, and
    - creation of jobs (number of jobs and type/quality of jobs),
    - intangible costs and benefits such as factors that affect existing city residents' quality of life beyond economic impacts, including environmental factors such as air quality and water conservation measures taken, the potential for water shortages, and health factors,
- whether the proposed water use will result in the provision of a needed service to an area of the city where such services are inadequate; and
- availability of uncommitted city water resources.

Upon consideration of the evaluation and analysis, the city may take various actions in response to water resource requests, such as:

(1) Propose a different parcel for development, OR
(2) Increase the allocation of city water resources for the parcel at a market rate cost, OR
(3) Require the user to acquire and dedicate the additional water resources needed for the proposed use to the city at no cost to the city

Note: All water resources acquired and dedicated to the city must be sustainable water resources sufficient to serve for at least 100 years and meet the city's requirements for incorporation into the city's DAWS.

Note: There will be no long-term reservations for water resources.

Water Resource Allocation Policy

SELF SERVICE

Self-service is prohibited and the city will oppose new groundwater wells and groundwater uses within or near the city's water service areas to preserve existing groundwater supplies.

WATER SERVICE AGREEMENT

Water service agreements will be updated by city staff from time to time to include provisions that assist the city in managing water demands, addressing droughts, and preventing water waste, including notification to new water customers of the city's water service rules. For each new water customer account or for each modification to an existing water customer account, the water customer will be required to sign the most current water service agreement form.

Kyl Center for Water Policy at Morrison Institute

Arizona State University

HOW ARIZONA MUNICIPAL WATER PROVIDERS ARE REGULATING LARGE-VOLUME WATER USERS

Recognizing the need to manage water supplies sustainably and cognizant of public concerns about long-term availability, at least nine large municipal water providers in Arizona have passed ordinances imposing restrictions on water deliveries to large water users. The City of Chandler was the first to do so, in 2015,[1] and the City of Tucson is the latest, in August 2025. And at least one private water provider, EPCOR, has received approval from the Arizona Corporation Commission to limit larger-volume water uses in its service areas throughout the state.

Part I of this report discusses considerations for municipal water providers related to regulating large-volume users, Part II summarizes our findings on the measures providers have taken to regulate large-volume water users and Part III details ten measures that have been implemented in Arizona in response to large-volume water users.

I. Considerations Related to Regulating Large-Volume Users

Authority to Limit or Condition Service. A municipal water provider has a legal duty to provide fair and impartial water service within its water service territory.[2] This does not mean, however, that the provider cannot condition service on certain terms or even decline to serve a particular use. Rather, it means that the provider must treat customers in the same circumstances generally the same and may not deny water service or require terms and conditions in an arbitrary and capricious manner. A municipal water provider has latitude to determine the means under which water service will be provided within its service territory, if at all, so long as the requirements are fair and impartial.

Arizona's municipal water providers have long required customers to meet infrastructure standards to gain water service. For example, they commonly require on-site water pipelines, tanks, hydrants and fire suppression systems to be a particular size, material and configuration. They also require customers to meet financial terms and conditions such as the timing and method of payment for service and size of deposits.

Water Supply Constraints. Relatively new, however, are requirements related to water resources management. Arizona water providers generally manage their water portfolios carefully, with the intent to provide safe and reliable water service for current and future customers within their service territories. Water providers scrutinize projected water demands for proposed developments – including for large-volume water uses, such as those associated with the high-tech industry – to determine whether they can be accommodated without

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[1] Notably, the City of Peoria adopted "Principles of Sound Water Management" in 2007. Policy #6, "Land Use and Water Management" tied land use with water use https://www.peoriaaz.gov/home/showpublisheddocument/4202/636305236355830000.

[2] *Veach v. City of Phoenix*, 102 Ariz. 195, 197 (1967).

impacting existing uses and whether the benefits of the project justify the acquisition of additional water supplies, if necessary.

Designations of Assured Water Supply. For many large providers within the state's Active Management Areas,[3] another key consideration is whether a proposed new demand will impact their ability to maintain their Designations of an Assured Water Supply. To obtain and keep a Designation, a water provider must demonstrate to the Arizona Department of Water Resources (ADWR) that the provider has the water supply necessary for 100 years for all current water uses and those projected within the designation period (usually five to 15 years) within its service area and that it has the financial capacity to construct the delivery, storage and treatment systems necessary to make the water available to the provider's customers. A Designation is reviewed by ADWR no less frequently than every 15 years, ensuring that commitments to water service do not exceed supplies. Maintaining a Designation requires constant planning and investments. The prospect of Colorado River shortages in central Arizona pushes providers with Designations to either live within tighter water budgets or endure the trouble and expense to acquire additional water supplies.

