City Council Regular Meeting
City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395
Monday, July 6, 2026
5:00 p.m.

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



PUBLIC COMMENTS/APPEARANCES FROM THE FLOOR
Please complete a speaker card and submit it to the City Clerk prior to the meeting being convened, if possible. Each speaker is limited to three (3) minutes. Once the City Clerk has called your name, step up to the lectern and begin by clearly stating your name for the record and whether you are a Goodyear resident.

NON-AGENDA ITEMS
Members of the public may address the City Council regarding any non-agenda item within the jurisdiction of the City Council. The City Council will listen to comments and may take any of the following actions:

- Respond to criticism.
- Request that staff investigate and report on the matter.
- Request that the matter be scheduled on a future agenda.

AGENDA ITEMS
Members of the public may address the City Council regarding any item on the Consent, Public Hearing and/or Business portions of the agenda. Each speaker's name will be called in turn once the item has been reached and after City staff have completed their presentation.

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.



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, July 6, 2026	5:00 p.m.	Meeting Agenda

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER TERRY

PUBLIC COMMENTS/APPEARANCES FROM THE FLOOR

APPOINTMENTS

1. **APPOINTMENTS TO CITY BOARDS, COMMISSIONS AND COMMITTEES**

   RECOMMENDATION

   Approve the appointments to the Arts and Culture Commission as recommended by the Council Subcommittee on City Boards, Commissions and Committees. (Jasmine Pernicano, City Clerk)

CONSENT

2. **APPROVAL OF MINUTES**

   RECOMMENDATION

   Approve the June 22, 2026 Regular Meeting draft minutes. (Jasmine Pernicano, City Clerk)

3. **APPROVAL OF SERIES 12 (RESTAURANT) AND SERIES 7 (TRANSFER) LIQUOR LICENSE FOR POSTINO**

   RECOMMENDATION

   Recommend approval of Application No. 400886 and Application No. 400895 to the Arizona Department of Liquor Licenses and Control (DLLC) for the transfer of an existing Series 7 Beer and Wine Bar License and issuance of a new Series 12 Restaurant Liquor License for Postino, located at 1800 N. Bullard Avenue, Goodyear, AZ 85395 . (Jasmine Pernicano, City Clerk)

4. **APPROVAL OF SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR FEDERICO'S MEXICAN FOOD**

RECOMMENDATION

Recommend approval of Application No. 400984 to the Arizona Department of Liquor Licenses and Control (DLLC) for a Series 12 (Restaurant) liquor license for Federico's Mexican Food located at 2455 N. Pebblecreek Pkwy., Goodyear, AZ 85395. (Jasmine Pernicano, City Clerk)

5. **APPROVAL OF BUDGET AMENDMENTS & RELATED EXPENDITURE AUTHORITY**

RECOMMENDATION

Approval of budget amendments, related expenditure authority, and the administrative award authority for expenditures exceeding $500,000. (Ryan Bittle, Deputy Finance Director)

6. **APPROVAL OF LETTER OF AGREEMENT WITH KB HOME FOR REIMBURSEMENT OF CERTAIN DEVELOPMENT FEES RELATED TO THE CONSTRUCTION OF A SINGLE-FAMILY HOME**

RECOMMENDATION

Approve the letter of agreement to reimburse certain fees paid for a single-family home that will be conveyed to a U.S. military veteran as part of the Building Homes for Heroes program and provide authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Kini Knudson, Deputy City Manager)

7. **APPROVAL OF INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF BUCKEYE FOR EMERGENCY COMMUNICATIONS AND DISPATCHING BACKUP SERVICES**

RECOMMENDATION

Approve the IGA with the city of Buckeye for Emergency Communications and Dispatching Services, and provide authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Brian Issitt, Chief of Police)

8. **APPROVE ARIZONA 9-1-1 PROGRAM FUNDING ASSISTANCE AGREEMENT**

RECOMMENDATION

Approve the Arizona 9-1-1 Program Funding Assistance Agreement with the Arizona Department of Administration, and provide authorization and direction to the Mayor, or their designee, to execute all documents relating to the grant agreement and approve the required budget transfer (if Grant Funds are awarded). (Brian Issitt, Chief of Police Chief)

9. **APPROVE HIE PARTICIPATION AGREEMENT WITH CONTEXTURE, A WEB-BASED SEARCH ENGINE FOR PATIENT DEMOGRAPHICS**

RECOMMENDATION

Approve the HIE Participation Agreement with Contexture, terminate the existing HIE Participation Agreement, dated September 4, 2025, and authorize the annual expenditure of $975 from the Goodyear Fire Department operating budget, and provide authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Tim Wayne, Interim Fire Chief)

10. **RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR REIMBURSEMENT OF TRAFFIC SIGNAL IMPROVEMENTS**

RECOMMENDATION

Adopt Resolution No. 2026-2531 approving the Development Agreement for reimbursement of traffic signal improvements. (Kini Knudson, Deputy City Manager)

11. **RESOLUTION SUPPORTING THE MUNICIPAL SPONSORSHIP REQUEST FOR 2026 AK-CHIN PROP 202 FUNDING**

RECOMMENDATION

Adopt Resolution No. 2026-2532 supporting the submission of 2026 grant applications by Las Brisas Academy Parent Teacher Organization and Southwestern Institute for the Education of Native Americans, to the Ak-Chin Indian Community and authorizing the City Manager, or their designee, to execute all documents relating to said applications, and to accept and administer subsequent awarded funds, and any amendments thereto, as a pass-through grant. (Christina Panaitescu, Community Partnerships Program Manager)

PUBLIC HEARINGS

The following actions will take place for each public hearing item:

A. Open the Public Hearing
B. Staff Presentation
C. Applicant Presentation (if applicable)
D. Receive Public Comment
E. Close the Public Hearing

12. **APPROVAL OF A USE PERMIT FOR CONVENIENCE STORE WITH GAS STATION AT COTTON LANE AND MC-85**

RECOMMENDATION

Approve a Use Permit for a convenience use (convenience store including retail gasoline sales), on approximately 5.22 acres zoned as Planned Area Development (PAD) with underlying flexible zoning that permits industrial, commercial, and public facilities uses, located at the southwest corner of Cotton Lane and MC-85. (Ann Dolmage, Principal Planner)

13. **ORDINANCE ADOPTING CITY OF GOODYEAR ZONING ORDINANCE DATED JULY 2026**

RECOMMENDATION

Adopt Ordinance No. 2026-1652 adopting City of Goodyear Zoning Ordinance dated July 1, 2026, and repealing Ordinance No. 99-655. (Christian M. Williams, Planning Manager; Guadalupe Ortiz Cortez, Principal Planner)

BUSINESS

14. **APPROVAL OF FISCAL YEAR (FY) 2026-2027 COMMUNITY GRANT FUNDING RECOMMENDATIONS**

RECOMMENDATION

Approve the recommended FY2026-2027 Community Grant Funding allocations as recommended by the Community Grant Funding Subcommittee. (Guylene Ozlanski, Parks and Recreation Deputy Director)

15. **2026 POST-LEGISLATIVE SESSION OVERVIEW & GOVERNMENT RELATIONS UPDATE**

RECOMMENDATION

Council to receive an update on government relations activities at the regional, state, and federal levels and provide direction to staff. No action will be taken. (Edwin Hernandez-Vargas, Chief Government Affairs Officer)

INFORMATION ITEMS

Comments, commendations, reports on current events and presentations by Mayor, Councilmembers, or the City Manager. The Council may not propose, discuss, deliberate or take any legal action on the information presented, pursuant to A.R.S. 38-431.02.

- Reports from the Mayor and City Council
  This may include current events and activities as well as requests for information or future agenda items.
- Report from the City Manager
  This may include updates from events, city staffing updates, update on legislative issues, clarification on items being requested by Council, and Manager's update on Council related matters.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

August 4, 2026	Special Meeting	10:00 a.m.
August 31, 2026	Regular Meeting	5:00 p.m.

EXECUTIVE SESSION

A VOTE MAY BE HELD TO CALL AN EXECUTIVE SESSION FOR THE FOLLOWING:

16. Pursuant to A.R.S. §38-431.03(A)(3) & (4): For legal advice and consultation and to consider its position and to provide instruction/direction to City Attorney and City Manager regarding city's position in connection with contracts that are the subject of negotiations associated with Yuma Road widening project.

17. Pursuant to A.R.S. §38-431.03(A)(3) & (4): For legal advice and consultation and to consider its position and to provide instruction/direction to City Attorney and City Manager regarding city's position in connection with contracts that are the subject of negotiations and for legal advice regarding annexation related to property generally located near 187th Avenue and W. Yuma Road.

18. Pursuant to A.R.S. §38-431.03(A)(1): The City Council will meet for the purpose of discussion and consideration of personnel matters including performance goal setting related to the City Manager.

ADJOURNMENT OF EXECUTIVE SESSION

RECONVENE REGULAR MEETING

ADJOURNMENT

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.

For Non-English assistance please contact the City Clerk at (623) 882-7830.

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

POSTING VERIFICATION This agenda was posted on 7/2/2026 at 12:34 p.m. by VM.

ITEM #: 1.
DATE: 07/06/2026
AI #:3348

CITY COUNCIL ACTION REPORT

SUBJECT: APPOINTMENTS TO CITY BOARDS, COMMISSIONS AND COMMITTEES

STAFF PRESENTER(S): Jasmine Pernicano, City Clerk

SUMMARY

This item requests Council approval of the recommendations of the Council Subcommittee on City Boards, Commissions and Committees, which is charged with reviewing, interviewing, and making recommendations for appointments to fill all vacancies on City boards, commissions, and committees.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve the appointments to the Arts and Culture Commission as recommended by the Council Subcommittee on City Boards, Commissions and Committees. (Jasmine Pernicano, City Clerk)

FISCAL IMPACT

There is no direct fiscal impact associated with these appointments.

BACKGROUND AND PREVIOUS ACTIONS

The City Council Subcommittee on City Boards, Commissions and Committees is charged with reviewing, interviewing, and making recommendations to City Council regarding appointments to fill vacancies and re-appointments to City boards, commissions, and committees.

The City Council Subcommittee met on May 11, 2026. After a review of applications and conducting interviews, the City Council Subcommittee recommended the appointments to the Arts and Culture Commission.

STAFF ANALYSIS

The recommendations of the City Council Subcommittee are as follows:

ARTS AND CULTURE COMMISSION:

NAME	BEGINS	EXPIRES
Jeremiah Hartshorn (First Alternate)	07/06/2026	07/05/2030

Peter Diliberti (Second Alternate)	07/06/2026	07/05/2030

The beginning and ending dates for commission members are based on either the by-laws of the commission or the position availability.

ITEM #: 2.
DATE: 07/06/2026
AI #:3402

APPROVAL OF MINUTES

SUBJECT
APPROVAL OF MINUTES

RECOMMENDATION
Approve the June 22, 2026 Regular Meeting draft minutes. (Jasmine Pernicano, City Clerk)

Attachments

2026-06-22 Draft RM Minutes

City Council Regular Meeting
City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395

Monday, June 22, 2026 **Meeting Minutes**

Immediately following the Joint Community Facilities District Regular Meeting that began at 5:00 p.m.

CALL TO ORDER

Mayor Pizzillo called the Regular Meeting to order at 5:05 p.m.

ROLL CALL

Present: **Mayor Joe Pizzillo**; **Vice Mayor Brannon Hampton**; **Councilmember Wally Campbell**; **Councilmember Laura Kaino**; **Councilwoman Vicki Gillis**; **Councilmember Benita Beckles**; **Councilmember Trey Terry**

Staff Present: Bryan Langley, City Manager; Roric Massey, City Attorney; Jasmine Pernicano, City Clerk

PLEDGE OF ALLEGIANCE AND INVOCATION BY COUNCILMEMBER CAMPBELL

PUBLIC COMMENTS/APPEARANCES FROM THE FLOOR

There were no public comments.

CONSENT

MOTION BY Councilmember Wally Campbell, SECONDED BY Councilmember Laura Kaino to APPROVE Consent Agenda items 1 through 11. The motion carried as follows:

AYE: **Mayor Joe Pizzillo**, **Vice Mayor Brannon Hampton**, **Councilmember Wally Campbell**, **Councilmember Laura Kaino**, **Councilwoman Vicki Gillis**, **Councilmember Benita Beckles**, **Councilmember Trey Terry**

Passed - Unanimously

1. APPROVAL OF MINUTES

RECOMMENDATION
Approve the June 8, 2026 Regular Meeting and June 8, 2026 Special Meeting draft minutes. (Jasmine Pernicano, City Clerk)

2. **APPROVAL OF SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR FIREBIRDS WOOD FIRED GRILL**

RECOMMENDATION
Recommend approval of Application No. 398646 to the Arizona Department of Liquor Licenses and Control (DLLC) for a Series 12 (Restaurant) liquor license for Firebirds Wood Fired Grill located at 14848 W McDowell Road, Goodyear, AZ 85395. (Jasmine Pernicano, City Clerk)

3. **APPROVE UPDATED SALARY RANGE FOR FIRE AND POLICE COMMAND STAFF**

RECOMMENDATION
Approve the updated salary ranges to ensure market-competitive compensation before beginning the recruitment process for a new Deputy Fire Chief and a new Police Commander, as authorized in the fiscal year (FY) 2027 budget. (Lyman Locket, Human Resources Director)

4. **ADOPTION OF PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM (PSPRS) FISCAL YEAR (FY) 2027 PENSION FUNDING POLICY**

RECOMMENDATION
Adopt the Public Safety Personnel Retirement System FY2027 Pension Funding Policy. (Ryan Bittle, Deputy Director of Finance)

5. **APPROVAL OF MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) PROJECT AGREEMENT FOR CIP 42026 ESTRELLA PKWY**

RECOMMENDATION
Approve the Arterial Life Cycle Project Agreement, Estrella Parkway: MC 85 to Vineyard Avenue, Project Agreement No. 1-GDY-26-RTP-001, with Maricopa Association of Governments and providing authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Logan Hopp, Deputy Director of Engineering)

6. **APPROVAL OF A FIRST AMENDMENT TO THE MASTER TRANSIT SERVICES AGREEMENT WITH THE REGIONAL PUBLIC TRANSPORTATION AUTHORITY (RPTA) FOR FISCAL YEAR (FY) 2027**

RECOMMENDATION
Approve the first amendment to the Master Transit Services Agreement with the RPTA and providing authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the Agreement and approve the related FY2027 budget transfer. (Christine McMurdy, Project Management Coordinator)

7. **APPROVAL OF INTERGOVERNMENTAL AGREEMENT (IGA) TO PARTICIPATE IN THE WEST VALLEY INVESTIGATIVE RESPONSE TEAM**

RECOMMENDATION
Approve the IGA for the Goodyear Police Department to participate in the West Valley Investigative Response Team, and providing authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Brian Issitt, Chief of Police)

8. **RESOLUTION ADOPTING A LONG-TERM OPERATING AGREEMENT WITH THE ARIZONA PUBLIC SERVICE COMPANY**

RECOMMENDATION
Adopt Resolution No. 2026-2526 approving a long-term Operating Agreement with Arizona Public Service Company for the delivery of brackish water to the Palo Verde Generating Station. (Barbara Chappell, Water Services Director)

Vice Mayor Hampton noted the benefits of the item and expressed appreciation to staff for their efforts.

9. **RESOLUTION DESIGNATING THE CHIEF FISCAL OFFICER FOR EXPENDITURE LIMIT REPORTING FOR FISCAL YEAR (FY) 2027**

RECOMMENDATION
Adopt Resolution No. 2026-2527 designating the Chief Fiscal Officer for officially submitting the Fiscal Year 2027 Expenditure Limitation Report to the Arizona Auditor General. (Ryan Bittle, Deputy Finance Director)

10. **RESOLUTION DIRECTING THE CITY OF GOODYEAR PUBLIC IMPROVEMENT CORPORATION TO DEFEASE OUTSTANDING BONDS**

RECOMMENDATION
Adopt Resolution No. 2026-2529 directing the City of Goodyear Public Improvement Corporation to defease the outstanding City of Goodyear Public Improvement Corporation Municipal Facilities Revenue Refunding Bonds, Series 2016A and Municipal Facilities Revenue Refunding Bonds, Series 2016B; authorizing and providing for the Interim Finance Director or designee to transfer City funds to defease and redeem such bonds; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this Resolution; and ratifying the actions of all officers and agents of the City and others with respect to the transfer, prepayment, defeasance, and redemption. (Mayette Bailey, Interim Deputy Director of Finance)

11. **ORDINANCE LEVYING PRIMARY AND SECONDARY PROPERTY TAX LEVIES FOR FY2027**

RECOMMENDATION
Adopt Ordinance No. 2026-1650 levying upon the assessed valuation of the property within the City of Goodyear, subject to primary and secondary taxation a certain sum upon each one hundred dollars ($100.00) of valuation sufficient to raise the amounts estimated to be required in the Annual Budget for the purpose of paying for various expenses; to raise the amount estimated to be received from other sources of revenues; providing funds for various bond redemptions, for the purpose of paying principal and interest upon bonded indebtedness; all for fiscal year ending the 30th day of June, 2027. (Ryan Bittle, Deputy Director of Finance)

PUBLIC HEARINGS

12. **RESOLUTION ESTABLISHING A SPECIAL PUBLIC IMPROVEMENT PROJECT AREA AND AUTHORIZING COST RECOVERY FOR CIP PROJECT #42046 COTTON LANE: ESTRELLA PARKWAY TO COTTON LANE BRIDGE**

Mayor Pizzillo opened the public hearing at 5:10 p.m.

Logan Hopp, Deputy Director of Engineering, presented a request to authorize the establishment of a Special Public Improvement Cost Recovery Area to support the Cotton Lane widening project. Mr. Hopp provided an overview of the project's purpose, background, and scope, including planned construction activities, anticipated roadway impacts, affected properties, property owner engagement, and the cost recovery process.

There being no speakers present, Mayor Pizzillo closed the public hearing at 5:16 p.m.

Jasmine Pernicano, City Clerk, read Resolution No. 2026-2530 by title only.

In response to Council inquiry, Christian Williams, Planning Manager, explained that the affected properties are currently zoned for a mix of commercial and residential uses.

In response to Council inquiry, Mr. Hopp provided additional information regarding property owner feedback, the project timeline, traffic mitigation efforts, and the project location.

MOTION BY Councilwoman Vicki Gillis, **SECONDED BY Councilmember Benita Beckles to ADOPT Resolution No. 2026-2530 approving and establishing a "Special Public Improvement Project Area" that includes properties receiving special benefits from improvements widening Cotton Lane and authorizing the City to recover an allocated share of the costs of the special public improvements from the owners of the benefited properties. The motion carried as follows:**

AYE: **Mayor Joe Pizzillo**, **Vice Mayor Brannon Hampton**, **Councilmember Wally Campbell**, **Councilmember Laura Kaino**, **Councilwoman Vicki Gillis**, **Councilmember Benita Beckles**, **Councilmember Trey Terry**

Passed - Unanimously

13. **ORDINANCE TO REZONE APPROXIMATELY 156 ACRES FROM 1ST AMENDED PAD TO 2ND AMENDED PAD**

Mayor Pizzillo opened the Public Hearing at 5:22 p.m.

Justin Gabrielson, Senior Planner, presented a request to rezone approximately 156 acres located at the southeast corner of West Yuma Road and South Estrella Parkway from Fulton Home at Ballpark Village 1st Amended Planned Area Development (PAD) to 2nd Amended PAD. Mr. Gabrielson provided a brief description of the rezone and explained the proposal removes alley-loaded homes, amends lot dimensions and amenities, and introduces a new district. He continued to review staff recommendations, with stipulations consistent with the Planning and Zoning Commission recommendation.

Mr. Gabrielson continued to review the evaluation criteria and public notification and noted

there were no resident comments.

There being no speakers present, Mayor Pizzillo closed the public hearing at 5:25 p.m.

Jasmine Pernicano, City Clerk, read Ordinance No. 2026-1651 by title only.

In response to Council inquiry, Mr. Gabrielson noted that the total number of lots has been reduced and will now consist solely of single-family homes. He also explained that the change is based on a market study conducted by the applicant regarding home types and affordability.

Council expressed support for the project, including its walkable areas and park space.

MOTION BY Councilmember Laura Kaino, **SECONDED BY Vice Mayor Brannon Hampton to ADOPT Ordinance No. 2026-1651 conditionally rezoning approximately 156 acres of property located at the southeast corner of Estrella Parkway and Yuma Road from Fulton Homes at Ballpark Village 1st Amended Planned Area Development to Fulton Homes at Ballpark Village 2nd Amended Planned Area Development. The motion carried as follows:**

AYE: **Mayor Joe Pizzillo**, **Vice Mayor Brannon Hampton**, **Councilmember Wally Campbell**, **Councilmember Laura Kaino**, **Councilwoman Vicki Gillis**, **Councilmember Benita Beckles**, **Councilmember Trey Terry**

Passed - Unanimously

BUSINESS

14. APPROVAL OF INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF AVONDALE FOR SENIOR SERVICES FOR GOODYEAR RESIDENTS

Guylene Ozlanski, Deputy Director of Parks and Recreation, presented the item for approval of an IGA with the city of Avondale for senior services for Goodyear residents. Ms. Ozlanski reviewed the partnership with Avondale, pricing model, details of the IGA, and the long-term plan for senior services.

In response to Council inquiry, Ms. Ozlanski provided the cost per registered resident and noted the cost of a flat fee, with a set yearly increase.

Council expressed support for exploring opportunities for the city of Goodyear to offer senior services and expand the Meals on Wheels program to reach more residents.

Vice Mayor Hampton supports continuing the partnership with Avondale rather than having Goodyear provide those services.

MOTION BY Councilwoman Vicki Gillis, **SECONDED BY Vice Mayor Brannon Hampton to APPROVE the IGA with the city of Avondale for senior services and provide authorization and direction to the Mayor, or their designee, to take actions and execute the documents necessary to carry out the intent of the IGA. The motion carried as follows:**

AYE: **Mayor Joe Pizzillo**, **Vice Mayor Brannon Hampton**, **Councilmember Wally Campbell**, **Councilmember Laura Kaino**, **Councilwoman Vicki Gillis**, **Councilmember Benita Beckles**, **Councilmember Trey Terry**

Passed - Unanimously

15. **RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATIONS BONDS FOR STORM SEWER AND DRAINAGE, STREET AND TRANSPORTATION IMPROVEMENTS, PUBLIC SAFETY, AND PARKS AND RECREATION IMPROVEMENTS**

Mayette Bailey, Interim Deputy Director of Finance, presented a request to authorize the issuance of general obligations bonds, series 2026. Ms. Bailey reviewed the purpose of the bond including projects for storm sewers and drainage, street and transportation improvements, parks and recreation improvement, and public safety. She reviewed bond authorizations, credit rating, and financing.

Jasmine Pernicano, City Clerk, read Resolution No. 2026-2528 by title only.

In response to inquiry, Janelle Gold, Hilltop Securities Inc., explained that it was not economical to purchase insurance for a AA rating.

MOTION BY Vice Mayor Brannon Hampton, **SECONDED BY Councilmember Benita Beckles to ADOPT Resolution No. 2026-2528 authorizing the issuance, sale and delivery of its General Obligation Bonds, Series 2026; delegating the authority to approve certain matters with respect to the bonds, including determining the method of sale of the bonds, authorizing the acceptance of a proposal for the purchase of the bonds and awarding the bonds to the purchaser thereof; providing for the annual levy of a tax for the payment of the bonds; authorizing the appointment of a municipal advisor and a bond registrar, transfer agent, paying agent and depository, as applicable; providing for the disposition of the proceeds of such bonds; approving the form of the bonds and certain documents relating to and securing the payment of bonds, and authorizing completion, execution and delivery thereof; delegating authority to approve and deem final a form of official statement, if applicable; ratifying all actions taken and to be taken to further this Resolution; and authorizing any necessary budget transfers related to the bonds and the projects financed thereby. The motion carried as follows:**

AYE: **Mayor Joe Pizzillo**, **Vice Mayor Brannon Hampton**, **Councilmember Wally Campbell**, **Councilmember Laura Kaino**, **Councilwoman Vicki Gillis**, **Councilmember Benita Beckles**, **Councilmember Trey Terry**

Passed - Unanimously

INFORMATION ITEMS

Council thanked staff, Fire and Police for the coordination of the Buc-ee's opening and provided updates on events throughout the city.

Bryan Langley, City Manager, thanked staff for the work done showcasing Goodyear, provided Juneteenth event attendance and highlighted upcoming events.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:

July 6, 2026	Council Meeting	5:00 p.m.

ADJOURNMENT

There being no further business to discuss, Mayor Pizzillo adjourned the Regular Meeting at 5:50 p.m.

_____ _____

Jasmine Pernicano, City Clerk Joe Pizzillo, Mayor

Date:_____

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the CITY COUNCIL REGULAR MEETING of the city of Goodyear, Arizona, held on June 22, 2026. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____, 2026. SEAL:

_____

Jasmine Pernicano, City Clerk

ITEM #: 3.
DATE: 07/06/2026
AI #:3391

CITY COUNCIL ACTION REPORT

SUBJECT: **APPROVAL OF SERIES 12 (RESTAURANT) AND SERIES 7 (TRANSFER) LIQUOR LICENSE FOR POSTINO**

STAFF PRESENTER(S): Jasmine Pernicano, City Clerk

OTHER PRESENTER(S):

Andrea Lewkowitz, Agent

SUMMARY

Andrea Lewkowitz, Agent for Postino, has submitted an application to the Arizona Department of Liquor Licenses and Control for the transfer of ownership of an existing Series 7 Beer and Wine Bar License and request for a new Series 12 Restaurant Liquor License for the location at 1800 N. Bullard Avenue, Goodyear, AZ 85395. The applicant is requesting that the city forward a recommendation of approval to the Arizona Department of Liquor Licenses and Control (DLLC) for consideration and issuance of the license.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Recommend approval of Application No. 400886 and Application No. 400895 to the Arizona Department of Liquor Licenses and Control (DLLC) for the transfer of an existing Series 7 Beer and Wine Bar License and issuance of a new Series 12 Restaurant Liquor License for Postino, located at 1800 N. Bullard Avenue, Goodyear, AZ 85395 . (Jasmine Pernicano, City Clerk)

FISCAL IMPACT

In compliance with the Goodyear Municipal User Fee Schedule, the applicant submitted the required $635 administrative application fee.

BACKGROUND AND PREVIOUS ACTIONS

The City Clerk’s Office received a Series 12 (Restaurant) liquor license application and a Series 7 Beer and Wine Bar license transfer application on June 11, 2026, from the Arizona Department of Liquor Licenses and Control (DLLC) for Postino Goodyear, represented by Agent Andrea Lewkowitz. The request includes the transfer of an existing Series 7 Beer and Wine Bar License (Liquor License No. 07070399), including ownership and location, as well as the issuance of a new Series 12 Restaurant Liquor License. The Series 7 transfer would authorize the new owner to continue beer and wine sales at the proposed location under the transferred license. The Series 12 license would authorize the establishment to operate as a restaurant and sell spirituous liquor for on-premises consumption in accordance with state law.

In accordance with A.R.S. §4-201(B), the public hearing notice was posted at the establishment on June 16, 2026, for the required 20-day period. This public posting allows individuals within a one-mile radius to submit written arguments for or against the issuance of the license. No public petitions or protests were received during the posting period. The application underwent internal review by the Police Department and Development Services Department, including Code Compliance, Building and Planning & Zoning, with no objections reported. The application is included as Attachment A - DLLC Local Governing Body Report.

STAFF ANALYSIS

The requested Series 12 Restaurant License is a non-transferable license issued to establishments that operate primarily as restaurants. The license authorizes the sale of all types of spirituous liquor for consumption on the premises, provided that at least 40% of the establishment's gross revenue is derived from food sales.

State regulations (A.R.S. §4-207) prohibit liquor licenses within 300 feet of licensed childcare facilities or K-12 schools. The proposed location complies with this requirement. A One-Mile Report and Evaluation Map is included as Attachment B and identifies existing liquor licenses and three K-12 school within that radius.

DLLC requires owners, agents, managers involved in daily operations to complete state-approved management training. The applicant has confirmed that the owner and manager have completed the Title 4 Basic and Management Training. Operationally, a manager will be onsite during operating hours, staff will monitor alcohol consumption, and identification will be required for patrons who appear to be under the legal drinking age.

Based on staff's review, the application materials satisfy the statutory requirements for consideration by the DLLC. The City Council's recommendation will be forwarded to the DLLC for consideration as part of its final licensing determination.

Attachments

Attachment A - DLLC Local Governing Body Report

Attachment B - One-Mile Report and Evaluation Map

Received by the Goodyear City Clerk's Office Thursday, June 11, 2026

State of Arizona
Department of Liquor Licenses and Control

Created 06/11/2026 @ 03:32:41 PM

Local Governing Body Report

LICENSE

Number:		Type:	012 RESTAURANT
Name:	POSTINO GOODYEAR		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	1800 N BULLARD AVENUE GOODYEAR, AZ 85395 USA		
Mailing Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(602)200-7222		
Alt. Phone:			
Email:	ANDREA@LEWKLAW.COM		

AGENT

Name:	ANDREA DAHLMAN LEWKOWITZ
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

OWNER

60th Day -
8/10/26

AMENDMENT Job #406886
Lewkowitz
Postino Goodyear

Name: 21802 S. ELLSWORTH RD, LLC
Contact Name: ANDREA LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

Officers / Stockholders

Name:	Title:	% Interest:
FEDERAL PIZZA HOLDINGS LLC	Member	100.00

21802 S. ELLSWORTH RD, LLC - Member

Name: FEDERAL PIZZA HOLDINGS LLC
Contact Name: ANDREA DAHLMAN LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

UPWARD PROJECTS HOLDINGS LLC - Stockholder,Member

Name: INSPIRED RESTAURANT HOLDINGS LLC
Contact Name: ANDREA LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation: AZ
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

INSPIRED RESTAURANT HOLDINGS LLC - MEMBER

Name:	DEMARCO FUTURE FUND LLC
Contact Name:	ANDREA DAHLMAN LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
Incorporation Date:	
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

FEDERAL PIZZA HOLDINGS LLC - Member

Name:	UPWARD PROJECTS HOLDINGS LLC
Contact Name:	ANDREA LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
Incorporation Date:	
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

INSPIRED RESTAURANT HOLDINGS LLC - MEMBER

Name:	QUAQUAVERSAL LLC
Contact Name:	ANDREA DAHLMAN LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
Incorporation Date:	
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

QUAQUAVERSAL LLC - Member

Name:	LAUREN ELAINE BAILEY
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)309-5944
Alt. Phone:	
Email:	LAUREN@UPWARDPROJECTS.COM

MANAGERS

Name:	LAUREN ELAINE BAILEY
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)309-5944
Alt. Phone:	
Email:	LAUREN@UPWARDPROJECTS.COM

****

Name:	TINA RENAE MEDRANO
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(214)228-8381
Alt. Phone:	
Email:	TMARTLAGE@AOL.COM

APPLICATION INFORMATION

Application Number:	400886
Application Type:	New Application
Created Date:	05/27/2026

QUESTIONS & ANSWERS

012 Restaurant

1) Are you applying for an Interim Permit (INP)?
   No

2) Are you one of the following? Please indicate below.
Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company
PROPERTY TENANT

3) Is there a penalty if lease is not fulfilled?
Yes
What is the penalty?
TERMINATION AND/OR OTHER MONETARY PENALTIES

4) Is the Business located within the incorporated limits of the city or town of which it is located?
Yes

5) What is the total money borrowed for the business not including the lease?
Please list each amount owed to lenders/individuals.
0.00

6) Are there walk-up or drive-through windows on the premises?
No

7) Does the establishment have a patio?
Yes
Is the patio contiguous or non-contiguous (within 30 feet)?
CONTIGUOUS

8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
Yes
If yes, what is your estimated completion date?
SPRING 2027

9) What type of business will this license be used for?
RESTAURANT

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
MISCELLANEOUS	21802 S Ellsworth Rd, LLC_Ownership chart.pdf	05/27/2026
MISCELLANEOUS	Gdyr#12_AGT ADL (Ctn).pdf	05/27/2026
QUESTIONNAIRE	Gdyr#12_AGT ADL (Q).pdf	05/27/2026
RECORDS REQUIRED FOR AUDIT	Gdyr#12_Audit.pdf	05/27/2026
QUESTIONNAIRE	Gdyr#12_CP Bailey (Q+Supple+FP).pdf	05/27/2026
QUESTIONNAIRE	Gdyr#12_CP C DeMarco (Q+Supple+ FP).pdf	05/27/2026
QUESTIONNAIRE	Gdyr#12_CP K DeMarco (Q+Supple+ FP).pdf	05/27/2026
DIAGRAM/FLOOR PLAN	Gdyr#12_diagram.pdf	05/27/2026
MENU	Gdyr#12_menu.pdf	05/27/2026
QUESTIONNAIRE	Gdyr#12_MGR Medrano (Q+FP+T).pdf	05/27/2026
RESTAURANT OPERATION PLAN	Gdyr#12_ROP.pdf	05/27/2026

Received by the Goodyear City Clerk's Office Thursday, June 11, 2026

State of Arizona
Department of Liquor Licenses and Control

Created 06/11/2026 @ 03:58:34 PM

Local Governing Body Report

LICENSE

Number:	07070399	Type:	007 BEER AND WINE BAR
Name:	POSTINO GOODYEAR		
State:	Pending		
Issue Date:		Expiration Date:	02/28/2027
Original Issue Date:	04/13/1983		
Location:	1800 N BULLARD AVENUE GOODYEAR, AZ 85395 USA		
Mailing Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA		
Phone:	(602)200-7222		
Alt. Phone:			
Email:	ANDREA@LEWKLAW.COM		

Currently, this license has pending applications.

AGENT

Name:	ANDREA DAHLMAN LEWKOWITZ
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

OWNER

AMENDMENT

60th Day-
8/10/26
Lewkowitz
#400895
Postino Goodyear

Name: 21802 S. ELLSWORTH RD, LLC
Contact Name: ANDREA LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation:
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

Officers / Stockholders

Name:	Title:	% Interest:
FEDERAL PIZZA HOLDINGS LLC	Member	100.00

21802 S. ELLSWORTH RD, LLC - Member

Name: FEDERAL PIZZA HOLDINGS LLC
Contact Name: ANDREA DAHLMAN LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
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Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

UPWARD PROJECTS HOLDINGS LLC - Stockholder,Member

Name: INSPIRED RESTAURANT HOLDINGS LLC
Contact Name: ANDREA LEWKOWITZ
Type: LIMITED LIABILITY COMPANY
AZ CC File Number: State of Incorporation: AZ
Incorporation Date:
Correspondence Address: 2600 N CENTRAL AVENUE
#1775
PHOENIX, AZ 85004
USA
Phone: (602)200-7222
Alt. Phone:
Email: ANDREA@LEWKLAW.COM

INSPIRED RESTAURANT HOLDINGS LLC - MEMBER

Name:	DEMARCO FUTURE FUND LLC
Contact Name:	ANDREA DAHLMAN LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
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Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
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Email:	ANDREA@LEWKLAW.COM

FEDERAL PIZZA HOLDINGS LLC - Member

Name:	UPWARD PROJECTS HOLDINGS LLC
Contact Name:	ANDREA LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
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Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

INSPIRED RESTAURANT HOLDINGS LLC - MEMBER

Name:	QUAQUAVERSAL LLC
Contact Name:	ANDREA DAHLMAN LEWKOWITZ
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	State of Incorporation:
Incorporation Date:	
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)200-7222
Alt. Phone:	
Email:	ANDREA@LEWKLAW.COM

QUAQUAVERSAL LLC - Member

Name:	LAUREN ELAINE BAILEY
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)309-5944
Alt. Phone:	
Email:	LAUREN@UPWARDPROJECTS.COM

MANAGERS

Name:	LAUREN ELAINE BAILEY
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(602)309-5944
Alt. Phone:	
Email:	LAUREN@UPWARDPROJECTS.COM

****

Name:	TINA RENAE MEDRANO
Gender:	Female
Correspondence Address:	2600 N CENTRAL AVENUE #1775 PHOENIX, AZ 85004 USA
Phone:	(214)228-8381
Alt. Phone:	
Email:	TMARTLAGE@AOL.COM

APPLICATION INFORMATION

Application Number:	400895
Application Type:	Location / Owner Transfer
Created Date:	05/27/2026

QUESTIONS & ANSWERS

007 Beer and Wine Bar

1) Are you applying for an Interim Permit (INP)?
   No

3) Does the Business location address have a street address for a City or Town but is actually in the boundaries of another City, Town or Tribal Reservation?

No

11) Provide name, address, and distance of nearest school. (If less than one (1) mile note footage)

Trivium Preparatory Academy - Great Hearts | 2,001 FT
2001 N Bullard Ave, Goodyear, AZ 85395

12) Are you one of the following? Please indicate below.

Property Tenant
Subtenant
Property Owner
Property Purchaser
Property Management Company

PROPERTY TENANT

13) Is there a penalty if lease is not fulfilled?

Yes

What is the penalty?

TERMINATION AND/OR OTHER MONETARY PENALTIES

14) What is the total money borrowed for the business not including the lease?
Please list lenders/people owed money for the business.

0.00

15) Is there a drive through window on the premises?

No

16) If there is a patio please indicate contiguous or non-contiguous within 30 feet.

CONTIGUOUS

17) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?

Yes

If yes, what is your estimated completion date?

SPRING 2027

18) Total Price paid for Series 6 Bar, Series 7 Beer & Wine Bar or Series 9 Liquor Store (license only)

87,000.00

DOCUMENTS

DOCUMENT TYPE	FILE NAME	UPLOADED DATE
MISCELLANEOUS	21802 S Ellsworth Rd, LLC_Ownership chart.pdf	05/27/2026
ALIEN STATUS	Gdyr#7_AGT ADL (Ctn).pdf	05/27/2026
QUESTIONNAIRE	Gdyr#7_AGT ADL (Q).pdf	05/27/2026
QUESTIONNAIRE	Gdyr#7_CP Bailey (Q+Supple+FP).pdf	05/27/2026
QUESTIONNAIRE	Gdyr#7_CP C DeMarco (Q+Supple+ FP).pdf	05/27/2026
QUESTIONNAIRE	Gdyr#7_CP K DeMarco (Q+Supple+ FP).pdf	05/27/2026
DIAGRAM/FLOOR PLAN	Gdyr#7_diagram.pdf	05/27/2026
QUESTIONNAIRE	Gdyr#7_MGR Medrano (Q+FP+T).pdf	05/27/2026

SECTION 4 - Organization

EACH PERSON LISTED MUST SUBMIT A PERSONAL QUESTIONNAIRE FORM, FINGERPRINT CARD, AND $22 PROCESSING FEE PER CARD.

1. If the applicant is an entity, not an individual, answer questions A and B.

   A) Date Incorporated/Organized: _____ State where Incorporated/Organized: _____

   B) AZ Corporation or AZ L.L.C. Entity No: _____ Approval Date: _____

2. List any individual or entity that owns interest of 10% or more, and/or has control. If the owner/member listed below owns another entity, **MUST** attach a statement which includes the liquor license number involved.

Name	Title	%	Complete Mailing Address

SECTION 5 - Person to Person Transfer

ARS§4-203(C), (D), (G) (Current owner information)

1. License #: 07070399
2. Agent Name: WILLIAM STEVEN CANO
3. Entity Name: MRS. GOOCH'S NATURAL FOOD MARKETS, INC.
4. Business Name: WHOLE FOODS MARKET
5. Business Address: 4701 N. 20th STREET, PHOENIX, AZ 85016

6. Does current licenses intend to operate the business while this application is pending? ☐ Yes ☑ No

Print Licensee Name: BYRON KENTOR, AUTHORIZED SIGNER Signature: adl

SECTION 6 - Location Transfer

ARS§4-203(C), (D), (G) (Current owner information)

1. License #: 07070399
2. Current Business: Name: WHOLE FOODS MARKET
   Address: 4701 N. 20th STREET, PHOENIX, AZ 85016
3. New Business: Name: POSTINO GOODYEAR
   Address: 14950 W. McDOWELL ROAD, GOODYEAR, AZ 85395

'26 6 9 Liqr. Dept AM 8:25

BILL OF SALE

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Mrs. Gooch's Natural Food Markets Inc.,** a California corporation (the "Seller"), hereby sells, grants, and transfers to **Upward Projects, LLC**, an Arizona limited liability company (the "Buyer") all right, title and interest in and to Arizona Liquor License nos. 07070399 and 07070448 (collectively, "the Licenses") according to the terms of the parties' Liquor License Purchase and Sale Agreement dated May 13, 2026.

Seller warrants it is the sole and lawful owner of the Licenses, that the undersigned is authorized to execute all documents necessary to effect the sale of the Licenses on behalf of Seller, and that the Licenses are free and clear of all taxes, liens, encumbrances, and claims except for accrued inactive fees, which Buyer shall pay to Arizona Department of Liquor Licenses & Control.

This Bill of Sale shall be binding upon Seller and Seller's successor and assigns, and shall inure to the benefit of Buyer, and its successors and assigns.

Mrs. Gooch's Natural Food Markets Inc.
a California corporation

By: _____
Name: Byron Kentor, Secretary

STATE OF Texas)
)
County of Travis)

SUBSCRIBED AND SWORN to before me this 1st day of June, 2026, by Byron Kentor on behalf of Mrs. Gooch's Natural Food Markets Inc., a California corporation.