Arizona Providers Designated as Having an Assured Water Supply

Phoenix AMA: Avondale, Chandler, El Mirage, Gilbert, Glendale, Goodyear, Mesa, Peoria, Phoenix, Scottsdale, Surprise, Tempe, EPCOR Chaparral District (Fountain Hills), EPCOR Johnson Utilities (San Tan Valley), Apache Junction Water Company

Pinal AMA: Casa Grande, Eloy, Florence, Global Water Santa Cruz (Maricopa), EPCOR San Tan - Anthem

Prescott AMA: Prescott

Santa Cruz AMA: Baca Float Water Company, Nogales, Sopori DWID, Tubac Water Company

Tucson AMA: Flowing Wells, Global Water – Farmer's Water Company, Marana, Metropolitan DWID SW – Diablo Village, Metropolitan DWID – Main, Metropolitan DWID – West, Oro Valley, Sahuarita Water Company, Spanish Trail Water Company, Tucson, Vail Water Company, Willow Springs Utilities

II. Findings on Measures to Regulate Large-Volume Users

Over the summer of 2025, the Kyl Center for Water Policy surveyed all Arizona water providers with a Designation of Assured Water Supply to determine whether they had implemented an ordinance or other measure related to large-volume water users. Nine municipal providers have an ordinance in place that addresses how to evaluate such water users when they request service. These providers are Avondale, Chandler, Gilbert, Marana, Mesa, Peoria, Phoenix, Tempe and Tucson. In addition, one private provider, EPCOR, has received regulatory approval for a large-volume water user policy, or "tariff," applicable to all its service areas in Arizona.

[3]Arizona's Active Management Areas are geographically defined areas of the state in which groundwater use is regulated to reach a management goal established by the state. Ariz. Rev. Stat. §§ 45-402(2), 45-411, 45-412.

This means that over four million Arizonans are served by water providers with large-volume water user policies in place.

No other Designated water providers have ordinances or tariffs addressing large-volume water users.

The Kyl Center also surveyed the state's Adequate water supply providers serving populations over 15,000. None of these providers has a large-volume water user ordinance in place.

Key Findings

1. There is no standard definition for "large-volume water user."

Water users can be large relative to instantaneous or "peak" daily demands, seasonal demands, annual demands or all three. Each type of demand has different implications for infrastructure and for water resources management. Generally, larger pipes and related infrastructure are necessary to meet larger, instantaneous demands.

A single water user's large, instantaneous demand of five million gallons per day in the boundaries of the City of Phoenix's municipal water service territory, which meets peak daily demands of over 400 million gallons during the summer, may pose little or no challenge, while that same instantaneous demand may be nearly impossible to meet in a smaller utility such as EPCOR's Anthem district which sees daily demands peak at approximately 12 million gallons during the summer. Similarly, a large annual demand of 1,000 acre-feet in the City of Tucson's water service territory, in which around 100,000 acre-feet of water is delivered each year, would likely be much easier to meet than the same annual demand in the Town of Cave Creek's water service territory, in which approximately 2,000 acre-feet of water is delivered per year.

A large water user can have a large, instantaneous demand from time-to-time but not require a relatively large amount of water over a year and conversely can require a large amount of water over a year and have no large, instantaneous demand. In most cases, a large, instantaneous demand places a higher burden on physical infrastructure while a large annual demand places a higher burden on the water resources portfolio.

Provider	How large-volume is defined
Avondale	**multiple or large meter customer**: demand equals or exceeds 25,000 gallons per day or 28 acre-feet annually, or peak demand requires 3" meter or multiple meters
Chandler	**multiple or large meter customer**: uses more water than the Tier 1 allocation associated with the land use or requires a 3" or greater meter or multiple meters
Gilbert	**new multiple or large meter customer**: uses more water than the Tier 1 allocation, a 3" or greater meter or more than two meters
Marana	**data center**: no water service for the purposes of cooling, humidity control or similar operations

Provider	How large-volume is defined
Mesa	**multiple or large meter customer**: exceeds 330 acre-feet in 12 month period **Legacy Customer:** exceeds 550 acre-feet annually **Established Legacy Customer**: exceeds 850-950 acre-feet annually
Peoria	**large water user**: exceeds 100,000 gallons per day during any 24 hour period or averages 50,000 gallons per day or more over a consecutive 365 day period
Phoenix	**large water user**: demand of at least 250,000 gallons per day; additional requirements for water use of at least 500,000 gallons per day
Tempe	**high water use**: exceeds 250,000 gallons daily in any consecutive 24 hour period **extreme water use**: exceeds 500,000 gallons daily in any consecutive 24 hour period or meter 3" or greater
Tucson	**large quantity water user**: monthly use exceeds an average 10,000 centum cubic feet (7,480,520 gallons)
EPCOR	**large water user**: average daily water demand greater than 1,700 gallons per day per acre

2. Water resources and demand management requirements for large-volume water users vary widely.

While all the large-volume measures require a new large water user to obtain the water provider's permission in advance of connecting to the provider's water system, the conditions for obtaining permission vary substantially. Some providers focus on conservation plans submitted by the large water user and whether the proposed use is in the best interests of the municipality. Other providers require large water users to bring water with them or use recycled water.

3. Refusing to serve large-volume water uses within a provider's water service area does not necessarily protect the provider against all of the impacts of large-volume water users.

Within the Active Management Areas, a person may apply for a permit to withdraw groundwater for a proposed "general industrial use."[4] If the proposed use is located within three miles of the exterior boundaries of the service area of a city, town or private water company the applicant must ask for water service. If the city, town or private water company denies service at the customary rate in the customary manner and the general industrial use meets other statutory requirements, the Director must issue the permit. A general industrial use permit authorizes the holder to withdraw groundwater for up to 50 years subject to renewal under the same criteria.

[4]Ariz. Rev. Stat. § 45-515. "General industrial use" means a non-irrigation use of groundwater, including animal industry uses, but not including uses related to mineral extraction. ARS §§ 45-511, 45-513 & 45-514.

Pumping pursuant to non-irrigation grandfathered groundwater rights can also impact municipal service areas. A type 1 non-irrigation grandfathered right results when land with irrigation grandfathered rights is retired from agricultural irrigation. The type 1 right is appurtenant to that land and groundwater may be withdrawn only from wells on that land. A type 2 non-irrigation grandfathered right is not associated with formerly irrigated land and may be used anywhere in the AMA in which it was issued. Both rights may be used for industrial purposes.

Groundwater uses pursuant to general industrial use permits and Type 1 and Type 2 Non-irrigation grandfathered rights are not subject to replenishment, meaning that these uses deplete local groundwater sources, potentially tapping into the same supplies relied upon by municipal providers. Sometimes, large water users pursue these independent groundwater pumping rights to avoid tying into the local municipal water system and paying the local water rate. In doing so, they are subject only to the state's Water Quality Assurance Revolving Fund fees of $2.12 per acre-foot plus groundwater withdrawal fees (applicable in Active Management Areas) of $2.00 to $3.50 per acre-foot rather than the industrial class water rates charged by municipal water providers, which among municipal water providers with a Designation are on the order of $700 to $2,200 per acre-foot.

In short, if a municipal water provider declines to serve a new industrial use, the industry may arrive in the region anyway and meet demands with local groundwater sources, contributing to aquifer depletion. To avoid depletion, a Designated provider may choose to provide water service to certain large industrial users and apply terms and conditions that enhance sustainable water use for the intended purpose, such as requirements to use reclaimed water or to submit water conservation plans.

4. There is no one-size-fits-all approach.

Recently, water demands for data centers have come under increasing scrutiny because of the large volumes of water used for evaporative cooling, which can range from 250 acre-feet per year to well over 2,000 acre-feet per year, depending on size and other factors.[5] Yet large-volume water users have long been a part of urban communities in central and southern Arizona. For example, golf courses, depending on size and other amenities, use between around 300 and 1,200 acre-feet per year (those with decorative lakes and ponds tend to use much more). Non-nuclear power generating facilities can use between 800 and 10,000 acre-feet per year. A facility in the Phoenix AMA that produces a popular alcoholic beverage uses approximately 700 acre-feet per year, relying on wells using Type 2 non-irrigation grandfathered rights that are not subject to replenishment requirements or local water tariffs.

Each municipal water provider determines the terms and conditions under which it will provide water service to large water users, in line with infrastructure, financial and water resources management considerations. Water supply portfolios in Arizona vary widely, even among municipal water providers with a Designation. Some have ample access to renewable supplies

[5]An acre-foot equals 325,351 gallons. Some data center developers are opting for cooling technologies with significantly reduced water consumption. *See* Ben Craske, "How are Data Centres Shifting to Zero-Water Cooling Tech?" *Data Centre Magazine* (July 22, 2025) https://datacentremagazine.com/news/how-are-companies-pioneering-data-centre-zero-water-cooling ("[C]ompanies including Microsoft, Evolution Data Centres, Vertiv and Bridge Data Centres are moving towards zero-water cooling."); Dan Swinhoe, "Microsoft to swap water for air cooling at campus in Phoenix, Arizona," *Data Center Dynamics* (March 16, 2023) https://www.datacenterdynamics.com/en/news/microsoft-swapping-water-for-air-cooling-at-campus-in-phoenix-arizona/.

Salt and Verde Rivers delivered through the Salt River Project canal system; others enjoy access to a relatively large amount of Colorado River water via contracts, leases and exchanges with tribal communities; and others have access only to groundwater and reclaimed water. A new industrial enterprise that uses a large volume of water may be a good fit for one community and not for another.

III. LARGE-VOLUME WATER USER PROVISIONS

Below are the main provisions of the ordinances and tariffs surveyed, organized from least restrictive to most restrictive in terms of the ease of obtaining service.

Water Conservation Reports and Water Use Plans

City of Tempe

- Ordinance[6] applies to high-water use and extreme-water use customers.
- A high-water use is a new non-residential or new commercial portion of a mixed-use structure having a projected water use exceeding 250,000 gallons daily during any consecutive 24 hour period.
- An extreme-water use is new non-residential or new commercial portion of a mixed-use structure having a projected water use exceeding 500,000 gallons daily during any consecutive 24 hour period (excluding turf-related facilities) or using a 3” meter or greater.
- For a high-water use, a Water Conservation Report must be filed with the Public Works Department before a building permit will be issued.
- For an extreme-water use, a Water Use Plan must be approved by the Public Works Department before a building permit will be issued. The Water Use Plan must describe any changes to the current general plan and include at least five of several other measures, including the identification of the water resources available to meet the site's needs and on-site recycling and reuse strategies.