My Commission Expires: 3/20/2027

_____
Notary Public

ROZIE HICKERSON
Notary Public, State of Texas
Comm. Expires 03-20-2027
Notary ID 134260690

ACCEPTED:
Upward Projects, LLC
an Arizona limited liability company

By chris watts
Christopher Watts, VP - accounting
Date: 6.8.26

'26 6 9 Liqr. Dept AM 8:25

ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **Upward Projects, LLC**, an Arizona limited liability company, hereby assigns, grants, and conveys to **21802 S Ellsworth Rd, LLC** all right, title and interest in and to Maricopa County, Arizona Liquor License Nos. **07070399.**

By _____
Print CHRIS WATTS
Its VP-ACCOUNTING

STATE OF ARIZONA)
) ss.
County of Maricopa)

SUBSCRIBED AND SWORN to before me this 5th day of June, 2026, by Chris Watts on behalf of Upward Projects, LLC.

My Commission Expires:
February 11th, 2027

Rebecca N Webb
Notary Public

REBECCA N WEBB
Notary Public - Arizona
Maricopa County
Commission # 642429
My Comm. Expires Feb 11, 2027

ACCEPTED:
21802 S Ellsworth Rd, LLC,
An Arizona limited liability company.

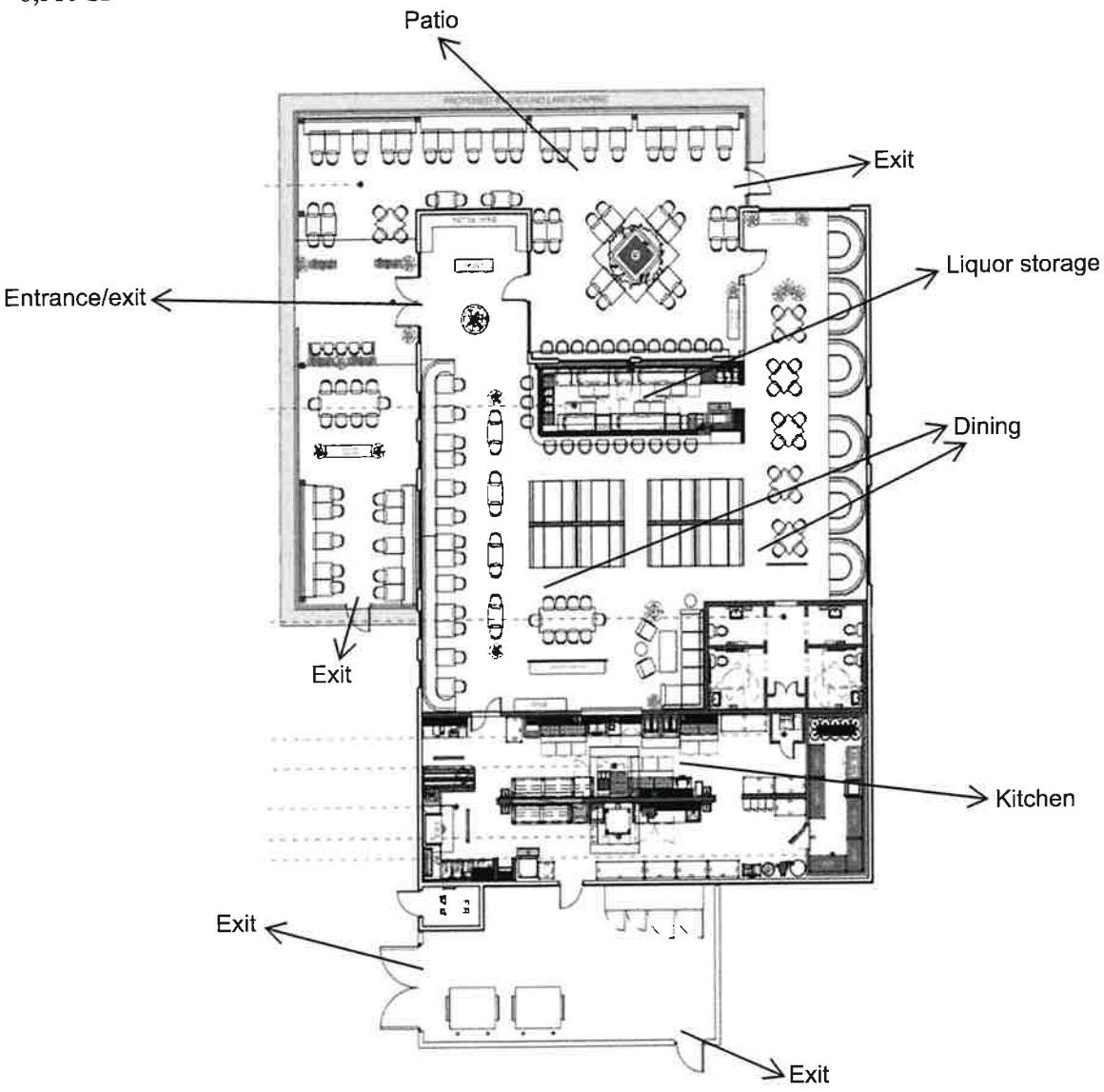
By chris watts
Christopher Watts, VP - accounting

Date 6.8.26

'26 6 11 Liqr. Dept AMENDMENT | Job #400886
Postino Goodyear

POSTINO GOODYEAR

~~14950 W. McDowell Road~~ 1800 N. Bullard Avenue
Goodyear, Az 85395
6,510 SF

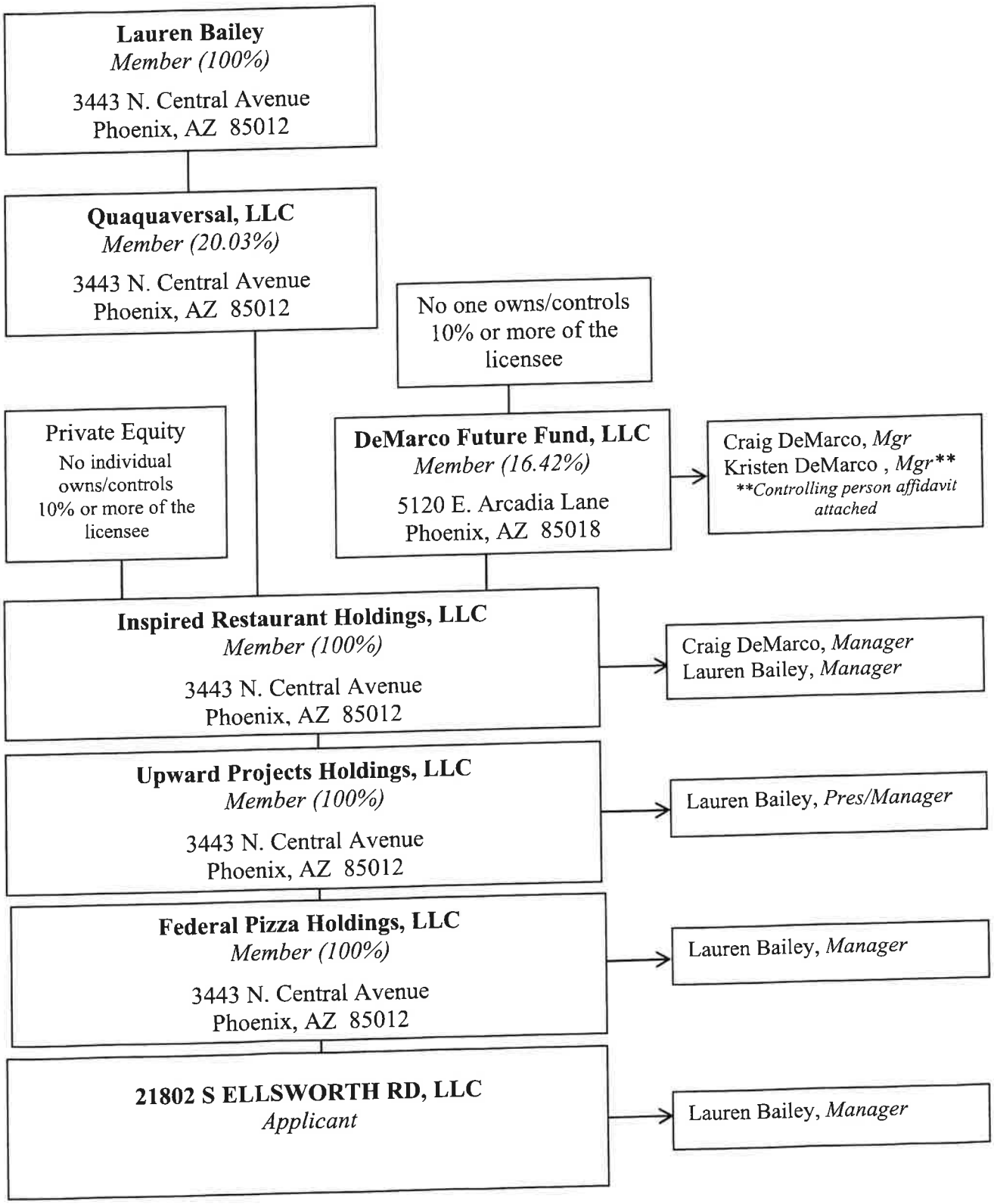


AMENDMENT

'26 6 10 Liq. Dept AM 6:51

21802 S. ELLSWORTH RD, LLC

Ownership | May 26, 2026



'26 5 29 Liqr. Dept PM 1:25

Arizona Department of Liquor Licenses and Control
https://www.azliquor.gov
(602) 542-5141

DLLC USE ONLY

Job #:	400886
Date Accepted:	5-29-26
LC:	82
License #:	

RESTAURANT OPERATION PLAN

RESTAURANT SERIES 12 AND HOTEL/MOTEL SERIES 11 ONLY

1. Name of restaurant (Please print): POSTINO GOODYEAR

2. Must indicate the equipment below by Make, Model, and Capacity:

LIST ONLY THE FOLLOWING - NO ATTACHMENTS

Grill	Panini Grill | (4) open burner range/countertop | 75lb Fryer (Vulcan)
Oven	Speed cook oven | 36" Air Curtain (Berner)
Freezer	U/C Freezer (Turbo Air) | 5-tier walk-in cooler (Cambro)
Refrigerator	Walk-in cooler (Thermalrite) | U/C refrigerator |
Sink	Hand sink w/faucet (John Boos) | 3-compartment sink (St. Steel) | mop sink (John Boos)
Dish Washing Facilities	Dishwashing rack (St. Steel) | Clean dishtable (St. Steel) |
Food Preparation Counter (Dimensions)	Prep tables w/prep sink (St. Steel) | Work tables |
Other	Food slicer (Hobart) | Bread Slicer (Berkel) | Dual conveyor toaster |

3. Attach a copy of your FULL menu with pricing **INCLUDING NON-ALCOHOLIC BEVERAGES**

4. What percentage of your public premises is used primarily for restaurant dining?

(**Do not include kitchen, bar, hi-top tables, or game area.**) 65 %

5. Does your restaurant have a bar area that is distinct and separate from the dining area? ☒ YES ☐ No

(**If yes, what percentage of the public floor space does this area cover?**) 15 %

6. List the **seating capacity** for:

a) Restaurant dining area of your premises: **(DO NOT INCLUDE PATIO SEATING)** [128]

b) Bar area [+ 24]

TOTAL [= 152]

Individuals requiring ADA accommodations please call (602)542-2999

'25 5 29 Liqr. Dept. PM 1:25

7. What type of dinnerware is primarily used in your restaurant? ☐ Reusable ☐ Disposable ☒ Both

8. Does your restaurant contain any **games, televisions, or any other entertainment?** ☒ Yes ☐ No
If yes, specify what types and how many (examples: 4-TV's, 2-Pool Tables, 1-Video Game, etc.)

9. Do you have live entertainment or dancing? ☐ Yes ☒ No
If yes, what type and how often (example: DJ-2 x a week, Karaoke-2 x a month, Live Band-1 x a month, etc.)

10. List number of employees for each position:

Position	How many
Cooks	26 culinary
Bartenders	8
Hostesses	7
Managers	1-2
Servers	17
Other (Server Assistants)	8
Other ( )	
Other ( )	

I, (Print Full Name) Andrea Dahlman Lewkowitz **, hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.**

Applicant Signature:

'26 5 29 Liqr. Dept PM 1:25

Arizona Department of Liquor Licenses and Control
https://www.azliquor.gov
(602) 542-5141

DLLC USE ONLY	
Job #:	400786
Date Accepted:	5.27.26
LC:	82
License #:	

RECORDS REQUIRED FOR AUDIT
RESTAURANT/HOTEL/MOTEL

In the event of an audit, you will be asked to provide to the Department any documents necessary to determine Compliance with A.R.S. §4-205.02(G). Such documents requested may include however, are not limited to:

1. Name of restaurant (Please print): Postino Goodyear
2. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
3. A list of ***all*** food and liquor vendors
4. The restaurant menu used during the audit period
5. A price list for alcoholic beverages during the audit period
6. Mark-up figures on food and alcoholic products during the audit period
7. A recent, ***accurate*** inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
8. Monthly Inventory Figures - beginning and ending figures for food and liquor
9. Chart of accounts (copy)
10. Financial Statements-Income Statements-Balance Sheets
11. **General Ledger**
    - A. Sales Journals/Monthly Sales Schedules
        1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc. with sales for that day)
        2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
        3) Dated Guest Checks
        4) Coupons/Specials/Discounts
        5) Any other evidence to support income from food and liquor sales
    - B. Cash Receipts/Disbursement Journals
        1) Daily Bank Deposit Slips
        2) Bank Statements and canceled checks
12. **Tax Records**
    - A. Transaction Privilege Sales, Use and Severance Tax Return (copies)
    - B. Income Tax Return - city, state and federal (copies)
    - C. Any supporting books, records, schedules or documents used in preparation of tax returns

'25 5 29 Liq. Dept PM 1:25

13. **Payroll Records**

A. Copies of all reports required by the State and Federal Government

B. Employee Log (A.R.S. §4-119)

C. Employee time cards (actual document used to sign in and out each workday)

D. Payroll records for all employees showing hours worked each week and hourly wages

14. **Off-site Catering Records** (must be complete and separate from restaurant records)

A. All documents that support the income derived from the sale of food off the license premises.

B. All documents which support purchases made for food to be sold off the licensed premises.

C. All coupons/specials/discounts

The sophistication of record keeping varies from establishment to establishment. Regardless of each licensee's accounting methods, the amount of gross revenue derived from the sale of food and liquor must be substantially documented.

REVOCATION OF YOUR LIQUOR LICENSE MAY OCCUR IF YOU FAIL TO COMPLY WITH A.R.S. §4-210(A)7 AND A.R.S. §4-205.02(G).

A.R.S. §4-210(A) 7
The licensee fails to keep for two years and make available to the department upon reasonable request all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of spirituous liquors and, in the case of a restaurant or hotel-motel licensee, all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of food.

A.R.S. §4-205.02(M)
For the purpose of this section:

Restaurant: an establishment that derives **at least forty percent (40%)** of its gross revenue from the sale of food

Gross revenue: the revenue derived from all sales of food and spirituous liquor on the licensed premises regardless of whether the sales of spirituous liquor are made under a restaurant license issued pursuant to this section or under any other license that has been issued for the premises pursuant to this article.

Declaration:

I, (Print Name) ANDREA DAHLMAN LEWKOWITZ, declare under penalty of perjury that I am authorized to submit this application. I have read the contents and to the best of my knowledge believe all statements made on this application to be true, correct, and complete.

Signature: _____

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH RECORDS REQUIRED BY THE STATE

POSTINO



WINE

$6 GLASSES OF WINE 'TIL 5PM EVERY DAY

MAIN LINEUP

BY THE GLASS OR BOTTLE
* SEASONAL FAVORITES

ANSELMI
NV prosecco, italy — 14 54

MARY TAYLOR PET NAT *
NV mauzac, france — 13 50

EBBIO
NV sparkling rose, italy — 15 58

PAVETTE
2025 sauvignon blanc, california — 15 58

RONCO COLUMBO *
2025 white blend, italy — 11 42

MODULATION
2025 albarino, california — 14 54

PERFEKT
2024 riesling, germany — 14 54

STAND
2025 chardonnay, california — 12 46

FIORE
2024 moscato, italy — 13 50

HOLLY'S WAY
2024 chardonnay, california — 15 58

MOTHER BLOCK *
2025 orange, australia — 13 50

LE ROULEMENT
2024 rose, france — 14 54

BOIRE
2023 gamay, france — 13 50

LILITH
2024 pinot noir, oregon — 15 58

VISO
2023 barbera-nebbiolo, italy — 14 54

GIUSTO *
2025 montepulciano, italy — 12 46

ESPIRITU
2025 malbec, argentina — 13 50

COSTA
2023 red blend, california — 14 54

CENTENARIO
2024 cabernet sauvignon, chile — 14 54

EXPOSED
2024 cabernet-malbec, california — 15 58

SELECT POURS

NEXT LEVEL FAVES YOU MIGHT ALREADY KNOW AND LOVE

BISOL CREDE
2024 prosecco, italy — 16 62

SPY VALLEY
2024 sauvignon blanc, new zealand — 16 62

J. CHRISTOPHER
2020 pinot noir, oregon — 18 70

LOREN CROSSING
2023 cabernet sauvignon, california — 20 78

BY THE BOTTLE

PREMIUM FINDS BY TOP WINEMAKERS

LOUIS ROEDERER COLLECTION
NV brut sparkling, champagne — 125

BISOL CREDE
2023 glera, prosecco do valdobbiadene — 62

VINO VOLTA
2023 rose pet nat, sean valley — 64

DOMAINE DELAPORTE
2023 sauvignon blanc, sancerre — 84

VENICA RONCO DEL CERO
2023 sauvignon blanc, friuli — 71

DOMAINE MATROT
2022 chardonnay, bourgogne — 75

MARINE LAYER ARIES
2022 chardonnay, sonoma coast — 84

DOMAINE SKOURAS
2023 assyrtiko, mantinia — 62

AMEZTOI RUBENTIS
2024 rose, getariako txakolina — 59

CHATEAU PEYRASSOL
2023 rose, cotes de provence — 95

LIOCO
2023 pinot noir, mendocino — 64

WALTER SCOTT CUVEE RUTH
2022 pinot noir, willamette valley — 88

FOLK MACHINE PARTS & LABOR
2023 red blend, mendocino — 59

G.D. VAJRA
2023 nebbiolo, piedmont — 62

CAPARZO
2019 sangiovese, brunello di montalcino — 110

LA RIOJA ALTA VINA ARDANZA
2017 tempranillo, rioja — 95

ALTOS LAS HORMIGAS TERROIR
2022 malbec, uco valley — 64

DELILLE CELLARS D2
2021 merlot-cabernet, columbia valley — 75

CHATEAU HAUT-SEGOTTES
2022 cabernet franc-merlot, saint emilion — 84

CHATEAU MONTELENA
2021 cabernet sauvignon, napa valley — 150

GLASS 90-160 cal
BOTTLE 450-800 cal

2,000 calories a day is used for general nutrition advice, but calorie needs vary. Additional information available upon request. 040220A2_MAIN

SIGNATURE COCKTAILS

APEROL SPRITZ
Aperol, prosecco, soda, orange
125 cal 14

NEW WATERMELON SPRITZ
Campari, Caravella Limoncello, prosecco, watermelon 145 cal 14

TRÊ CUCUMBER
Helix Vodka, Caravella Limoncello, cucumber, honey 220 cal 14

NEW VIOLET FEMME
Aviku Gin, lavender, honey, lemon
216 cal 14

NEW PEACH WHISKEY SOUR
Buffalo Trace Bourbon, Lucano Amaro, lemon, peach 170 cal 14

PRICKLY PEAR MARG
400 Conejos Mezcal or Jose Cuervo Tradicional Blanco Tequila, triple sec, prickly pear, lime 240 cal 15

ESPRESSO MARTINI
Helix Vodka, Licor 43, Owen's Nitro-Infused Espresso 136 cal 15

OLD FASHIONED
Buffalo Trace Bourbon, Johnnie Walker Black, honey, citrus 155 cal 15

ZERO PROOF

THE GLOW UP
Ritual Tequila Alternative, cucumber, mint, Owen's Ginger Beer 70 cal 11

THE MOCKINGBIRD
Lyre's Dark Cane, Lyre's Italian Orange, pineapple, almond bitters 78 cal 11

AIRPLANE MODE
Lyre's Dark Cane, Lyre's Italian Orange, Lucano Amaro, lemon 115 cal 11

GINGER DRIFT
Lucano Amaro, Lyre's Dark Cane, lime, Owen's Ginger Beer 82 cal 11

ESPRESSO FLIRTINI
Lyre's Dark Cane, Lucano Amaro, hazelnut, Owen's Nitro-Infused Espresso 75 cal 11

ST. AGRESTIS PHONY NEGRONI
new york, 88 cal 14

KALLY GOLDEN SPARKLER WINE ALTERNATIVE
california, 27 cal 15

LEITZ EINZ ZWEI ZERO SPARKLING ROSE
germany, 28 cal 12

BEST DAY BREWING KOLSCH
california, 55 cal 7

ATHLETIC BREWING RUN WILD IPA
california, 65 cal 7

BEER

ON TAP

SHORTY 6 | PINT 8 | PITCHER 12
$6 PITCHERS 'TIL 5PM EVERY DAY

WOODCHUCK CIDER
vermont, 5.0% 128-340 cal

OSKAR BLUES DALE'S LIGHT LAGER
colorado, 4.2% 79-221 cal

THE SHOP CRISPY BLONDE LAGER
arizona, 5.8% 107-284 cal

HUSS RIO SALADO MEXICAN LAGER
arizona, 4.8% 119-333 cal

AZ LOC ALE BEER CO CACTUS BIRD WHEAT ALE
arizona, 4.8% 135-375 cal

ODELL SIPPIN' PRETTY FRUITED SOUR
colorado, 4.9% 105-280 cal

BELL'S TWO HEARTED IPA
michigan, 7.0% 176-494 cal

SIERRA NEVADA HAZY LITTLE THING IPA
california, 6.7% 161-428 cal

MOTHER ROAD ROADSIDE GROVE CITRUS IPA
arizona, 6.8% 175-490 cal

ROTATING CRAFT SELECTION
ask us what we have on tap!

BOTTLES & CANS

SCHILLING LOCAL LEGEND CIDER
washington, 5.2% 125 cal 7

SHACKSBURY ROSE CIDER
vermont, 5.5% 170 cal 7

MICHELOB ULTRA LIGHT LAGER
missouri, 4.2% 95 cal 7

STELLA ARTOIS EUROPEAN LAGER
belgium, 5.0% 140 cal 7

WREN HOUSE BIG SPILL PILS
arizona, 4.7% 200 cal 16oz 8

PRAIRIE RAINBOW SHERBET SOUR
oklahoma, 5.2% 150 cal 7

PAPAGO ORANGE BLOSSOM ALE
arizona, 5.0% 160 cal 7

AYINGER BRAU-WEISSE HEFEWEIZEN
germany, 5.1% 185 cal 7

MOTHER ROAD TOWER STATION IPA
arizona, 7.3% 290 cal 16oz 7

GREAT DIVIDE YETI IMPERIAL STOUT
colorado, 9.5% 311 cal 7

REFRESH

WE SERVE HOUSEMADE LEMONADE, ICED TEA, ARNOLD PALMERS & COFFEE TOO

SAN PELLEGRINO SPARKLING WATER 0 cal
ACQUA PANNA STILL WATER 0 cal
OWEN'S AMERICAN TONIC 70 cal
OWEN'S GINGER BEER 90 cal
COKE, DIET COKE, DR.PEPPER, GINGER ALE & SPRITE 0-140 cal
PRICKLY PEAR LEMONADE 140 cal 5
CUCUMBER HONEY LEMONADE 130 cal 5

SNACKY THINGS

SEASONAL BURRATA
burrata topped with seasonally inspired ingredients, ask us! 590 cal 13.25

OMG GRILLED CHEESE
layered gruyere, brie, whipped goat cheese, white cheddar, smoked bacon, creamy tomato soup dip
1140 cal 15.25

CRISPY CAULIFLOWER
cauliflower, sultana raisin, caper, romesco 390 cal 13.25

SKEWERS
grilled petite filet & chicken skewers, sicilian garlic yogurt, olive oil 570 cal 15.50
+ DOUBLE STEAK 265 cal +2

MEATBALLS & GOAT CHEESE
house meatballs, pomodoro, goat cheese, chives 930 cal 15.50

ROASTED MUSHROOM FONDUE
melted white cheddar, truffle, calabrian chili oil, roasted crimini mushroom, focaccia crostini
580 cal 13.75

SWEET POTATO WEDGES
calabrian chili tahini, sesame seeds, chive 580 cal 9.95

We have a Juicy Wine Club

POSTINO BOTTLE CLUB MEMBERS GET MORE.

- WINES AT THE BEST PRICE
- UNCORK IT HERE OR AT HOME
- EXTRA HAPPY HOUR
- EXCLUSIVE MEMBER TOTE

ASK YOUR SERVER HOW TO JOIN

SHRIMP SCAMPI
butter poached jumbo shrimp, artichoke, calabrian chili, chablis spritz, focaccia 380 cal 16.95

OLIVES
alfonso, picholine, gaeta, red cerignola, arbequina, castelvetrano
180 cal 7.95

BRUSCHETTA

IF YOU KNOW. YOU KNOW.

CHOOSE 4 TO BUILD YOUR BOARD
170-330 cal 17.75
GLUTEN FREE BREAD +100 cal +2

BRIE, APPLE, FIG	SWEET N SPICY PEPPER JAM, GOAT CHEESE
BURRATA, BACON, ARUGULA, TOMATO	FRESH MOZZARELLA, TOMATO, BASIL
PROSCIUTTO, FIG, MASCARPONE	SMOKED SALMON*, PESTO
SALAMI, PESTO	WARM ARTICHOKE SPREAD
RICOTTA, DATES, PISTACHIO	MUSHROOM, MASCARPONE
BOQUERONES	CHEF'S CHOICE

THE BOARDS

TABLE CHEESE
a rotating selection of cheeses with whipped ricotta & calabrian honey, seasonal jam, honey, toasted nuts, and crisp breads 1350 cal 17.95

CHEF'S CHARCUTERIE
curated selection of cured meats and cheeses, whipped feta, charred artichoke, olive, almond hummus, and crisp breads 1380 cal 18.95

PUB BOARD
warm soft pretzel, italian sausage, spanish pork links, fondue, Packo pickles, cornichons 1410 cal 17.95

SMOKED SALMON*
cold and hot smoked salmon, whipped feta, cucumber, pickled onion, cornichons, crispy capers, baby caesar, crostini 960 cal 17

GREEK HUMMUS BOARD
hummus topped with pickled onion, crushed tomato, crumbled feta, fresh herbs, olive oil drizzle served with cucumber slices, grilled ciabatta and pita
1250 cal 15

MAKE IT A TRIO includes sicilian garlic yogurt & whipped feta 980 cal +3

+ CHICKEN 202 cal 6
+ STEAK 265 cal 8

* ALLERGEN AND NUTRITIONAL INFO 2,000 calories a day is used for general nutrition advice, but calorie needs vary. Additional nutrition info available upon request. These items contain or may contain raw or undercooked ingredients. Consuming raw or undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of food borne illness. Our gluten free bread is made in a gluten free facility, but our kitchens are not. Please be aware our items are made in an environment where gluten, nuts, soy and other allergens are prevalently used, and although we take precautions we cannot guarantee that these allergens have not come in contact with other items. Additionally, some ingredients are not listed. Please discuss your allergens with your server or a manager.

PLATES & PANINIS

LEMON BUTTER CHICKEN PLATE
golden pan-seared chicken, toasted almonds, lemon-caper butter sauce, petite salad 1250 cal 17.50

P.R.E.A.M. BOWL
choice of grilled chicken or steak skewers, broccolini, avocado, parmigiano reggiano, warm heritage grains, romesco 750-870 cal 17.50
+ DOUBLE STEAK 265 cal +2

CHICKEN & MOZZARELLA
roasted chicken, fresh mozzarella, arugula, red onion, spicy sun-dried tomato aioli 810 cal 15.50

TUSCAN TUNA
albacore tuna, olive oil, balsamic vinegar, white cheddar, pickle, dijonnaise 480 cal 15.75

CAPRESE
basil pesto, fresh mozzarella, roma tomato, arugula, balsamic, olive oil 960 cal 15.25

WEST COASTER
smoked ham, smashed avocado, arugula, roasted garlic aioli, pickled red onion, calabrian chili, feta cheese 450 cal 15.50

NINE IRON
smoked bacon, roasted chicken, fresh stracciatella, mixed greens, tomato, dijonnaise 570 cal 15.75

ITALIAN BEEF DIP
roast beef, melted brie, caramelized onions, garlic aioli, au jus 1160 cal 17.50

PROSCIUTTO & BRIE
prosciutto, brie, fig jam, arugula, balsamic vinegar, olive oil 460 cal 16

PANINIS COME WITH ciabatta 300 cal **OR** foccacia 377 cal
side of romaine salad 180 cal **OR** potato chips 324 cal
sub soup 45-470 cal +2 gluten free bread +2.50

SELECT TWO

ANY HALF PANINI | HALF SALAD | SOUP | 265-1215 cal 16.75

SOUPS & SALAD

+ CHICKEN 202 cal 6 + SHRIMP 202 cal 9
+ STEAK 265 cal 8 + SALMON 230 cal 10

SOUP OF THE MOMENT
CUP 45-470 cal 5
BOWL 100-930 cal 8

GREEN GARDEN CHICKEN CHOP
sliced roasted chicken, chopped kale, arugula, mint, basil, cilantro, broccolini, cauliflower, parmesan, pistachio, heritage grains, date, lemon champagne vinaigrette 1060 cal 17

RASPBERRY CHICKEN
chicken salad, almond, pecan, apple, gorgonzola, mixed greens, raspberry vinaigrette
680 cal 15.50

BRUSSELS SPROUT
kale, brussels sprout, manchego, spicy marcona almond, bacon, dried cherry, lemon manchego dressing 680 cal 14.75

MIXED GREENS
greens, pears, candied pecans, red grapes, gorgonzola, crispy leeks, poppyseed vinaigrette
520 cal 14

CAESAR*
baby gem lettuce, parmigiano-reggiano, house croutons, garlic dressing 470 cal 14.25

SWEETS

HOT DONUT DOTS
housemade ricotta donut holes with salted butter chocolate, caramel and vanilla glaze dipping sauces 730 cal 9.50

FUDGY BROWNIE
Cartel coffee brownie, cookie butter, vanilla bean ice cream 710 cal 8.50

25 Liv. Ber Rm 1 25

Liquor Licenses within One Mile – POSTINO

Applicant Address: 1800 N. Bullard Ave., Goodyear, AZ 85395

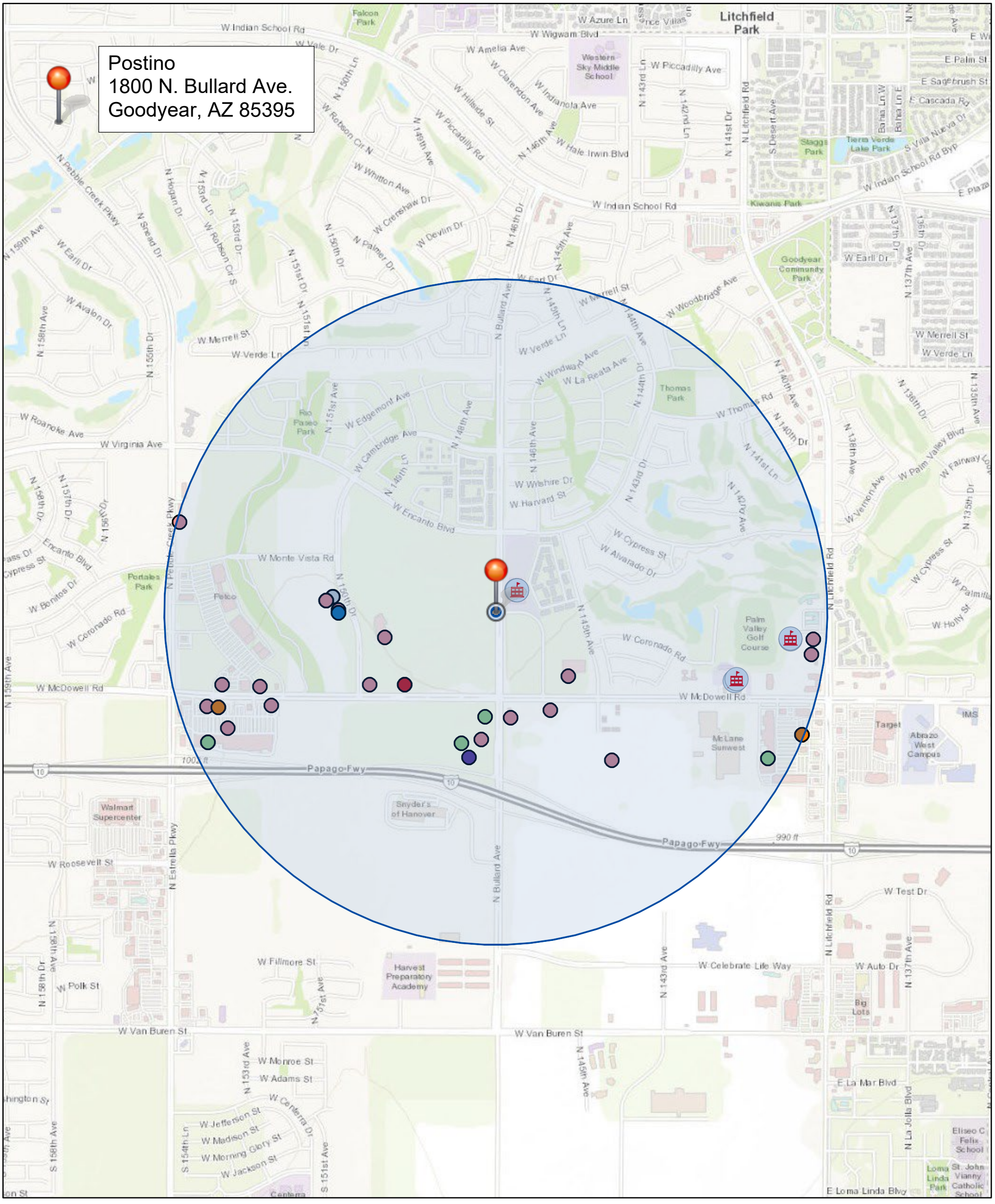
Liquor Establishments			
Business Name	**Address**	**Distance from Applicant Address**	**License Series**
LIFE TIME FITNESS	14540 W MCDOWELL RD.	1,541.73 ft.	12
QUIKTRIP #1417	1540 N BULLARD AVE.	1,678.52 ft.	10
PF CHANG'S CHINA BISTRO	14681 W MCDOWELL RD.	1,689.62 ft.	12
RED ROBIN AMERICA'S GOURMET BURGERS & SP	14551 W MCDOWELL RD.	1,790.81 ft.	12
HARKINS THEATRES AT ESTRELLA FALLS	15010 W MCDOWELL RD.	1,819.40 ft.	12
BJ'S RESTAURANT & BREWHOUSE	14950 W MCDOWELL RD.	1,858.47 ft.	12, 12G
BUBBA'S 33	1460 N BULLARD AVE.	2,033.01 ft.	12
TRU BY HILTON GOODYEAR	1430 N BULLARD AVE.	2,157.17 ft.	10
CHEDDARS SCRATCH KITCHEN	15030 W MCDOWELL RD.	2,315.18 ft.	12
SPRINGHILL SUITES BY MARRIOT GOODYEAR	1370 N BULLARD AVE.	2,345.91 ft.	11
THE STILLERY	1971 N GLOBE DR. BLDG.	2,505.99 ft.	12
COPPER & SAGE GSQ	1975 N GLOBE DR.	2,509.99 ft.	12
BACCHUS WINE BAR	1975 N GLOBE DR.	2,509.99 ft.	7
SPITZ MEDITERRANEAN STREET FOOD	2015 N GLOBE DR.	2,608.56 ft.	12
CLASSIC & FANCY NAIL SPA	2015 N GLOBE DR.	2,608.56 ft.	UNL
OVER EASY	1845 N GLOBE DR.	2,711.51 ft.	12
SHAKE SHACK #1515	1675 N GLOBE DR.	2,711.51 ft.	12
HIGH TIDE	1845 N GLOBE DR. BLDG.	2,711.51 ft.	12
MERA GOODYEAR	1375 N 145TH AVE.	2,989.53 ft.	BYO
TEXAS RD.HOUSE	15255 W MCDOWELL RD.	3,868.96 ft.	12
OREGANO'S PIZZA BISTRO	15280 W MCDOWELL RD.	3,932.27 ft.	12
ARRIBA MEXICAN GRILL	15370 W MCDOWELL RD.	4,509.23 ft.	12
RED LOBSTER #6342	15311 W MCDOWELL RD.	4,642.55 ft.	12
POPO'S FIESTA DEL SOL	15375 W MCDOWELL RD.	4,676.58 ft.	12, CTG
OLIVE GARDEN ITALIAN RESTAURANT #1773	15411 W MCDOWELL RD.	4,832.74 ft.	12
TOTAL WINE & MORE #1008	1416 N LITCHFIELD RD.	4,912.08 ft.	9, 9S
BEVMO	15405 W MCDOWELL RD.	5,032.55 ft.	9, 9S
HAYMAKER GOODYEAR	1800 N LITCHFIELD RD.	5,065.81 ft.	12
OLD CHICAGO PIZZA AND TAPROOM	1828 N LITCHFIELD RD.	5,065.93 ft.	12
AKAIHANA SUSHI & GRILL	2293 N PEBBLE CREEK PKWY.	5,232.57 ft.	12
MACAYOS MEXICAN FOOD	1474 N LITCHFIELD RD.	5,249.76 ft.	12, CTG

Schools		
Business Name	**Address**	**Distance from Applicant Address**
Great Hearts Academies - Archway Trivium West	2001 N Bullard Ave	1,004.89 ft
Great Hearts Academies - Archway Trivium East	14130 W Mcdowell Rd	3986.22 ft
Montessori In The Park	1832 N Litchfield Rd	4709.78 ft

Series Legend

Series 1 In-State Producer	Series 7 Beer & Wine Bar	Series 12 Restaurant
Series 3 Microbrewery	Series 8 Conveyance	Series 13 Domestic Farm Winery
Series 4 Wholesaler	Series 9 Liquor Store (All Liquor)	Series 14 Private Club
Series 5 Government	Series 10 Beer & Wine Store	Series 15 Special Event Liquor
Series 6 Bar (All Liquor)	Series 11 Hotel-Motel	Series 16 Wine Festival

Evaluation Map



6/12/2026, 1:07:46 PM

Liquor Licenses

- Beer and Wine Bar
- Beer and Wine Store
- Bring Your Own
- Cocktails To Go
- Hotel / Motel
- Liquor Store
- Liquor Store Sampling
- Restaurant
- Restaurant Growler
- Other
- Schools

1:20,779

0 0.2 0.4 0.8 mi

0 0.3 0.6 1.2 km

PHX GIS, City of Goodyear, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

ITEM #: 4.
DATE: 07/06/2026
AI #:3398

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF SERIES 12 (RESTAURANT) LIQUOR LICENSE FOR FEDERICO'S MEXICAN FOOD

STAFF PRESENTER(S): Jasmine Pernicano, City Clerk

OTHER PRESENTER(S):
Jesus Altamirano, Agent

SUMMARY

Jesus Altamirano, Agent for Federico's Mexican Food, has submitted an application for a Series 12 (Restaurant) liquor license for the location at 2455 N. Pebblecreek Pkwy., Goodyear, AZ 85395. The applicant is requesting that the city forward a recommendation of approval to the Arizona Department of Liquor Licenses and Control (DLLC) for consideration and issuance of the license.

STRATEGIC PLAN ALIGNMENT

SAFE & VIBRANT COMMUNITY

RECOMMENDATION

Recommend approval of Application No. 400984 to the Arizona Department of Liquor Licenses and Control (DLLC) for a Series 12 (Restaurant) liquor license for Federico's Mexican Food located at 2455 N. Pebblecreek Pkwy., Goodyear, AZ 85395. (Jasmine Pernicano, City Clerk)

FISCAL IMPACT

In compliance with the Goodyear Municipal User Fee Schedule, the applicant submitted the required $635 administrative application fee.

BACKGROUND AND PREVIOUS ACTIONS

The City Clerk's office received a Series 12 (Restaurant) liquor license application on June 15, 2026, from the Arizona Department of Liquor Licenses and Control (DLLC) for Federico's Mexican Food, represented by Agent Jesus Altamirano.

In accordance with A.R.S. §4-201(B), the public hearing notice was posted at the establishment on June 16, 2026, for the required 20-day period. This public posting allows individuals within a one-mile radius to submit written arguments for or against the issuance of the license. As of the date the agenda

was posted on July 2, 2026, no public petitions or protests have been received. Any comments received prior to the close of the posting period on July 5, 2026, will be provided to the City Council at the meeting and forwarded to the DLLC.

The application underwent internal review by the Police Department and Development Services Department, including Code Compliance, Building and Planning & Zoning, with no objections reported. The application is included as Attachment A - DLLC Local Governing Body Report.

STAFF ANALYSIS

The requested Series 12 Restaurant License is a non-transferable license issued to establishments that operate primarily as restaurants. The license authorizes the sale of all types of spirituous liquor for consumption on the premises, provided that at least 40% of the establishment's gross revenue is derived from the sale of food.

State regulations (A.R.S. §4-207) prohibit liquor licenses within 300 feet of licensed childcare facilities or K-12 schools; the proposed location complies with this requirement. A One-Mile Report and Evaluation Map is included as Attachment B, showing existing liquor licenses and zero K-12 schools within that radius.

DLLC requires key personnel (owners, agents, managers involved in daily operations) to complete state-approved management training. The applicant confirms the owner and manager have completed the Title 4 Basic & Management training. Operationally, a manager will be onsite at all times, staff will monitor guest consumption, and a valid ID will be required from anyone appearing to be under the legal drinking age.

The City Council's recommendation will be forwarded to the DLLC for consideration.

Attachments

Attachment A - DLLC Local Governing Body Report

Attachment B - One-Mile Report and Evaluation Map

Received by the Goodyear City Clerk's Office Monday, June 15, 2026

State of Arizona
Department of Liquor Licenses and Control

Created 06/15/2026 @ 03:30:31 PM

Local Governing Body Report

LICENSE

Number:		Type:	012 RESTAURANT
Name:	FEDERICO'S MEXICAN FOOD		
State:	Pending		
Issue Date:		Expiration Date:	
Original Issue Date:			
Location:	2455 N PEBBLE CREEK PARKWAY GOODYEAR, AZ 85395 USA		
Mailing Address:	530 E MCDOWELL ROAD #107-241 PHOENIX, AZ 85004 USA		
Phone:	(480)257-3255		
Alt. Phone:	(480)353-8035		
Email:	LICENSING@AAICLIQUOR.COM		

AGENT

Name:	JESUS MANUEL ALTAMIRANO
Gender:	Male
Correspondence Address:	530 E MCDOWELL ROAD #107-241 PHOENIX, AZ 85004 USA
Phone:	(480)255-6471
Alt. Phone:	(480)353-8035
Email:	LICENSING@AAICLIQUOR.COM

OWNER

60th day
08-14-2026

Name:	LOS CUATES RESTAURANT II LLC
Contact Name:	JESUS MANUEL ALTAMIRANO
Type:	LIMITED LIABILITY COMPANY
AZ CC File Number:	L14627830 State of Incorporation: AZ
Incorporation Date:	07/09/2008
Correspondence Address:	530 E MCDOWELL ROAD #107-241 PHOENIX, AZ 85004 USA
Phone:	(480)353-8035
Alt. Phone:	
Email:	LICENSING@AAICLIQUOR.COM

Officers / Stockholders

Name:	Title:	% Interest:
LINA ELVIRA LOPEZ	Member	50.00
GUSTAVO RUBALCABA LOPEZ	Member	50.00

LOS CUATES RESTAURANT II LLC - Member

Name:	LINA ELVIRA LOPEZ
Gender:	Female
Correspondence Address:	530 E MCDOWELL ROAD #107-241 PHOENIX, AZ 85004 USA
Phone:	(623)330-3999
Alt. Phone:	(480)353-8035
Email:	LINALOPEZ2011@YAHOO.COM

LOS CUATES RESTAURANT II LLC - Member

Name:	GUSTAVO RUBALCABA LOPEZ
Gender:	Male
Correspondence Address:	530 E MCDOWELL ROAD #107-241 PHOENIX, AZ 85004 USA
Phone:	(623)330-3999
Alt. Phone:	
Email:	

MANAGERS

Name:	YULISSA LOPEZ MARTINEZ
Gender:	Female
Correspondence Address:	530 E MCDOWELL ROAD #107-241 PHOENIX, AZ 85004 USA
Phone:	(623)755-5751
Alt. Phone:	
Email:	YULISSAMARTINEZL97@GMAIL.COM

APPLICATION INFORMATION

Application Number: 400984
Application Type: New Application
Created Date: 05/28/2026

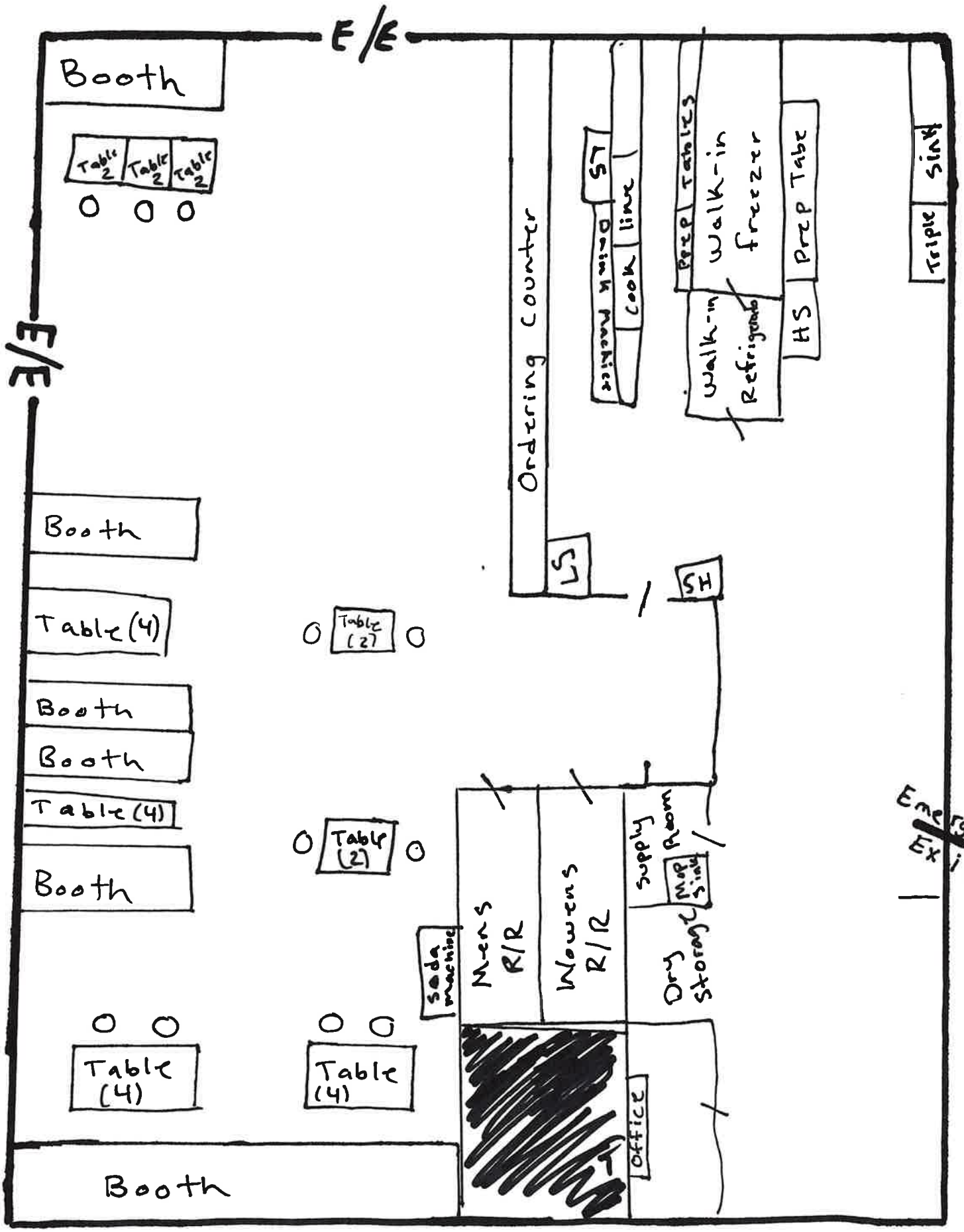
QUESTIONS & ANSWERS

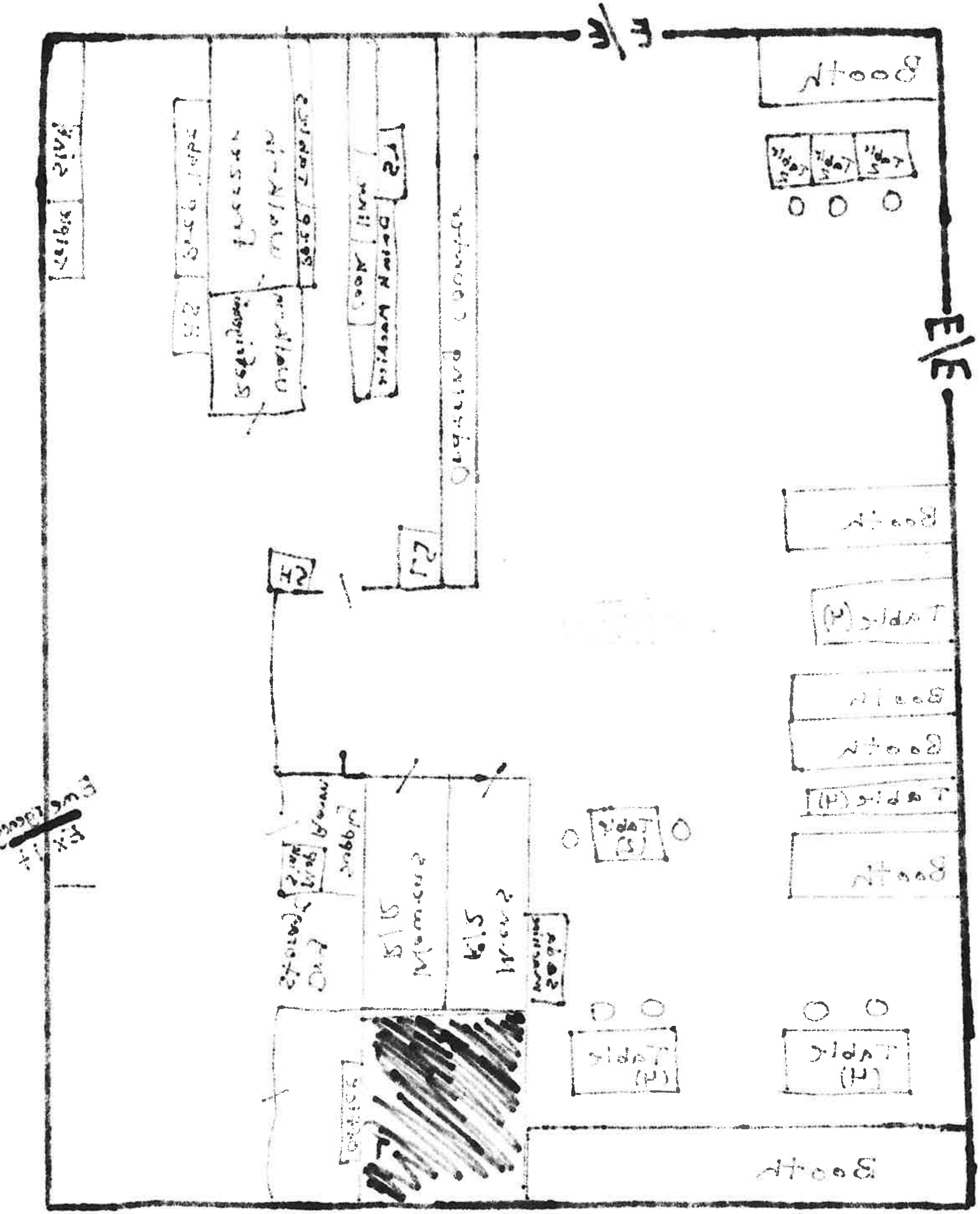
012 Restaurant

1) Are you applying for an Interim Permit (INP)?
   No
2) Are you one of the following? Please indicate below.
   Property Tenant
   Subtenant
   Property Owner
   Property Purchaser
   Property Management Company
   PROPERTY OWNER
3) Is there a penalty if lease is not fulfilled?
   No
4) Is the Business located within the incorporated limits of the city or town of which it is located?
   Yes
5) What is the total money borrowed for the business not including the lease?
   Please list each amount owed to lenders/individuals.
   ZERO
6) Are there walk-up or drive-through windows on the premises?
   No
7) Does the establishment have a patio?
   Yes
   Is the patio contiguous or non-contiguous (within 30 feet)?
   CONTIGUOUS PATIO
8) Is your licensed premises now closed due to construction, renovation or redesign or rebuild?
   No
9) What type of business will this license be used for?
   RESTAURANT

2,100 Sq Ft

28-MAY '26 AM08:20




E/E
Booth
Table
Table
Table
Booth
Table (4)
Booth
Booth
Table (4)
E/E
Booth
Table (3)
Table (4)
Table (4)
Booth

28-MAY '26 AM08:22

Arizona Department of Liquor Licenses and Control
https://www.azliquor.gov
(602) 542-5141

DLLC USE ONLY	
Job #:	400984
Date Accepted:	5-28-26
LC:	52
License #:	

RESTAURANT OPERATION PLAN

RESTAURANT SERIES 12 AND
HOTEL/MOTEL SERIES 11 ONLY

1. Name of restaurant (Please print): FEDERICO'S MEXICAN FOOD

2. Must indicate the equipment below by Make, Model, and Capacity:

LIST ONLY THE FOLLOWING - NO ATTACHMENTS

Grill	STRATUS FLAT TOP, FORT RESS 4 BURNER GAS STOVE,1 SOUTHBEND CHARBROILER ,1 SERV WARE CHARBROILER GAS 48"W
Oven	
Freezer	Walk in 72'x72'x79"
Refrigerator	Walk in 96'x120'x91", 1 true double door refrigerator
Sink	2 hand sink,1 mop sink
Dish Washing Facilities	1 Triple sink
Food Preparation Counter (Dimensions)	2 Kelvinator refrigerated prep tables 96'x120'x91'
Other	2 Ice maker, 2 pespi soda machines, 2 Lipton tea machine,1 koolmore 6 salsa comparment,1 Crathco fountain drink machine,1 vitamix blender

3. Attach a copy of your FULL menu with pricing **INCLUDING NON-ALCOHOLIC BEVERAGES**

4. What percentage of your public premises is used primarily for restaurant dining?

(Do not include kitchen, bar, hi-top tables, or game area.) 80 %

5. Does your restaurant have a bar area that is distinct and separate from the dining area? ☐ YES ☑ No

(If yes, what percentage of the public floor space does this area cover?) _____ %

6. List the seating capacity for:

a) Restaurant dining area of your premises: [26]
(DO NOT INCLUDE PATIO SEATING)

b) Bar area [+ 0]

TOTAL [= 26]

28-MAY '26 AM08:22

7. What type of dinnerware is primarily used in your restaurant? ☐ Reusable ☑ Disposable ☐ Both

8. Does your restaurant contain any **games, televisions, or any other entertainment**? ☐ Yes ☑ No
If yes, specify what types and how many (examples: 4-TV's, 2-Pool Tables, 1-Video Game, etc.)

9. Do you have live entertainment or dancing? ☐ Yes ☑ No
If yes, what type and how often (example: DJ-2 x a week, Karaoke-2 x a month, Live Band-1 x a month, etc.)

10. List number of employees for each position:

Position	How many
Cooks	3
Bartenders	0
Hostesses	0
Managers	1(YULISSA LOPEZ MARTINEZ)
Servers	3
Other (Disherwasher)	2
Other ( )	
Other ( )	

I, (Print Full Name) JESUS MANUEL ALTAMIRANO **, hereby swear under penalty of perjury and in compliance with A.R.S. § 4-210(A)(2) and (3) that I have read and understand the foregoing and verify that the information and statements that I have made herein are true and correct to the best of my knowledge.**

Applicant Signature: Jesus Manuel Altamirano

28-MAY '25 AM08:21

Arizona Department of Liquor Licenses and Control
https://www.azliquor.gov
(602) 542-5141

DLLC USE ONLY	
Job #:	400984
Date Accepted:	5-28-26
LC:	
License #:	

RECORDS REQUIRED FOR AUDIT
RESTAURANT/HOTEL/MOTEL

In the event of an audit, you will be asked to provide to the Department any documents necessary to determine Compliance with A.R.S. §4-205.02(G). Such documents requested may include however, are not limited to:

1. *Name of restaurant (Please print):* FEDERICO'S MEXICAN FOOD
2. All invoices and receipts for the purchase of food and spirituous liquor for the licensed premises.
3. A list of ***all*** food and liquor vendors
4. The restaurant menu used during the audit period
5. A price list for alcoholic beverages during the audit period
6. Mark-up figures on food and alcoholic products during the audit period
7. A recent, ***accurate*** inventory of food and liquor (taken within two weeks of the Audit Interview Appointment)
8. Monthly Inventory Figures - beginning and ending figures for food and liquor
9. Chart of accounts (copy)
10. Financial Statements-Income Statements-Balance Sheets
11. **General Ledger**
    - A. Sales Journals/Monthly Sales Schedules
      - 1) Daily sales Reports (to include the name of each waitress/waiter, bartender, etc. with sales for that day)
      - 2) Daily Cash Register Tapes - Journal Tapes and Z-tapes
      - 3) Dated Guest Checks
      - 4) Coupons/Specials/Discounts
      - 5) Any other evidence to support income from food and liquor sales
    - B. Cash Receipts/Disbursement Journals
      - 1) Daily Bank Deposit Slips
      - 2) Bank Statements and canceled checks
12. **Tax Records**
    - A. Transaction Privilege Sales, Use and Severance Tax Return (copies)
    - B. Income Tax Return - city, state and federal (copies)
    - C. Any supporting books, records, schedules or documents used in preparation of tax returns

Individuals requiring ADA accommodations please call (602)542-2999

28-MAY '26 AM08:21

13. **Payroll Records**

A. Copies of all reports required by the State and Federal Government

B. Employee Log (A.R.S. §4-119)

C. Employee time cards (actual document used to sign in and out each workday)

D. Payroll records for all employees showing hours worked each week and hourly wages

14. **Off-site Catering Records** (must be complete and separate from restaurant records)

A. All documents that support the income derived from the sale of food off the license premises.

B. All documents which support purchases made for food to be sold off the licensed premises.

C. All coupons/specials/discounts

The sophistication of record keeping varies from establishment to establishment. Regardless of each licensee's accounting methods, the amount of gross revenue derived from the sale of food and liquor must be substantially documented.

REVOCATION OF YOUR LIQUOR LICENSE MAY OCCUR IF YOU FAIL TO COMPLY WITH A.R.S. §4-210(A)7 AND A.R.S. §4-205.02(G).

A.R.S. §4-210(A) 7
The licensee fails to keep for two years and make available to the department upon reasonable request all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of spirituous liquors and, in the case of a restaurant or hotel-motel licensee, all invoices, records, bills or other papers and documents relating to the purchase, sale and delivery of food.

A.R.S. §4-205.02(M)
For the purpose of this section:

Restaurant: an establishment that derives **at least forty percent (40%)** of its gross revenue from the sale of food

Gross revenue: the revenue derived from all sales of food and spirituous liquor on the licensed premises regardless of whether the sales of spirituous liquor are made under a restaurant license issued pursuant to this section or under any other license that has been issued for the premises pursuant to this article.

Declaration:

I, (Print Name) JESUS MANUEL ALTAMIRANO, declare under penalty of perjury that I am authorized to submit this application. I have read the contents and to the best of my knowledge believe all statements made on this application to be true, correct, and complete.

Signature: Jesus Manuel Altamirano

MAKE A COPY OF THIS DOCUMENT AND KEEP IT WITH RECORDS REQUIRED BY THE STATE

28-MAY '26 AM08:22

FEDERICO'S MEXICAN FOOD MENU

Combo Plates (served with rice & beans)

- Carne Asada Plate: $16.29
- Two Carne Asada Burritos: $19.29
- Two Beef Tacos: $14.99
- Burrito & Enchilada Plate: $14.99
- Carnitas Plate: $17.09
- Adobada Plate: $19.04
- Four Rolled Tacos with Guacamole: $14.99
- Chimichanga Plate: $16.79
- Pollo Asado Plate: $15.49

Breakfast Burritos (All Day)

- Chorizo Special: $11.99
- Steak & Egg Burrito: $14.29
- Bacon Burrito: $11.99
- Machaca Burrito: $9.49
- Ham, Cheese & Pico Burrito: $11.99

Burritos

- Adobada Burrito: $14.99
- Green Chile Burrito: $14.29
- Arizona Burrito: $13.19
- Shrimp Burrito: $14.99
- Bandido Burrito: $13.79
- Texan Burrito: $11.69

- Carnitas Tostada: $6.99
- Carne Asada Tostada: $7.99

Specials and Sides

- Super Nachos: $18.09
- Half Super Nachos: $14.99
- Carne Asada Fries: $17.99
- Chips with Guacamole: $8.99
- Small Side Guacamole (3 oz): $1.69
- Small Side Cheese, Sour Cream, or Pico (3 oz): $1.69 each

Kids Meals

- Jr. Bean & Cheese Burrito with fries: $7.99
- Kids 2 Mini Tacos with fries: $7.99
- Kids 6 Chicken Nuggets with fries: $7.99

Desserts

- Tres Leches Cake: $4.29
- Flan: $4.29
- Churros (Plain, Vanilla, or Strawberry Filling): $2.00 each

Beverages

- Medium Soda: $3.99
- Large Soda: $4.99
- Mexican Juices (Jamaica, Horchata, Watermelon, Cucumber, Pineapple): $3.99–$6.99

28-MAY '26 AM08:22

- Chicken Fajitas Burrito: $12.09
- Mixed Fajitas Burrito: $14.49

Tacos

- Carne Asada Taco: $6.69
- Carnitas Taco: $5.99
- Adobada Taco: $5.99
- Beef Taco: $4.49
- Chicken Taco: $4.49
- Pollo Asado Taco: $5.89
- Fish Taco: $5.89
- Shrimp Taco: $6.69

Quesadillas

- Cheese Quesadilla: $7.49
- Carne Asada Quesadilla: $15.49
- Shrimp Quesadilla: $15.49
- Mar y Tierra Quesadilla (steak & shrimp): $18.19
- Pollo Asado Quesadilla: $12.99

Tortas

- Carne Asada Torta: $13.09
- Chicken Torta: $12.09
- Carnitas Torta: $13.09
- Adobada Torta: $13.09
- Fish Torta: $11.99

Tostadas

- Beef Tostada: $6.39
- Chicken Tostada: $6.39

Liquor Licenses within One Mile – FEDERICO'S MEXICAN FOOD

Applicant Address: 2455 N. PEBBLECREEK PKWY, GOODYEAR AZ, 85395

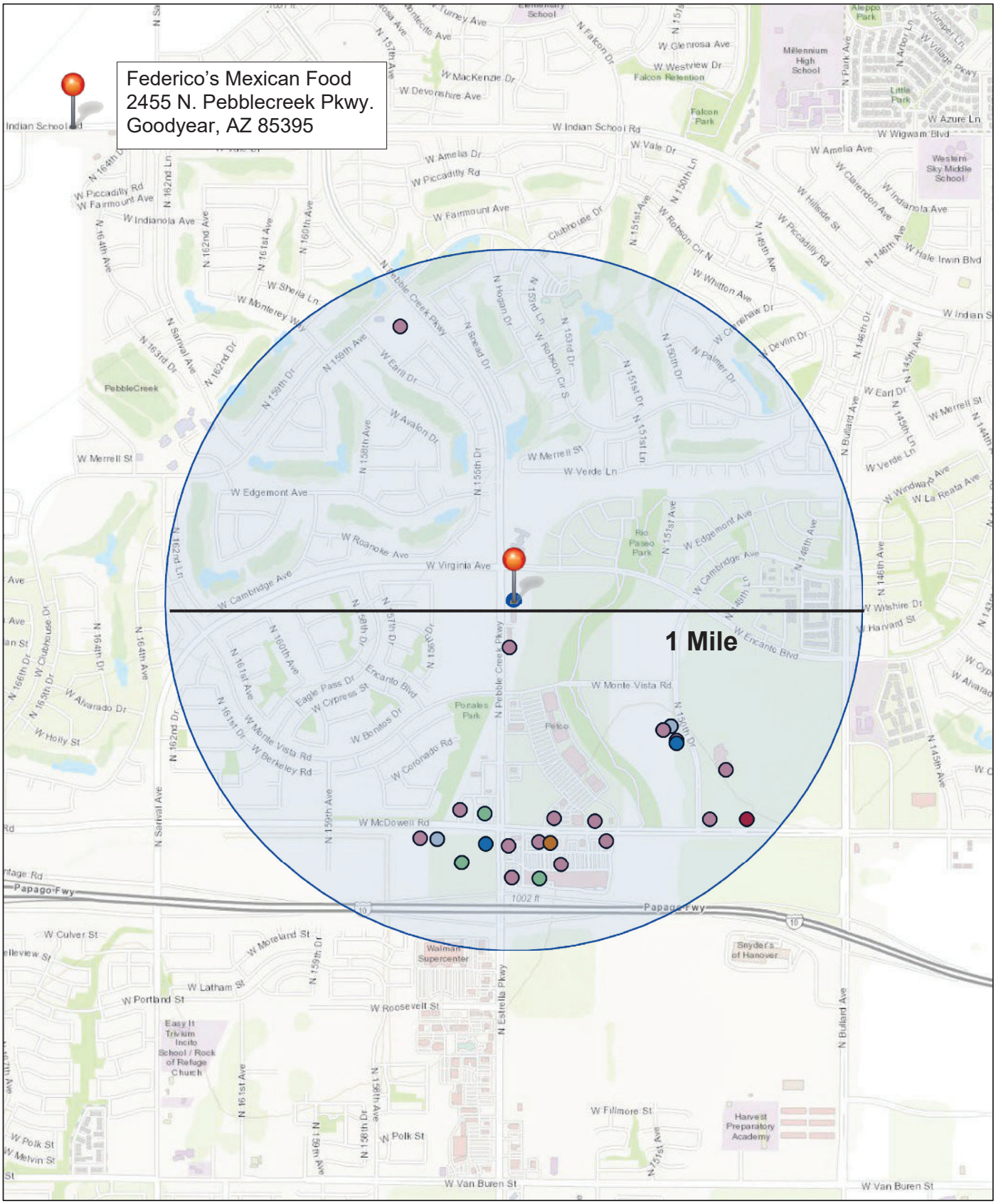
Liquor Establishments			
Business Name	**Address**	**Distance from Applicant Address**	**License Series**
OVER EASY	1845 N GLOBE DR.	3,002.33 ft.	12
SHAKE SHACK #1515	1675 N GLOBE DR.	3,002.33 ft.	12
HIGH TIDE	1845 N GLOBE DR. BLDG.	3,002.33 ft.	12
SPITZ MEDITERRANEAN STREET FOOD	2015 N GLOBE DR.	3,047.50 ft.	12
CLASSIC & FANCY NAIL SPA	2015 N GLOBE DR.	3,047.50 ft.	UNL
THE STILLERY	1971 N GLOBE DR. BLDG.	3,252.20 ft.	12
WALGREENS #12334	1654 N PEBBLE CREEK PKWY.	3,252.72 ft.	10
CHIPOTLE MEXICAN GRILL #5637	15600 W MCDOWELL RD.	3,272.56 ft.	12
COPPER & SAGE GSQ	1975 N GLOBE DR.	3,274.85 ft.	12
BACCHUS WINE BAR	1975 N GLOBE DR.	3,274.85 ft.	7
ARRIBA MEXICAN GRILL	15370 W MCDOWELL RD.	3,347.69 ft.	12
OREGANO'S PIZZA BISTRO	15280 W MCDOWELL RD.	3,544.82 ft.	12
OLIVE GARDEN ITALIAN RESTAURANT #1773	15411 W MCDOWELL RD.	3,668.01 ft.	12
RUBIO'S FRESH MEXICAN GRILL #225	15479 W MCDOWELL RD.	3,698.32 ft.	12
CIRCLE K STORE #9528	15535 W MCDOWELL RD.	3,698.58 ft.	9
POPO'S FIESTA DEL SOL	15375 W MCDOWELL RD.	3,705.71 ft.	12, CTG
ROCK N ROLL SUSHI	15611 W MCDOWELL RD.	3,778.74 ft.	12
INSTACUTZ BARBER LOUNGE	15611 W McDOWELL RD.	3,778.74 ft.	UNL
BABBO ITALIAN EATERY	15705 W MCDOWELL RD.	3,857.20 ft.	12
TEXAS RD.HOUSE	15255 W MCDOWELL RD.	3,885.64 ft.	12
WINCO FOODS #130	15581 W MCDOWELL RD.	4,035.72 ft.	9, 9S
RED LOBSTER #6342	15311 W MCDOWELL RD.	4,045.00 ft.	12
HARKINS THEATRES AT ESTRELLA FALLS	15010 W MCDOWELL RD.	4,094.60 ft.	12
AH-SO SUSHI & STEAK	15475 W MCDOWELL RD.	4,192.07 ft.	12
BARRO'S PIZZA	15475 W MCDOWELL RD.	4,192.07 ft.	12
BEVMO	15405 W MCDOWELL RD.	4,225.66 ft.	9, 9S
CHEDDARS SCRATCH KITCHEN	15030 W MCDOWELL RD.	4,440.85 ft.	12
ROBSON RESERVE AT PEBBLECREEK	15833 W CLUBHOUSE DR.	4,471.19 ft.	12
BJ'S RESTAURANT & BREWHOUSE	14950 W MCDOWELL RD.	4,823.67 ft.	12, 12G
AKAIHANA SUSHI & GRILL	2293 N PEBBLE CREEK PKWY	719.72 ft.	12

Schools		
Business Name	**Address**	**Distance from Applicant Address**

Series Legend

Series 1 In-State Producer
Series 3 Microbrewery
Series 4 Wholesaler
Series 5 Government
Series 6 Bar (All Liquor)
Series 7 Beer & Wine Bar
Series 8 Conveyance
Series 9 Liquor Store (All Liquor)
Series 10 Beer & Wine Store
Series 11 Hotel-Motel
Series 12 Restaurant
Series 13 Domestic Farm Winery
Series 14 Private Club
Series 15 Special Event Liquor
Series 16 Wine Festival

Evaluation Map – Federico's Mexican Food



6/16/2026, 3:02:39 PM

Liquor Licenses

- Beer and Wine Bar
- Beer and Wine Store
- Cocktails To Go
- Liquor Store
- Liquor Store Sampling
- Restaurant
- Restaurant Growler
- Other
- Schools

1:19,784

0 0.17 0.35 0.7 mi

0 0.3 0.6 1.2 km

City of Goodyear, Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, USGS, METI/NASA, EPA, USDA

ITEM #: 5.
DATE: 07/06/2026
AI #:3321

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF BUDGET AMENDMENTS & RELATED EXPENDITURE AUTHORITY

STAFF PRESENTER(S): Ryan Bittle, Deputy Finance Director

SUMMARY

Approval of Budget Amendments.

STRATEGIC PLAN ALIGNMENT

Fiscal Resource Management

RECOMMENDATION

Approval of budget amendments, related expenditure authority, and the administrative award authority for expenditures exceeding $500,000. (Ryan Bittle, Deputy Finance Director)

FISCAL IMPACT

Fiscal impacts are outlined in the attached report. The citywide budget total remains unchanged within the Adopted State Expenditure Limitation.

BACKGROUND AND PREVIOUS ACTIONS

Budget amendments requiring City Council approval are presented as necessary throughout the year. The FY2026 expenditure limitation budget was adopted on June 9, 2025, and the FY2026 Expenditures for Administrative Award was approved on May 19, 2025.

STAFF ANALYSIS

Budget transfers are permitted by Arizona Revised Statute 42-17106(B), which provides authorization for cities and towns to exceed expenditures in a budget item after final adoption of a city/town budget by transferring appropriations between budget items. All budget transfers are completed within city policy established by Resolution 2022-2256. Review of budget transfers keeps the Council and public informed about the city's current fiscal year revenues and expenditures. The Budget Amendment Report is included as Attachment A. If applicable, the revised items from the FY2026 Expenditures for Administrative Award are included in Attachment A.

Attachments

Attachment A - Budget Amendment Report

City Council - Budget Amendments Report - FY2026

Council Agenda Date: 7/6/2026

Date	Transfer Journal No.	Reason Needed	Amount	Ultimate Fund(s) Affected; Explanation	Funding From	Funding To
6/15/2026	649	Use of one-time fund balance to fulfill the city's commitments and ensure compliance with the reimbursements tied to the Westcor (formerly Macerich) development agreement related to sales tax reimbursement from business activity in the Goodyear Centerpoint and Estrella Falls Markets. The increase will cover remaining Q3 and Q4 payments.	$1,800,000		Unallocated Fund Balance	Non-Dept General Fund
6/23/2026	69	Use of FY27 one-time DEA Equitable Sharing Program funds to purchase night vision equipment for SAU, ballistic shields for patrol, and new badges for each officer.	$585,000		Unallocated RICO Fund Balance	PD 1-Time DEA/RICO

FY2026 Expenditures for Administrative Award (If Applicable)

Department Name

Reference	Project No.	Description	Current Amount	Proposed Increase/(Decrease)	Revised Amount
			$ -	$ -	$ -
			$ -	$ -	$ -
			$ -	$ -	$ -
			$ -	$ -	$ -

ITEM #: 6.
DATE: 07/06/2026
AI #:3347

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF LETTER OF AGREEMENT WITH KB HOME FOR REIMBURSEMENT OF CERTAIN DEVELOPMENT FEES RELATED TO THE CONSTRUCTION OF A SINGLE-FAMILY HOME

STAFF PRESENTER(S): Kini Knudson, Deputy City Manager

OTHER PRESENTER(S):
David Corley, KB Home Arizona

SUMMARY

KB Home is constructing a residential subdivision within the Ventana de Estrellas community located in Goodyear, Arizona. As part of KB Home's partnership with Building Homes for Heroes, KB Home will construct and convey a single-family home within the Ventana de Estrellas community to a qualifying U.S. military veteran and their family. In recognition of the public benefit derived from providing housing support to veterans, the city of Goodyear intends to reimburse KB Home for certain development-related fees associated with the construction of the donated home via a letter agreement (Attachment A). The reimbursement is contingent upon the successful conveyance of the home to an eligible recipient under the Building Homes for Heroes program.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve the letter of agreement to reimburse certain fees paid for a single-family home that will be conveyed to a U.S. military veteran as part of the Building Homes for Heroes program and provide authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Kini Knudson, Deputy City Manager)

STIPULATIONS

FISCAL IMPACT

The city will use the City Council's special project budget for fiscal year 2027 to reimburse KB Home $21,525 in fees paid to the city. The city will reimburse KB Home:

- Permit Fees totaling $4,554;
- Water Meter Fees totaling $563; and
- Development Impact Fees totaling $16,408.

BACKGROUND AND PREVIOUS ACTIONS

Building Homes for Heroes is a national nonprofit organization that builds, modifies, and gifts homes at no cost to injured and disabled veterans and their families. KB Homes is a major residential developer in Goodyear and surrounding communities, and has a partnership with Building Homes for Heroes to donate a newly constructed home to an eligible veteran. In this instance, KB Homes is constructing a single-family residential lot identified as Lot 276 within the residential subdivision of Ventana de Estrellas, in Goodyear, Arizona specifically for donation. The construction process requires payment of standard building permit fees, water meter fees, and development impact fees to the city.

To support the partnership and recognize the benefit, the city has determined that reimbursement of these fees is appropriate and consistent with past cooperative efforts to assist veteran housing initiatives.

There are no previous Council actions associated with this letter agreement and reimbursement request.

STAFF ANALYSIS

Staff recommends that the Council authorize the City Manager or designee to execute an agreement with KB Homes providing for reimbursement of eligible fees associated with the construction of a single-family home donated through the Building Homes for Heroes program, subject to the terms outlined in this report.

Attachments

Attachment A - Letter Agreement

City of Goodyear
City Manager's Office

May 28, 2026

KB Home, Phoenix Division
56 South River Drive, Suite 250
Tempe, AZ 85288

Attention: David Corely, Vice President of Finance

RE: Building Homes for Heroes; Fee Reimbursement

Dear David:

This Letter Agreement ("Agreement") is entered into by and between the City of Goodyear ("City") and KB Home Phoenix Inc., an Arizona corporation ("KB Home").

KB Home is developing residential property within the Ventana de Estrellas community located in Goodyear, Arizona (the "Community") and is partnering with Building Homes for Heroes Inc. to construct and provide a residential home within the Community to a military veteran and their family. In consideration of the public benefit associated with providing homes to veterans, the City desires to reimburse certain fees paid by KB Home, subject to the terms and conditions set forth herein.

The property subject to this Agreement shall be the single-family residential lot identified as Lot 276 within the residential subdivision of Ventana de Estrellas, in Goodyear, Arizona, with Maricopa County Assessor's Parcel Number 502-42-563 ("Property").

KB Home shall construct a single-family home on the Property and convey the Property to an eligible recipient through the Building Homes for Heroes program and in accordance with this Agreement. Subject to compliance with this Agreement, the City agrees to reimburse KB Home building permit fees, water meter fees and development impact fees actually paid by KB Home to the City in connection with development of the Property. The City's reimbursement of funds is expressly conditioned upon the Property being conveyed to a qualifying recipient through the Building Homes for Heroes program and shall not apply to any other lot, unit, phase, or single-family home within the Community.

City shall initiate reimbursement to KB Home for: building permit fees in the amount of Four Thousand Five Hundred Fifty-Four Dollars ($4,554.00); water meter fees in the amount of Five Hundred Sixty-Three Dollars ($563.00); and development impact fees in the amount of Sixteen Thousand Four Hundred Eight Dollars ($16,408.00) within thirty (30) days after City Council approval of this Agreement. The total reimbursement

amount paid by the City to KB Home shall not exceed Twenty-One Thousand Five Hundred Twenty-Five Dollars ($21,525.00).

After issuance of a certificate of occupancy for the single-family residence constructed on the Property, the City may request documentation from KB Home demonstrating that the Property was conveyed to a qualifying recipient through the Building Homes for Heroes program. KB Home shall provide the requested documentation within thirty (30) days after receipt of the City's written request. If KB Home fails to provide the requested documentation within such thirty (30) day period, KB Home shall reimburse the City for the full amount of the reimbursement previously paid by the City to KB Home.

This Agreement constitutes the entire agreement between the parties regarding the subject matter herein and supersedes all prior discussions or understandings. This Agreement is effective as of the date last signed below ("Effective Date") by and between the City and KB Home.

CITY OF GOODYEAR,

an Arizona municipal corporation

By: _____

Name: Bryan Langley

Title: City Manager

Date: June 22, 2026

KB HOME PHOENIX INC.,

an Arizona corporation

By: _____

Name: DAVID CORLEY

Title: VICE PRESIDENT

Date: 6.4.2026

ITEM #: 7.
DATE: 07/06/2026
AI #:3384

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF INTERGOVERNMENTAL AGREEMENT (IGA) WITH THE CITY OF BUCKEYE FOR EMERGENCY COMMUNICATIONS AND DISPATCHING BACKUP SERVICES

STAFF PRESENTER(S): Brian Issitt, Chief of Police

SUMMARY

The IGA with the city of Buckeye is to establish a reciprocal backup system for 9-1-1 functions.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve the IGA with the city of Buckeye for Emergency Communications and Dispatching Services, and provide authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Brian Issitt, Chief of Police)

FISCAL IMPACT

The Police Department's current general fund base budget includes all dispatch costs. Each city remains financially responsible for its own staffing, equipment, and internal resources when providing or receiving backup communications services.

BACKGROUND AND PREVIOUS ACTIONS

Both the city of Goodyear and the city of Buckeye operate their own 9-1-1 emergency communications and dispatching centers. The two cities have operated with an informal agreement for several years. The IGA formalizes an arrangement in which each city will temporarily answer and process the other's 9-1-1 calls during incidents that render either center unable to function, including natural or man-made disasters, equipment failures, sabotage, planned maintenance, or training.

The IGA establishes the authority for each city to support the continuity of emergency communications for the other by receiving transferred 9-1-1 calls and, if needed, providing temporary workspace within their communications facilities until normal operations are restored.

STAFF ANALYSIS

The proposed IGA creates a structured and collaborative framework to maintain uninterrupted 9-1-1 call-taking and dispatching services for both the city of Goodyear and the city of Buckeye. The IGA establishes the authority for each city to act on behalf of the other, outlines the notification and call-transfer procedures for both scheduled and unscheduled events, and specifies that each party retains responsibility for its own operational costs.

The agreement also incorporates operational safeguards that will be implemented by each city, including maintaining contact lists, ensuring electronic keycard access for emergency operations, and requiring both cities to develop a mutually agreed-upon procedural guide. The agreement includes a five-year term with an option to renew for an additional five-year term, mutually protective indemnification language, workers' compensation provisions, nondiscrimination compliance, and requirements for proper notice of termination.

This IGA enhances regional emergency communications reliability, ensures continuity of operations, and supports mutual aid principles without imposing additional financial burdens beyond each agency's normal operational responsibilities.

Staff recommends approving the IGA with city of Buckeye for Emergency Communications and Dispatching Services, included as Attachment A.

Attachments

Attachment A - IGA Emergency Communications and Dispatching Services

INTERGOVERNMENTAL AGREEMENT

BETWEEN

CITY OF GOODYEAR

AND

CITY OF BUCKEYE

FOR

EMERGENCY COMMUNICATIONS AND DISPATCHING SERVICES

This Intergovernmental Agreement (Agreement) is entered into pursuant to A.R.S. §§ 11-951, et.seq. by and between City of Goodyear, a municipal corporation of the State of Arizona, and City of Buckeye, a municipal corporation of the State of Arizona, herein referred to and collectively known as the "parties" for the purpose of providing backup 9-1-1 emergency communications and dispatching services.