Consistency with Water Master Plan and Best Interests of the City, Voluntary Conservation Plan

City of Peoria

- Ordinance[7] applies to Large Water Users and Water-Intensive Users.
- A Large Water User is a customer with a water use equaling or exceeding 100,000 gallons per day during any 24 hour period or averaging 50,000 gallons or more per day over a consecutive 365 day period.
- A Large Water User may connect to the City's potable or non-potable water system only if the City issues a permit.

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[6]Tempe City Code §§ 33-140 – 33-142 (2025) https://library.municode.com/az/tempe/codes/city_code?nodeId=CH33WA.
[7]Peoria City Code §§ 25-15.01 – 25.15.05 (2024) https://codelibrary.amlegal.com/codes/peoriaaz/latest/peoria_az/0-0-0-59984.

- Upon receipt of a permit application meeting several requirements, the City will issue a permit if:
    1. The proposed water use does not exceed 100,000 gallons per day averaged over a 365 day period and aligns with the City's integrated water utilities master plan, or
    2. The proposed water use is equal to or greater than 100,000 gallons per day and issuing a permit is in the best interests of the City considering several factors including:
        - the availability of water not otherwise allocated to which the City has the legal right and physical ability to deliver,
        - the estimated impact of the proposed water use on the City's economy,
        - whether the proposed use will further the City's Economic Development Strategic Plan,
        - the impact of the proposed use on the City's Designation of Assured Water Supply,
        - whether the applicant will assign any rights to water to the City to offset the projected water use, and
        - whether the applicant will agree to offset the cost of any infrastructure improvements necessary to accommodate the proposed use.
- A Water-Intensive User is a customer where any of the following occurs:
    1. Vehicle washes.
    2. Cooling that results in water use that exceeds 25,000 gallons per day over a 365 day period.
    3. Short-term rental or lodging with 50 or more rooms.
    4. Long-term care services at a multi-residential facility with 50 or more rooms.
    5. Any water body with a surface area of one-quarter acre or more.
- A Water-Intensive User may not connect to the City's potable or non-potable system unless the user attests it will voluntarily implement and maintain applicable water conservation processes. Any Water-Intensive User unwilling to submit a sufficient attestation is required to obtain a Large Water User Permit.

Consistency with Water Master Plan, Conservation Plan, Designation of Assured Water Supply; Required Use of Recycled Water

City of Phoenix

- Ordinance[8] applies to large water users with a projected demand equal to or exceeding 250,000 gallons per day.
- A large water user must submit a sustainable water service application that includes a water conservation plan.

[8] Phoenix City Code §§ 37-52.01 – 37.52.05 (2024) https://phoenix-proof.municipal.codes/CC/37-52.04.

- If the projected water use is less than 500,000 gallons per day, the Director of Water Services will allow the applicant to connect to the City's public water system if:
    1. The Large Water User's conservation plan demonstrates that it will undertake to use water as efficiently as practicable and ensure water is not wasted, and
    2. The proposed water use is consistent with the City's water master plan.
- If the projected water use is 500,000 gallons per day or more, the Director may allow the applicant to connect to the City's public water system unless:
    1. The application and water conservation plan fail to demonstrate that the large water user will use water as efficiently as practicable,
    2. The applicant's water use would be incompatible with the City's available water resources,
    3. The applicant's water use would be inconsistent with the water master plan,
    4. The applicant's water use would be of insufficient economic benefits to warrant the large use of water, or
    5. The applicant has not agreed to use recycled water to offset at least 30% of its water use or the maximum use of recycled water warranted.
- In making the determination whether to allow a large water user with a projected water use of 500,000 or more gallons per day to connect to the City's public water system, the Director shall consider several factors including whether the proposed water use will support a key industry, the impact of the proposed water use on the City's Designation of an Assured Water Supply and whether the applicant will assign to the City a water supply that will fully offset the applicants projected water use.
- A large water user may not use water in any year in excess of 120% of the amount approved. The Director may suspend water service to a large water user that violates this provision.
- Other remedies for violations include civil sanctions. If the City is assessed a civil penalty or ordered to take remedial action by ADWR as a result of a large water user's violation of state law, the large water user is liable.

City of Tucson

- Ordinance[9] applies to large quantity water users with a water use that equals or exceeds an average of 10,000 centum cubic feet per month (7,480,520 gallons).
- A large quantity water user must submit a sustainable water service application at the time of applying for development entitlements. The application must include a water conservation plan. If the location is within one mile of the Tucson Water Reclaimed Water Distribution System, the water conservation plan must include information about the cost of connection to the System and the suitability of the reclaimed water for the user.
- An application and water conservation plan will be scheduled for consideration by the Mayor and Council if the Director determines the following elements have been addressed completely and correctly:

[9]Tucson City Code §§ 27-20 – 27-21 (2025).