WHEREAS, the City of Goodyear provides emergency communications and dispatching services in and for the City of Goodyear; and

WHEREAS, the City of Buckeye also provides emergency communications and dispatching services in and for the City of Buckeye; and

WHEREAS, a 9-1-1 telephone system provides one common number to call to receive public safety assistance and is intended to assure the caller that his/her request for assistance will be answered and that the appropriate emergency response agency will be notified as a result of dialing 9-1-1; and

WHEREAS, the parties desire to formalize an arrangement whereby 9-1-1 calls are properly routed during specific incidents; and

WHEREAS, it is understood that in the event that 9-1-1 calls are unable to be answered by either party due to a natural or man-made disaster, sabotage, equipment malfunction or any other such cause, including but not limited to planned maintenance and training, all calls will be routed to the other party.

NOW THEREFORE, the parties agree as follows:

I. General Purpose and Authority

The purpose of this Agreement is to ensure the continuity of emergency communications related to 9-1-1 calls during periods of emergency or planned maintenance/training events in which either party is temporally unable to provide for its own communications at its primary facility. Under this Agreement, each party will temporarily provide emergency communication services on the other party's behalf and if needed will also provide space within its communications facility for the other party to operate emergency communications until normal service can be restored.

II. Conditions

A. The services provided as a result of this Agreement are considered services to the general public and this Agreement shall not be construed to create an employer-employee, principal-agent or co-partnership relationship between the parties.

B. The cost of operating each respective agency shall remain the responsibilities of the respective parties.

C. Each party to this Agreement has limited resources and may not be able to provide backup service at the same level as the initiating party during the temporary service period. Neither party makes any guarantees or warranties of any kind to the other regarding the level of service.

D. Both parties will continually maintain and provide to each respective party a list of primary contact numbers and any other additional information to facilitate the intent of this agreement. Within thirty (30) calendar days of the execution of this agreement, each party agrees to supply the other with a list of names and contact information for supervisors at their respective facilities. The parties should review primary contact information on a quarterly basis to ensure primary contact information is current and accurate. Any changes to contact information should be forwarded to the other party as soon as possible throughout the term of this Agreement.

E. Both parties agree to implement electronic keycard access to each other's facilities for purposes of this agreement.

F. Both parties agree and understand that they are bound by their own departmental policies and procedures while operating in an emergency capacity.

G. Both parties agree to develop and implement a mutually agreed upon procedure guide to make available to their employees in the event an emergency is declared.

III. Procedures

In the event an emergency occurs that results in the inability of either party to provide emergency communications, dispatching, and/or response to 9-1-1 calls at its own facility, backup communications services shall be provided by the other party as follows:

A. Scheduled Routine Maintenance or Training

1. The party contemplating a scheduled routine maintenance or training event (Scheduled Party) shall provide notice to the other party no less than 24 hours prior to the Scheduled Party need for emergency communications and dispatch services including 9-1-1 backup services.
2. The notification shall be in the form of both a written email communication to the other party from the Scheduled Party and a follow-up telephone call from the Scheduled Party to the other party.
3. After providing notice and at the scheduled time, the Scheduled Party will switch calls to the other party and upon the switchover the other party shall, to the extent of its abilities and resources, temporarily provide emergency communications and dispatch services consisting of the following:
    a. Receiving 9-1-1 calls and routine calls for law enforcement response generally served by the other party.
    b. Upon notice of the completion of the scheduled event, emergency communications and dispatch services shall be switched back to the Scheduled Party and the other party shall discontinue any emergency call services on behalf of the Scheduled Party.

B. Non-Scheduled Events/Emergencies

1. The party experiencing a non-scheduled emergency (Emergency Party) event shall contact the other party and notify the other person of the non-scheduled emergency event and the inability to provide services as soon as practicable.
    a. The emergency notification shall be from the City that is declaring the emergency to the other city.

b. Once notification is made, the officer in charge in the non-emergency City shall notify the dispatch supervisor of said emergency and all appropriate departmental notifications and preparations shall commence.

c. In the event of simultaneous emergencies, no party shall be obligated to allow the other access to their facility.

d. The parties shall identify the appropriate contact persons to notify during the emergency in the lists provided pursuant to Section II(D) of this agreement.

2. If feasible, the notification shall be in the form of both a written email communication to the other party from the Emergency Party and a follow-up telephone call from the Emergency Party to the other party.

3. The Emergency Party will switch calls to the other party and upon the switchover the other party shall, to the extent of its abilities and resources, temporarily provide emergency communications and dispatching services consisting of the following:

   a. Receiving 9-1-1 calls for law enforcement response generally served by the other party.

   b. Upon notice of restoration of normal emergency communications services at the Emergency Party's primary facility, communications shall be switched back to the Emergency Party and the other party shall discontinue any emergency call services on behalf of the Emergency Party.

   c. Allow access to the telecommunication building for the Emergency Party's employees to use as a temporary facility until normal operations can be restored at their regular facility.

IV. Term

The term of this Agreement shall be five years from the date the agreement is executed by the parties hereto. The Agreement may be renewed for an additional five five-year term upon agreement by both parties with written notice at least 60 days prior to the expiration of the initial five (5) year term.

Notwithstanding any other provision, either party may terminate this agreement by providing written notice to the other party of its intent to terminate; such notice of termination shall be given not less than sixty (60) days prior to the intended termination date.

V. Mutual Indemnity

Each Party (as "indemnitor") will indemnify, defend and hold harmless the other Party and its agents, officials and employees from liability from all claims, losses, liability, costs, or expenses (including reasonable attorney's fees) (hereinafter collectively referred to as "claims") arising out of the negligent performance of this Agreement, but only to the extent that such claims result in vicarious/derivative liability to the indemnitee are cause by the act, omission, negligence, misconduct, or other fault of the indemnitor, its officers , officials, agents, employees, or volunteers.

Each party shall indemnify, defend, and hold the other harmless from any and all costs, expenses, liability, losses, claims, suits, and proceedings of any nature brought against the other by reason of the indemnifying party's acts or omissions, provided the same does not arise out of any negligence, breach of warranty or other breach of duty by the indemnified party.

VI. Worker's Compensation

Pursuant to A.R.S. §23-1022(D), for the purposes of workers' compensation coverage, all employees of each Party covered by this Agreement shall be deemed to be an employee of all Parties. The parent agency shall be solely liable for payment of worker's compensation benefits.

VII. Entire Agreement

This Agreement contains all terms and conditions between the parties relating to the rights and obligations herein granted. Any modifications concerning this Agreement shall be of no force and effect unless in writing and executed by all parties.

VIII. Assignment

Neither Party may assign its rights or obligations under this Agreement without the prior written consent of the other Party, which consent may be granted or withheld in the discretion of the Party of whom the request is made.

IX. Non-Discrimination

The parties will comply with all applicable state and federal laws, rules, regulations, and executive orders governing equal employment opportunity, immigration, and nondiscrimination.

X. Conflict of Interest

Either party may cancel this agreement in accordance with A.R.S. § 38-511.

XI. Governing Law

The laws of the State of Arizona shall govern this Agreement. Venue will be in the Maricopa County Superior Court. In the event of any litigation or arbitration arising out of this Agreement, the substantially prevailing Party in such litigation or arbitration shall be entitled to recover its reasonable attorney fees, expert witness fees and other costs of litigation.

XII. Notices

All notices shall be sent to the Chief of Police of their respective agencies with a courtesy copy sent to the City Attorney's Office for each City. Electronic mail is preferred with a follow-up copy to be sent via USPS.

We, the undersigned, as authorized representative of the named Party and Agency, do hereby approve this document. IN WITNESS WHEREOF, the parties hereto have executed this IGA as of the date of the last signature set forth below (the "Effective Date").

CITY OF BUCKEYE, an Arizona municipal corporation

_____

Doug Sandstrom, City Manager

Date: _____

ATTEST: _____

Lucinda Aja, Buckeye City Clerk

INTERGOVERNMENTAL AGREEMENT DETERMINATION

In accordance with A.R.S. §11-952, this Agreement has been reviewed by the undersigned who determined that this Agreement is in appropriate form and is within the powers and authority of the respective parties.

City of Buckeye

By: _____

Tosca Henry, City Attorney

City of Goodyear

By: _____

Bryan Langley, City Manager

Date: _____

ATTEST: _____

Jasmine Pernicano, Goodyear City Clerk

INTERGOVERNMENTAL AGREEMENT DETERMINATION

In accordance with A.R.S. §11-952, this Agreement has been reviewed by the undersigned who determined that this Agreement is in appropriate form and is within the powers and authority of the respective parties.

City of Goodyear

By: _____

Roric Massey, City Attorney

Date: _____

ITEM #: 8.
DATE: 07/06/2026
AI #:3399

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE ARIZONA 9-1-1 PROGRAM FUNDING ASSISTANCE AGREEMENT

STAFF PRESENTER(S): Brian Issitt, Chief of Police

SUMMARY

The Arizona Department of Administration (ADOA) has established a reimbursement program for cities to offeset the costs of 9-1- 1 services. The Police Department is seeking funding for the AT&T contract for equipment, service, and Next Generation 9-1-1 data networking.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve the Arizona 9-1-1 Program Funding Assistance Agreement with the Arizona Department of Administration, and provide authorization and direction to the Mayor, or their designee, to execute all documents relating to the grant agreement and approve the required budget transfer (if Grant Funds are awarded). (Brian Issitt, Chief of Police Chief)

FISCAL IMPACT

Ongoing State 9-1-1 funding costs of $213,501 to fund AT&T services and other administrative costs. The ADOA will be reimbursing agencies through a grant process, 65% of costs from ADOA, resulting in approximately $82,198 to be funded out of the Police Department FY27 general fund base budget.

BACKGROUND AND PREVIOUS ACTIONS

The Maricopa Association of Governments (MAG) initiated a 911 Study Committee chose to migrate the valley telecommunications centers from MR911 to the State Emergency Services Internet Protocol network (ESINet) through a contract with AT&T, approving this move on January 31, 2024. On March 4, 2024, Council approved the migration to the State 9-1-1 system and approved grant funding from the ADOA. The grant reimburses the city for funding that it is required to pay AT&T directly. Reimbursements are submitted through the ADOA grant process. The grant will be managed through the ADOA grant portal (eCivis) with monthly reporting requirements and reimbursement requests. The grant process will be renewed annually. The ADOA grant is awarded annually to support the 9-1-1 services.

STAFF ANALYSIS

The AT&T contract complies with all federal standards and provides the needed technologies to provide continuous emergency services, enhanced technology, and greater redundancy. The ADOA administers the Emergency Telecommunications Services Revolving Fund for 9-1-1 with the MAG committee process being utilized to make recommendations through the Regional Council to ADOA for equipment and funding decisions. ADOA is implementing a grant reimbursement model for funding the State 9-1-1 services. The grant will be managed through the ADOA grant portal (eCivis) with monthly reporting requirements and reimbursement requests. The ADOA Arizona 9-1-1 Program Funding Assistance Agreement is included as Attachment A. On April 28,2026, the Mayor conditionally authorized submission of the ADOA 9-1-1 grant to meet the May 1, 2026 submission deadline. Without approval, the city of Goodyear would not be eligible for grant funding. The terms of this agreement are from July 1, 2026 - June 30, 2027.

Attachments

Attachment A - ADOA 9-1-1 Program Funding Assistance Agreement

ARIZONA DEPARTMENT OF ADMINISTRATION

ARIZONA 9-1-1 PROGRAM

FUNDING ASSISTANCE AGREEMENT

Agreement Identification: ADOA-AZ911-27-23

Funding Type: State 9-1-1 Program Funding Assistance Agreement

Effective Date: 7/1/2026

Expiration Date: 6/30/2027

This Funding Assistance Agreement ("Agreement") is entered into by and between the State of Arizona, acting through the Arizona Department of Administration (ADOA), Arizona 9-1-1 Program ("ADOA" or "State"), and the City of Goodyear ("Recipient").

AUTHORIZATION

1. A.R.S § 41-704 authorizes the Arizona Department of Administration to administer the emergency telecommunication services revolving fund in accordance with A.R.S. 11-951; 11-952 and 41-101.01.

BACKGROUND

2. The Arizona 9-1-1 Funding Assistance Program is designed to assist Public Safety Answering Points (PSAPs), in collaboration with regional and local jurisdictions, to perform activities related to the implementation and operation of their respective 911 emergency telecommunication system.

PURPOSE OF THE AGREEMENT

3. Distribution of funding per A.R.S § 41-704, which establishes the administration of the emergency telecommunication services revolving fund.

TERM OF AGREEMENT

4. Limited to one (1) State fiscal year beginning July 1, 2026, and ending on June 30, 2027. A new agreement must be executed each fiscal year. Funding is subject to legislative appropriation and availability.

SCOPE OF SERVICES / ELIGIBLE USES OF FUNDS

5. Eligible funding assistance reimbursement costs must be specific to the state NG911 system call handling service. No additional cost reimbursement requests are eligible and will not be considered.

OBLIGATIONS OF THE PARTIES

6. Responsibilities of the Recipient:

6.1. The funding assistance Recipient agrees that the state-provided funds will be used in accordance with the approved application, applicable statutes, program rules, guidelines, and special conditions.

6.2. ADOA supports the use of these funds in accordance with ARS § 41-704 for NG911 call-handling equipment services, only for operations and maintenance.

6.3. If uncertain about eligibility, the Recipient must contact the State 9-1-1 Office in advance. Email approval constitutes written authorization.

6.4. All goods and services must be received or have reasonable expectations thereof and placed in service by the expiration date of this award.

6.5. Recipient agrees to submit financial reports to ADOA in a format provided by ADOA, documenting the activities supported by the provided funds.

6.6. Recipient understands that financial reports are required to account for expenditures for reimbursement or ADOA-approved payments. Reports are due pursuant to the schedule listed in this agreement.

6.7. Recipient agrees to pay service providers in a timely manner. Late fees on invoices will not be reimbursed by ADOA.

6.8. The final request for reimbursement of provided funds must be received by ADOA no later than forty-five (45) days after the last day of the award period.

6.9. All goods and services must be received or have reasonable expectations thereof and placed in service by the Recipient by the expiration of this award.

6.10. Recipient agrees that all encumbered funds must be expended and that goods and services must be paid within forty-five (45) days of expiration of this award.

6.11. Recipient agrees to cooperate and participate with any and all assessments, evaluation efforts or information and data collection requests.

6.12. Recipient understands that state-provided funds may not be released until Recipient is compliant with all requirements of the funding assistance agreement.

6.13. Recipient shall submit required GIS and financial reports according to the following schedule(s):

ACTIVITY REPORTS	
Report Due:	**Due Date:**
GIS Data Submissions	Quarter 1 September 30, 2026 Quarter 2 December 31, 2026 Quarter 3 March 31st, 2027 Quarter 4 June 30th, 2027

FINANCIAL REPORTS			
Report Period:	**Due Date:**	**Report Period:**	**Due Date:**
July 1 – July 31	September 4	January 1 – January 31	March 5
August 1 – August 31	October 5	February 1 – February 29	April 5
September 1 – September 30	November 5	March 1 – March 31	May 5
October 1 – October 31	December 4	April 1 – April 30	June 4
November 1 – November 30	January 5	May 1 – May 31	July 5
December 1 – December 31	February 5	June 1 – June 30	Aug 5

7. Responsibilities of the State:

7.1. It is agreed and understood that ADOA's total payment under this Agreement shall not exceed $204,000.00 in state funds.

7.2. Once ADOA approves the financial reimbursement request, payment to the Grantee will be completed within 10 business days.

7.3. State-approved funding assistance line items:

APPROVED LINE ITEM PROGRAM BUDGET	
NG911 Call Handling Services	$204,000.00
Other Costs	$0.00
Total	$204,000.00

UNIFORM TERMS AND CONDITIONS

8. Funding Assistance Administration and Operation

    8.1. Records. Under A.R.S. § 35-214 and § 35-215, the Recipient shall retain any and all Data and other "records" relating to the agreement's acquisition and performance for five (5) years after the completion of the award. All records shall be inspected and audited by the State at reasonable times. Upon request, the Recipient shall produce a legible copy of any or all such records.

    8.2. Non-Discrimination. The Recipient shall comply with State Executive Orders Nos. 2023-01 and 2009-09 and any and all other applicable Federal and State laws, rules, and regulations, including the Americans with Disabilities Act.

    8.3. Audit. Pursuant to A.R.S. § 35-214, at any time during the term of this agreement and five (5) years thereafter, the Recipient's books and records shall be subject to audit by the State and, where applicable, the Federal Government, to the extent that the books and records relate to the performance of the agreement.

    8.4. Advertising, Publishing, and Promotion of Funding Agreement. The Recipient shall not use, advertise, or promote information for commercial benefit concerning this funding agreement award without the prior written approval of ADOA.

9. Federal Immigration and Nationality Act. The Recipient shall comply with all federal, state, and local immigration laws and regulations relating to the immigration status of their employees during the term. The State shall retain the right to conduct random audits of recipients' records or to inspect the papers of any employee to ensure compliance. Should the State determine that the Recipient be found noncompliant, the State may pursue all remedies allowed by law, including, but not limited to: suspension of work, termination of the funding assistance for default, and suspension.

10. E-Verify Requirements. In accordance with A.R.S. § 41-4401, Recipient warrants compliance with all Federal immigration laws and regulations relating to employees and warrants its compliance with Section A.R.S. § 23- 214, Subsection A.

11. Availability of Funds for the Current State Fiscal Year. Should the State Legislature enter back into session and reduce the appropriations, or for any reason, and these Materials or Services are not funded, the State may take any of the following actions:

    11.1.1. Accept a decrease in the funding assistance offered to the Recipient;

    11.1.2. Cancel the funding assistance, or

    11.1.3. Cancel the funding assistance and resolicit the requirements.

12. Personnel. Recipient warrants that its personnel will perform their duties under the agreement professionally, applying the requisite skills and knowledge, consistent with industry standards, and in accordance with the funding assistance requirements. Recipient further warrants that its key personnel will maintain all certifications relevant to their work, and Recipient shall provide individual evidence of certification to the State's authorized representatives upon request.

13. False Statements. Recipient represents and warrants that all statements and information Recipient prepared and submitted in response to the Solicitation or as part of the Recipient documents are current, complete, true, and accurate. If ADOA determines that the Recipient submitted an application with a false statement or made material misrepresentations during the performance of the funding assistance, ADOA may determine that the Recipient has materially breached the agreement and may void the submitted application and any resulting agreement. Agreement Claims. All agreement claims or controversies under this agreement shall be resolved according to A.R.S. Title 41, Chapter 23, Article 9, and rules adopted thereunder.

14. Arbitration. The parties to this agreement agree to resolve all disputes arising out of or relating to this agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.R.S. § 12-1518, except as may be required by other applicable statutes (A.R.S. Title 41).

15. This Agreement does not imply authority to perform any tasks or accept any responsibility not expressly stated in this Agreement.

16. This Agreement does not create a duty or responsibility unless the intention to do so is clearly and unambiguously stated in this Agreement. This Agreement shall not relieve the Parties of any obligation or responsibility imposed on it by law.

17. This Agreement contains the entire agreement of the Parties with respect to its subject matter. It supersedes all prior and contemporaneous agreements, understandings, and inducements, whether express or implied, oral or written.

18. Any change, modification, or extension of this Agreement must be submitted and approved by ADOA.

19. This Agreement has been arrived at by negotiation and shall not be construed for or against any Party.

20. The failure of either Party to insist in any one or more instances upon the full and complete performance of any of the terms and provisions of this Agreement to be performed by the other Party or to take any action permitted by this Agreement shall not be construed as a waiver or relinquishment of the right to insist upon full and complete performance of the same or any other covenant or condition either in the past or in the future. The acceptance by either Party of sums less than may be due and owing at any time shall not be construed as an accord and satisfaction.

21. The substantive laws of Arizona (without reference to any choice of law principles) shall govern the interpretation, validity, performance, and enforcement of this Agreement. The Parties further agree to cooperate in all reasonable and necessary ways to comply with applicable statutes, including, as needed, amending this Agreement and making any refunds or payments required to bring the Parties into full compliance with applicable law.

22. Nothing in this Agreement is intended to create any third-party beneficiary rights; and the State and the Recipient expressly state that this Agreement does not create any third-party rights of enforcement.

23. This Agreement may be executed in any number of counterparts, all such counterparts shall be deemed to constitute one and the same instrument, and each of said counterparts shall be deemed an original hereof.

24. If the last day of any time stated herein shall fall on a Saturday, Sunday, or legal holiday in the State of Arizona, then the duration of such time shall be extended so that it shall end on the next succeeding day which is not a Saturday, Sunday, or legal holiday.

25. Except as expressly provided herein, no Party may delegate or assign its rights or responsibilities under this Agreement without prior written approval of the other Party, and any purported assignment or delegation in violation of this provision shall be void.

26. The Parties to this Agreement agree to resolve all disputes arising out of or relating to this Agreement through arbitration, after exhausting applicable administrative review, to the extent required by A.RS. § 12-1518, except as may be required by other applicable statutes.

27. If any provision of this Agreement is held invalid, the remainder of the Agreement shall not be affected thereby and all other parts of this Agreement shall be in full force and effect.

28. Any deviation or failure to comply with the purpose and/or conditions of this Agreement without prior approval may constitute sufficient reason for ADOA to terminate this Agreement, revoke the funding agreement, require the return of all unspent funds, perform an audit of expended funds, and require the return of any previously spent funds which are deemed to have been spent in violation of the purpose or conditions of this funding agreement..

29. The Recipient must notify ADOA, State 911 Program, within 10 business days if it is unable to perform the function of System Administrator on behalf of PSAPs in their jurisdiction. Administrative funds may be reduced to the System Administrator if ADOA, State 911 Program assumes responsibility for the duties under this agreement.

30. Recipient must enroll in automatic clearinghouse payments through an ADOA, State 911 Program-designated online process.

31. Recipient agrees to allow ADOA, State 911 Program to deploy a data analytics tool for use by PSAPs and the State 911 Program.

32. All notices required or permitted under this Agreement shall be given in writing and addressed as follows:

A. If to the Arizona 9-1-1 Program:
Arizona Department of Administration
Arizona 9-1-1 Program
100 North 15th Avenue, Suite 302
Phoenix, AZ 85007
Attention: Arizona 9-1-1 Program

B. If to the RECIPIENT:

City of Goodyear
Police Department
14455 W Van Buren St
Goodyear, AZ 85338
Attention: Nicole Diedrick

SIGNATURES

IN WITNESS WHEREOF, the parties have made and executed the Funding Assistance Agreement.

RECIPIENT: _____

Title:_____

Date: _____

ADOA, STATE 911 PROGRAM: _____

Title:_____

Date: _____

Attest:

_____
Jasmine Pernicano, City Clerk

Approved as to Form:

_____
Roric Massey, City Attorney

ITEM #: 9.
DATE: 07/06/2026
AI #:3385

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVE HIE PARTICIPATION AGREEMENT WITH CONTEXTURE, A WEB-BASED SEARCH ENGINE FOR PATIENT DEMOGRAPHICS

STAFF PRESENTER(S): Tim Wayne, Interim Fire Chief

SUMMARY

The Goodyear Fire Department seeks to enter into a new HIE Participation Agreement (Attachment A), with Contexture, a healthcare information exchange and patient information database, to assist authorized personnel in obtaining critical patient information needed to support the ambulance billing process. Access to timely and accurate patient information can help improve clinical decision-making and enhance continuity of care. This agreement will replace the current Contexture Agreement, dated September 4, 2025 (Attachment B).

This agreement will provide Goodyear's Emergency Medical Service (EMS) division and third-party ambulance billing vendor access to retrieve patient demographic and insurance information, improve billing accuracy, reduce claim denials, and help ensure appropriate reimbursement for services provided, which supports both quality patient care and efficient administrative operations.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve the HIE Participation Agreement with Contexture, terminate the existing HIE Participation Agreement, dated September 4, 2025, and authorize the annual expenditure of $975 from the Goodyear Fire Department operating budget, and provide authorization and direction to the City Manager, or their designee, to take actions and execute documents necessary to carry out the intent of the agreement. (Tim Wayne, Interim Fire Chief)

FISCAL IMPACT

The annual cost to the city for the web-based data service is $975 under the current contract with limited user access. The city’s third-party billing vendor (EMS Management & Consultants) will cover the additional $166 required to upgrade to the unlimited user package, bringing the total annual cost to $1,144. Funding for the city’s portion is available within the approved Fire Department operating budget; therefore, no budget amendment is necessary.

BACKGROUND AND PREVIOUS ACTIONS

Contexture is a nonprofit organization that supports communities in advancing health information sharing. It provides Health Information Service Provider (HISP) services, enabling secure exchange of direct messages between healthcare providers.
The previous contract provided limited user access, allowed only five user accounts and was used by the Fire Department to help the Fire Billing Coordinator obtain patient demographic information. Due to increased call volume, the billing vendor has been working with Contexture to gain access so they can also utilize this tool.

STAFF ANALYSIS

Staff recommends approving the new agreement with Contexture, which provides essential patient information such as insurance details, addresses, and hospital admission dates. When fire personnel are unable to obtain this information during ambulance transport, the system serves as a reliable secondary source. Without timely and accurate patient data, the ambulance billing process is significantly delayed and may result in unpaid claims.
By upgrading to the new package, the city's ambulance billing vendor will have an additional tool to locate patient information on Goodyear's behalf. This added access will help streamline the billing process and support greater revenue recovery for the city.

Attachments

Attachment A - Contexture HIE Participation Agreement

Attachment B - Contexture Termination Document

Docusign Envelope ID: CCD26F61-C730-8E80-8124-3177B66C3727

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Creating connections. Improving lives.

Statement of Work

Health Care Provider Gold Bundle

This Statement of Work ("SOW") is an Attachment that is incorporated by reference into the Contexture HIE Participation Agreement (the "Agreement"). This SOW is subject to the terms and conditions contained in the Agreement between the parties and is made a part thereof. In the event of any conflict or inconsistency between the terms of this SOW and the terms of this Agreement, the terms of this SOW shall govern and prevail. The Exhibit(s) to this SOW, if any, shall be deemed to be a part hereof. In the event of any inconsistencies between the terms of the body of this SOW and the terms of the Exhibit(s) hereto, the terms of the body of this SOW shall prevail.

Participant Information	
Legal Name of Participant Entity:	City of Goodyear
Trade Name/Doing Business As:	Goodyear Fire Department
Physical Address:	Street Address: 1900 N Civic Sq, City, State, Zip: Goodyear, AZ 85395
Tax ID Number (TIN):	866000249
Primary Contact:	Name: Paul Luizzi Title: Deputy City Manager Phone: 623-882-7109 Email: paul.luizzi@goodyearaz.gov
Billing Contact: Is a third party named as the billing contact? ☐ Yes ☒ No If yes, complete the fields to the right with the third party's information	Organization: Goodyear Fire Department Name: Nicole Teer Title: Medical Billing Coordinator Phone: 623-882-7121 Email: nicole.teer@goodyearaz.gov Billing Street Address: 1900 N Civic Sq, Billing City, State, Zip: Goodyear, AZ 85395

Contacts listed in this section may be changed at any time and without the need for an amendment to this SOW by a) emailing the Contexture Help Desk at Helpdesk@contexture.org, b) emailing the Contexture team member assigned to the Participant, or c) emailing getconnected@contexture.org.

Docusign Envelope ID: CCD26F61-C730-8E80-8124-3177B66C3727

Eligibility and Permitted Purpose:	
Will Participant be directing Contexture to provide the Solutions covered by this SOW to one or more Affiliates?	☒ No ☐ Yes, complete Exhibit C with all Affiliates
Participant Service Area:	☑ Arizona ☐ Colorado ☐ Arizona and Colorado ☐ National

Participant agrees to notify Contexture within 14 business days of any changes to Participant's Service Area and Contacts as listed in Participant Information.

1.0 Definitions. All capitalized words and phrases not defined in this Statement of Work have the meanings given elsewhere in the Agreement, including in the Cover Sheet and the HIE General Terms and Conditions.

a. "Beds" means the maximum number of beds for which a hospital and/or facility holds a license, or is otherwise authorized, to operate.

b. "CCD" means Continuity of Care Document and refers to an electronically generated, patient-specific clinical summary document.

c. "Direct Secure Messaging Network" means the communications network offered by Contexture to enable secure exchange of patient information and other messages among Participant and others, including health care providers, payers, and patients, in accordance with the Direct Standard.

d. "Direct Secure Messaging Network Directory" means the repository of information regarding Authorized Users of the Direct Secure Messaging Network collected, maintained, and made available by Contexture, in accordance with applicable Policies and Procedures.

e. "Direct Standard" means the set of protocols and technical specifications, as defined by 45 C.F.R § 170.202(a) and endorsed by the Office of the National Coordinator for Health IT (ONC), to enable the secure exchange of health information over the Internet. Contexture supports all XDS Direct Standard protocols and an external web-based platform for managing Direct Secure mail inboxes.

f. "Effective Date" means the later of January 1, 2026, or the date of last signature on this SOW (for SOWs executed after January 1, 2026).

g. "HISP" means Health Information Service Provider and refers to the accredited network service operator that allows for clinical data exchange on a national level through Direct Secure Messaging. HISP works by allowing hospitals, health plans, doctors, health information exchanges, and consumers a way to access the Direct Secure Message Network.

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h. "HL7 Interface" means an automated connection and process for formatting information in accordance with the HL7 messaging standard to enable the secure exchange of Data between linked applications.

i. "Identity Only Inbound Data" is data that is leveraged solely for the purposes of creating an output identity that will not become part of the clinical record/content and therefore cannot be used in any HIE products or services without specific approval.

j. "Implementation" means the installation and initial testing of the services described in this SOW.

k. "Implementation Fees" means one-time Fees that are applicable to the initial SOW term only and not to any renewal SOW term.

l. "Limited Use Inbound Data" is data, such as physical health and/or behavioral health data, which may include Part 2 Data, that is leveraged solely for limited purposes such as electronic clinical quality measures (eCQMs), other quality reporting, or otherwise specified use cases. This data may not be used for the purposes of HIE products and services except for identity enrichment services.

m. "Live Date" means the date after Implementation of the services described in this SOW on which Contexture begins receiving the requested data.

n. "Message" means a Direct Secure Message used to send information via the Contexture provided HISP, in accordance with the Direct Trust specifications.

o. "Non-Part 2 Inbound Data" refers to inbound data that contains physical health and/or behavioral health data and that does not include Part 2 Data. This data may be shared, in accordance with system-level consent, across HIE products and services.

p. "Notification" is an electronic notification indicating that a patient has undergone a triggering event. A Notification may or may not be a complete message, which is a type of standard HL7 message generated by healthcare systems based upon events.

q. "Part 2 Mixed Inbound Data" refers to inbound data to Contexture from a general medical facility that operates a Part 2 Program and provides non-Part 2 services — such as physical or behavioral health services (a "mixed use facility"). Part 2 Mixed Inbound Data may come from an organization with Part 2 designation that cannot separate the Part 2 data from other data types OR an organization with Part 2 designation that is capable of separating its data into separate interfaces. Any mixing of non-Part 2 data with Part 2 data must be treated as Part 2 Data due to the inability to separate the two types of data.

r. "Part 2 Only Inbound Data" refers to inbound data to Contexture from a medical facility that operates a Part 2 program and is not a mixed-use facility – these facilities are sometimes referred to as single use facilities.

s. "Solution" has the same meaning as in the HIE General Terms and Conditions and may also be referred to as "Service."

Docusign Envelope ID: CCD26F61-C730-8E80-8124-3177B66C3727

2.0 Contexture Solution: Contexture will use commercially reasonable efforts t provide the following Solution:

Portal
PatientCare 360™ Portal (Portal) is a web-based platform where participants are able to access and query individual patients' comprehensive health records. This functionality allows participants to review demographic data, past health issues, test results, and medication history providing a longitudinal view of a Member's health records. Contexture populates the Portal with data from a wide variety of healthcare entities from across the U.S. with the majority of the data coming from entities in Arizona and Colorado. Solution Selected: ☒ Yes ☐ No
Portal Single Sign-On
Participants can access PatientCare 360 Portal seamlessly within their system with Single Sign On. PatientCare 360 Portal Single Sign On utilizes industry standard technology to manage authentication activities across systems while providing role-based access control. This solution provides an improved user experience by reducing the number of times required to authenticate into various systems.. Solution Selected: ☐ Yes ☒ No
HL7 Data Sender
Inbound HL7 is a solution that brings data into the HIE via Health Level 7 (HL7) format. Each HL7 data type has its own interface. Contexture will implement and maintain one of more of the following HL7 Interface types from the Participant's electronic health record ("EHR") system to the HIE. Solution Selected: ☐ Yes ☒ No Participants may choose to send one data type or multiple data types, select those that apply. ☐ Laboratory Results ☐ Radiology Reports ☐ PACs Link ☐ Transcription ☐ Pathology Results ☐ ADTs ☐ RDE (Pharmacy Treatment Encoded Order) ☐ OMP (Pharmacy Treatment Order) ☐ Syndromic Surveillance ☐ Electronic Lab Reporting ☐ VXU

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Inbound HL7 messages must follow HL7 standards as well as the specifications provided by Contexture's data ingestion vendor.

Select the data type that will be sent to Contexture:

☐ Limited Use Inbound Data
☐ Part 2 Only Inbound Data
☐ Part 2 Mixed Inbound Data
☐ Non-Part 2 Inbound Data

CCD Data Sender

CCD Data Sender is a Solution that brings data into the HIE via CCD-A format. Contexture will implement and maintain a connection from Participant to the HIE System to ingest CCD/care summary documents from the Participant, who is acting as a Data Sender.

CCD Bidirectional is a Solution that enables participants to send data to the HIE in CCD-A format while also allowing them to query and retrieve CCDs directly into their Electronic Health Record (EHR) systems. Contexture will implement and maintain a secure connection between the Participant and the HIE system, ensuring smooth transmission and retrieval of CCD/care summary documents.

Select the data type that will be sent to Contexture:

☐ Limited Use Inbound Data
☐ Part 2 Only Inbound Data
☐ Part 2 Mixed Inbound Data
☐ Non-Part 2 Inbound Data

Bidirectional Configuration: ☐ Yes ☒ No

Solution Selected: ☐ Yes ☒ No

Direct Secure Message

Contexture offers HISP services and Direct Secure Messaging Network addresses to Participants if they use an electronic health record (EHR). For Participants with an EHR that is not capable of providing HISP services or if an EHR does not exist, Contexture offers a web-based solution for sending and receiving Messages.

Solution Selected: ☐ Yes ☒ No

Notifications- Pick 1

Solution Selected	☐ Yes ☒ No
☐ **Admission, Discharge, Transfer (ADT) Notification**	ADT Notification will be sent regarding admission, discharge, and transfer events for Members on the Participant's Member File upon receipt of data from HIE participants.
☐ **Laboratory Notification**	Laboratory Notification will be sent regarding all lab results for Members on the Participant's Member File.

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☐ **Pathology Notification**	Pathology Notification will be sent regarding new pathology reports for Members on the Participant's Member File.
☐ **Transcription Notification**	Transcription Notification will be sent regarding new patient notes for Members on the Participant's Member File.
☐ **Radiology Notification**	Radiology Notification will be sent regarding new radiology reports for Members on the Participant's Member File.
☐ **HTP Notification (Colorado Participants Only)**	Regional Accountable Entities (RAEs) utilizing Hospital Transformation Program (HTP) Notifications will receive timely HTP measure data from Colorado hospitals' Inbound HTP data feeds for Members on the RAE's Member File. RAEs can be notified via flat file delivered daily or weekly. This solution is only available in Colorado.
☐ **Mental Health Hospitalization Notification**	Mental Health Hospitalization Notification will be sent when a Member on the Participant's Member File is admitted, discharged, or transferred from participating facilities. These facilities are not included in Contexture's ADT Notification solution.
☐**Cholesterol Notification**	Cholesterol Notification will be sent regarding the Participant's Members' lipid panel results, including Total Cholesterol, High-Density Lipoprotein Cholesterol (HDL-C), Low-Density Lipoprotein Cholesterol (LDL-C), and Triglycerides
☐**Hepatitis Notification**	Hepatitis Notification will be sent regarding the Participant's Members' hepatitis panel (A, B, C, and anti-body results).
☐ **Diabetes Notification**	Diabetes Notification will be sent for the Participant's Members' diabetes panel, including Hemoglobin A1C, estimated average Hemoglobin A1c, fasting blood sugar, and glucose tests.
☐ **COVID-19 Notification**	COVID-19 Notification will be sent when a Member on the Participant's Member File has a new COVID lab result (positive or negative).

3.0 Delivery Frequency and Methods: Participant specific decisions made during Implementation

a. sFTP- Notifications can be sent as HL7 files real time as data comes in or can be sent as a daily report.

b. HL7 Interface- Notifications will be sent via Virtual Private Network (VPN) real time to Participant.

c. Direct Secure Message- Notifications can be sent real time as data comes in or as a daily report to the Participant.

4.0 Contexture Obligations:

a. **General Obligations**

i. **Project and Implementation Management**. Contexture will assign an Implementation project manager to oversee Implementation planning, scheduling and execution. The Implementation project manager will be the first point of contact for Participant during Implementation. Contexture's Implementation project manager and Participant will jointly be responsible for managing the project schedule, risks, and issues.

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ii. **Ongoing Maintenance, Help Desk, & Monitoring Support**. Contexture will provide routine maintenance, help desk and system monitoring services for this product in accordance with the terms of the Agreement and Contexture's then-current Service and Support Level Addendum.

b. **Solution Specific Obligations**.

i. **PatientCare 360 Portal:**

(1) **Authorized User Training.** Contexture will provide online training modules, available on the Contexture website, to all Authorized Users listed on the request form.

ii. PatientCare 360 Portal Single Sign On (SSO)

(1) Contexture will provide Documentation required for SSO connectivity, to include user instructions when accessing SSO for the first time.

(2) Contexture will enable the SSO functionality, utilizing industry best practices in technology with Security Assertion Markup Language (SAML) to manage authentication across systems while providing role-based user access control and other privacy needs.

iii. **Inbound HL7:** Contexture will provide the following services as part of the analysis, design, and testing of Participant's inbound and outbound HIE interfaces:

(1) Participate in project kick-off and engage in Implementation with necessary focus and resources to meet a project Implementation timeline of nineteen (19) sequential weeks.

(2) Support set up of a secure connection between Data Sender's EHR and the HIE System.

(3) Conduct analysis of data feeds and develop interface specifications.

(4) Build interfaces in conjunction with EHR and system vendors.

iv. **CCD Data Sender**

(1) Support set up of a secure connection with Contexture.

(2) Review, with participant, data delivery method (e.g., Direct Secure Message, XDS.b, SFTP, Remote Integrator or API) and build interfaces in conjunction with Contexture specifications.

(3) Conduct necessary testing and data quality validation.

(4) Connect interfaces to the HIE System.

(5) Provide identity management services to facilitate the matching of patients and data across disparate systems.

v. **Direct Secure Message.**

(1) Contexture will provide Participant with access to the Direct Secure Messaging Network for the sole purpose of enabling Authorized Users to transmit and receive PHI for the purposes permitted under the Agreement, Contexture Policies, Applicable Law and the Business

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Associate Agreement. All access to and use of the Direct Secure Messaging Network will be restricted to Authorized Users of Participant as permitted under this Agreement and Applicable Law and Contexture Policies.

(2) Contexture will assign each of Participant's Authorized Users an account or other means of accessing the Direct Secure Messaging Network.

vi. **Quick Results.** If the participant organization and/or their healthcare providers do not have codes assigned to them by the health systems sending data into the HIE, Contexture will help the participant to engage with the health system to get a provider code created.

(1) **Authorized User Training**. Contexture will provide online training modules, available on the Contexture website, to all Authorized Users. All Authorized Users identified on the Authorized User request form will receive the link and registration information.

vii. **Notifications**

(1) Contexture will provide its standard Member File requirements that define content and format specifications, which are required for Notifications delivery.

(2) Depending on Participant Member File delivery method decided, Contexture and Participant will establish needed connectivity for Member File delivery. If applicable, Contexture will provide all sFTP requirements and establish an sFTP location for the transfer of the Participant's Member File. The Member file must be updated at least every 30 days by Participant to continue receiving Notifications. If applicable, Contexture will work with Participant to establish Direct Secure Message account for delivery of Member File.

(3) Contexture will identity manage each Participant's Member File and then generate the applicable Notification for the Participant's Member File.

(4) Contexture will validate that connectivity, user access, and location meet Contexture's data security standards and requirements.

(5) Contexture will update the Notification feed/report when updated Member Files are received from Participant (at least every 30 days or the Notifications delivery will stop).

5.0 Participant Obligations: Participant agrees to do the following in support of the Solutions described in this SOW:

a. **General Obligations.**

i. Participant acknowledges that the successful and timely Implementation of the Services covered by this SOW will require Participant's active participation.

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ii. Coordinate both internal and vendor resources (if applicable) required for the Implementation and testing work to proceed. Participant acknowledges that such Implementation will require multiple meetings, and that Contexture can only proceed with participation from the Participant and its vendors.

iii. Comply with all requirements included in the Implementation Documentation provided by Contexture.

iv. **Project Delays.** Contexture and Participant acknowledge that delays beyond their control may occur during the project, including but not limited to, obtaining approvals and resource availability. Participant is accountable for engaging vendor and working to mitigate any delays caused by vendor organization.

b. **Solution Specific Obligations:**

i. **PatientCare 360 Portal**

(1) **Authorized User Accounts for Portal Access**. Access to the HIE and Solutions covered by this SOW will be provided only to Authorized Users. Participant will provide all information requested by Contexture, including a unique email address, in connection with the establishment of each Account, which may be used only by the Authorized User of the applicable Account. Participant is responsible for requiring all Authorized Users to meet the requirements of this SOW and applicable Policies and Laws for access to the HIE and Services covered by this SOW. Participant will ensure the security and confidentiality of each Account and the associated login credentials and will notify Contexture immediately if any Account login credentials are lost, stolen, or otherwise compromised.

(2) Contexture provides access to the Solutions covered by this SOW via secured methodology. Consistent with industry standards and best practices, Contexture is incorporating multi-factor authentication for access to the Solutions by all Authorized Users that access the Portal through the web following Implementation and on a schedule that is mutually agreeable to Contexture and Participant (in no case to exceed three (3) months). All Authorized Users of Participant that access the Portal through the web portal will be trained on and required to install and utilize a software application that will be used to validate Authorized Users' identities.

(3) Each Authorized User will complete all training required by Contexture, and Participant will certify that each Authorized User has completed all such training.

(4) **Changes in Authorized User Status.** Participant is responsible for initiating, updating, removing or suspending access of its Authorized Users to the HIE in compliance with applicable Laws and Policies and the Agreement. Participant shall take immediate action regarding any changes in the status of any Authorized User (or their ability to access

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the HIE or Solutions covered by this SOW) as set forth in the applicable Policies, including but not limited to employee departures or terminations.

(5) **Permitted Use Policy.** Participant is responsible for requiring all Authorized Users to meet the requirements of this SOW and Contexture's applicable Permitted Use Policies and Applicable Laws for access to the HIE.

(6) **Participant Responsibility for Actions of Authorized Users.** Participant is fully responsible for all liabilities and damages incurred through access and use of the Solutions covered by this SOW by Participant's Authorized Users. Any activity completed by an Authorized User of Participant will be deemed to have been completed by Participant.

(7) **Third-Party Service Providers**. As part of this Solution, Authorized Users may access and use services and products provided by third-party service providers. Participant's access and use of third-party services and products will comply with Section 2.6 (Third-Party Service Providers) of the HIE General Terms and Conditions. These services and products are subject to change and Contexture has no duty to notify Participant of changes.

ii. **PatientCare 360 Portal Single Sign On (SSO)**

(1) Participant will comply with all Contexture Documentation for this specific Solution.

(2) Access to the HIE and Services covered by this SOW will be provided only to Authorized Users. Participant will provide all information requested by Contexture, including a unique email address, in connection with the establishment of each Account, which may be used only by the Authorized User of the applicable Account. Participant is responsible for requiring all Authorized Users to meet the requirements of this SOW and applicable Contexture Policies and Laws for access to the HIE and Services covered by this SOW. Participant will ensure the security and confidentiality of each Account and the associated login credentials and will notify Contexture immediately if any Account login credentials are lost, stolen, or otherwise compromised.

(3) Participant will comply with all obligations of the PatientCare 360 Portal Solution.

iii. **Data Sender HL7**:

(1) Participant shall provide a point of contact (POC) for outage information as well as a HIPAA Compliance or Privacy Officer. Participant agrees to notify Contexture within fourteen (14) days of any changes to these roles.

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(2) **HL7 Requirements:**

(a) Contexture utilizes the current version of HL7, as available at http://www.hl7.org/index.cfm, in the development of HL7 Interfaces between Participant and the HIE System.

(b) Participant will cooperate with Contexture to conduct any required acceptance testing of its HL7 Interfaces.

(c) Participant shall map and apply the appropriate vocabulary, ontology and/or terminology codes (e.g. LOINC® vocabulary codes to lab test results or SNOMED® CT concepts for pathology reports) to the content of Participant data prior to providing data to the HIE.

(3) **OID Requirements:**

(a) Participant shall obtain and register an OID (a globally unique ISO identifier) via HL7.org so that Contexture may accurately identify and route data to other HIE Participants.

(b) Participant shall provide Contexture with its unique HL7 registered OID as soon as possible following execution of this Agreement and before Implementation commences.

(c) The OID must be unique and different from the electronic health record issued OID

(d) Participant must follow HL7 standards regarding OID branching or adopt the Contexture OID Branching Standard.

(e) Participant shall provide advance notice to Contexture of OID and facility modifications before sending data inbound to the HIE.

(f) Participant shall send Facility OID and Facility Name in HL7 interface in accordance with Contexture interface specification.

(4) Provide necessary production messages to begin initial pre-validation process (this is typically two-weeks / ~10,000 messages).

(a) Participant will engage in the review of pre-validation outcomes and make changes to the HL7 structure to comply with the HIE Gold Standard, as defined in Contexture Documentation, and HL7 Standards, as applicable.

(5) By providing a Member's data to the HIE, Participant represents and warrants that it has a HIPAA-compliant treatment, payment or healthcare operations relationship with the Member and that Participant is authorized to send data to the HIE for that Member.

(6) **Prohibited Data Submissions**. Participants will comply with the requirements of Section 4.4 (Prohibited Data Submissions) of the HIE General Terms and Conditions.

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(7) **Facility Changes.** If Participant establishes, acquires or otherwise affiliates with a new clinical practice whose data will be sent to the HIE, Participant will promptly notify Contexture of the facility name and OID before such facility's data is sent through a Participant interface. The addition of new facilities may be subject to additional Implementation Fees. Additionally, if any facilities are removed, Participant will notify Contexture within 30 days.

iv. CCD Data Sender

(1) Participant agrees to coordinate both internal and external vendor resources (if applicable) required for the Implementation and testing work to proceed. Participant acknowledges that such Implementation will require multiple meetings, and that Contexture can only proceed with the participation from the Participant and its vendors.

(2) **OID Requirements.**

(a) Participant shall obtain and register an OID (a globally unique ISO identifier) via HL7.org so that Contexture may accurately identify and route data to other HIE Participants.

(b) Participant shall provide Contexture with its unique HL7 registered OID as soon as possible following execution of this Agreement and before Implementation commences.

(c) The OID must be unique and different from the electronic health record issued OID.

(d) Participant must follow applicable standards regarding OID branching or adopt the Contexture OID Branching Standard.

(e) Participant shall provide advance notice to Contexture of OID and facility modifications before sending data inbound to the HIE.

(f) By providing a Member's data to the HIE, Participant represents and warrants that it has a HIPAA-compliant treatment, payment or healthcare operations relationship with the Member and that Participant is authorized to send data to the HIE for that Member.

(3) **Prohibited Data Submissions**. Participants will comply with the requirements of Section 4.4 (Prohibited Data Submissions) of the HIE General Terms and Conditions.

(4) **Facility Changes.** If Participant establishes, acquires or otherwise affiliates with a new clinical practice whose data will be sent to the HIE, Participant will promptly notify Contexture of the facility name and OID before such facility's data is sent through a Participant interface. The addition of new facilities may be subject to additional Implementation Fees. Additionally, if any facilities are removed, Participant will notify Contexture within 30 days.

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v. **Direct Secure Message**.

(1) **Installation.** Participant will be solely responsible, at Participant's own expense, for acquiring, installing, and maintaining all hardware, software, and other equipment as may be necessary for Participant and each Authorized User to connect to, access, or use the Direct Secure Messaging Network except for any web portal tools provided by Contexture specifically for accessing the Direct Secure Messaging Network.

(2) **Participant Responsibility for Authorized Users.**

(a) Participant is solely responsible for all use of the Direct Secure Messaging Network by each Authorized User and for compliance by each Authorized User with the applicable terms of this Agreement, Applicable Law and Contexture Policies, and any additional terms of use applicable to the Direct Secure Messaging Network. Upon request by Contexture, Participant will verify that each Authorized User has agreed to be bound by any such additional terms of use.

(b) Participant will immediately notify Contexture upon becoming aware of any breach of this Agreement or any such additional terms of use and will assist Contexture in the enforcement and mitigation of any such breach by Participant or any Authorized User.

(c) Participant is responsible for initiating, updating, removing or suspending access of its Authorized Users to the HIE in compliance with Applicable Law, Contexture Policies and the Agreement.

(d) Participant shall notify the Contexture Help Desk immediately of any changes in the status of any Authorized User (or their ability to access the HIE or Services) as set forth in the applicable Contexture Policies.

(e) Participant shall take reasonable actions, in accordance with Applicable Law, Contexture Policies, and industry standards, to confirm that all Messages transmitted by Participant via the Direct Secure Messaging Network originate from Authorized Users.

(3) **Messaging Content.** Participant shall not, in conjunction with the Direct Secure Messaging Network, use any means, program, or device, or permit any other person to use any means, program, or device, including, but not limited to, advertising, instant messaging, or so-called "pop-ups," to solicit business or to influence or attempt to influence for commercial purposes (through economic incentives or otherwise) any diagnostic or treatment-related decision of a health care provider. The bona fide professional recommendation of an Authorized User to another health care provider regarding the treatment or diagnosis of a shared patient is not intended to be prohibited by this provision; however, Contexture shall have sole discretion to determine the bona fide non-commercial and clinical

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nature of all Clinical Messages and uses of the Direct Secure Messaging Network.

(4) **Direct Secure Messaging Network Directory**.

(a) Participant shall identify an individual who will complete any applicable Contexture provided training and assume responsibility for the accuracy and integrity of information provided by Participant to Contexture for inclusion in Contexture's Direct Secure Messaging Network Directory.

(b) Participant agrees that, at minimum, all of its Authorized Users who are duly licensed health care providers will be listed in the Direct Secure Messaging Network Directory.

(c) Participant acknowledges that Contexture may use all directory and related information that it maintains in conjunction with the Direct Secure Messaging Network, whether provided by Participant or obtained otherwise, for HISP maintenance and operations related to the Direct Secure Messaging Network, interoperability with other HISPs, disclosure to appropriate third-parties, and creation and maintenance of other provider directories, as Contexture, in its sole discretion, deems appropriate.

(5) **Prohibited Uses of the Direct Secure Messaging Network Directory.**

(a) Participant and its Authorized Users are prohibited from commercially redistributing the Direct Secure Messaging Network Directory.

(b) Participant may not provide to any third party HISP or permit a third party HISP to acquire or create a copy of the Direct Secure Messaging Network Directory.

(c) Participant may not provide or use the Direct Secure Messaging Network Directory for direct marketing or database marketing.

(d) Participant may not sell, disclose or make available the Direct Secure Messaging Network Directory to any third party unless expressly authorized in writing by Contexture.

(6) **Participant Audits by Contexture.** Upon reasonable request, Participant shall allow Contexture to access, inspect, and audit Participant's systems and records relating to the use of the Direct Secure Messaging Network, including any data or information transmitted or received by Participant, for purposes of operating and maintaining the Direct Secure Messaging Network and determining Participant's compliance with this Agreement, Applicable Law and Contexture Policies.

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vi. Notifications

(1) Follow all requirements associated with delivery of Member File and receipt of Notifications, to include leveraging the Contexture systems/solutions (such as sFTP).

(2) Cooperate with Contexture to conduct any required acceptance testing of the Notifications Data.

(3) **Member Files.**

(a) Participant will send updated Member Files that meet Contexture's specifications at least every 30 days. If Participant fails to send an updated Member File at least every 30 days, then Contexture has the right to discontinue the delivery of Notifications data until an updated file is delivered and processed.

(b) By including a Member on Participant's Member File, Participant represents and warrants that it has a current HIPAA-compliant treatment, payment or healthcare operations relationship with the Member and that Participant is authorized to receive data through the HIE for that Member.

(4) Participant acknowledges that it is responsible for the proper use of all data received through the HIE and Services in accordance with the Agreement, Applicable Law and Contexture Policies.

(5) Participant is responsible for ensuring that only users who require access to the Notifications are granted credentialed access.

(6) Participant acknowledges that Contexture does not have any obligation or ability to monitor or review the content of the data for accuracy or completeness before making the data available through the HIE.

6.0 **Fees and Payment**: The following Fees are payable to Contexture by electronic means (such as e-check, ACH transfer, or credit card), unless Contexture determines that is not feasible. Fees are nonrefundable.

a. Implementation Fees.

Reference Implementation Fee Table in Exhibit A, Version 1.

Implementation Fees: $ 0.00

☐ Implementation Fees paid by State funding

☒ Implementation Fee Not Applicable due to ONE Platform Migration

☐ Participant to pay Implementation Fee

i. If paid by the Participant, Contexture will invoice Participant 50% of the Implementation Fees within 30 days of the SOW Effective Date. Contexture will invoice the remaining 50% at the earlier of (i) two weeks after Implementation of a Service covered by this SOW, or (ii) six months after SOW Effective Date.

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ii. Use of State Program Funding to cover Implementation Fees is subject to availability and Participant's eligibility. If the programs are discontinued, or the funds are no longer available, or the Participant is ineligible at the time that Participant seeks to implement the Services covered by this SOW, then Participant shall be responsible for the Implementation Fees.

b. Subscription Fees.

Reference Subscription Fee Table in Exhibit B, Version 1.1.

i. Subscription Fees will be billed starting the first month after Implementation of any Service covered by this SOW. Participant is responsible for paying the full amount of the Subscription Fees once billing begins.

ii. The number of Authorized Users, Member File size or number of Beds, as applicable, will be reviewed at Live Date then quarterly or annually (based upon Participant's billing cadence, as indicated in Exhibit B) with the Participant and the fee tier will be adjusted based upon that review effective for the first billing, subsequent quarter or year, as applicable.

iii. Participant is responsible for informing Contexture immediately when there is a change in Authorized Users, Member File size or number of Beds, as applicable.

iv. Contexture typically updates fee schedules on an annual calendar year basis effective January 1st of each year. Contexture will provide updated fee tables to be incorporated by reference as exhibits at least 60 days prior to the effective date, in accordance with Section 6.6 (Fee Increases) of the HIE General Terms and Conditions.

c. Invoicing and Payment.

i. Invoicing and payment of Fees under this SOW is governed by Section 6.0 (Fees and Payment) of the HIE General Terms and Conditions.

ii. Participant shall provide an email address to Contexture for electronic invoicing and shall update Contexture within 14 business days of any change in that email address.

iii. If Participant has elected to have a third-party receive and pay invoices for the Services covered by this SOW, Participant acknowledges that Participant has the ultimate responsibility to pay all invoices issued under this SOW. Participant is responsible for ensuring all billing contact information is kept up to date.

d. Pricing Validity.

i. The pricing set forth in this SOW is valid for 90 days from Participant's receipt of this SOW. If the SOW is not executed by Participant within 90 days of receipt, then Contexture reserves the right to adjust the pricing.

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7.0 Term, Termination and Suspension.

a. **Term:** The initial term of this Agreement shall run from the Effective Date until December 31st of the year contract signed.

b. **SOW Renewal:** This SOW will automatically renew for additional one (1) year terms, beginning January 1st after the expiration of the initial term, until a Party terminates the Agreement as provided in the HIE General Terms and Conditions.

c. **SOW Termination:** SOW may be terminated by either Party without terminating the entire Agreement for any of the reasons set forth in Section 7.1 (Agreement Termination) of the HIE General Terms and Conditions. Upon the termination or expiration of this SOW, Contexture will cease providing access to all Services for Participant and its Authorized Users, and Participant and its Authorized Users will stop accessing and using all Services.

d. **Suspension:** Contexture may limit, suspend, or terminate the access of a Participant or Authorized User to some or all of the Solutions for and of the reasons set forth in Section 7.3 of the HIE General Term and Conditions.

8.0 SIGNATURES:

Each of the individuals signing below on behalf of either Party hereby represents and warrants that they are signing with full and complete authority to bind the party, and each identified Affiliate listed in Exhibit C on whose behalf they are signing to each term of this SOW. Participant affirms and agrees that (i) each Affiliate is a Participant under the entire Agreement and (ii) the signer below agrees on behalf of each Affiliate to all applicable terms of the Agreement, including, but not limited to, the HIE General Terms and Conditions, any applicable Special Terms and Conditions, and the Business Associate Agreement/Addendum.

Contexture, a Colorado nonprofit corporation Signature: Printed Name: Title: Signature Date:	City of Goodyear Signature: Printed Name: Title: Signature Date:

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Exhibit A, Version 1:

Implementation Fees

Gold Healthcare Provider Bundle Implementation Fees				
Solution Implemented?	Solution Name	Self-Pay/AHCCCS Implementation Fee	Pricing Unit	# of Imp.
☐	HL7 Data Sender	$14,100	Per Location (Child Org)	0
☐	CCD Data Sender	$13,100	Per Location (Child Org)	0
☒	PC360 (Web-Based)	$4,050	Parent Org (1x)	0
☐	PC360 (Single Sign-On)	$11,950	EHR Instance	0
☐	Direct Secure Message (Web Portal Access)	$3,500	Parent Org (1x)	0
☐	Direct Secure Message (EHR Integration)	$13,350	EHR Instance	0
☐	Notification (Unique Member File)	$5,900	Per Notification	0

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Exhibit B, Version 1.1:
Subscription Fees
Arizona Fee Schedule – 35% Subsidy

Quoted Tier	Member File Size		Annual				Quarterly Fee	Monthly Fee	Billing Cadence
			Fee	Less Bundle Discount	Less State Subsidy	Net Price			
☒	1	1,500	$2,820	$1,060	$616	**$1,144**	$286	$95	Annual
☐	1,501	2,500	$6,400	$2,320	$1,428	**$2,652**	$663	$221	Annual
☐	2,501	5,000	$9,620	$3,480	$2,149	**$3,991**	$998	$333	Annual
☐	5,001	7,500	$15,060	$5,200	$3,451	**$6,409**	$1,602	$534	Annual
☐	7,501	10,000	$20,440	$6,860	$4,753	**$8,827**	$2,207	$736	Quarterly
☐	10,001	15,000	$27,120	$9,380	$6,209	**$11,531**	$2,883	$961	Quarterly
☐	15,001	25,000	$44,820	$15,600	$10,227	**$18,993**	$4,748	$1,583	Quarterly
☐	25,001	50,000	$79,600	$27,400	$18,270	**$33,930**	$8,483	$2,828	Quarterly
☐	50,001	75,000	$126,820	$42,140	$29,638	**$55,042**	$13,761	$4,587	Quarterly
☐	75,001	100,000	$162,820	$53,520	$38,255	**$71,045**	$17,761	$5,920	Quarterly
☐	100,001	150,000	$208,220	$67,040	$49,413	**$91,767**	$22,942	$7,647	Quarterly
☐	150,001	200,000	$259,980	$81,900	$62,328	**$115,752**	$28,938	$9,646	Quarterly
☐	200,001	300,000	$296,440	$92,740	$71,295	**$132,405**	$33,101	$11,034	Quarterly
☐	300,001	400,000	$314,480	$98,640	$75,544	**$140,296**	$35,074	$11,691	Quarterly
☐	400,001	500,000	$338,280	$105,800	$81,368	**$151,112**	$37,778	$12,593	Quarterly
☐	500,001	600,000	$415,960	$130,440	$99,932	**$185,588**	$46,397	$15,466	Quarterly
☐	600,001	750,000	$481,960	$155,440	$114,282	**$212,238**	$53,060	$17,687	Quarterly
☐	750,001	1,000,000	$564,080	$183,260	$133,287	**$247,533**	$61,883	$20,628	Quarterly
☐	1,000,001	1,400,000	$603,680	$199,280	$141,540	**$262,860**	$65,715	$21,905	Quarterly
☐	1,400,001	1,800,000	$769,100	$245,640	$183,211	**$340,249**	$85,062	$28,354	Quarterly
☐	1,800,001	2,200,000	$936,860	$291,360	$225,925	**$419,575**	$104,894	$34,965	Quarterly
☐	2,200,001	2,600,000	$1,092,540	$335,000	$265,139	**$492,401**	$123,100	$41,033	Quarterly
☐	2,600,001	3,000,000	$1,236,540	$371,000	$302,939	**$562,601**	$140,650	$46,883	Quarterly
☐	3,000,001	3,500,000	$1,398,540	$411,500	$345,464	**$641,576**	$160,394	$53,465	Quarterly
☐	3,500,001	4,000,000	$1,578,540	$456,500	$392,714	**$729,326**	$182,332	$60,777	Quarterly
☐	4,000,001	4,500,000	$1,758,540	$501,500	$439,964	**$817,076**	$204,269	$68,090	Quarterly
☐	4,500,001	5,000,000	$1,938,540	$546,500	$487,214	**$904,826**	$226,207	$75,402	Quarterly
☐	5,000,001	5,500,000	$2,118,540	$591,500	$534,464	**$992,576**	$248,144	$82,715	Quarterly
☐	5,500,001	6,000,000	$2,298,540	$636,500	$581,714	**$1,080,326**	$270,082	$90,027	Quarterly
☐	6,000,001	6,500,000	$2,478,540	$681,500	$628,964	**$1,168,076**	$292,019	$97,340	Quarterly
☐	6,500,001	7,000,000	$2,658,540	$726,500	$676,214	**$1,255,826**	$313,957	$104,652	Quarterly
☐	7,000,001	7,500,000	$2,838,540	$771,500	$723,464	**$1,343,576**	$335,894	$111,965	Quarterly

Docusign Envelope ID: CCD26F61-C730-8E80-8124-3177B66C3727

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CONTEXTURE HIE PARTICIPATION AGREEMENT

Cover Sheet

Description of this Agreement
Contexture is a nonprofit organization that provides electronic health information exchange ("HIE") and HIE-related services. Participant desires to participate in Contexture's HIE under the terms and conditions of this HIE Participation Agreement ("Agreement").

Participant Information	
Legal Name of Participant Entity:	City of Goodyear
Trade Name/Doing Business As:	Goodyear Fire Department
Corporate Address:	1900 N Civic Sq, Goodyear, AZ 85395
Tax ID Number (TIN):	86-6000249
Entity Type(s):	☒ Healthcare Provider ☐ Health Plan ☐ Public Health Authority ☐ Medical Examiner or Coroner ☐ Organ Procurement Organization ☐ Value-Based Organization
Contact for Notice under Section 13.2 (*Notice*) of the HIE General Terms and Conditions:	Paul Luizzi paul.luizzi@goodyearaz.gov
Privacy Officer Contact:	Darryl Ogawa darryl.ogawa@goodyearaz.gov
Security Officer Contact:	Darryl Ogawa darryl.ogawa@goodyearaz.gov

All Contacts and the associated contact information provided in this Cover Sheet may be changed at any time and without the need for a formal contract amendment by a) emailing the Contexture Help Desk; b) emailing the Contexture engagement team member assigned to the Participant; or c) emailing getconnected@contexture.org.

Contract Term & Renewals	
Effective Date:	Agreements fully executed before January 1, 2026, have an Effective Date of January 1, 2026. Agreements fully executed after January 1, 2026, have an Effective Date of the date of the last signature.

Docusign Envelope ID: CCD26F61-C730-8E80-8124-3177B66C3727

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Initial Term:	The Initial Term of this Agreement shall run from the Effective Date until December 31 of that year.
Renewals:	This Agreement will automatically renew for additional one (1) year terms, beginning January 1 after the expiration of the Initial Term, until the termination of this Agreement as provided for in the HIE General Terms and Conditions or elsewhere in the Agreement.

Documents that are Part of this Agreement

The Parties to this Agreement are (1) Contexture, a Colorado nonprofit corporation, and (2) all individuals and entities listed as a Participant or Affiliate in any document that is part of the Agreement. Each Party acknowledges and agrees that this Agreement includes all the following documents, which are incorporated by reference and legally binding on all Parties:

(1) This **Cover Sheet**.

(2) **HIE General Terms and Conditions.** These are the general contract terms that govern the use of the HIE and Services by Participant and its Authorized Users. Contexture will notify Participant of material changes to the HIE General Terms and Conditions by giving notice in accordance with Section 1.4 (*Changes to HIE General Terms and Conditions*) of the HIE General Terms and Conditions.

(3) **Trusted Exchange Addendum**. This Addendum applies if Participant participates, through Contexture, in the exchange of health information through Trusted Exchange Networks. Contexture will notify Participant of material changes to this Addendum by giving notice in accordance with Section 13.2 (*Notice*) of the HIE General Terms and Conditions.

(4) **Business Associate Agreement ("BAA")**. The BAA applies to Participant's access to and use of the HIE and Services.

(5) **Special Terms and Conditions**, which provide specialized contract terms for certain entities, arrangements, and Participant Types:

- Medical Examiners and Coroners
- Organ Procurement Organizations
- Public Health Authorities
- Third-Party Interfaces
- Value-Based Organizations

The applicable Special Terms and Conditions are any that are attached to this Agreement, as well as any that are subsequently executed by the Parties.

(6) **Statement(s) of Work**: All statement(s) of work executed by the Parties for access to or use of the HIE or any Service.

Docusign Envelope ID: CCD26F61-C730-8E80-8124-3177B66C3727

(7) **HIE Support and Service Level Addendum,** available on Contexture's website. This Addendum describes the support and service levels Contexture will provide for the HIE and Services. Contexture may, at its discretion, update this Addendum from time to time. Participant is responsible for checking the Addendum for the current support and service levels.

(8) **Contexture Policies**, available on Contexture's website. These Policies govern the activities of Contexture and HIE Participants related to the Services and HIE Data, including the Permitted Purposes. Contexture will notify Participant of material changes to the Contexture Policies by giving notice in accordance with Section 2.7 (*Contexture Policies; Changes*) of the HIE General Terms and Conditions.

All capitalized words and phrases that are not defined in this Cover Sheet have the meanings given to them in the HIE General Terms and Conditions and or elsewhere in the Agreement.

Each of the individuals signing below represents and warrants that they are signing with full and complete authority to bind the Party to this Agreement.

CONTEXTURE, a Colorado nonprofit corporation

Signature:_____

Printed Name:_____

Title:_____

Date:_____

City of Goodyear

Signature:_____

Printed Name:_____

Title:_____

Date:_____

Certificate Of Completion

Envelope Id: CCD26F61-C730-8E80-8124-3177B66C3727 Status: Sent

Subject: Complete with Docusign: City of Goodyear Fire. SOW Health Care Provider Gold Arizona 35 Subsidy

Participant Name: City of Goodyear dba Goodyear Fire Department

Source Envelope:

Document Pages: 22 Signatures: 0

Certificate Pages: 2 Initials: 0

AutoNav: Enabled

EnvelopeId Stamping: Enabled

Time Zone: (UTC-07:00) Mountain Time (US & Canada)

Envelope Originator:
Misty Kent
2000 S Colorado Blvd
Ste 1200
Denver, CO 80222
misty.kent@contexture.org
IP Address: 2600:1011:a18a:

Record Tracking

Status: Original
6/2/2026 11:21:28 AM

Holder: Misty Kent
misty.kent@contexture.org

Location: DocuSign

Signer Events	Signature	Timestamp
Bryan Langley bryan.langley@goodyearaz.gov Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		Sent: 6/4/2026 11:03:52 AM Resent: 6/8/2026 12:23:50 PM Resent: 6/11/2026 2:15:49 PM Resent: 6/11/2026 3:28:39 PM
Kelly Procopio kelly.procopio@contexture.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp
Nicole Teer nicole.teer@goodyearaz.gov Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		

Carbon Copy Events	Status	Timestamp
Contexture Contracts contracts@contexture.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		

Carbon Copy Events	Status	Timestamp
Misty Kent misty.kent@contexture.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/4/2026 11:03:52 AM
Envelope Updated	Security Checked	6/11/2026 2:15:48 PM
Envelope Updated	Security Checked	6/11/2026 2:15:48 PM
Envelope Updated	Security Checked	6/11/2026 2:15:48 PM
Envelope Updated	Security Checked	6/11/2026 3:28:38 PM

Payment Events	Status	Timestamps

Docusign Envelope ID: F0F4EA17-66C3-8BD7-8314-BF01DCCC8676

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Mutual Agreement to Terminate Statement(s) of Work

Contexture, a Colorado nonprofit corporation, and City of Goodyear-Goodyear Fire ("Participant") are parties to an HIE Participation Agreement with an effective date of ("HIE Participation Agreement").

Contexture and Participant agree to terminate the following Statements of Work that are part of the HIE Participation Agreement ("Terminated SOWs"):

Name of SOW	Date Signed by Participant
Health Care Provider Silver Bundle	9/4/2025

This termination:

1. Is effective as of the date of the last signature on this document.

2. Does not terminate, or modify the terms of, any other document that is part of the HIE Participation Agreement.

3. Does not affect the rights or duties of either Contexture or Participant relating to any events that occurred prior to this termination.

Docusign Envelope ID: F0F4EA17-66C3-8BD7-8314-BF01DCCC8676

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Each of the individuals signing below on behalf of either party hereby represents and warrants that they are signing with full and complete authority to bind the party.

	Contexture, a Colorado nonprofit organization	City of Goodyear
	Signature:	**Signature:**
	Printed Name:	**Printed Name:**
	Title:	**Title:**
	Signature Date:	**Signature Date:**

Certificate Of Completion

Envelope Id: F0F4EA17-66C3-8BD7-8314-BF01DCCC8676 Status: Sent

Subject: Complete with Docusign:City of Goodyear-Goodyear Fire Contexture Mutual Agreement to Terminate SOW

Participant Name: City of Goodyear dba Goodyear Fire Department

Source Envelope:

Document Pages: 2	Signatures: 0	Envelope Originator:
Certificate Pages: 2	Initials: 0	Misty Kent
AutoNav: Enabled		2000 S Colorado Blvd
EnvelopeId Stamping: Enabled		Ste 1200
Time Zone: (UTC-07:00) Mountain Time (US & Canada)		Denver, CO 80222
		misty.kent@contexture.org
		IP Address: 2600:1011:a189:

Record Tracking

Status: Original	Holder: Misty Kent	Location: DocuSign
6/11/2026 3:45:36 PM	misty.kent@contexture.org	

Signer Events	Signature	Timestamp
Bryan Langley bryan.langley@goodyearaz.gov Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		Sent: 6/11/2026 3:51:54 PM
Kelly Procopio kelly.procopio@contexture.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Contexture Contracts contracts@contexture.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		
Nicole Teer nicole.teer@goodyearaz.gov Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		

Carbon Copy Events	Status	Timestamp
Misty Kent misty.kent@contexture.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via Docusign		

Witness Events	Signature	Timestamp

Notary Events	Signature	Timestamp

Envelope Summary Events	Status	Timestamps
Envelope Sent	Hashed/Encrypted	6/11/2026 3:51:54 PM

Payment Events	Status	Timestamps

ITEM #: 10.
DATE: 07/06/2026
AI #:3332

CITY COUNCIL ACTION REPORT

SUBJECT: **RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR REIMBURSEMENT OF TRAFFIC SIGNAL IMPROVEMENTS**

STAFF PRESENTER(S): Kini Knudson, Deputy City Manager

OTHER PRESENTER(S):

Andrew D. Yancey, Esq., Bergin, Frakes, Smalley & Oberholtzer, PLLC

SUMMARY

The Development Agreement for Reimbursement of Traffic Signal Improvements (the "Agreement") between the city of Goodyear ("City"), Estrella North LLC ("Owner") and CBDG Goodyear LLC ("Developer") allows for the design, construction and dedication of a traffic signal and related infrastructure to the City and for the reimbursement of up to $1,000,000 by the City for the Traffic Signal Improvements to either the Owner or the Developer as the constructing party after certain conditions are met, included as Attachment A.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Adopt Resolution No. 2026-2531 approving the Development Agreement for reimbursement of traffic signal improvements. (Kini Knudson, Deputy City Manager)

FISCAL IMPACT

The City's maximum financial obligation under the Agreement is one million dollars ($1,000,000), which is the maximum reimbursement amount for eligible costs associated with the design and construction of certain traffic signal improvements described in the Agreement.

Up to $500,000 may be reimbursed by the City after either the Developer or Owner obtains building permits and initiates construction of both the "road improvements" and the "minimum retail improvements", as described in the Agreement. The remaining reimbursement of up to $1,000,000, which is the maximum reimbursement amount, may be reimbursed by the City upon the issuance of a certificate of occupancy of the "grocery building", and issuance of certificate of completion for the related "shops A" and acceptance of the road improvements by the City Engineer.

All payments will be made only upon verification of complete reimbursement packages submitted to the

City and outlining the eligible costs expended and meeting documentation and Arizona Revised Statutes Title 34 requirements. Reimbursement packages may be submitted to the city on a monthly basis.

BACKGROUND AND PREVIOUS ACTIONS

The Owner owns approximately 12.82 acres adjacent to Estrella Parkway and North Lake within the Estrella community (the “Property”), that is currently a dirt lot. The Developer intends to develop an integrated, high-quality mixed-use project on the Property, or a portion thereof, anchored by a specialty grocer and supported by complementary retail uses. Owner intends to convey the Property to Developer within one (1) year of the effective date of the Agreement and Developer will develop the project over two or more phases.

To support the development, the parties to the Agreement acknowledge the need for construction and dedication of road improvements, including; a 3-way traffic signal with Intelligent Transportation Systems (ITS) infrastructure, median reconfiguration, and three deceleration lanes.

To allow the project to move forward, the city agrees to reimburse either Owner or Developer for certain costs related to the design and construction of the traffic signal improvements and ITS infrastructure.

STAFF ANALYSIS

The City has determined that the project will increase and retain jobs, strengthen the City’s tax base, enhance economic welfare and quality of life, stimulate the surrounding development, and result in public infrastructure that benefits the broader community. The proposed Agreement supports the City’s goals by enabling a high-quality specialty grocer retail anchor and related commercial activity. The road improvements address necessary traffic flow and safety enhancements along Estrella Parkway and would not otherwise be constructed without the project.

The Developer will:

- design and construct the traffic signal improvements on Estrella Parkway pursuant to approved plans;
- dedicate necessary right-of-way at no cost;
- comply with applicable development regulations;
- provide required warranty and procurement documentation;
- follow Arizona Revised Statutes Title 34 related to the design, installation, and/or construction of the traffic signal improvements; and
- submit reimbursement packages containing lien releases and proof of payment to the city for approval to be eligible for reimbursement.

Reimbursement is further conditioned upon:

- Developer entering negotiations to acquire the Property and closing on the Property within one (1) year of the effective date of the Agreement;
- Commencement of construction of specific minimum retail improvements and certain road improvements within eighteen (18) months of the effective date of the Agreement, and
- Developer obtaining an executed ten (10) year lease with a “Specialty Grocer” as defined in the Agreement.

After the conditions have been satisfied the City will:

- process reimbursement packages within required review timelines stated in the Agreement; and
- reimburse only documented and approved eligible costs related to the traffic signal and related improvements; and
- accept ownership of the road improvements and traffic signal and assume full maintenance and operation responsibility after the applicable warranty period.

Staff recommends adopting Resolution No. 2026-2531 (Attachment A) and supports the Agreement

because it facilitates timely construction of needed public roadway infrastructure that would not otherwise occur, supports a desirable commercial anchor, enhances roadway safety and capacity, and limits financial exposure through a capped reimbursement structure tied to clear performance milestones.

Attachments

Attachment A - Resolution No. 2026-2531 with Exhibit

RESOLUTION NO. 2026-2531

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING THE DEVELOPMENT AGREEMENT FOR REIMBURSEMENT OF TRAFFIC SIGNAL IMPROVEMENTS.

WHEREAS, Estrella North LLC, a Delaware limited liability company, (“Owner”) owns approximately 12.82 acres of land adjacent to the west boundary of Estrella Parkway and adjacent to the east side of North Lake, in the City of Goodyear (the "Property");

WHEREAS, Owner intends to convey the Property or a portion thereof to CBDG Goodyear LLC, an Arizona limited liability company (“Developer”);

WHEREAS, Developer intends to develop or cause to be developed, over time in two or more phases, an integrated, high-quality mixed-use project anchored by a specialty grocery store and containing other complementary retail and commercial uses on the Property (the "Project");

WHEREAS, the city acknowledges that development of the Project will generate substantial benefits to the city and will generate substantial transaction privilege tax and similar revenues for the city;

WHEREAS, the city agrees to reimburse certain costs related to the design and construction of a traffic signal and related improvements located at the entrance to the Project;

WHEREAS, the city agrees to reimburse an amount no greater than one million dollars ($1,000,000.00) for the traffic signal and related improvements;

WHEREAS, prior to the city making any reimbursement payments certain conditions to reimbursement must be satisfied which include the execution of a long-term lease with specialty grocery store as defined in the Agreement;

WHEREAS, the city, Owner and Developer intend for the Development Agreement for Reimbursement of Traffic Signal Improvements to be a development agreement within the meaning of A.R.S. § 9-500.05; and

WHEREAS, the city has determined that development of the Project will result in a net increase or retention of jobs in the city, add to the city's tax base and otherwise improve or enhance the economic welfare and quality of life of the residents and businesses of the city.

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

SECTION 1. The Mayor and Council of the city of Goodyear find the approval of the Development Agreement for Reimbursement of Traffic Signal Improvements, a copy of which is attached hereto as Exhibit 1 and incorporated herein by this reference, to be in the best interest of the city of Goodyear and hereby approve the Development Agreement for Reimbursement of Traffic Signal Improvements.

SECTION 2. The City Manager or designee is hereby authorized and directed to execute the Development Agreement for Reimbursement of Traffic Signal Improvements attached hereto as Exhibit 1.

SECTION 3. The City Manager or designee is hereby authorized and directed to take any and all actions and to execute all the documents necessary to carry out the intent of this Resolution and the terms of the Development Agreement for Reimbursement of Traffic Signal Improvements.

SECTION 4. The City Attorney or his designee is hereby authorized to make non-substantive changes to the form of the Development Agreement for Reimbursement of Traffic Signal Improvements attached hereto as Exhibit 1 prior to its execution.

SECTION 5. Resolution 2026-2531 shall be effective as provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this 6th day of July, 2026.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

_____
Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

EXHIBIT 1

WHEN RECORDED, RETURN TO:

City of Goodyear, Arizona
Office of the City Clerk
1900 North Civic Square
Goodyear, Arizona 85395

DEVELOPMENT AGREEMENT FOR REIMBURSEMENT OF TRAFFIC SIGNAL IMPROVEMENTS

THIS DEVELOPMENT AGREEMENT FOR REIMBURSEMENT OF TRAFFIC SIGNAL IMPROVEMENTS (this "**Agreement**") is made by and among CITY OF GOODYEAR, an Arizona municipal corporation ("**City**"), ESTRELLA NORTH LLC, a Delaware limited liability company ("**Owner**"), and CBDG GOODYEAR LLC, an Arizona limited liability company ("**Developer**"). The City, Owner and Developer are referred to herein collectively as the "**Parties**" and individually as a "**Party**."

RECITALS:

A. **WHEREAS**, Owner is the owner of approximately 12.82 acres of land adjacent to the west boundary of Estrella Parkway and adjacent to the east side of North Lake, in the City of Goodyear, as further legally described in EXHIBIT 1 attached hereto and made a part hereof by this reference (the "**Property**"), on which it intends to develop or cause to be developed, over time and in two or more phases, an integrated, high-quality mixed-use project anchored by a specialty grocery store and containing other complementary retail and commercial uses (the "**Project**").

B. **WHEREAS**, Owner is under contract to sell to Developer the portion of the Property upon which the Minimum Retail Improvements (as defined in this Agreement) will be developed.

C. **WHEREAS**, the City and Owner acknowledge that development of the Project will generate substantial economic benefits to the City and will generate substantial transaction privilege tax and similar revenues for the City, which revenues would not be generated without the development of the Project, or which revenues will exceed revenues that would be generated by alternative uses of the Property.

D. **WHEREAS**, the City Council is of the opinion, and the City has determined, that development of the Project: (i) will result in a net increase or retention of jobs in the City; (ii) will add to the City's tax base; (iii) will otherwise improve or enhance the economic welfare and quality of life of the residents and businesses of the City; (iv) would not otherwise occur in the City without the incentives provided herein; (v) will drive additional development in the vicinity of the Project; (vi) demonstrates the potential to generate significant revenues and other benefits to the City, which is of such significance that the City desires to encourage and facilitate its development and construction; and (vii) will enable the construction and dedication to the City of desirable public infrastructure improvements.

E. **WHEREAS**, the Parties acknowledge that development of the Project pursuant to this Agreement requires construction and dedication to the City of the "Road Improvements" (as defined in this Agreement), and that the Road Improvements will benefit and facilitate desired development within the Property as well as within the neighboring community.

F. **WHEREAS**, in consideration of Owner and/or Developer doing all of the following, as further provided herein: (i) dedicating and/or causing to be dedicated certain rights-of-way needed for particular Road Improvements; (ii) completing, or causing to be completed, the Road Improvements; (iii) developing, or causing to be developed, the Minimum Retail Improvements; and (iv) otherwise complying with the terms of this Agreement and applicable development regulations, the City agrees to reimburse Owner and/or Developer for certain "**Eligible Costs**" (as defined in this Agreement) related to design and construction of particular Road Improvements.

G. **WHEREAS**, the Parties now desire to enter into this Agreement in order to set forth the terms for development of the Project and the Road Improvements and the City's related reimbursement obligations.

H. **WHEREAS**, the Parties understand and acknowledge that this Agreement is a "Development Agreement" within the meaning of, and entered into pursuant to the terms of, A.R.S. § 9-500.05, and that the terms of this Agreement shall constitute covenants running with the Property as more fully described in this Agreement.