1. The large quantity water user will undertake to use water as efficiently as is practicable.
2. The proposed water use is consistent with the City's available water resources.
3. The water use would be of sufficient economic benefit to warrant the large quantity of water use.
4. The applicant has agreed to use reclaimed water to offset at least 30% of its water use or the percentage the Director determines is warranted.
5. The proposed water use will support a key industry for the City.
6. The impact of the proposed water use is consistent with the City's Designation of Assured Water Supply.
7. The applicant has proposed extraordinary conservation techniques and technologies.
8. Whether the applicant will convey to the City legal rights to a physical water supply that will fully offset the applicant's projected water use that will meet the requirements of an assured water supply.
9. The applicant's technical, financial and managerial competence to implement the conservation plan.

- The Mayor and Council may approve, deny or return an application and conservation plan for more information.
- A large quantity water user may not use in any year in excess of 120% of the amount approved by the Mayor and Council. The Director may suspend water service for violation of this provision.
- Other remedies for violations include civil sanctions. If the City is assessed a civil penalty or ordered to take remedial action by ADWR as a result of a large water user's violation of state law, the large water user is liable.

Pay More for More Water, if Available

City of Chandler

- Ordinance[10] applies to "multiple or large meter (MLM)" customers that use more water than the Tier I allocation associated with the land use as determined by the City Council or require a 3” or greater meter or multiple meters.
- An MLM customer must submit a sustainable water service application to the City when applying for development entitlements.
- The Public Works and Utilities Director may approve an application and will determine whether Tier II water is available for the development based on the City's master plan.
- If Tier II water is not available, the MLM user must purchase Tier III water, if available, in order to continue with its development. Tier III water is water that may be available for purchase from the City at a price determined by the City.

[10]Chandler City Code §§ 52-43 - 52-48 (2015, amended 2025) https://library.municode.com/az/chandler/codes/code_of_ordinances?nodeId=PTVIIIUT_CH52WASE_ARTVISUWAALRE.

- Use of Tier II or Tier III water requires a sustainable water service agreement with the City that includes terms for enforcement and penalties for violations.

Town of Gilbert

- Ordinance[11] applies to MLM customers who will use more than the Tier I water use allocation approved by the Town Council in the Town's Water Resources Management Strategy Report, will use a 3" or greater meter or will use multiple meters equivalent to a 3" or greater meter. The ordinance does not apply to residential customers or non-residential landscape meters.
- A user desiring to exceed the Tier I allocation must enter into a sustainable water service development agreement approved by the Town Council. MLM users under the Tier 1 allocation must agree not to exceed the allocation.
- The Town Manager determines whether the development is eligible for Tier II water and whether to make it available. Tier II water is allocated on a case-by-case basis if in alignment with the economic priorities provided in the latest Water Resource Management Strategy Report
- If Tier II water is not available, the user must purchase Tier III water from the open market to continue with development.
- Penalties for exceeding the annual sustainable water use allotment include submission of a water use reduction plan for the first exceedance, reimbursing the Town for water credits it may purchase for the amount of water overused for the second exceedance and potential termination of the agreement for the third exceedance.

Bring Water with Them

City of Avondale

- Ordinance[12] applies to MLM customers where demand equals or exceeds 25,000 gallons per day or 28 acre-feet of water annually or where peak demand is sufficient to require a 3" meter or multiple meters.
- City determines a "water allocation" for each specific parcel of land in accordance with the City's latest integrated utility master plan.
- The MLM applicant (property owner) must submit a water design report to the City that demonstrates the project will not exceed the water allocation. If the demand will exceed the allocation, the applicant may:
    1. Acquire the legal and physical rights to additional water supplies and transfer them to the City,
    2. Redesign, rezone or re-engineer the project to reduce water demand, or
    3. Petition the City for additional water.

[11]Gilbert Municipal Code §§ 66-401 – 66-406 (2019) https://library.municode.com/az/gilbert/codes/code_of_ordinances?nodeId=CO_CH66UTOP_ARTXSUWAALRE.
[12]Avondale City Code §§ 24-150 – 24-156 (2025) https://www.avondaleaz.gov/home/showpublisheddocument/21288/638876639242430000.

- If a water usage is determined to be in excess of the allowance for the property, penalties may include requiring the property owner to purchase additional water to pledge to the City or terminating service.

City of Mesa

- Ordinance[13] applies to MLM customers that exceed a "Demand Ceiling."
    1. For new MLM customers, the Demand Ceiling is 330 acre-feet in a rolling 12 month period.
    2. For "Legacy Customers" in existence as of the effective date of the ordinance the Demand Ceiling is 550 acre-feet annually.
    3. For "Established Legacy Customers," the Demand Ceiling is 850 acre-feet to 950 acre-feet depending on their historic demands.
- To exceed the Demand Ceiling, a customer must apply for an MLM Permit by submitting a Sustainable Water Service Application to the Mesa Water Resources Department.
- A MLM Permit may authorize an Allowance amount in excess of the Demand Ceiling.
- Within 90 calendar days of issuance of the MLM Permit, the customer must secure and transfer a sufficient amount of long-term storage credits to the City to meet the Allowance amount for not less than three years.
- The customer must maintain a balance with the City of at least 3 years of long-term storage credits.
- Penalties apply for water deliveries of 5% more than the applicable Demand Ceiling or Allowance and include increased billing rates and revocation of the MLM Permit.