AGREEMENT:

NOW, **THEREFORE**, in consideration of the covenants herein and of the benefits to be provided hereunder, the Parties agree as follows:

1. Incorporation of Recitals. The Parties hereby adopt and incorporate the Recitals stated above as agreements herein, the same as though fully set forth herein in their entirety.

2. Definitions. Certain capitalized terms not defined in the foregoing Recitals or elsewhere in this Agreement are defined as follows:

2.1. "**Acceptance of the Road Improvements**," or derivations thereof, means the date the City Engineer issued a letter stating the City Engineer has accepted the Road Improvements constructed pursuant to the Approved Plans following the dedication of the right-of-way required therefor in accordance with the terms of Section 4.3. Acceptance of the Road Improvements is subject to the warranty obligations required by Section 4.7.

2.2. "**Affiliate**" means, as applied to any person or business entity, any person or business entity directly or indirectly controlling, controlled by, or under common control with, that person or business entity.

2.3. "**Agreement**" means this Development Agreement for Reimbursement of Traffic Signal Improvements, which is a development agreement pursuant to A.R.S. Section 9-500.05.

2.4. "**Approved Plans**" means plans and specifications for construction of the Road Improvements as approved by the City Engineer.

2.5. "**City Engineer**" means the City of Goodyear City Engineer and any designee identified by the City Engineer, the City of Goodyear City Manager (the "**City Manager**"), and/or a Deputy City Manager to perform any duty or task assigned to the City Engineer.

2.6. "**Constructing Party**" means either the Owner or the Developer, whichever party constructs or causes to be constructed the Traffic Signal Improvements.

2.7. "**Effective Date**" is defined in Section 3.1.

2.8. "**Eligible Costs**" means the actual costs, expenses, and fees that have been paid by a Constructing Party to contractors, construction managers, architects, engineers, surveyors, consultants, governmental agencies, and other Third Parties for studies, reports, tests, inspections, reviews, materials, labor, design, engineering, surveying, site excavation and preparation, grading, drainage, removal, relocation, and replacement of utility facilities and improvements, governmental permits and fees, payment and performance bonds and/or other bonds, insurance premiums, and all other costs and expenses that are reasonably and solely necessary for the design and construction of the Traffic Signal Improvements.

2.9 "**Final Completion**" means (i) the Grocery Building has been issued a final certificate of occupancy or temporary certificate of occupancy by the City and the balance of the Minimum Retail Improvements have been issued a final certificate of completion, and (ii) Acceptance of Road Improvements.

2.10. "**Grocery Building**" means the building to be constructed by Developer as depicted on the Project Site Plan to house the Specialty Grocer.

2.11. "**Maximum Reimbursement Amount**" means an amount no greater than one million dollars ($1,000,000.00).

2.12. "**Minimum Retail Improvements**" means the Grocery Building and Shops A adjacent to the Grocery Building as shown in the Project Site Plan (together containing approximately 32,229 square feet of building area), together with parking and other on-site improvements necessary to achieve Final Completion, all as shown on the Project Site Plan attached hereto as EXHIBIT 2.

2.13. "**Project**" means as defined in Recital A.

2.14. "**Project Site Plan**" means the conceptual site plan for the Project attached hereto as EXHIBIT 2.

2.15. "**Property**" means as defined in Recital A.

2.16. "**Reimbursement Payments**" means the payment by the City of Eligible Costs up to the Maximum Reimbursement Amount.

2.17. "**Road Improvements**" means the Traffic Signal Improvements and other improvements to Estrella Parkway as generally described in EXHIBIT 3 and as further generally depicted in EXHIBIT 3-A.

2.18. "**Specialty Grocer**" means a smaller-format grocer that (i) customarily operates stores containing between 20,000 and 35,000 square feet of gross floor area, (ii) derives a substantial portion of its sales from primarily offering a curated selection of fresh produce, natural and organic foods, bulk items, health-focused products, and specialty culinary goods, (iii) operates more than 400 retail stores in the United States and (iv) has a principal corporate office or headquarters in the state of Arizona. The stores emphasize fresh-food merchandising, limited general merchandise, unique product offerings, and a focused shopping experience distinct from full-line supermarkets. An example of a Specialty Grocer includes Sprouts Farmers Market.

2.19. "**Traffic Signal Improvements**" means a 3-way traffic signal and related improvements and technology (including ITS infrastructure) to be constructed in accordance with Approved Plans at the location depicted in EXHIBIT 3-A.

2.20. "**Term**" means the duration of this Agreement as described in Section 3.

2.21. "**Third Party**" or "**Third Parties**" means any individual(s) or business entity(ies), other than a Party or an Affiliate of a Party.

3. Term of Agreement.

3.1. Effective Date. This Agreement shall take effect upon the recordation of this Agreement in the official records of the Maricopa County Recorder, such date being the "**Effective Date**".

3.2. Expiration. This Agreement shall expire after the obligations of the Parties have been fully satisfied, but in no event later than six (6) years following the Effective Date. If the Constructing Party has not commenced construction of the Road Improvements and the Minimum Retail Improvements on or before the date that is eighteen (18) months following the Effective Date, this Agreement shall automatically terminate.

4. Owner's Obligations.

4.1. Preliminary Cost Estimate. At least thirty (30) days prior to commencement of construction of the Road Improvements, the Constructing Party shall submit to the City Engineer a preliminary estimate of the costs of the design and construction of the Traffic Signal Improvements (the "**Preliminary Cost Estimate**"). The Preliminary Cost Estimate shall be prepared by a licensed engineer or construction consultant and shall include estimates of the design and construction for the Traffic Signal Improvements. The City Engineer shall review the Preliminary Cost Estimate and either approve or provide any objections to the estimated costs within ten (10) business days following the date the Preliminary Cost Estimate is received by the City Engineer. The Constructing Party and the City Engineer shall meet to discuss any objections of the City Engineer and shall use good faith efforts to reach an agreement on the Preliminary Cost Estimate.

4.2. Construction of Road Improvements. The Constructing Party shall design and construct and/or shall cause Third Parties to design and construct the Road Improvements as described in EXHIBIT 3 at the Constructing Party's cost, subject to the terms of, and the reimbursement provisions provided in, this Agreement.

4.3. Dedication at No Cost. Owner and/or Developer will dedicate to the City such portions of the Property as are necessary for the ownership, operation, maintenance, repair and replacement of the Road Improvements, such dedication to be at no cost to the City and free and clear of all liens and encumbrances except as approved by the City Engineer.

4.4. Development Regulations. The Road Improvements shall be designed as required by EXHIBIT 3 and EXHIBIT 3-A and constructed in accordance with the Approved Plans. The Constructing Party will comply, or will require all Third Parties designing and/or constructing the Road Improvements to comply, with all applicable laws, codes, ordinances, rules, regulations, standards, guidelines, conditions of approval, and the like governing the construction and dedication of the Road Improvements, as they may be amended from time to time (the "**Development Regulations**"). Development Regulations include, by way of example but not limitation: the Building Codes and Regulations, the Subdivision Regulations adopted by the City of Goodyear, 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; ordinances rezoning the Property, including stipulations and conditions of approval thereto; and conditions of approvals of approved preliminary and final plats and/or site plans for the Property. The City Engineer, in the sole discretion of the City Engineer, may waive requirements in the Development Regulations if the City Engineer determines, to the City Engineer's satisfaction, that there is good cause for the waiver, the alternative materials, design, or method of construction proposed meets the intent of the standard being waived and will not result in any increase in costs to the City such as, but not limited to, increased costs because the life of the alternative materials is shorter than what is required in the standards, or the alternative construction method will result in the need for more frequent repairs or replacement.

4.5. Title 34. The Constructing Party shall comply, or will require any constructing Third Parties to comply, with all applicable state, county, and City laws governing the procurement of services related to the design, installation, and/or construction of the Traffic Signal Improvements for which reimbursement is sought, including but not limited to the public bidding requirements of Arizona Revised Statutes (A.R.S.) Title 34. The Constructing Party shall not be eligible to receive any Reimbursement Payments unless and until the Constructing Party has, or any constructing Third Parties have, provided to the City Engineer all documentation reasonably requested by the City Engineer to demonstrate compliance with A.R.S. Title 34 as to the Traffic Signal Improvements.

4.6. Reimbursement Documentation. The Constructing Party shall not be eligible to receive any Reimbursement Payments unless and until the Constructing Party has provided or has caused to be provided to the City Engineer all documentation

reasonably requested by the City Engineer to demonstrate compliance with A.R.S. Title 34 as set forth in Section 4.5 above, and evidence that the Eligible Costs have been paid by the Constructing Party and/or Third Parties, and that unconditional lien releases for construction work corresponding to such Eligible Costs have been obtained from all contractors and subcontractors that have performed such work on the Traffic Signal Improvements and that have filed valid preliminary 20-day lien notices (each submittal, a "**Reimbursement Package**").

4.7. Warranty. The Constructing Party shall provide, or shall cause a constructing Third Party to provide, a warranty for any Road Improvements warranting against defective workmanship and/or materials that lasts for two (2) years starting on the date of Acceptance of the Road Improvements.

4.8. Condition of Reimbursement. Neither Owner nor Developer is obligated by this Agreement to develop or construct, or cause to be developed or constructed, all or any portion of the Project or the Road Improvements; provided, however, the City's reimbursement obligations under Section 5 are conditioned on the timely satisfaction of the following conditions (collectively the "**Reimbursement Conditions**"):

(a) Developer shall have closed its purchase of the Property or portion thereof on or before the first anniversary of the Effective Date.

(b) The Constructing Party shall have commenced construction of the Minimum Retail Improvements and the Road Improvements not later than eighteen (18) months after the Effective Date.

(c) Developer shall have procured an executed lease with a Specialty Grocer (or its Affiliate) for a base term of not less than ten (10) years. The lease must obligate Developer to construct and deliver the Grocery Building in accordance with plans and specifications approved by the Specialty Grocer and must include the Specialty Grocer's covenant to open to the public, fully staffed, stocked and fixturized.

5. City's Obligations.

5.1. Reimbursement Obligation. In consideration for the construction and dedication to the City of the Road Improvements and otherwise satisfying the terms and conditions of this Agreement, the City shall, subject to the terms and conditions in this Agreement, reimburse the Constructing Party its Eligible Costs, as approved by the City pursuant to the terms of Section 4.6 above and Section 5.2 below, up to the applicable Maximum Reimbursement Amount.

5.2. Reimbursement Payment Approval. Each Reimbursement Payment shall be reviewed within fourteen (14) days following submittal of a complete Reimbursement Package in accordance with Section 4.6. Reimbursement Packages shall not be submitted by the Constructing Party more frequently than once per thirty (30) days. The amount of the Eligible Costs must be approved by the City Engineer prior to the City making Reimbursement Payment of such Eligible Costs to the Constructing Party. The City Engineer shall promptly review each Reimbursement Package and notify the Constructing

Party of its approval or disapproval thereof. Each Reimbursement Payment shall be due and payable within thirty (30) days following the City Engineer's approval of a complete Reimbursement Package. If the City Engineer does not approve the actual costs, expenses, and fees that have been paid by the Constructing Party, or any portion thereof (such portion, the "**Disputed Portion**"), within fourteen (14) days of the City Engineer's receipt of a Reimbursement Package, the Constructing Party and the City Engineer shall thereafter use good faith efforts to reach an agreement on the Eligible Costs or the Disputed Portion, as applicable.

5.3. Reimbursement Payments. Subject to Section 5.2 above and satisfaction of the Reimbursement Conditions, City shall be obligated to reimburse up to Five Hundred Thousand Dollars ($500,000.00) of Eligible Costs after Developer obtains building permits and initiates construction of both the Road Improvements and the Minimum Retail Improvements. Subject to satisfaction of the Reimbursement Conditions, City shall be obligated to reimburse Eligible Costs in excess of Five Hundred Thousand Dollars ($500,000) up to the Maximum Reimbursement Amount upon Final Completion.

5.4. Reimbursements to Constructing Party. With respect to the right to reimbursement, references to the "Constructing Party" in this Agreement refer solely to either the Owner or the Developer, defined on the first page of this Agreement, whichever party constructs, or causes to be constructed, the Traffic Signal Improvements. The Owner or the Developer shall provide written notice to the City identifying itself as the Constructing Party at or before submission of the initial Reimbursement Package. Only the Constructing Party shall be entitled to receive Reimbursement Payments (notwithstanding the sale by the Constructing Party of any portion of the Property) until the Constructing Party provides written notice to the City signed by an authorized officer of such Constructing Party designating an Affiliate of such Constructing Party or a Third Party to receive such Reimbursement Payments (as applicable, a "Receiving Party"). Upon the City's receipt of such designation, the Receiving Party shall be entitled to receive all subsequent Reimbursement Payments otherwise payable to the Constructing Party. Notwithstanding any provision of this Agreement to the contrary, the Constructing Party's or Receiving Party's right to receive Reimbursement Payments hereunder shall not run with the land.

5.5. Acceptance of Road Improvements. Upon Acceptance of the Road Improvements, the Road Improvements shall become public facilities and property of the City; the City shall be solely responsible for all subsequent operation, maintenance, repairs, or replacements thereof; and the City shall bear the risk of, and shall indemnify each Constructing Party or any applicable Third Parties and their respective successors, assigns, Affiliates, members, managers, agents, and representatives, against any claim arising after Acceptance of the Road Improvements from any injury (personal, economic, or other) or damage to any person, party, property or utility, arising from the condition, operation, or use of the Road Improvements, except to the extent caused by the negligence or willful acts or omissions of such Constructing Party, any applicable Third Parties, or their respective successors, assigns, Affiliates, members, managers, agents and representatives.

5.6. Expedited Review. The City will use its best efforts to expedite its review of any submittals related to the design and construction of the Road Improvements and the Project within the time normally associated with the City's expedited review processes, provided submittals are complete and comply with Development Regulations.

5.7. Additional Public Improvements. City covenants and agrees that so long as the Property is developed with improvements substantially similar to those shown on the Project Site Plan, City will not require additional off-site improvements or other public improvements to be constructed in connection with development of the Property.

6. General Terms.

6.1. Entire Agreement. This Agreement, together with the attached Exhibits (which are incorporated herein by this reference) constitutes the entire Agreement between the Parties pertaining to the construction of the Road Improvements, and all prior and contemporaneous agreements, representations, negotiations, and understandings of the Parties, oral or written pertaining to the subject matter of this Agreement are hereby superseded and merged herein.

6.2. Recording/Amendments. This Agreement shall be recorded in its entirety in the Official Records of Maricopa County not later than ten (10) days after its full execution. In order for an amendment of this Agreement to become effective, the Party seeking the amendment shall submit its proposed amendment in writing to the other Parties for review. To be effective, amendments shall be approved by the City Council, signed by the Parties, and attached to this Agreement as an addendum. Amendments shall also be recorded in the Official Records of Maricopa County within ten (10) days after execution.

6.3. Exhibits. All Exhibits to this Agreement shall be deemed a part of this Agreement and enforceable as if in the body of this Agreement.

6.4. Requirements Not Addressed. The Parties acknowledge and agree that this Agreement addresses only certain issues with respect to the development of the Property and provides only those rights expressly set forth in this Agreement. Except as expressly provided otherwise in this Agreement, this Agreement does not relieve Owner from complying with the City's requirements concerning the development process, including by way of example but not limitation, complying with procedures and processes governing submission requirements for zoning, preliminary subdivision plats, final subdivision plats and/or site plans, and paying all applicable costs, permit fees, development fees, application fees, and taxes.

6.5. Development Regulations. Except as otherwise expressly provided in this Agreement and subject to the terms and conditions of this Agreement, the Parties agree that the construction of the Road Improvements and the Project shall be governed by the Development Regulations in effect as of the Effective Date of this Agreement or in effect when permits are issued therefor, whichever is later, except that a drive-thru use shall not be subject to requirements triggered by the use’s proximity to a signalized intersection if such requirements are enacted subsequent to June 30, 2026.

6.6. Future Conditions and Approvals. The Parties acknowledge and agree that this Agreement addresses only limited issues relative to the construction of the Road Improvements and the Project. The Parties agree that nothing in this Agreement shall be deemed to require the City to grant any future administrative or legislative approvals related to the development of the Property that would be in addition to those approvals the City has already provided to the Property as of the Effective Date of this Agreement provided, however, such approvals have not already expired or been terminated, do not expire or terminate pursuant to the terms of this Agreement, or are not revoked or terminated because of a breach of this Agreement. Regardless of whether the action or payment is provided for in this Agreement, the Parties acknowledge and agree that the City is not required to undertake any action or make any payments if any federal, state, or local law requires formal action and approval by the City Council before undertaking such action or payment until the City Council has taken the required formal action and has approved the action or payment. The Parties agree that nothing in this Agreement shall affect the City's legislative authority to approve or deny zoning or other development related applications, including applications for preliminary and/or final plats and/or site plans, or the City's legislative authority to impose conditions on the development of the Property. Finally, the Parties agree that except as otherwise expressly provided herein, nothing in this Agreement shall restrict Owner's or Developer's rights to object to and pursue all legal remedies to obtain relief from any future conditions, stipulations, policies, procedures, resolutions or ordinances imposed by the City that Owner or Developer deems to be illegal and/or beyond the scope of the City's statutory authority as applied to the Property.

6.7. Notices. Any and all notices, filings, approvals, consents, or other communications required or permitted by this Agreement shall be given in writing and (i) personally delivered, (ii) sent by first-class mail, postage prepaid, (iii) sent by Federal Express, Airborne, U.P.S. or other similar nationally recognized overnight courier, addressed as follows:

To City:	City of Goodyear Attn: Development Services Director 1900 North Civic Square Goodyear, Arizona 85395
With a copy to:	City of Goodyear Attn: City Attorney 1900 North Civic Square Goodyear, Arizona 85395
To Owner:	Estrella North LLC 17700 N. Pacesetter Way, Ste. 100 Scottsdale, AZ 85255 Attn: Roger Theis
With a copy to:	Berens Blonstein PLC 7033 E. Greenway Parkway, Suite 210 Scottsdale, AZ 85255 Attn: Marc D. Blonstein, Esq.

To Developer:	CBDG Goodyear LLC Attn: Brian Frakes and Trevor Cohen 4300 E Camelback Rd. Ste 150 Phoenix, AZ 85018
With a copy to:	Bergin, Frakes, Smalley & Oberholtzer PLLC 4343 E. Camelback Road, Suite 210 Phoenix, AZ 85018 Attn: Andrew D. Yancey, Esq.

or to any other addresses as either Party may from time to time designate in writing and deliver in a like manner. Notices, filings, consents, approvals, and communication shall be deemed to have been given as of the date of the date of delivery if hand delivered or sent by overnight courier, or as of three (3) days following deposit in the U.S. Mail.

6.8. Covenants Running with the Land. Except as otherwise provided in this Agreement, rights and duties under this Agreement shall be for the benefit of, and a burden upon, the Property, and they shall be covenants running with the land.

6.9. Successors and Assigns. The provisions of this Agreement are binding upon and shall inure to the benefit of the Parties, and all of their successors and assigns.

6.10. No Agency or Partnership. Neither City nor Owner is acting as the agent of the other with respect to this Agreement, and this Agreement shall not be deemed to create a partnership, joint venture, or other business relationship between the City and Owner.

6.11. Conflicts of Interest. This Agreement is subject to the provisions of A.R.S. § 38-511 and may be terminated by the City in accordance with such provisions.

6.12. Business Days. If the last day of any time period stated in this Agreement or the date on which any obligation to be performed under this Agreement shall fall on Saturday, Sunday or legal holiday, then the duration of such time period or the date of performance, as applicable, shall be extended so that it shall end on the next succeeding day which is not a Saturday, Sunday or legal holiday.

6.13. Defaults and Remedies. Any Party shall be in default under this Agreement ("**Default**") if it fails to satisfy any term or condition as required under this Agreement within thirty (30) business days following written notice from the other Party ("**Notice**"); provided, however, that the Notice shall set forth the specific reasons for the determination that the Party has failed to satisfy any term of condition hereof. A Party shall not be in Default if the Party commences to cure any deficiencies within thirty (30) business days of receipt of Notice and cures such deficiency within a reasonable time thereafter.

6.14. No Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof, and no waiver by a Party of the breach of any covenant or condition of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other covenant or condition of this Agreement.

6.15. Mediation. If a dispute arises out of or related to this Agreement, or breach thereof, the Parties agree that there shall be a ninety (90) day moratorium on Litigation to first to try to settle the dispute through non-binding mediation before resorting to arbitration, litigation, or some other binding dispute resolution. In the event that the Parties cannot agree upon the selection of a mediator within seven (7) days, any Party may request a presiding judge of the Superior Court to assign a mediator from a list of mediators maintained by the Arizona Municipal Risk Retention Pool. The mediator selected shall have a minimum of ten (10) years' experience mediating or arbitrating disputes involving commercial property development. The mediation shall be completed in one (1) day or less and shall be confidential and private. The terms of this section shall survive the expiration or earlier termination of this Agreement.

6.16. Section Headings. The section headings contained in this Agreement are for convenience in reference only and are not intended to define or limit the scope of any provision of this Agreement.

6.17. Fair Interpretation. The terms and provisions of this Agreement represent the result of negotiations between the Parties, each of which has had the opportunity to consult with the counsel of their own choosing and/or has been represented by counsel of their own choosing, and none of whom has acted under duress or compulsion, whether economic or otherwise. The Parties agree that the terms and provisions of this Agreement shall be construed according to their usual and customary meanings, and the Parties each hereby waive the application of any rule of law that ambiguous or conflicting terms be resolved against the Party who prepared, or whose attorney prepared, the executed Agreement or any earlier draft of same. The terms of this Section shall survive the expiration or earlier termination of this Agreement.

6.18. Choice of Law, Venue and Attorneys' Fees. In any dispute under this Agreement, the successful Party shall be entitled to collect from the other Party its reasonable attorneys' fees, and other costs as determined by a court of competent jurisdiction. The Parties agree that any dispute, controversy, claim or cause of action arising out of or related to this Agreement shall be governed by the laws of the State of Arizona. The Parties further agree that the venue for any dispute, controversy, claim or cause of action arising out of or related to this Agreement shall be Maricopa County and that any action filed shall be heard in a court of competent jurisdiction located in Maricopa County. The Parties expressly waive the right to object, for any reason, to the venue of Maricopa County. The terms of this Section shall survive the expiration or earlier termination of this Agreement.

6.19. Survival Clause. All provisions of this Agreement that logically ought to survive the expiration or earlier termination of this Agreement shall survive the expiration or earlier termination of this Agreement. This includes by way of example: all provisions imposing obligations that will not be triggered until the Agreement is terminated; all indemnification provisions; all limitation of remedies and damages provisions; all provisions waiving claims; all payment obligations; and all provisions relieving any Party of liability for actions taken. The fact that certain provisions in this Agreement state that such provisions shall survive the expiration or earlier termination of this Agreement shall

not be construed to limit the application of the foregoing Survival Clause to other provisions in this Agreement.

6.20. Representations and Warranties of Owner. As of the Effective Date, Owner represents and warrants the following:

6.20.1. Ownership. Owner is the owner of the Property and has the full right and authority to submit its interest in the Property to the obligations hereunder.

6.20.2. Authorization. Owner is qualified to do business in Arizona and is in good standing; Owner (including the individual signing for Owner) has the authority and the right to enter into this Agreement, and Owner is not prohibited from executing this Agreement by any law, rule regulation, instrument, agreement, order or judgment.

6.20.3. Due Diligence. Owner reviewed this Agreement and reached its own conclusions as to the binding and enforceable nature thereof and all of the provisions contained herein and has not relied on any representations or warranties of City other than those expressly provided in this Agreement.

6.21. Representations and Warranties of Developer. As of the Effective Date, Developer represents and warrants the following:

6.21.1. Interest in Property. Developer is under contract to purchase all or a portion of the Property from Owner.

6.21.2. Developer. Developer is qualified to do business in Arizona and is in good standing; Developer (including the individual signing for Developer) has the authority and the right to enter into this Agreement, and Developer is not prohibited from executing this Agreement by any law, rule regulation, instrument, agreement, order or judgment.

6.21.3. Due Diligence. Developer reviewed this Agreement and reached its own conclusions as to the binding and enforceable nature thereof and all of the provisions contained herein and has not relied on any representations or warranties of City other than those expressly provided in this Agreement.

6.22 Representations and Warranties of the City. As of the Effective Date of this Agreement, the City represents and warrants the following:

6.22.1. Approval. The City has approved this Agreement at a duly held and noticed public meeting by its Mayor and City Council, at which a quorum was duly present, and has authorized the execution hereof.

6.22.2. Authorization. City agrees that the individuals executing this Agreement on behalf of City have been duly authorized to do so.

6.23. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute one agreement, binding on the Parties. Further, this Agreement may be executed and delivered by electronic transmission. A manually signed copy of this Agreement delivered by facsimile, email, or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement; provided, however, Owner and Developer shall deliver an original to the City for recordation in the Official Records of the Maricopa County Recorder.

6.24. Force Majeure. A Party shall not be held liable for failure of or delay in performing its obligations under this Agreement, and the time for such performance shall be appropriately extended, if such failure or delay is the result of an act of God, such as earthquake, hurricane, tornado, flooding, or other natural disaster, or in the case of war, action of foreign enemies, terrorist activities, labor dispute or strike, government sanction, blockage, embargo, or failure of electrical service. The nonperforming Party must make every reasonable attempt to minimize delay of performance.

6.25. Page Numbering. The page numbering of this document is exclusive of the Exhibits attached hereto.

6.26. No Third-Party Beneficiaries. This Agreement shall not confer any rights or remedies upon anyone other than the Parties and their respective successors and permitted assigns.

IN WITNESS HEREOF and agreeing to be bound by the terms of this Agreement the Parties have caused this Agreement to be executed by their duly appointed representatives.

[Signatures Appear on the Following Pages]

CITY:

CITY OF GOODYEAR, an Arizona municipal corporation

By: _____
Bryan Langley
Its: City Manager

ATTEST:

_____

Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:

_____

Roric Massey, City Attorney

State of Arizona

County of _____

On this _____ day of _____, 20____, before me personally appeared _____, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

[Affix Seal Here]

_____
Notary Public [Notary Public Signature]
My Commission Expires _____

OWNER:

ESTRELLA NORTH LLC,
a Delaware limited liability company

By: Estrella Partners, LP,
a Delaware limited partnership
Its: Sole Member and Manager

By: Goodyear EMR GP, LLC,
a Delaware limited liability company
Its: General Partner

By: EMR Harvard LLC,
an Arizona limited liability company
Its: Administrative Member

By: Harvard Investments, Inc.,
a Nevada corporation
Its: Manager

By: _____

Name: _____

Title: _____

By: _____

Name: _____

Title: _____

State of Arizona
County of _____
On this _____ day of _____, 20____, before me personally appeared _____, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

[Affix Seal Here]

_____
Notary Public [Notary Public Signature]
My Commission Expires _____

DEVELOPER:

CBDG GOODYEAR LLC, an Arizona limited liability company

By: **Common Bond Development Company**, an Arizona limited liability company
Its: Manager

By:_____
Name: Brian Frakes
Title: Manager

State of Arizona
County of _____
On this _____ day of _____, 20____, before me personally appeared _____, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

[Affix Seal Here]

_____
Notary Public [Notary Public Signature]
My Commission Expires _____

EXHIBIT 1

Property Legal Description

Legal Description – Parcel 1
(Yacht Club/Estrella Welcome Center)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A GLO BRASS CAP ACCEPTED AS THE SOUTH QUARTER CORNER OF SAID SECTION 11 FROM WHICH A GLO BRASS CAP ACCEPTED AS THE SOUTHWEST CORNER THEREOF BEARS SOUTH 88 DEGREES 28 MINUTES 17 SECONDS WEST A DISTANCE OF 2687.53 FEET;

THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88 DEGREES 28 MINUTES 17 SECONDS WEST A DISTANCE OF 993.51 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 01 DEGREES 31 MINUTES 43 SECONDS WEST A DISTANCE OF 280.61 FEET TO A POINT ON THE EASTERLY LINE OF ESTRELLA PARCEL 34 ACCORDING TO BOOK 329 OF MAPS, PAGE 34, RECORDS OF SAID MARICOPA COUNTY;

THENCE ALONG SAID EASTERLY LINE, NORTH 10 DEGREES 49 MINUTES 40 SECONDS WEST A DISTANCE OF 40.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 56 DEGREES 20 MINUTES 17 SECONDS WEST A DISTANCE OF 87.84 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 23 DEGREES 30 MINUTES 45 SECONDS WEST A DISTANCE OF 158.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 30 DEGREES 29 MINUTES 59 SECONDS WEST A DISTANCE OF 90.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 37 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 209.20 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 39 DEGREES 55 MINUTES 57 SECONDS WEST A DISTANCE OF 65.25 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 300.00 FEET, THE CENTER OF WHICH BEARS NORTH 39 DEGREES 54 MINUTES 21 SECONDS WEST;

THENCE LEAVING SAID EASTERLY LINE OF PARCEL 34 NORTHEASTERLY ON A CURVE TO THE LEFT, WHOSE CENTRAL ANGLE OF 50 DEGREES 10 MINUTES 37 SECONDS AN ARC LENGTH OF 262.73 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 263.23 FEET;

THENCE NORTH 45 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 56.57 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 59.39 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 121.18 FEET ALONG THE WESTERLY LINE OF "YACHT CLUB PARCEL";

THENCE LEAVING SAID WESTERLY LINE OF "YACHT CLUB PARCEL", NORTH 45 DEGREES 05 MINUTES 40 SECONDS EAST A DISTANCE OF 238.07 FEET TO THE NORTHERLY LINE OF SAID YACHT CLUB PARCEL;

THENCE ALONG SAID NORTHERLY LINE, SOUTH 89 DEGREES 14 MINUTES 13 SECONDS EAST A DISTANCE OF 219.91 FEET TO THE EASTERLY LINE OF SAID "YACHT CLUB PARCEL";

THENCE ALONG SAID EASTERLY LINE, SOUTH 00 DEGREES 45 MINUTES 47 SECONDS WEST A DISTANCE OF 286.48 FEET TO THE SOUTHERLY LINE OF SAID "YACHT CLUB PARCEL";

THENCE ALONG SAID SOUTHERLY LINE, NORTH 89 DEGREES 58 MINUTES 46 SECONDS WEST A DISTANCE OF 384.73 FEET TO THE POINT OF BEGINNING.

AREA: 97,365 SF

Legal Description – Parcel 2
(Shopping Center)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A GLO BRASS CAP ACCEPTED AS THE SOUTH QUARTER CORNER OF SAID SECTION 11 FROM WHICH A GLO BRASS CAP ACCEPTED AS THE SOUTHWEST CORNER THEREOF BEARS SOUTH 88 DEGREES 28 MINUTES 17 SECONDS WEST A DISTANCE OF 2687.53 FEET;

THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88 DEGREES 28 MINUTES 17 SECONDS WEST A DISTANCE OF 993.51 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 01 DEGREES 31 MINUTES 43 SECONDS WEST A DISTANCE OF 280.61 FEET TO A POINT ON THE EASTERLY LINE OF ESTRELLA PARCEL 34 ACCORDING TO BOOK 329 OF MAPS, PAGE 34, RECORDS OF SAID MARICOPA COUNTY;

THENCE ALONG SAID EASTERLY LINE, NORTH 10 DEGREES 49 MINUTES 40 SECONDS WEST A DISTANCE OF 40.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 56 DEGREES 20 MINUTES 17 SECONDS WEST A DISTANCE OF 87.84 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 23 DEGREES 30 MINUTES 45 SECONDS WEST A DISTANCE OF 158.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 30 DEGREES 29 MINUTES 59 SECONDS WEST A DISTANCE OF 90.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 37 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 209.20 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 39 DEGREES 55 MINUTES 57 SECONDS WEST A DISTANCE OF 65.25 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 300.00 FEET, THE CENTER OF WHICH BEARS NORTH 39 DEGREES 54 MINUTES 21 SECONDS WEST;

THENCE LEAVING SAID EASTERLY LINE OF PARCEL 34 NORTHEASTERLY ON A CURVE TO THE LEFT, WHOSE CENTRAL ANGLE OF 21 DEGREES 24 MINUTES 19 SECONDS AN ARC LENGTH OF 112.08 FEET TO A TANGENT CURVE, THE POINT OF BEGINNING;

THENCE NORTHEASTERLY ON SAID CURVE, WHOSE CENTRAL ANGLE OF 28 DEGREES 46 MINUTES 18 SECONDS AN ARC LENGTH OF 150.65 FEET ALONG THE WESTERLY LINE OF "PHASE 2";

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 263.23 FEET;

THENCE NORTH 45 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 56.57 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 14 SECONDS EAST A DISTANCE OF 59.39 FEET TO THE NORTH LINE OF "PHASE 1" AND "PHASE 2";

THENCE DEPARTING THE WESTERLY LINE OF "PHASE 2" ALONG THE NORTH LINE OF "PHASE 1" AND "PHASE 2", SOUTH 89 DEGREES 58 MINUTES 46 SECONDS EAST A DISTANCE OF 384.73 FEET TO THE EASTERLY LINE OF "PHASE 1";

THENCE DEPARTING SAID NORTH LINE ALONG SAID EASTERLY LINE SOUTH 00 DEGREES 45 MINUTES 47 SECONDS WEST A DISTANCE OF 75.33 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5065.00 FEET, THE CENTER OF WHICH BEARS NORTH 83 DEGREES 33 MINUTES 27 SECONDS EAST;

THENCE SOUTHEASTERLY ON SAID CURVE TO THE LEFT ALONG SAID EASTERLY LINE, WHOSE CENTRAL ANGLE OF 06 DEGREES 26 MINUTES 33 SECONDS AN ARC LENGTH OF 664.57 FEET TO THE SOUTHERLY LINE OF "PHASE 1";

THENCE DEPARTING SAID EASTERLY LINE OF "PHASE 1" SOUTH 83 DEGREES 31 MINUTES 00 SECONDS WEST A DISTANCE OF 70.52 FEET ALONG SAID SOUTHERLY LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONVEX TO THE SOUTHWEST HAVING A RADIUS OF 64.50 FEET, THE CENTER OF WHICH BEARS NORTH 57 DEGREES 29 MINUTES 43 SECONDS WEST;

THENCE SOUTHWESTERLY ON SAID CURVE TO THE RIGHT ALONG SAID SOUTHERLY LINE, WHOSE CENTRAL ANGLE OF 147 DEGREES 29 MINUTES 43 SECONDS AN ARC LENGTH OF 166.04 FEET;

THENCE NORTH 87 DEGREES 38 MINUTES 48 SECONDS WEST A DISTANCE OF 118.09 FEET;

THENCE NORTH 37 DEGREES 21 MINUTES 46 SECONDS WEST A DISTANCE OF 302.59 FEET TO THE POINT OF BEGINNING.

AREA: 313,586 SF

Legal Description – Parcel 3
(Drainage Wash)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 11, TOWNSHIP 1 SOUTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A GLO BRASS CAP ACCEPTED AS THE SOUTH QUARTER CORNER OF SAID SECTION 11 FROM WHICH A GLO BRASS CAP ACCEPTED AS THE SOUTHWEST CORNER THEREOF BEARS SOUTH 88 DEGREES 28 MINUTES 17 SECONDS WEST A DISTANCE OF 2687.53 FEET;

THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SOUTH 88 DEGREES 28 MINUTES 17 SECONDS WEST A DISTANCE OF 993.51 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 01 DEGREES 31 MINUTES 43 SECONDS WEST A DISTANCE OF 280.61 FEET TO THE POINT OF BEGINNING, A POINT ON THE EASTERLY LINE OF ESTRELLA PARCEL 34 ACCORDING TO BOOK 329 OF MAPS, PAGE 34, RECORDS OF SAID MARICOPA COUNTY;

THENCE ALONG SAID EASTERLY LINE, NORTH 10 DEGREES 49 MINUTES 40 SECONDS WEST A DISTANCE OF 40.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 56 DEGREES 20 MINUTES 17 SECONDS WEST A DISTANCE OF 87.84 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 23 DEGREES 30 MINUTES 45 SECONDS WEST A DISTANCE OF 158.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 30 DEGREES 29 MINUTES 59 SECONDS WEST A DISTANCE OF 90.00 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 37 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 209.20 FEET;

THENCE CONTINUING ALONG SAID EASTERLY LINE, NORTH 39 DEGREES 55 MINUTES 57 SECONDS WEST A DISTANCE OF 65.25 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 300.00 FEET, THE CENTER OF WHICH BEARS NORTH 39 DEGREES 54 MINUTES 21 SECONDS WEST;

THENCE LEAVING SAID EASTERLY LINE OF PARCEL 34 NORTHEASTERLY ON A CURVE TO THE LEFT, WHOSE CENTRAL ANGLE OF 21 DEGREES 24 MINUTES 19 SECONDS AN ARC LENGTH OF 112.08 FEET TO A TANGENT CURVE;

THENCE SOUTH 37 DEGREES 21 MINUTES 46 SECONDS EAST A DISTANCE OF 302.59 FEET TO THE NORTHERLY LINE OF "WASH PARCEL";

THENCE ALONG SAID NORTHERLY LINE SOUTH 87 DEGREES 38 MINUTES 48 SECONDS EAST A DISTANCE 118.09 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONVEX TO THE NORTHEAST HAVING A RADIUS OF 64.50 FEET, THE CENTER OF WHICH BEARS NORTH 57 DEGREES 29 MINUTES 43 SECONDS WEST;

THENCE NORTHEASTERLY ON SAID CURVE TO THE RIGHT, WHOSE CENTRAL ANGLE OF 147 DEGREES 29 MINUTES 43 SECONDS AN ARC LENGTH OF 166.04 FEET;

THENCE CONTINUING ALONG SAID NORTHERLY LINE NORTH 83 DEGREES 31 MINUTES 00 SECONDS EAST A DISTANCE OF 70.52 FEET TO THE EASTERLY LINE OF "WASH PARCEL", THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5065.00 FEET, THE CENTER OF WHICH BEARS NORTH 57 DEGREES 29 MINUTES 43 SECONDS WEST;

THENCE SOUTHEASTERLY ALONG SAID EASTERLY LINE ON A CURVE TO THE LEFT, WHOSE CENTRAL ANGLE OF 03 DEGREES 39 MINUTES 43 SECONDS AN ARC LENGTH OF 323.73 FEET TO THE BEGINNING OF A TANGENT CURVE CONVEX TO THE SOUTHWEST HAVING A RADIUS OF 12.00 FEET, THE CENTER OF WHICH BEARS NORTH 00 DEGREES 24 MINUTES 50 SECONDS EAST;

THENCE SOUTHWESTERLY ON SAID CURVE TO THE RIGHT, WHOSE CENTRAL ANGLE OF 89 DEGREES 35 MINUTES 10 SECONDS AN ARC LENGTH OF 18.76 FEET TO THE SOUTHERLY LINE OF "WASH PARCEL";

THENCE ALONG SAID SOUTHERLY LINE SOUTH 79 DEGREES 10 MINUTES 10 SECONDS WEST A DISTANCE OF 251.13 FEET TO THE POINT OF BEGINNING.