EPCOR (all districts)

- Tariff[14] applies to any development with a projected average daily water demand greater than 1,700 gallons per day per acre (Large User).
- In order to "hook up" to the EPCOR's common facilities, a Large User must provide an additional renewable water supply source--such as surface water or a groundwater well with long-term storage credits--to meet the User's demands in excess of this amount.
- The rights to the additional renewable water must be conveyed to EPCOR.
- The Large User will incur fees for water use in excess of the renewable supply provided to EPCOR and continued excess use may result in requiring the Large User to implement a water reduction plan or court action.

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[13]Mesa City Code §§ 8-10-9 – 8-10-12 (2024) https://library.municode.com/az/mesa/codes/code_of_ordinances?nodeId=COOR_TIT8HESAEN_CH10MUWASY_8-10-9DECECOMULAMECUWAPE.

[14] *See, e.g.,* EPCOR Water Arizona, Common Facilities Hook-Up Fee, V. Large Water Users, Sheet No. 7.4 (2025) https://www.epcor.com/content/dam/epcor/documents/rates/arizona-water-and-wastewater-rates/san-tan_water-tariff.pdf.

Restrict Data Centers

Town of Marana

- Ordinance[15] applies only to data centers.
- Data centers are not permitted to operate in the Town as a principal use unless approved in a specific plan or an amendment created for the purpose of a data center development.
- Data centers are permitted to operate as an accessory use in certain zoning districts under limited conditions.
- The Marana Water Department will not provide potable water to a data center for its cooling system, humidity control and other similar operations. The developer must demonstrate an alternative water source for those purposes.

[15]Marana Town Code § 17-6-13 (2024) https://codelibrary.amlegal.com/codes/maranaaz/latest/marana_az/0-0-0-17317#JD_17-6-13.

Comments, Questions, and Responses to Draft City of Goodyear Proposed Ordinances to Enforce Water Resource Allocation Policy adopted May 19, 2025 and Related Code Updates

Goodyear thanks those who submitted both oral and written feedback to the City regarding the proposed draft ordinance changes. Below is a brief summary of comments by topic and City responses related to that feedback:

Q. Why is the City proposing to limit water services in the proposed way?[1]

A. The City continues to support smart economic development projects and other types of projects, and believes that demonstrating active and efficient management of the City's water services will provide those coming to Goodyear with more confidence while protecting existing City water users. The City has planned the allocation of water resources throughout its Integrated Water Master Plan ("IWMP"). The IWMP plan will be updated as water supply conditions change. The City anticipates being able to support growth of its water services in Water Planning Areas 2 and 3 as identified in the IWMP, but the proposed ordinance changes are needed to provide fair access to water services in those areas and avoid overcommitment.

It should be noted that the City is not the only water provider serving water customers in Goodyear. The proposed ordinances regarding City water service apply only to City water service areas and customers. Other water providers have their own water service rules.

Q. How can landowners determine the planning allocation for their parcel?

A. Current planning allocations are described in the City's 2024 Integrated Water Master Plan available on the City's website. Landowners and others may contact the Development Services Department for additional assistance interpreting the plan as applied to specific parcels. The quantities allocated to existing uses and future uses in the IWMP may be updated in the future as water supply conditions change. For example, if anticipated Colorado River shortages appear to be permanent at some level or make a portion of that supply unreliable, then the City may adjust the amount allocated for future uses within the City's IWMP plan, or may leave the planned water allocations the same, but such resources may be fully committed to earlier uses before later parcels develop. Absent an existing development agreement with the City that addresses water services,[2] the allocation decision processes in the proposed ordinances would apply.

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[1] A substantial number of comments were submitted by development interests and can be summarized generally as follows: 1. The proposed policy could send the wrong message and hurt economic development projects. 2. The proposal does not provide enough certainty to developers. 3. The proposal does not provide enough flexibility to developers. 4. The proposal does not provide enough water for my already-approved development. Other comments related to streamlined processes to implement the proposed ordinances and those suggestions are appreciated. City staff are available to discuss any specific property status concerns raised in the comments.

[2] See Arizona Revised Statutes, Title 9, Chapter 11, Article 1 (protected development rights).

Q. Will the City change the ordinance to be consistent with my development agreement?

A. The City intends to honor the terms of existing development agreements so long as they remain in effect.

Q. Will the City change the proposed ordinances to set allocations based on the size of a water meter?

A. No. Meter sizes are not directly correlated to the average quantity of water resources consumed through the meter. The proposed ordinance focuses on the actual (or estimated) annual quantity of water used as a better management tool.

Q. At what point are water allocations in the IWMP grandfathered to a property?

A. The City does not intend at any time to provide an enforceable water allocation in the nature of a "water right" to either existing or future users of City water resources. All City customers may need to reduce their water consumption even below historic use levels when the City's drought management plan requires a reduction in water demand to meet drought water supply conditions.

As to the point in time at which the City commits to provide water service, unless otherwise provided in an existing development agreement, the City's commits to provide City water service to a new water customer at the time a water meter is set and an account is activated (or, for platted subdivisions, when the City has committed to provide water service to the approved uses as indicated by a City signature on a recorded subdivision final plat).