AREA: 147,508 SF

EXHIBIT 2

Project Site Plan

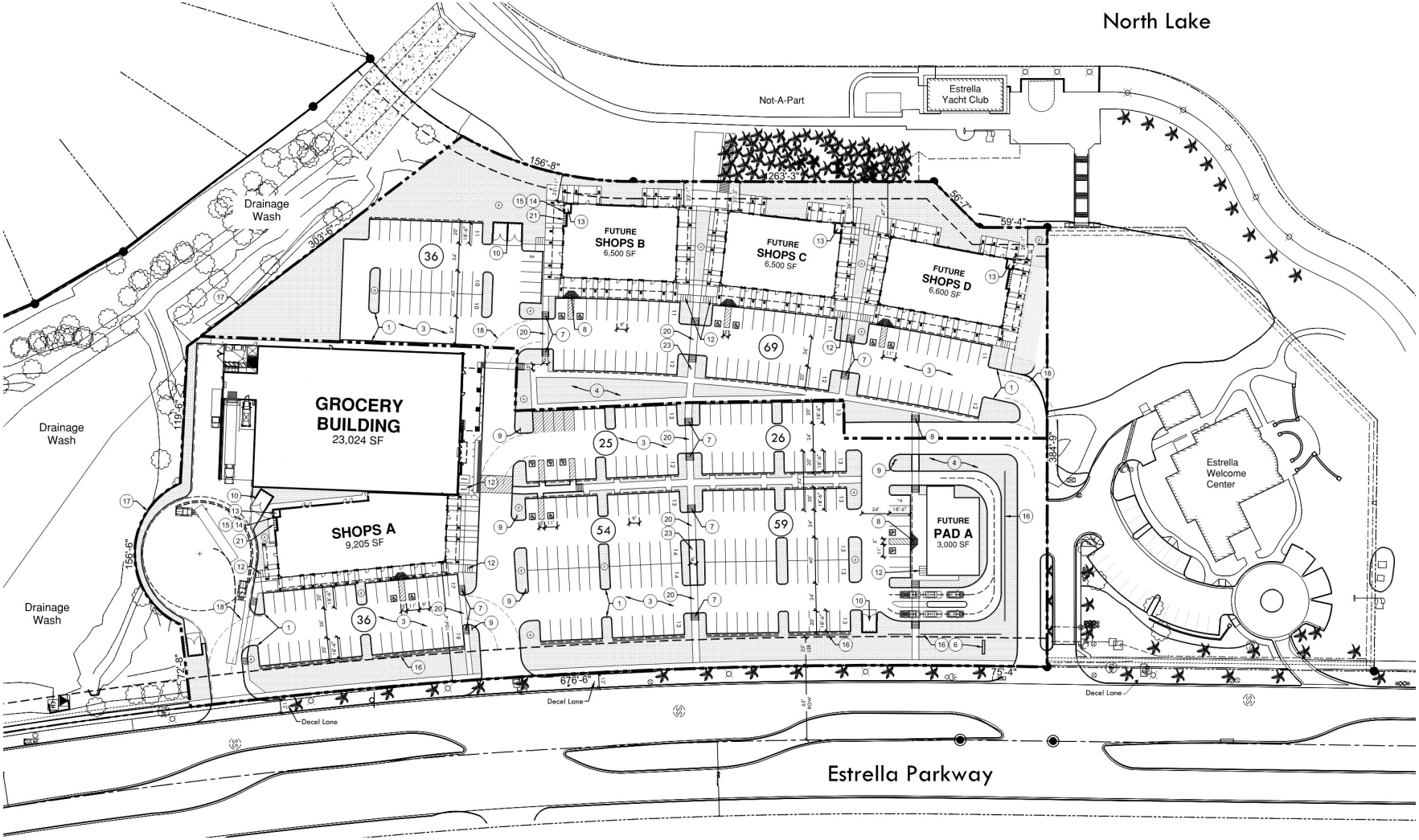

North Lake
Not-A-Part
Estrella Yacht Club
Drainage Wash
Drainage Wash
Drainage Wash
156'-8"
263'-3"
56'-7"
59'-4"
306'-6"
FUTURE SHOPS B 6,500 SF
FUTURE SHOPS C 6,500 SF
FUTURE SHOPS D 6,600 SF
GROCERY BUILDING 23,024 SF
SHOPS A 9,205 SF
FUTURE PAD A 3,000 SF
Estrella Welcome Center
384'-5"
156'-6"
19'-6"
172'-8"
676'-6"
75'-4"
Decel Lane
Decel Lane
Decel Lane
45' ROW
Estrella Parkway

Exhibit 2 - 2

EXHIBIT 3

Roadway Improvements Description

As shown on Exhibit 3-A:

- Design and install 3-way traffic signal and related improvements and technology (i.e. ITS infrastructure).
- Reconfigure median in Estrella Parkway to convert full access to ¾ access (middle curb cut)
- Add (1) new deceleration lane for each curb cut (3-total).

EXHIBIT 3-A

Site Plan Depicting Roadway Improvements

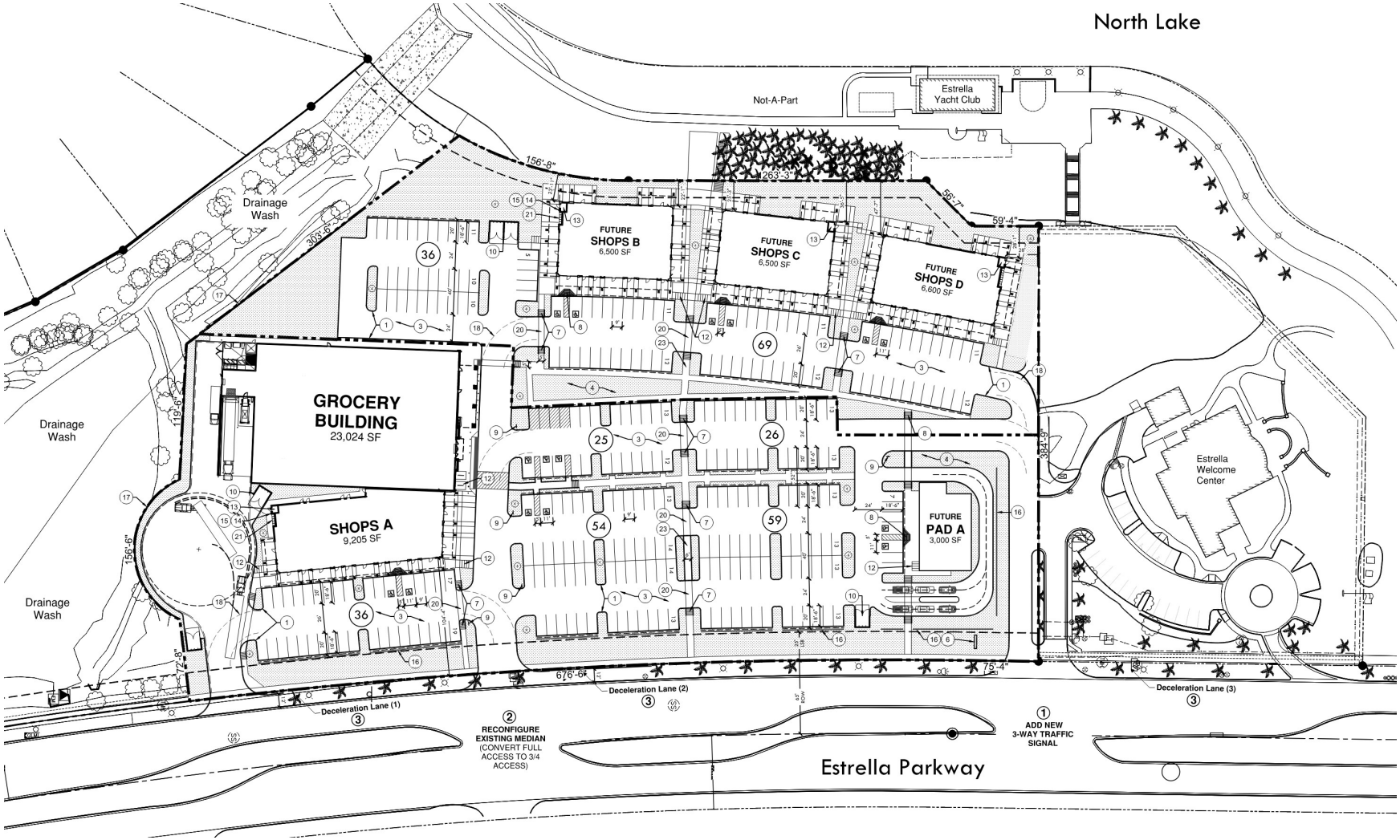

North Lake
Not-A-Part
Estrella Yacht Club
156'-8"
263'-3"
56'-7"
59'-4"
Drainage Wash
306'-6"
FUTURE SHOPS B 6,500 SF
FUTURE SHOPS C 6,500 SF
FUTURE SHOPS D 6,600 SF
GROCERY BUILDING 23,024 SF
SHOPS A 9,205 SF
FUTURE PAD A 3,000 SF
Estrella Welcome Center
384'-9"
156'-6"
676'-6"
75'-4"
Deceleration Lane (1)
Deceleration Lane (2)
Deceleration Lane (3)
② RECONFIGURE EXISTING MEDIAN (CONVERT FULL ACCESS TO 3/4 ACCESS)
① ADD NEW 3-WAY TRAFFIC SIGNAL
Estrella Parkway

Exhibit 3A - 2

ITEM #: 11.
DATE: 07/06/2026
AI #:3388

CITY COUNCIL ACTION REPORT

SUBJECT: RESOLUTION SUPPORTING THE MUNICIPAL SPONSORSHIP REQUEST FOR 2026 AK-CHIN PROP 202 FUNDING

STAFF PRESENTER(S): Christina Panaitescu, Community Partnerships Program Manager

SUMMARY

Las Brisas Academy Parent Teacher Organization and Southwestern Institute for the Education of Native Americans desire to submit applications for Ak-Chin Indian Community Prop 202 12% Grant funding and have requested Goodyear to act as fiscal agent for the applicant. Through the grant program, applications are accepted from cities, towns, counties, and nonprofit organizations supported by a city, town, or county, seeking funding to support services that benefit the general public.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Adopt Resolution No. 2026-2532 supporting the submission of 2026 grant applications by Las Brisas Academy Parent Teacher Organization and Southwestern Institute for the Education of Native Americans, to the Ak-Chin Indian Community and authorizing the City Manager, or their designee, to execute all documents relating to said applications, and to accept and administer subsequent awarded funds, and any amendments thereto, as a pass-through grant. (Christina Panaitescu, Community Partnerships Program Manager)

FISCAL IMPACT

As a municipal sponsor, the city will act as a financial conduit between the Ak-Chin Indian Community and the awarded organization and, as such, upon receipt of grant funds, the city will mail a check to the awarded organization covering one hundred percent (100%) of the funds received by the city for that purpose pursuant to the application submitted to the Ak-Chin Indian Community. If awarded, appropriate budget amendments will be completed at that time.

BACKGROUND AND PREVIOUS ACTIONS

In 2002, Arizona voters approved Proposition 202 adopting the standard Tribal/State Gaming Compact. Under Section 12, tribes contribute gaming revenues, with 88% deposited into the Arizona Benefits Fund to support statewide programs such as education and healthcare, and up to 12% distributed directly to local governments.

The Ak-Chin Indian Community will allocate its 2026 12% Contribution through the Prop 202 12% Grant Program, which accepts applications from cities, towns, counties, and nonprofit organizations supported by an eligible government (municipal sponsor) to fund services that benefit the general public, including education, public safety, health, environment, promotion of commerce, and economic and community development.

Goodyear's Municipal Sponsorship Policy, adopted by Council on December 7, 2020, supports local non-municipal public service organizations (e.g., public schools and fire districts) and IRS-recognized nonprofit organizations in pursuing Proposition 202 Indian Gaming Grants. To receive municipal sponsorship, an applicant must be legally tax-exempt under IRS rules, in good standing with the city, and be located in Goodyear or propose a project that directly serves Goodyear residents. Applications must align with tribal “public benefits” priorities with eligible activities including public safety, transportation, health care services, economic/community development, education, and environmental programs. Applications may not compete with a city-submitted application to the same tribal community during the same funding cycle. If these requirements are met, city staff will notify the applicant of the intent to serve as municipal sponsor, provide the required resolution (included as attachment A), and sign an application cover sheet (included as Attachment B) if required by the funder.

STAFF ANALYSIS

The following two non-profit organizations have requested Goodyear's municipal sponsorship:

- **Las Brisas Academy Parent Teacher Organization** (PTO) desires to submit an education application requesting $150,000 for extracurricular improvements enabling students at Las Brisas Academy to enjoy amenities and extra programming at the school to improve their educational experience; and
- **Southwestern Institute for the Education of Native Americans** (SIENA) desires to submit an economic development application requesting $100,000 for an initiative to bring more Native-run businesses and nonprofits together to share practical experiences in Indian Country.

Staff does not plan to bring forward any proposals for internal applications this funding cycle.

The accompanying resolution states the city’s intent to accept any awarded grants as a pass-through, authorizes the City Manager, or designee, to accept and administer awarded funds and any amendments, and clarifies that once the city distributes funds to the sponsored recipient, the city is released from any claims, demands, debts, liabilities, or obligations arising from the recipient’s use of the funds, including any failure to expend the award in accordance with the application submitted to the Ak-Chin Indian Community.

All applications meet the city's criteria for municipal sponsorship and staff recommends approval of their sponsorship requests.

Attachments

Attachment A - Resolution No. 2026-2532

Attachment B – Application Cover Sheets

RESOLUTION NO. 2026-2532

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, SUPPORTING THE SUBMISSION OF 2026 GRANT APPLICATIONS BY LAS BRISAS ACADEMY PARENT TEACHER ORGANIZATION AND SOUTHWESTERN INSTITUTE FOR THE EDUCATION OF NATIVE AMERICANS, TO THE AK-CHIN INDIAN COMMUNITY AND AUTHORIZING THE CITY MANAGER, OR THEIR DESIGNEE, TO EXECUTE ALL DOCUMENTS RELATING TO SAID APPLICATIONS, AND TO ACCEPT AND ADMINISTER SUBSEQUENT AWARDED FUNDS, AND ANY AMENDMENTS THERETO, AS A PASS-THROUGH GRANT.

WHEREAS, Arizona's Indian Gaming Compact provides that an Indian Tribe make twelve percent (12%) of its net annual State contributions to cities, towns, or counties for government services that benefit the general public;

WHEREAS, private, not-for-profit organizations wishing to access Indian Gaming Funds ("Gaming Funds") to provide public benefits must secure sponsorship from a city, town, or county before making application;

WHEREAS, this sponsorship must be expressed in a resolution passed by the local government sponsor;

WHEREAS, Las Brisas Academy Parent Teacher Organization desires to submit an application requesting $150,000 for extracurricular improvements enabling students at Las Brisas Academy to enjoy amenities and extra programming at the school to improve their educational experience; and

WHEREAS, Southwestern Institute for the Education of Native Americans (SIENA) desires to submit an economic development application requesting $100,000 for an initiative to bring more Native-run businesses and nonprofits together to share practical experiences in Indian Country.

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

SECTION 1. The City Council supports these grant requests for funding.

SECTION 2. The City Manager, or their designee, is hereby authorized to accept and administer subsequent awarded funds, and any amendments thereto, as a pass through grant. The City of Goodyear makes no guarantees beyond disbursement of funding to the non-city recipient. Upon the City of Goodyear's distribution of the awarded funds to the non-city recipient, the City of Goodyear shall be considered released from any and all claims, demands, debts, liabilities, or obligations that may arise in the event that the non-city recipient fails for any reason to expend the awarded funds in accordance with their grant application to the Ak-Chin Indian Community.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this 6th day of July, 2026.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

_____
Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

2026 Ak-Chin Indian Community Grant Application Cover Sheet

Name of Applicant: **Las Brisas Academy PTO**	Applicant is a: □ City/Town/County (circle) ☑ Other: 501(c)(3) public charity
Contact Person and Title: TJ Hansell, President – LBA PTO	
Applicant Address (administrative office): 18211 W Las Brisas Drive	
City: Goodyear	Zip Code: 85338
Applicant Mailing Address (if different):	
City:	Zip Code:
Phone Number: 480.828.3290	Fax Number:
E-mail Address: lasbrisaspto@gmail.com	
Fiscal Agent for any Applicant that is not a City, Town, or County (*Special Taxing Districts/Fire Districts must have a Fiscal Agent)*	
Contact Person: Christina Panaitescu – Community Partnerships Program Manager	
City/Town/County Mailing Address: City of Goodyear 1900 North Civic Square	
City: Goodyear	Zip Code: 85395
Phone Number: 623-882-7804	Fax Number:
E-mail Address: christina.panaitescu@goodyearaz.gov	

Program or Project Name: LBA PTO – Extracurricular Improvements
Priority Area (Check all that apply) ☒ education ☐ public safety ☐ health ☐ environment ☐ promotion of commerce ☐ economic and community development
Purpose of Grant (brief statement): LBA PTO – Extracurricular Improvements project will improve the ability of all students at Las Brisas Academy to enjoy the amenities and extra programming at the school to improve their educational experience. These improvements will help them enjoy education, making their learning experience more satisfying which will lead to better outcomes for them in school and outside.
Target Audience/Beneficiaries: Youth (K-8) – 650+ that attend Las Brisas Academy
Beginning and Ending Date of Program or Project: January 1, 2027 – December 31, 2027
Amount Requested: $150,000 Total Cost: $150,000
Geographic Area Served: City of Goodyear

By the execution of this Grant Application the undersigned agrees that the information contained in this Application is true, to the best of the Applicant's knowledge. The Applicant shall notify the Community if any information in this Application changes.

Signature:
For the Applicant: _____ Date: 6/15/2026

Typed/Printed Name and Title: **Timothy J. Hansell – LBA PTO President**

For the Fiscal Agent: _____ Date:_____
(If applicable)
Typed/Printed Name and Title: **Christina Panaitescu – Community Partnerships Program Manager**

2026 Ak-Chin Indian Community Grant Application Cover Sheet

Name of Applicant: **Southwestern Institute for the Education of Native Americans (SIENA)**	Applicant is a: □ City/Town/County (circle) ☒ Other: 501(c)(3) public charity
Contact Person and Title: TJ Hansell, President - SIENA	
Applicant Address (administrative office): 18607 W Vogel Ave	
City: Goodyear	Zip Code: 85338
Applicant Mailing Address (if different):	
City:	Zip Code:
Phone Number: 480.828.3290	Fax Number:
E-mail Address: tj@siena-az.org	
Fiscal Agent for any Applicant that is not a City, Town, or County (*Special Taxing Districts/Fire Districts must have a Fiscal Agent)*	
Contact Person: Christina Panaitescu – Community Partnerships Program Manager	
City/Town/County Mailing Address: City of Goodyear 1900 North Civic Square	
City: Goodyear	Zip Code: 85395
Phone Number: 623-882-7804	Fax Number:
E-mail Address: christina.panaitescu@goodyearaz.gov	

Program or Project Name: Natives Helping Natives
Priority Area (Check all that apply) ☐ education ☐ public safety ☐ health ☐ environment ☐ promotion of commerce ☒ economic and community development
Purpose of Grant (brief statement): Natives Helping Natives is an economic development initiative to support local Native American businesses, nonprofits, and organizations learn and share with other Native business leaders, executives, and organizations to lift the whole ecosystem. The shared experiences of each group will help build upon the other to create a network of experts that can understand the struggle and cultural aspects of running an organization or business with a focus on Native communities.
Target Audience/Beneficiaries: Up to 100 Native businesses, nonprofits, executives, and entrepreneurs
Beginning and Ending Date of Program or Project: January 1, 2027 – December 31, 2027
Amount Requested: $100,000 Total Cost: $100,000
Geographic Area Served: City of Goodyear and West Valley

By the execution of this Grant Application the undersigned agrees that the information contained in this Application is true, to the best of the Applicant's knowledge. The Applicant shall notify the Community if any information in this Application changes.

Signature:
For the Applicant: _____ Date: 6/15/2026
Typed/Printed Name and Title: **Timothy J. Hansell – LBA PTO President**

For the Fiscal Agent: _____ Date:_____
(If applicable)
Typed/Printed Name and Title: **Christina Panaitescu – Community Partnerships Program Manager**

ITEM #: 12.
DATE: 07/06/2026
AI #:3331

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF A USE PERMIT FOR CONVENIENCE STORE WITH GAS STATION AT COTTON LANE AND MC-85

STAFF PRESENTER(S): Ann Dolmage, Principal Planner

OTHER PRESENTER(S):

Jeff Winter, Esencia LLC

SUMMARY

Request for a Use Permit for a convenience use (convenience store including retail gasoline sales), on approximately 5.22 acres zoned as Planned Area Development (PAD) with an underlying flexible zoning that permits industrial, commercial, and public facilities uses (Flex Zone), located at the southwest corner of Cotton Lane and MC-85.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve a Use Permit for a convenience use (convenience store including retail gasoline sales), on approximately 5.22 acres zoned as Planned Area Development (PAD) with underlying flexible zoning that permits industrial, commercial, and public facilities uses, located at the southwest corner of Cotton Lane and MC-85. (Ann Dolmage, Principal Planner)

STIPULATIONS

See Attachment A – Conditions of Approval.

FISCAL IMPACT

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax, and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues, and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS

On July 1, 2026, the Planning and Zoning Commission held a public hearing for this item. After the staff presentation, the applicant provided a brief presentation. At the conclusion of the public hearing, the Planning and Zoning Commission voted 4-0 to recommend approval, subject to the proposed stipulations which are included as Attachment A. A key stipulation is that while semi-truck fueling is permitted, the property may not operate as a Truck Stop/Travel Center, which includes facilities for commercial driver stopovers such as overnight parking, truck maintenance, showers, or laundry. This restriction does not apply to standard semi-truck fueling.

A Public Hearing notice for the City Council Meeting was published in the Arizona Business Gazette - Republic Edition on June 12, 2026, at least 15 days prior to the meeting; postcards were mailed to eight (8) adjoining owners, located within five hundred (500) feet of the Property, on June 10, 2026; and signs were posted on the site on June 9, 2026.

Additional details regarding the previous actions are provided in the Planning and Zoning Commission Staff Report, included in Attachment H.

STAFF ANALYSIS

Staff recommends that the City Council approve the Use Permit, consistent with the Planning and Zoning Commission's recommendation.

Attachments

Attachment A - Conditions of Approval

Attachment B - Aerial Photo

Attachment C - Project Narrative

Attachment D - Details of Request

Attachment E - Conceptual Site Plan

Attachment F - Conceptual Building & Wall Elevations

Attachment G - Evaluation Criteria

Attachment H - Planning & Zoning Commission Staff Report

Staff Presentation

1. All future development on the approximately 5.22 acres of land generally located at the southwest corner of MC-85 and Cotton Lane, within the development known as Lakin Park (the "Property"), will be subject to site plan review and approval by city staff, at which time all elements of site development will be reviewed, including (but not limited to) architecture, landscaping, grading, drainage, lighting, infrastructure, parking, access, and circulation; and

2. The development of the Property shall be in substantial conformance with the conceptual site plan "Lakin Park Convenience Store-Carioca Co." attached as "Attachment E", the building elevations attached as "Attachment F", and all other approved site plan submittal documents. An amendment to the Use Permit may be required, as determined by the Development Services Director or their designee, if any deviation is requested from the configuration of the improvements as shown on Attachment E, Attachment F, and any other approved site plan submittal documents; and

3. The City of Goodyear reserves the right to initiate revocation of the Use Permit in the event that the Use Permit is not operated in compliance with the stipulations stated herein or as represented in the Use Permit application; and

4. In no event shall the Property contain a Truck Stop/Travel Center. A Truck Stop/Travel Center includes, but is not limited to, any single building or any multiple buildings providing facilities and/or services intended for use by commercial truck drivers during stopovers at the facility such as overnight parking, maintenance of semi-trucks and/or commercial vehicles, and showering facilities or laundry facilities. A truck stop/travel center does not include fueling stations for semi-trucks; and

5. The development of the Property shall conform to the standards designated for Lighting Zone 2 as established in Article 10, Outdoor Lighting Standards (or as amended) of the City of Goodyear Zoning Ordinance; and

6. No signage is approved as part of this Use Permit. All signage proposed on the Property shall require a separate submittal and review. The proposed signage shall comply with Article 7, Sign Ordinance (or as amended) of the City of Goodyear Zoning Ordinance; and

7. The approval of the preliminary engineering documents for the Use Permit Review does not constitute approval for the final documents required to be included with civil construction plans. Additional comments may be forthcoming through the Construction Plan review process. The provided reports and plans are considered preliminary with the Site Plan package and have been reviewed at the preliminary level; and

Convenience Store with Gas Station

Southwest Corner of MC-85 and
South Cotton Lane



P25-00277 Convenience Store with Gas Station Use Permit

esencia Architecture and Urban Design
1743 E McNair Dr Ste 200 Tempe Arizona 85283
www.esencia.org T 480.755.0959 F 480.755.0956

December 3, 2025

City of Goodyear
Planning & Zoning
14455 W. Van Buren St. Suite D101
Goodyear, AZ 85338

Regarding: **Project Narrative**
Use Permit
Lakin Park Convenience Store
17151 W MC85
Goodyear, AZ 85338

Dear Planning and Zoning,

CP 2004 Station 4, LLC respectfully submits this Conditional Use Permit application and supporting documents for a new fuel station and convenience store within the Lakin Industrial Park, located at the southwest corner of MC-85 and Cotton Lane. The parcel lies within the Lakin Park PAD Overlay Flex Zone and will follow the C-2 General Commercial Development Standards. The project consists of a convenience store and two separate fuel canopies on a 5.22-acre site that is currently vacant. As required by the City of Goodyear Zoning Ordinance, a Conditional Use Permit is required for a "convenience use."

This project had previously been submitted for a use permit (Case No. **23-300-00002**) and the project received approval. However, conflicts with an adjacent property owner required redesign of the site to add a new driveway along MC85, which was approved by MCDOT on November 20, 2025. Due to the new site modifications, the City of Goodyear has required us to obtain a new use permit. The scope and design of the project remain the same as the previously approved use.

Access to the site will be provided by two new right-in/right-out driveways: one on MC-85 and one on Cotton Lane. A deceleration lane for southbound Cotton Lane, originally planned for this corner, will also be constructed to provide direct and safe access to the site. The surrounding intersection contains industrial development to the west and northeast, with the remaining corners currently vacant. The proposed commercial use is compatible with both existing development and the planned character of the Lakin Industrial Park.

The facility will include three primary structures: a freestanding convenience store, an auto-fuel canopy with eight dispensers, and a larger diesel fuel canopy with four fueling positions. The convenience store will be situated on the west side of the property, with customer parking to the north and east. The auto-fuel canopy will be located toward the north, while the large-vehicle fueling canopy will be positioned on the east side to promote efficient circulation and separation between passenger- and heavy-vehicle traffic. Short-term parking for large vehicles will be available along the west and south areas of the site. Additional amenities, including propane sales and an air and water station, will be located south of the Convenience store and will be screened from public view by a masonry wall consistent with the architectural character of the development.

The facility will operate 24 hours a day, seven days a week, offering food, beverages, and convenience items. Operations will not generate additional traffic beyond what is typical for this corridor, nor will they introduce excessive noise or pollution. Noise and lighting levels will be consistent with existing streets and traffic activity in the area, and all lighting will comply with City of Goodyear standards. No residential or multifamily use exists in proximity to the site.

This project will not be detrimental to persons residing or working in the vicinity. The surrounding area is predominantly industrial and commercial, and the fuel station will be a welcome and complementary addition to the Lakin Park area. The project will enhance services for local businesses, employees, and traveling motorists, supporting public welfare and filling an existing service gap.

esencia Architecture and Urban Design
1743 E McNair Dr Ste 200 Tempe Arizona 85283
www.esencia.org T 480.755.0959 F 480.755.0956

The proposed use is appropriate for this location and compatible with adjacent commercial and industrial properties. The parcel fronts two major arterial roadways, and there are no residential neighborhoods nearby. The project aligns with the City of Goodyear General Plan and supports the intended development pattern of the Lakin Park PAD.

The project timing would be to have the facility open to the community within the next 12 months. We are excited about this project and feel that this development will help bring necessary amenities to the surrounding area. We appreciate the City's consideration of this application and look forward to continuing working with City of Goodyear.

Sincerely,

Esencia, LLC

Details of Request

The proposed use is a single-story, 4,867-square-foot convenience store, with retail gasoline sales, to be located on a 5.22-acre parcel on the southwest corner of MC-85 and Cotton Lane. Sixteen (16) fuel stations for vehicles will be provided, as well as three (3) fuel stations for trucks. Two (2) fuel canopies will be provided; one over the vehicle fuel pumps and another over the truck fuel pumps. Eighteen (18) vehicle parking spaces will be provided adjacent to the store, including two (2) ADA-accessible van spaces. A bicycle rack for four (4) bicycles will also be installed. Vehicle and bicycle parking quantities are in conformance with the minimum standards in Article 6-2 and 6-6 of the City of Goodyear Zoning Ordinance.

Per the building elevations submitted with the Use Permit application, the proposed convenience store will have a height of approximately twenty-three (23) feet and four (4) inches at its tallest point and will utilize stucco and split-face masonry in the exterior design, in a desert-themed palette of neutral colors. Both fuel canopies will have an approximate height of 21.6 feet at their highest points and will utilize the same color palette as the building. Canopy finishes will include a metal fascia on top, and stucco and split-face masonry on the posts.

Significant landscaping is proposed for the site, to cover approximately forty-nine (49) percent of the property. Landscape buffers will be provided along both street frontages and the western boundary of the site (providing separation from the neighboring industrial property). A fully landscaped retention basin will be located at the southern end of the parcel. Additional landscaping will be installed around three (3) sides of the convenience store and within parking lot islands. Screen walls approximately three (3) feet four (4) inches, with a stucco finish, will be provided along both property frontages, and an enhanced corner treatment will be provided, consisting of taller masonry walls featuring decorative bands and cut-outs. Palm trees will be planted behind the corner treatment walls for additional visual interest. The corner treatment for the convenience store site will coordinate with the existing entry treatment for Phase 1 of Lakin Park's industrial complex.

Access to the site will be via two driveways: one on MC-85, and one on Cotton Lane. Both driveways will be right-in, right-out only, with raised medians preventing left-in and left-out movements. A deceleration lane will be provided at the Cotton Lane entrance, and an existing continuous right-turn deceleration lane from the adjacent industrial property will remain in place. Half-width street improvements will be provided along the MC-85 frontage per County standards. Pedestrian walkways with decorative pavers, stamped concrete, or similar materials will connect sidewalks along MC-85 and Cotton Lane to the store. A bus bay will also be provided on Cotton Lane.

The convenience store and gas station are expected to operate twenty-four (24) hours per day, seven (7) days per week.

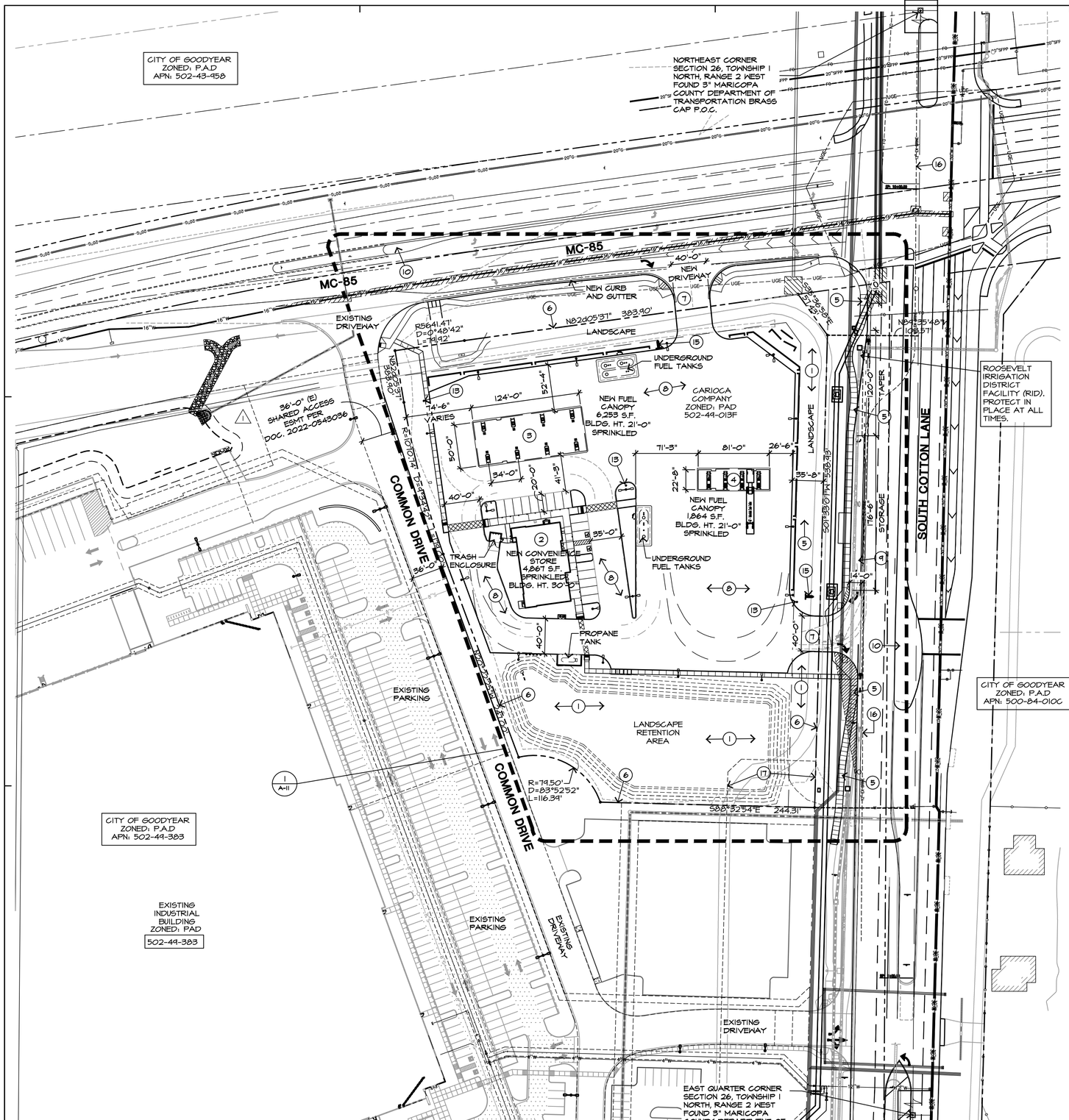
Surrounding Properties:

North (opposite side of MC-85): El Cidro PAD; industrial uses permitted. Occupied by a manufacturing building.

South: (opposite side of Buckeye Canal): CP Lakin Park PAD; industrial and “flex zone” uses permitted (flex zone allows industrial, commercial, and public facilities). Currently undeveloped.

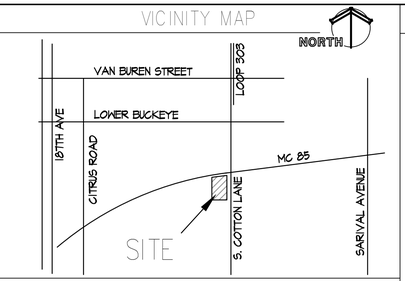
West: CP Lakin Park PAD; industrial uses permitted. Developed with two warehouse/distribution buildings.

East: CP Lakin Park PAD; industrial and “flex zone” uses permitted (flex zone allows industrial, commercial, and public facilities). Currently undeveloped.



1 OVERALL SITE PLAN
SCALE: 1" = 60'-0"

VICINITY MAP



LIGHTING NOTES

THIS PROPERTY IS WITHIN LIGHTING ZONE 2.

C.O.G SITE PLAN NOTES

1. IMPROVEMENTS MADE WITHIN A CITY RIGHT-OF-WAY, TRACT, OR EASEMENT THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. IMPROVEMENTS MAY INCLUDE BUT ARE NOT LIMITED TO STREET SURFACES, CURB, GUTTER, SIDEWALKS, RAMPS, DRIVEWAYS, TURN BAYS, BUS BAYS, STREET LIGHTING, SIGNAGE, AND STRIPING. LANDSCAPE RESPONSIBILITIES ARE IDENTIFIED SEPARATE NOTE:
   a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL IMPROVEMENTS FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION OF ALL IMPROVEMENTS. ANY DAMAGED IMPROVEMENTS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   c. MAINTENANCE SHALL INCLUDE BUT IS NOT LIMITED TO STREET SWEEPING, APPLICATION OF SEALANT IN ALL PAVEMENT CRACKS AND JOINTS, AND APPLICATION OF SEALANT OVER ALL ASPHALT PAVEMENT.
   d. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL IMPROVEMENTS SHALL BE UNDAMAGED AND SHALL MEET CITY STANDARDS.
   e. IF ALL IMPROVEMENTS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE IMPROVEMENTS MEET CITY APPROVAL.
2. LANDSCAPED AREAS THAT WILL BE MAINTAINED IN THE FUTURE BY THE CITY OF GOODYEAR SHALL BE CLEARLY IDENTIFIED ON THE APPROVED PLANS AND ARE SUBJECT TO THE FOLLOWING REQUIREMENTS. THESE AREAS MAY INCLUDE RETENTION BASINS, PARKS, RIGHT-OF-WAY, AND STREET CENTER MEDIAN LANDSCAPING:
   a. THE DEVELOPER SHALL MAINTAIN AND WARRANTY ALL LANDSCAPE IMPROVEMENTS, INCLUDING PLANTED AREAS AND IRRIGATION SYSTEMS, FOR A PERIOD OF TWO YEARS BEGINNING IMMEDIATELY AFTER THE CITY ISSUES THE NOTIFICATION OF APPROVAL FOR THE PROJECT.
   b. DURING THE MAINTENANCE AND WARRANTY PERIOD, THE DEVELOPER SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE PROTECTION TO ALL AREAS. ANY DAMAGED PLANTING AND/OR IRRIGATION SYSTEMS SHALL BE IMMEDIATELY REPAIRED OR REPLACED AT THE DEVELOPER'S EXPENSE.
   c. MAINTENANCE SHALL INCLUDE CONTINUOUS OPERATIONS OF WATERING, WEEDING, REMOVAL OF DEAD PLANT MATERIAL, MOWING, ROLLING, FERTILIZING, SPRAYING, INSECT AND PEST CONTROL, RE-SEEDING, REPLACEMENT, AND ALL OTHER MEASURES NECESSARY TO ENSURE NORMAL HEALTY GROWTH.
   d. WHEN THE TURF HAS ESTABLISHED SUFFICIENT ROOT STRUCTURE AND HAS OBTAINED AN APPROXIMATE HEIGHT OF 3 INCHES, MOWING SHALL BEGIN IMMEDIATELY TO ACHIEVE A TURF HEIGHT OF 2 INCHES; THE TURF SHALL BE MOWED THEREAFTER TO SAFELY MAINTAIN THE 2-INCH HEIGHT.
   e. AT THE TERMINATION OF THE MAINTENANCE AND WARRANTY PERIOD, ALL TURF AREAS SHALL BE LIVE, HEALTHY, UNDAMAGED, AND FREE OF INFESTATIONS. ALL AREAS SHALL BE COMPLETELY VOID OF BARREN SPOTS LARGER THAN 3 INCHES BY 3 INCHES.
   f. IF ALL PLANTINGS ARE NOT ACCEPTABLE AT THE END OF THE TWO-YEAR PERIOD, THE MAINTENANCE AND WARRANTY PERIOD SHALL CONTINUE UNTIL THE LANDSCAPING MEETS CITY APPROVAL.

SEPARATE SUBMITTALS/APPROVALS

THE FOLLOWING DOCUMENTS ARE SUBJECT TO SEPARATE SUBMITTALS AND APPROVALS BY THEIR RESPECTIVE DEPARTMENTS:

- FUEL TANKS
- FUEL DISPENSERS
- PROPANE STORAGE/DISPENSER
- SIGNAGE
- FIRE SPRINKLERS
- FIRE ALARM SYSTEM

Contact Arizona 811 at least two full working days before you begin excavation
ARIZONA811 Call 811 or click Arizona811.com

PROJECT DATA

1. PROJECT NAME: CARIOCA - MC 85 & COTTON
2. PROJECT ADDRESS: 17151 W MC85
   S.W.C. MC-85 AND SOUTH COTTON LANE
   GOODYEAR, ARIZONA 85338
3. ZONING: PAD COMMERCIAL (EXISTING)
4. FIRE SPRINKLERS: YES
5. PARCEL NUMBER: 502-49-013F
   PARCEL QC-1
6. EXIST. NET SITE AREA: LOT SIZE: 5.22 ACRES (227,680 S.F.)
7. BUILDING AREA:
   a. CONVENIENCE STORE 4,867 SQ. FT.
   b. ENTRY CANOPY - NORTH 110 SQ. FT.
   c. AUTO FUEL CANOPY 6,253 SQ. FT.
   d. DIESEL FUEL CANOPY: 1,864 SQ. FT.
   e. OVERALL TOTAL: 13,044 SQ. FT.
8. LOT COVERAGE:
   a. LOT COVERAGE: 13,044 SQ. FT. / 227,680 SQ. FT. = 6%
9. PARKING CALCULATIONS:

GENERAL BUSINESS:	1/300 GROSS BUILDING AREA (4,867 / 300)	16 SPACES
EMPLOYEE:		(2 ACCESSIBLE)
TOTAL REQUIRED:		16 SPACES
TOTAL STANDARD SPACES PROVIDED:		18 SPACES
TOTAL ACCESSIBLE PROVIDED:		(2) VAN SPACES
BIKE PARKING		4 SPACES

LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

PROJECT SCOPE

CONSTRUCT A NEW CONVENIENCE STORE AND FUEL CANOPY WITH UNDERGROUND FUEL TANKS ON A VACANT PARCEL WITHIN LAKIN PARK. CONNECT TO PUBLIC UTILITIES. EXISTING DRIVEWAYS AND STREET IMPROVEMENTS TO REMAIN. INSTALLATION OF NEW RIGHT TURN DECELERATION LANE AND DRIVEWAY ON COTTON LANE.