Q. How will a landowner be alerted to any overuse and be potentially penalized until water use levels are corrected?

Please see proposed ordinance section 14-2-10. Large water users will take service pursuant to a water service agreement with the City, and the agreement will contain water usage limits and remedies and other terms that may vary depending on the individual operations and needs. As to City water customers that do not have a large water user agreement in place, and assuming a customer has not applied to the City for increased water service for a change in usage already, the City will monitor City water usage data and may investigate accounts demonstrating significant changes to average water use to determine the nature of the change and follow the appropriate ordinance procedure, if applicable.

Q. Are multifamily residential accounts currently considered to be commercial accounts?

A. Yes. This update to the definition of commercial account will not change existing City treatment of multifamily accounts.

Q. Is the term "redevelopment" defined elsewhere in the City Code?

A. Yes. "Redevelopment" is defined elsewhere in the City's ordinances for different purposes, such as economic development projects. Per the introductory phrase to section 14-1-1, the definition of Redevelopment in section 14-1-1 is made for the purposes of Chapter 14 (Water).

Q. Will the City delete or change the language in the proposed ordinance indicating that a transfer of water service can be denied? A transfer of a water service account should not be denied.

A. The City will retain the water service account transfer application requirement in the current ordinance. The proposed ordinance changes are not intended to change the City's water service account transfer practices for an active water meter and the same use already served by the City. For such account transfers, the City requires certain new customer information and a deposit, fees, and/or letter of credit to activate water service to a new customer. The City has a simple online application form for this purpose at: https://apps.goodyearaz.gov/utilityform

Q. Will the City change the language in proposed section 14-2-4 that requires a new water service application for "reactivation of inactive uses that have been inactive for more than one year" to avoid a potential "forfeiture of water allocation?"

A. The City does not provide water rights to City water customers, so there would be no forfeiture. To address the concern about the reference to "inactive uses" in the draft, however, the City updated the provision to refer instead to "reactivation of inactive service lines." "Inactive service lines" is now defined as "…City water service lines connecting to properties with or without City meters that have not maintained active accounts with the City for water services, and have not received water from the City under such accounts for twelve consecutive months." This change will allow an interested party to retain active water customer status by continuing to pay the City's monthly charges even if there is no active water use for twelve months.

Q. Will the City change the timeframe in the appeal processes to allow at least 30 business days for an appeal?

A. The City has changed the appeal timeframes to 30 calendar days.

Q. Will the City change the language in 14-5-7 relating to the ban on new non-functional turf to make clear that grass planted in an area intended for recreational use can qualify for the exception even if there is no "recreational equipment or facilities such as sports courts, fields, buildings, or other structures."

A. Yes. The proposed language in section 14-5-7 has been updated to clarify that active recreational areas "are typically improved…" with such equipment or facilities, but may also include areas that contain none.

Q. Will the City clarify in the proposed ordinance how landowner-provided Type 1 Rights or Ag-to-Urban credits might work?

A. The proposed ordinance addresses allocation of City water resources and services. If a landowner provides a landowner-acquired water resource to the City in exchange for City water services, then in general that additional quantity of usable water resource would be available to support water services to the landowner. Such transactions are unique and will likely require a separate agreement between the landowner and City.

Type 1 Rights are individual groundwater withdrawal permits usable only for self service by the landowner in the manner allowed by law (this is not City water service), so Type 1 Rights are not addressed in the proposed ordinance.

Q. Will the City consider changing the proposal to allow landowners to transfer allocations to other parcels and/or establish an allocation bank?

A. The City is not willing to allow transfer of any portion of planned allocations from one parcel to another, and proposes relying instead on the process in the ordinance for requests to increase City water services for a parcel. The City planned a reasonable level of water service so that as many of the parcels in the planning areas identified in the IWMP might be developed reasonably in accordance with their planned use. The City has also assumed that not all uses will consistently use the full planned amount such that "extra" will be available to the City to assist the City to respond to shortage conditions and natural fluctuations in demand from year to year.

Shifting allocations from parcel-to-parcel to concentrate development could result in less desirable parcels that would not have the opportunity for a reasonable level of water service, and could also result in less resilience in the City's ability to manage shortages and demand fluctuations.

There may be circumstances where the City would enter into a development agreement consistent with the City's water resource management goals that could provide more flexibility to landowners to shift allocated amounts within a larger, cohesive development plan.

Q. May I have a copy of the City's current water service agreement?

A. The City is in the process of drafting an updated water service agreement form.

Q. Will the City acquire new water resources to supplement its services?

A. The City has evaluated water supply augmentation options from time-to-time for cost and reliability, including ongoing participation in the study of the Bartlett Dam proposal.

It's a Great time to be in Goodyear.

Ordinance Changes – Water Services

Water Resources Allocation Policy



Water Ordinance Update – Water Services



Agenda

- Background
- Purpose/Scope
- Key Provisions
- Outreach
- Next Steps

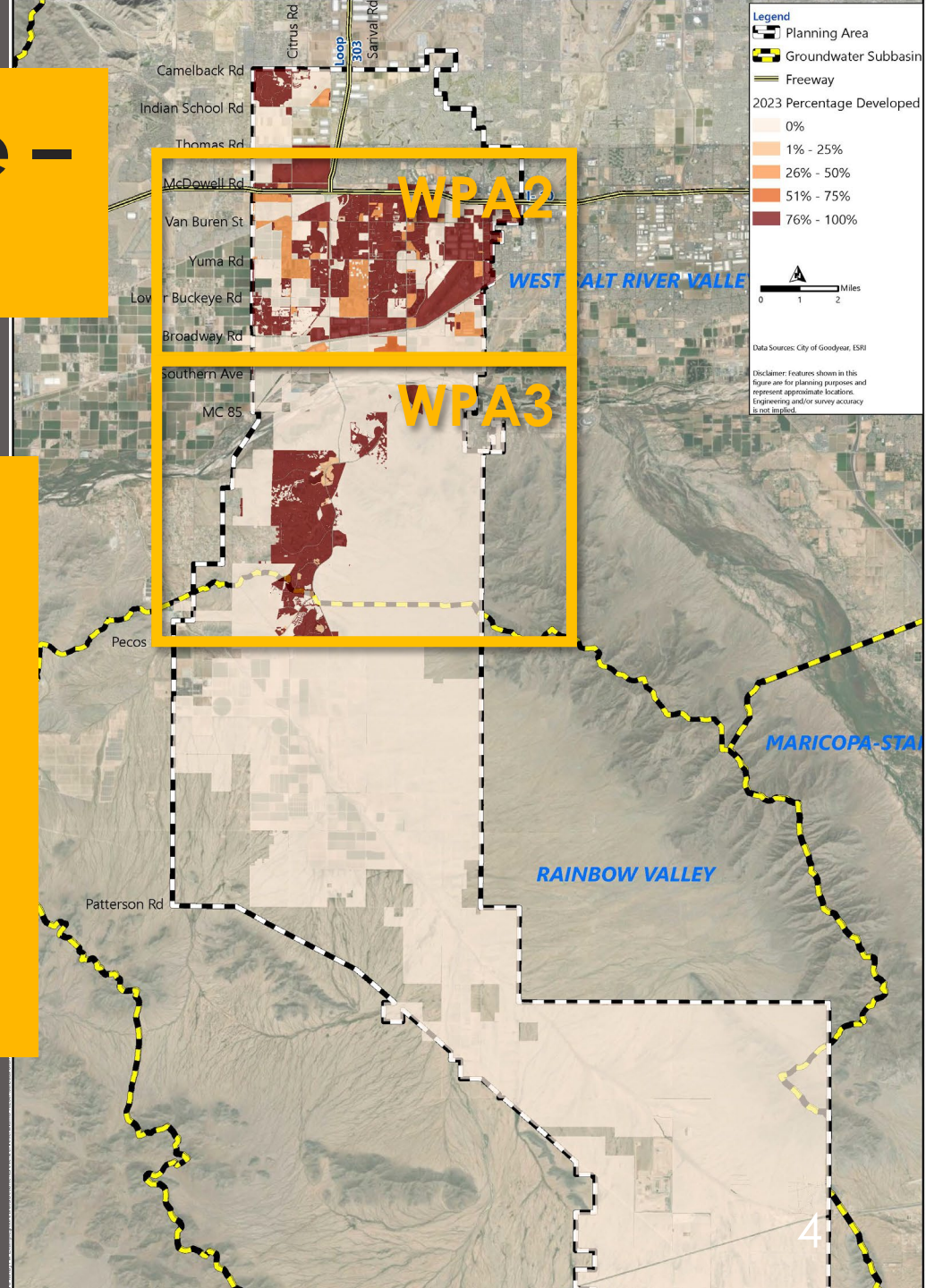


Water Ordinance Update – Background

- FY25 Strategic Plan
- Water Resource Allocation Policy
- May 2025 Policy Adoption

Water Ordinance Update – Purpose/Scope

- Implement Policy
- City's Water Service Area



Water Ordinance Update – Key Provisions



- **Defines Large Water User**
  - Existing Users
  - New Users
- **Application Process**
  - Approve
    - → City increases water budget
  - Deny
    - → User brings additional water
- **Update of definitions**
- **Clean up**

Water Ordinance Update – Outreach



- April 7, 2025 – Work Session on Water Resource Allocation Policy
- May 19, 2025 – Council adopted Water Resources Allocation Policy
- August 20, 2025 – Developer Forum
- November 19, 2025 – Developer Forum
- December 4, 2025 – City staff meeting with Valley Partnership

It's a Great time to be in Goodyear.

Water Ordinance Update Outreach

- **March 16, 2026** – City staff meeting with Valley Partnership, Home Builders of Central Arizona, National Association for Industrial and Office Parks (NAIOP)
- **March 20, 2026** – Draft Ordinance posted, comment period opened
- **April 3, 2026** – Comment period closed
- **May 1, 2026** – City posted responses to comments received



Water Ordinance Update – Next Steps



- Adopt changes to the existing City Ordinance
- Council Meeting July 6th