PROJECT TEAM

OWNER:	CP 2004 STATTION 4 LLC MARVIN ROSE 2601 WEST DUNLAP AVE. SUITE O PHOENIX, AZ 85201 PHONE: (602) 345-2600
ARCHITECT: "DESIGN PROFESSIONAL IN RESPONSIBLE CHARGE"	ESENCIA , LLC JEFFREY WINTER, R.A. 1743 E. McNAIR DRIVE, #200 TEMPE, ARIZONA 85283 PHONE: (480) 755-0454
MUNICIPALITY:	CITY OF GOODYEAR PLANNING & DEVELOPMENT 1900 N. CIVIC SQUARE GOODYEAR, ARIZONA 85395 PHONE: 623-932-3004

UTILITY PROVIDERS

AIR	AIR PRODUCTS
FIBER	SPRINT
FIBER / TELCO	AT&T
CATV	COX
GAS	EPNG
GAS	SNG
POWER	APS
TELCO	CENTURY LINK
POWER/IRR	SRP
WATER/SEWER	CITY OF GOODYEAR
FIRE/POLICE	CITY OF GOODYEAR

SITE PLAN NOTES

1. AREA OF NEW LANDSCAPE AND/OR RETENTION AREA. REFER TO LANDSCAPE DRAWINGS.
2. NEW SINGLE STORY CONVENIENCE STORE. SEE BUILDING ELEVATIONS
3. NEW AUTO FUEL CANOPY. SEE ENLARGED AUTO FUEL PLAN.
4. NEW RV/TRUCK FUEL CANOPY. SEE ENLARGED RV/TRUCK FUEL PLAN.
5. NEW PEDESTRIAN SIDEWALK CONNECTION TO PUBLIC RIGHT OF WAY.
6. LOCATION OF EXISTING PROPERTY LINE.
7. PROPOSED NEW DRIVEWAY LOCATION.
8. NEW ASPHALT VEHICLE DRIVE AISLE .
9. PROPOSED NEW DECELERATION BUS-BAY/RIGHT TURN LANE AND STRIPING.
10. EXISTING RAISED MEDIAN TO REMAIN.
11. NOT USED.
12. NOT USED.
13. PROPOSED LOCATION OF NEW FIRE HYDRANT.
14. LOCATION OF UNDERGROUND FUEL TANK.
15. NEW GROUND MOUNTED MONUMENT SIGN. SIGNAGE UNDER SEPARATE PERMIT.
16. LOCATION OF UNDERGROUND 12" BRINE LINE.
17. PORTION EXISTING DRAINAGE EASEMENT PER DOC. NO. 2006-1153900, MCR TO BE ABANDONED BY SEPARATE INSTRUMENT.
18. INSTALL NEW STANDARD A.D.A. ACCESSIBLE SIGN, INCLUDES A CITATION OF THE ARIZONA REVISED STATUES.

esencia
1743 E. McNair Drive, Suite 200
Tempe, Arizona 85283
t. 480 - 755 - 0959

Project Manager: ES
Drawn By: ES
Checked By: ES
Project Number: 23014

REGISTERED ARCHITECT
CERTIFICATE NO.
30796
JEFFREY W.
WINTER
4/2/26
Date Signed
ARIZONA, U.S.A.

LAKIN PARK CONVENIENCE STORE

CARIOCA CO.

SECTION 26, TOWNSHIP 1 NORTH, RANGE 2 WEST
17151 W MC85
GOODYEAR, ARIZONA 85338

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Revisions

Date	Issued for
11-20-2025	USE PERMIT

OVERALL SITE PLAN

A-10

GENERAL NOTES

A. ALL SIGNS SHALL BE PART OF A SEPARATE SUBMITTAL PROCESS, AND SEPARATE PERMIT APPROVAL PROCESS.

B. SIGN CONTRACTOR SHALL PROVIDE OWNER WITH SIGN SHOP DRAWINGS FOR APPROVAL PRIOR TO FABRICATION OF ALL SIGNS, AND SUBMITTAL OF SIGN PERMIT.

C. SIGN CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SUBMITTALS AND PERMITTING OF OWNER APPROVED SIGN SHOP DWGS. PRIOR TO FABRICATION OF SIGNS.

D. SIGN CONTRACTOR SHALL FIELD-VISIT THE SITE AND COORDINATE THE LOCATION OF ALL J-BOXES AND CONDUIT RUNS WITH THE G.C. DURING ELECTRICAL ROUGH-IN PHASE OF CONSTRUCTION.

E. THE G.C. SHALL PROVIDE J-BOXES AND EMPTY CONDUIT WITH PULL-STRING TO SIGN J-BOX FROM POWER SOURCE. ALL FINAL WIRING AND SIGN INSTALLATION BY SIGN CONTRACTOR.

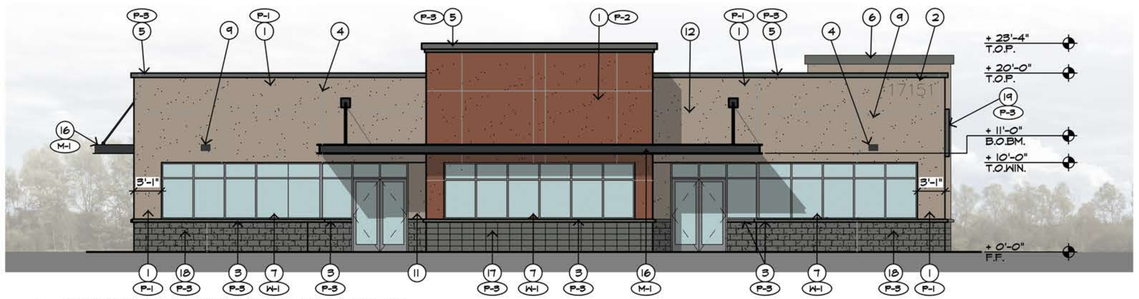
F. STUCCO SHALL BE IN CONFORMANCE WITH ASTM C-926 REQUIREMENTS AND SPECIFICATIONS. TEXTURE TO MATCH EXISTING CENTER.

G. FUEL CANOPY BRANDING / COLOR BY OTHERS, SHOWN FOR COORDINATION PURPOSES ONLY.

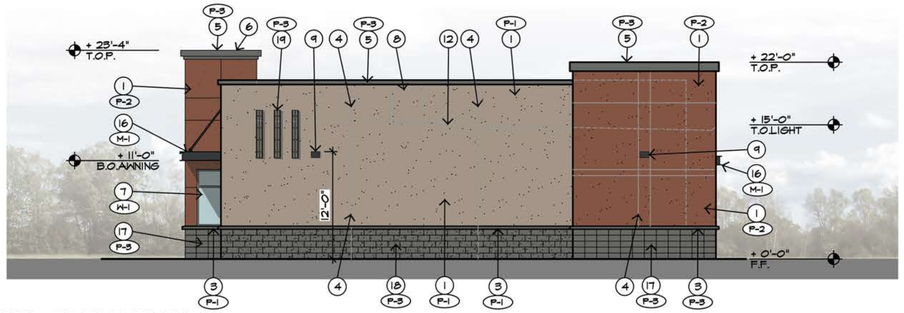
EXTERIOR FINISHES

F1. STUCCO SYSTEM: WESTERN ONE KOTE STUCCO SYSTEM OVER 1" INSULATION BOARD WITH WIRE MESH AND FIBER REINFORCED FIRST COAT W/ SYNTHETIC FINISH COAT OVER SUBSTRATE ON WOOD FRAMED WALL. TEXTURE TO BE SAND FINISH PER REPORT NO: ESR-382.

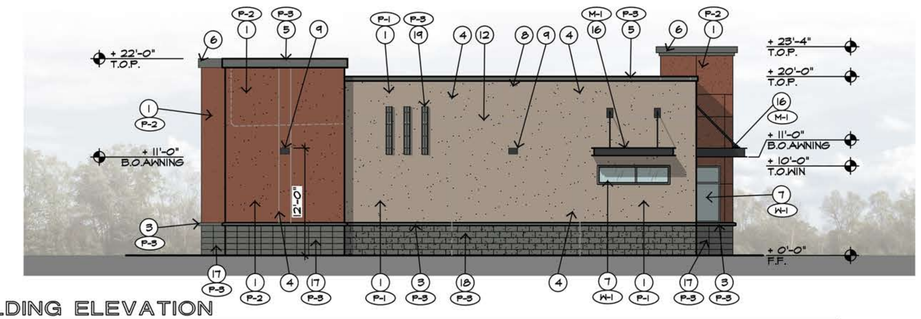
F2. WEATHER BARRIER SHALL BE SYNTHETIC UNDERLAYMENT "TITANIUM" UDL 25 LB. COMPLY WITH MANUFACTURERS INSTALLATION GUIDELINES. CLASS A ASTM E-108. MEETS AND EXCEEDS ASTM D226 TYPES I & II. ICC CSA A220.1



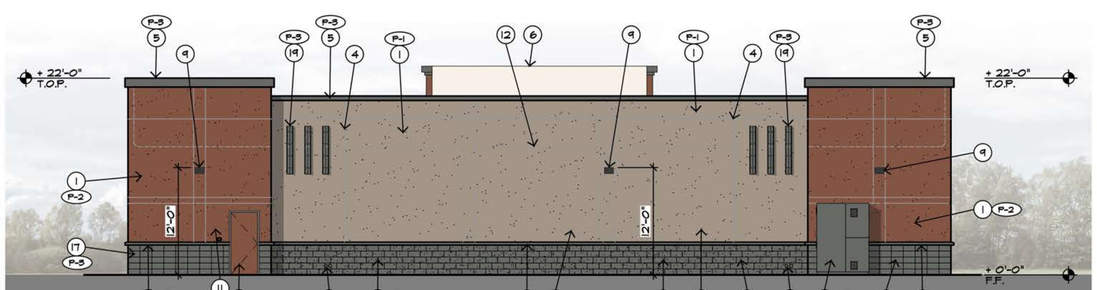
4 EAST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



3 NORTH BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



2 SOUTH BUILDING ELEVATION
SCALE: 1/8" = 1'-0"



1 WEST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

SCALE: 1/8" = 1'-0"
0' 4' 8' 16'

KEYNOTES

1. STUCCO SYSTEM WITH SAND FINISH OVER FRAMED EXTERIOR. SEE EXTERIOR FINISHES.
2. 16" HIGH SURFACE MOUNTED HALO ILLUMINATED ADDRESS NUMBERS. BLACK IN COLOR
3. 4" HIGH MASONRY SMOOTH ACCENT BAND WITH STAINED FINISH. MAINTAIN SLOPE AWAY FROM WINDOW OR BUILDING. SEE DETAIL
4. STUCCO REVEAL / CONTROL JOINT.
5. RIGID FOAM WITH STUCCO FINISH ACCENT CORNICE.
6. BUILDING TOWER BEYOND.
7. 4 1/2" ALUMINUM STOREFRONT WITH CENTERED WINDOW SYSTEM WITH INSULATED DUAL PANE GLAZING. PROVIDE TEMPERED GLASS WHERE REQUIRED. PROVIDE MIN. 10" HIGH BOTTOM RAILS AT ALL DOORWAYS.
8. ROOF MOUNTED MECHANICAL EQUIPMENT BEYOND. SEE ROOF PLAN FOR FINAL LOCATION. SEE ROOF PLAN
9. EXTERIOR MOUNTED LIGHT FIXTURE. SEE ELECTRICAL. TOP OF LIGHT TO BE AT 12'-0" A.F.F.
10. EXTERIOR HOLLOW METAL DOORWAY AND FRAME. SEE DOOR SCHEDULE
11. KNOX BOX LOCATION..
12. LINE OF ROOF BEYOND.
13. FREE STANDING EXTERIOR RATED SERVICE ENTRY SECTION CABINET BEHIND STEEL GATES PER DETAIL 11/A7.1.
14. ROOF DRAIN AND OVERFLOW OUTLETS WITH BRASS LAMBS TONGUE. PROVIDE RIP RAP PER CIVIL PLANS.
15. NOT USED.
16. STEEL 'C' CHANNEL CANOPY WITH STEEL SUPPORT ARMS AND EXPOSED MOUNTING PLATES PER DETAIL, PAINTED.
17. EXPOSED 8"X16" SMOOTH MASONRY VENEER STANDING BOND PATTERN OVER WOOD FRAME AND VAPOR BARRIER. STAINED FINISH.
18. EXPOSED 8"X16" SPLIT-FACE MASONRY VENEER OVER WOOD FRAME AND CONTINUOUS VAPOR BARRIER. STAINED FINISH.
19. METAL ACCENT WITH PAINTED FINISH. SEE DETAIL 7/A-15.

PAINT & FINISH SCHEDULE

CODE	IDENTIFIER	BRAND/COLOR #	NAME
P-1	STUCCO BODY	DUNN EDWARDS DET 624	SORREL FELT
P-2	STUCCO ACCENT	DUNN EDWARDS DE 6091	RED HOOK
P-3	MASONRY BLOCK	DUNN EDWARDS DET 629	FADE TO BLACK
M-1	METAL	CMG 24g	MATTE BLACK
W-1	STOREFRONT ALUMINUM	SOUTHWEST ALUM. CLEAR GLAZING	CLEAR ANODIZED AA-M12C22A31 / AAMA 611 ARCHITECTURAL / CLASS II
TEMP	TEMPERED GLASS	WHERE REQ'D. BY CODE	

esencia
1743 E. McNair Drive, Suite 200
Tempe, Arizona 85283
t. 480 - 755 - 0959

Project Manager: ES
Drawn By: ES
Checked By: ES
Project Number: 23014

REGISTERED ARCHITECT CERTIFICATE NO. 30798 JEFFREY W. WINTER Date Signed 12/5/25 ARIZONA, U.S.A.

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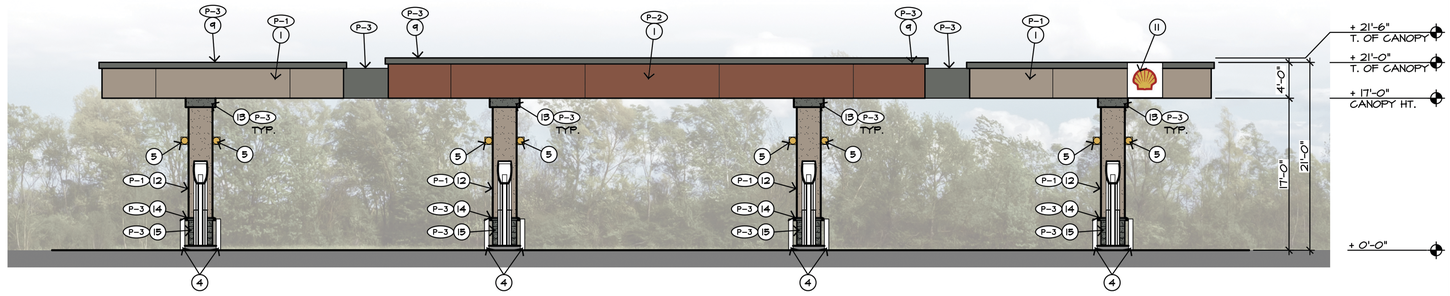
LAKIN PARK CONVENIENCE STORE
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Revisions

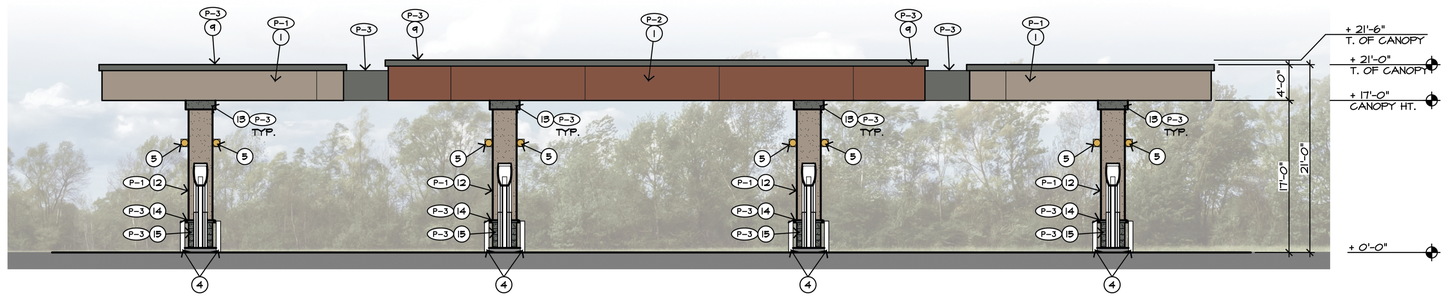
Date	Issued for
11-20-2025	USE PERMIT

EXTERIOR BUILDING ELEVATIONS

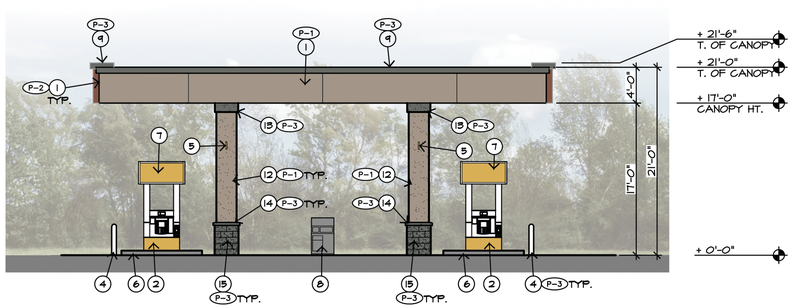
A-30



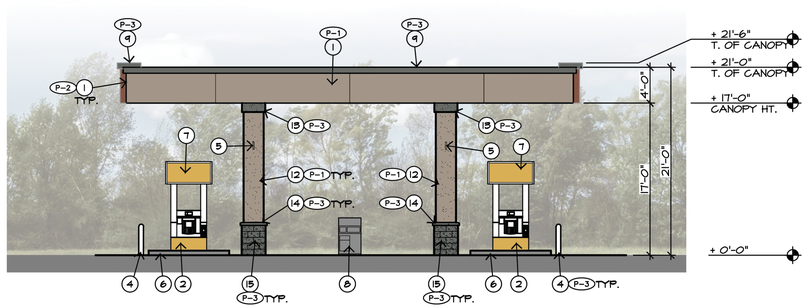
1 NORTH CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



2 SOUTH CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



3 WEST CANOPY ELEVATION
SCALE: 1/8' = 1'-0"



4 EAST CANOPY ELEVATION
SCALE: 1/8' = 1'-0"

KEYNOTES

1. PRE-FINISHED ACM METAL FASCIA BY CANOPY MANUFACTURER. SEE PAINT AND FINISH SCHEDULE.
2. MULTI-PRODUCT FUEL DISPENSER. NOTE: HEIGHT OF ALL CONTROLS AND CARD READER SHALL BE 54" MAX. OR DISPENSER SHALL BE EQUIPPED WITH ALTERNATE A.D.A. COMPLAIN KEY PAD.
3. NOT USED.
4. 6" DIA. STEEL CONCRETE FILLED PIPE BOLLARD 42" HIGH. PAINTED GRAY TO MATH BUILDING. BOLLARD TO BE SAND GROUTED IN SLEEVE.
5. DISPENSER IDENTIFICATION FLAG MOUNTED ON CANOPY COLUMN.
6. 6' HIGH CONCRETE CURB FUEL ISLAND.
7. ILLUMINATED DISPENSER SPANNER AT DISPENSER.
8. FLOOR MOUNTED ROUND, BLACK METAL TRASH RECEPTACLE WITH WINDOW WASHING VALET.
9. PRE-FINISHED ACM METAL FASCIA ACCENT CORNICE BY CANOPY MANUFACTURER. SEE PAINT AND FINISH SCHEDULE.
10. NOT USED.
11. SHELL PECTEN SIGN BOX. ELECTRICAL TO BE PROVIDED AT THIS LOCATION
12. PIERS WITH STUCCO FINISH. TEXTURE TO MATCH BUILDING.
13. E.F.I.S. FOAM CAP WITH STUCCO FINISH (TYP.). RE: DETAILS.
14. 4" HIGH MASONRY ACCENT BAND.
15. EXPOSED 8"X16" SPLIT-FACE MASONRY VENEER OVER WOOD FRAME AND CONTINUOUS VAPOR BARRIER. PAINTED FINISH.

GENERAL NOTES

A. ALL SIGNS SHALL BE PART OF A SEPARATE SUBMITTAL PROCESS, AND SEPARATE PERMIT APPROVAL PROCESS.

B. SIGN CONTRACTOR SHALL PROVIDE OWNER WITH SIGN SHOP DRAWINGS FOR APPROVAL PRIOR TO FABRICATION OF ALL SIGNS, AND SUBMITTAL OF SIGN PERMIT.

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E. THE G.C. SHALL PROVIDE J-BOXES AND EMPTY CONDUIT WITH PULL-STRING TO SIGN U-BOX FROM POWER SOURCE. ALL FINAL WIRING AND SIGN INSTALLATION BY SIGN CONTRACTOR.

F. STUCCO SHALL BE IN CONFORMANCE WITH ASTM C-926 REQUIREMENTS AND SPECIFICATIONS. TEXTURE TO MATCH EXISTING CENTER.

G. FUEL CANOPY BRANDING / COLOR BY OTHERS, SHOWN FOR COORDINATION PURPOSES ONLY.

EXTERIOR FINISHES

F1. STUCCO SYSTEM: E.I.F.S. STUCCO SYSTEM OVER 1" RIGID INSULATION. MECHANICALLY ATTACH RIGID INSULATION OVER WEATHER BARRIER ON PLYWOOD FRAMING. TEXTURE & FINISH TO MATCH CENTER. REPORT NO: ESR-1543.

F2. WEATHER BARRIER SHALL BE SYNTHETIC UNDERLAYMENT "TITANIUM" UDL 25 LB. COMPLY WITH MANUFACTURERS INSTALLATION GUIDELINES. CLASS A ASTM E-108. MEETS AND EXCEEDS ASTM D226 TYPES I & II. ICC ES A A220.1

PAINT & FINISH SCHEDULE (#)

CODE	IDENTIFIER	BRAND/COLOR #	NAME
METAL PANEL COLORS PER APPROVED SIGNAGE PACKAGE			
P-1	STUCCO BODY	DUNN EDWARDS DET 624	SORREL FELT
P-2	STUCCO ACCENT	DUNN EDWARDS DE 6091	RED HOOK
P-3	MASONRY BLOCK	DUNN EDWARDS DET 629	FADE TO BLACK

APPROVALS

esencia
1743 E. McNair Drive, Suite 200
Tempe, Arizona 85283
t. 480 - 755 - 0959

Project Manager: ES
Drawn By: ES
Checked By: ES
Project Number: 23014

REGISTERED ARCHITECT CERTIFICATE NO. 30796 JEFFREY W. WINTER Date Signed 12/5/25 ARIZONA, U.S.A.

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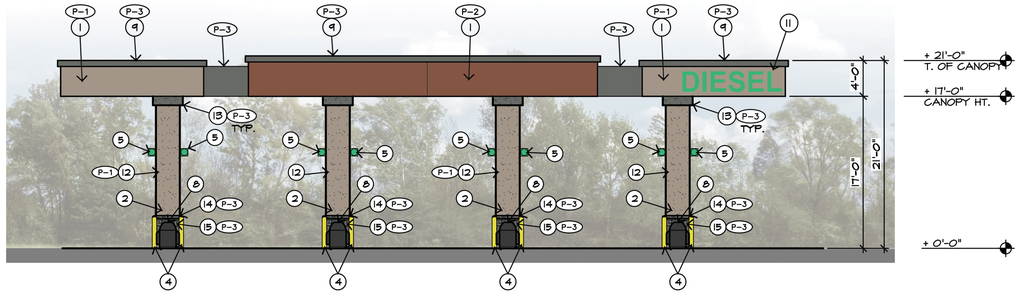
LAKIN PARK CONVENIENCE STORE
CARIOCA CO.
SECTION 26, TOWNSHIP 1 NORTH, RANGE 2 WEST
17151 W MC85
GOODYEAR, ARIZONA 85338

Revisions

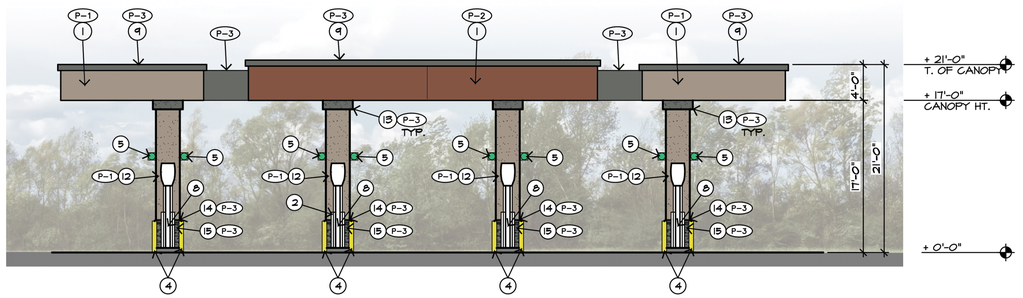
Date	Issued for
11-20-2025	USE PERMIT

AUTO FUEL CANOPY ELEVATIONS

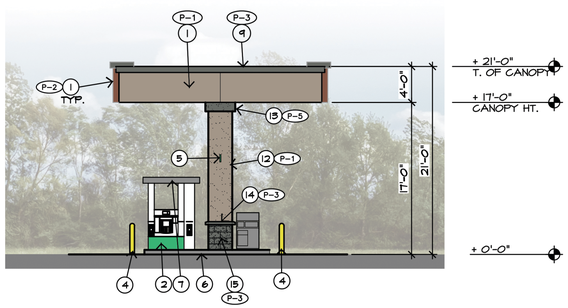
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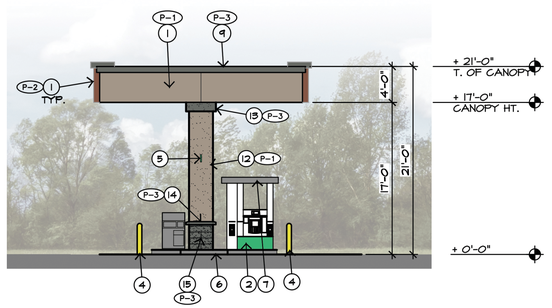
1 NORTH CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



2 SOUTH CANOPY ELEVATION
SCALE: 1/8" = 1'-0"



3 EAST CANOPY ELEVATION
SCALE: 1/8' = 1'-0"



4 WEST CANOPY ELEVATION
SCALE: 1/8' = 1'-0"

KEYNOTES

1. PRE-FINISHED ACM METAL FASCIA BY CANOPY MANUFACTURER. PROVIDE ILLUMINATED SHELL RVI IMAGE WITH ILLUMINATION ON FOUR SIDES.
2. MULTI-PRODUCT FUEL DISPENSER. NOTE: HEIGHT OF ALL CONTROLS AND CARD READER SHALL BE 54" MAX. OR DISPENSER SHALL BE EQUIPPED WITH ALTERNATE A.D.A. COMPLAIN KEY PAD.
3. NOT USED.
4. 6" DIA. STEEL CONCRETE FILLED PIPE BOLLARD 42" HIGH. PAINTED GRAY TO MATCH BUILDING. BOLLARD TO BE SAND GROUTED IN SLEEVE.
5. DISPENSER IDENTIFICATION FLAG MOUNTED ON CANOPY COLUMN.
6. 6' HIGH CONCRETE CURB FUEL ISLAND.
7. ILLUMINATED DISPENSER SPANNER AT DISPENSER.
8. FLOOR MOUNTED ROUND, BLACK METAL TRASH RECEPTACLE WITH WINDOW WASHING VALET.
9. PRE-FINISHED ACM METAL FASCIA BY CANOPY MANUFACTURER. PROVIDE NON-ILLUMINATED SHELL RVI IMAGE WITH ILLUMINATION ON FOUR SIDES.
10. ILLUMINATED SHELL RVI IMAGE PACKAGE. SEE CANOPY COMPANY.
11. SHELL PECTEN SIGN BOX. ELECTRICAL TO BE PROVIDED AT THIS LOCATION
12. PIERS WITH STUCCO FINISH. TEXTURE TO MATCH BUILDING.
13. E.F.I.S. FOAM CAP WITH STUCCO FINISH (TYP.). RE: DETAILS.
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PAINT & FINISH SCHEDULE (#)

CODE	IDENTIFIER	BRAND/COLOR #	NAME
METAL PANEL COLORS PER APPROVED SIGNAGE PACKAGE			
P-1	STUCCO BODY	DUNN EDWARDS DET 624	SORREL FELT
P-2	STUCCO ACCENT	DUNN EDWARDS DE 6041	RED HOOK
P-3	MASONRY BLOCK	DUNN EDWARDS DET 629	FADE TO BLACK

APPROVALS

esencia
1743 E. McNair Drive, Suite 200
Tempe, Arizona 85283
t. 480 - 755 - 0959

Project Manager: ES
Drawn By: ES
Checked By: ES
Project Number: 23014

REGISTERED ARCHITECT
CERTIFICATE NO.
30796
JEFFREY W. WINTER
12/5/25
Date Signed
ARIZONA, U.S.A.

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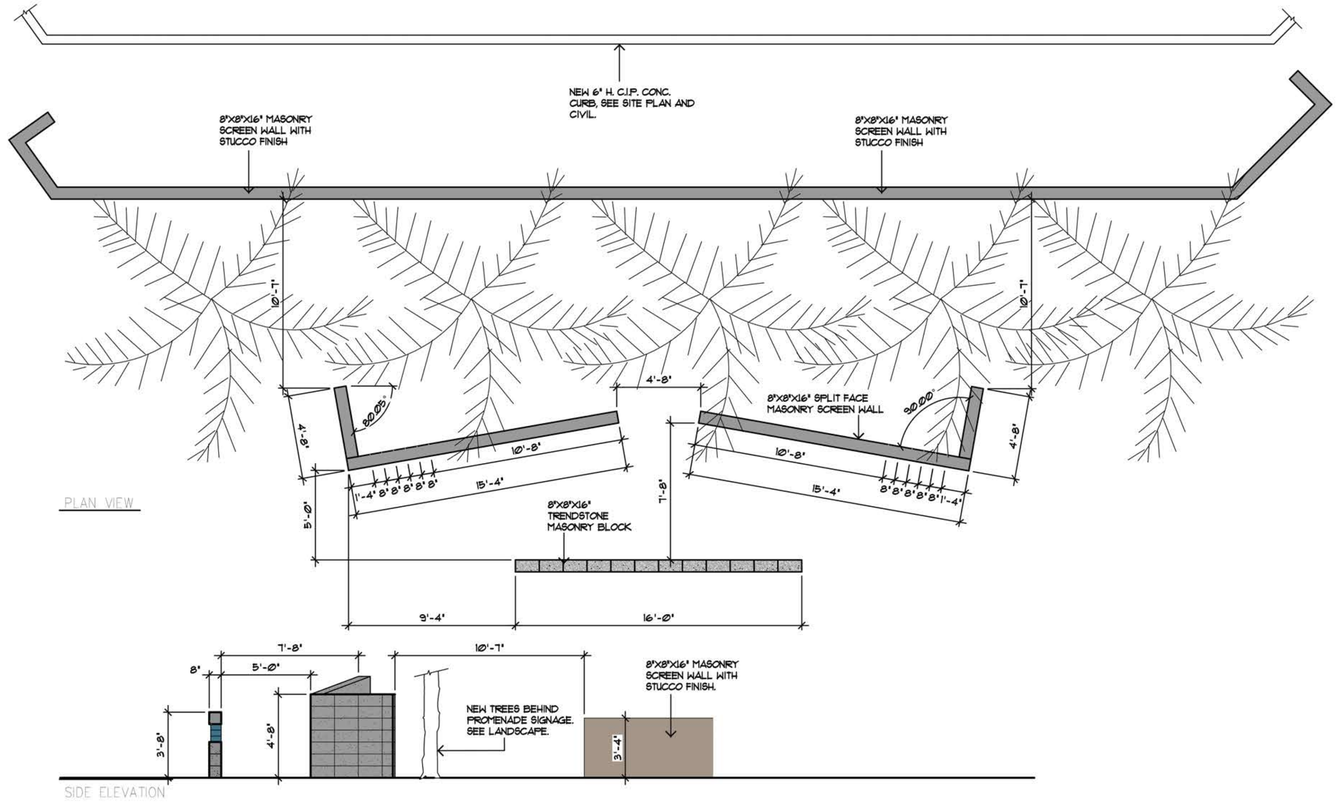
LAKIN PARK CONVENIENCE STORE
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SECTION 26, TOWNSHIP 1 NORTH, RANGE 2 WEST
17151 W MC85
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Revisions

Date	Issued for
11-20-2025	USE PERMIT

TRUCK FUEL CANOPY ELEVATIONS

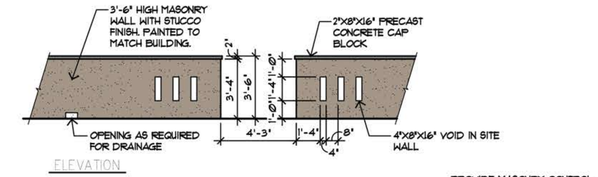
A-32



11 PROMENADE ENTRANCE SIGN
SCALE: 1/4" =1'-0"

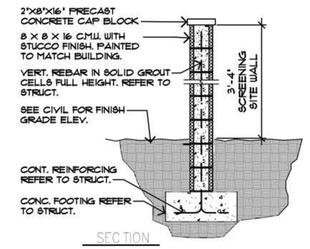
PROVIDE MASONRY CONTROL JOINTS AS RECOMMENDED BY THE MASONRY ASSOCIATION.

PROMENADE ENTRANCE SIGN ELEV.



4 SITE WALL ELEVATION
SCALE: 1/4" =1'-0"

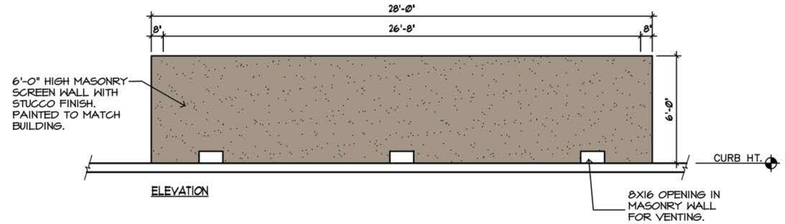
PROVIDE MASONRY CONTROL JOINTS AS RECOMMENDED BY THE MASONRY ASSOCIATION.



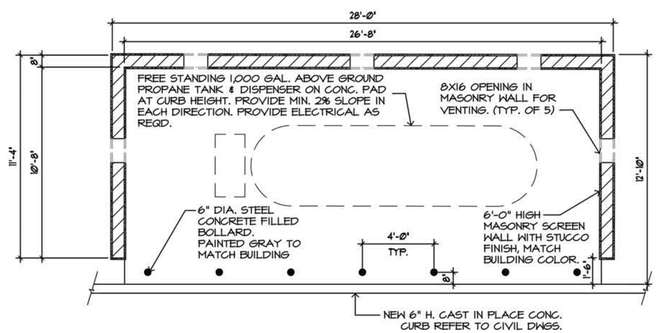
3 SITE WALL
SCALE: 1/2"=1'-0"

PROVIDE MASONRY CONTROL JOINTS AS RECOMMENDED BY THE MASONRY ASSOCIATION

TYP CMU SITE WALL



2 PROPANE SCREEN WALL
SCALE: 1/4" = 1'-0"



1 PROPANE PAD
SCALE: 1/4" = 1'-0"

esencia

1743 E. McNair Drive, Suite 200
Tempe, Arizona 85283
t. 480 - 755 - 0959

Project Manager	ES
Drawn By	ES
Checked By	ES
Project Number	23014

REGISTERED ARCHITECT CERTIFICATE NO. 30796 JEFFREY W. WINTER 4/2/26 Date Signed ARIZONA, U.S.A.

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LAKIN PARK CONVENIENCE STORE

CARIOCA CO.

SECTION 26, TOWNSHIP 1 NORTH, RANGE 2 WEST
17151 W MC85
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Revisions	
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SITE DETAILS

A-14

Evaluation Criteria

Section 1-3-2 (Use Permits) of the Zoning Ordinance requires that the Planning and Zoning Commission and City Council determine that the proposed use meets the following findings prior to granting a Use Permit:

1. The Use Permit 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;

The proposed Convenience Store and Gas Station (the Project) will be located on a 5.22-acre parcel within Lakin Park, a development straddling Cotton Lane on the south side of MC-85. Lakin Park is zoned Planned Area Development (PAD) and primarily permits industrial uses, though a "Flex Zone" on either side of Cotton Lane allows commercial and public facility uses as well. The Project will be located within the flex zone and will utilize General Commercial (C-2) development standards, except as amended by the PAD.

The nearest single-family residential development to the Project is the El Cidro Phase 2 subdivision, approximately 0.60 miles to the northwest. The nearest occupied multi-family residential development is Arrebol Villas (El Cidro), approximately 0.68 miles to the north. Lakin Park Bungalows is currently under construction and is located approximately 0.55 miles west of the Project. As shown on Attachment B- Aerial Photo, existing uses within the immediate vicinity of the Project include two warehouse and distribution buildings within Phase 1 of Lakin Park, and multiple industrial complexes on the north side of MC-85. An additional warehouse and distribution building is under construction within Phase 4 of Lakin Park, to the southeast of the Project. The Project is not expected to be materially detrimental to persons residing or working in the vicinity, as there are no residences within one-half (1/2) mile of the site and most employment uses in the area are large-scale industrial uses.

A proposed stipulation for the Project will require it to adhere to the requirements of Lighting Zone 2 as described in Article 10 (Outdoor Lighting) of the Goodyear Zoning Ordinance. The traffic statement provided by the applicant has been reviewed and approved by both the City of Goodyear (who has jurisdiction over Cotton Lane) and the Maricopa County Department of Transportation or MCDOT (who has jurisdiction over MC-85).

2. The proposed use is reasonably compatible with uses permitted in the surrounding area;

As described above, the Project is surrounded by industrial uses, and the majority of Lakin Park is zoned for industrial, commercial, or public facility uses. The nearest residential uses are over one-half (1/2) mile away. The Project site is located at the intersection of MC-85 (a Principal Arterial per the MCDOT Major Streets and Routes Plan) and Cotton Lane (a Parkway per the City of Goodyear

Transportation Master Plan). Access to the Project will be provided directly from MC-85 and Cotton Lane; access from neighboring properties will not be necessary.

Section 4-2-2 (Convenience Uses) of the Zoning Ordinance provides the following additional evaluation criteria for convenience uses regarding their potential impact on traffic congestion, the neighborhood in general, and their appropriateness for the site:

1. *Adequacy of the parcel size and configuration to provide for proper access and internal circulation*.

   The 5.22-acre parcel is of sufficient size and configuration to accommodate the proposed convenience store and fuel pumps. Two driveways (one on MC-85 and one on Cotton Lane) will provide access to the site. A conceptual site plan has been provided showing adequate internal circulation for vehicles and trucks, and pedestrian connections will be provided to the convenience store building from sidewalks along both MC-85 and Cotton Lane). MCDOT has reviewed and approved the Project's traffic statement.

2. *Compatibility of the proposed hours of operation with adjacent residential areas.*

   The proposed hours of operation for the convenience store and gas station are twenty-four (24) hours per day, seven (7) days per week. As described above, the closest residential areas are over one-half (1/2) mile from the Project, so compatibility issues are not expected. No restrictions are proposed, within the Conditionals of Approval for this Use Permit are proposed for the hours of operation.

3. *Required traffic and access mitigation measures, if any.*

   A traffic statement was prepared for the Project and has been reviewed by both city engineering staff and MCDOT. Both driveways into the Project will be right-in, right-out only, and existing raised medians in both MC-85 and Cotton Lane will prevent left-in and left-out movements. A new deceleration lane, a minimum of 150 feet in length, will be constructed on Cotton Lane for vehicles entering the site, and the existing continuous right-turn deceleration lane from the adjacent industrial driveway will remain in place for vehicles entering the site from MC-85.

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

   There are no other concerns affecting the advisability of the proposed convenience use.

   Fire Department:
   Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Minutes	Miles
184	6.62	3.31

2nd nearest Fire Station	Minutes	Miles
188	7.32	3.66

AGENDA ITEM #: 2.
DATE: July 1, 2026
CAR #: AI-3331
CASE #: P25-00277

Planning & Zoning Commission ACTION REPORT

SUBJECT: USE PERMIT FOR CONVENIENCE STORE WITH GAS STATION AT COTTON LANE AND MC-85

STAFF PRESENTER(S): Ann Dolmage, Principal Planner

OTHER PRESENTER(S):
Frank Gawdun, Esencia LLC

SUMMARY:

Request for a Use Permit for a convenience use (convenience store including retail gasoline sales), on approximately 5.22 acres zoned as Planned Area Development (PAD) with an underlying flexible zoning that permits industrial, commercial, and public facilities uses (Flex Zone), located at the southwest corner of Cotton Lane and MC-85.

RECOMMENDATION:

1. Conduct a public hearing to consider a Use Permit for a convenience use (convenience store including retail gasoline sales), on approximately 5.22 acres zoned as Planned Area Development (PAD) with underlying flexible zoning that permits industrial, commercial, and public facilities uses, located at the southwest corner of Cotton Lane and MC-85.
2. Recommend approval of a Use Permit for a convenience use (convenience store including retail gasoline sales), on approximately 5.22 acres zoned as Planned Area Development (PAD) with underlying flexible zoning that permits industrial, commercial, and public facilities uses, located at the southwest corner of Cotton Lane and MC-85 (Ann Dolmage, Principal Planner).

FISCAL IMPACT:

Although a fiscal impact analysis has not been conducted on this specific project, all new development will have an ongoing fiscal impact on the city. The development is responsible for construction of all infrastructure necessary to serve the site and will generate one-time revenue for the city through payment of permits, construction sales tax, and development impact fees. Longer term fiscal impacts include increased demands for municipal services, the costs of which may or may not be offset by increased property values/tax levies, city sales tax, state shared revenues, and the increased demand for commercial and retail development. Any areas that will be maintained by the city are constructed by the developer and then conveyed to the city two years after construction.

BACKGROUND AND PREVIOUS ACTIONS:

A rezone for CP Lakin Park (commonly referred to as “Lakin Park”) was approved by City Council on October 28, 2019. The rezone changed the zoning of approximately 696 acres from Agricultural Urban (AU) to Planned Area Development (PAD) with multiple underlying zoning districts, including 644.9 acres of General Industrial Park (I-2); 35.3 acres of Flex Zone which permits I-2, General Commercial (C-2), and Public Facilities District (PFD); and 15.4 acres of Multi-Family Residential (MF-24). The PAD also modified the permitted uses and development standards for the underlying zoning.

On September 27, 2021, a new rezone was approved to add approximately 4.8 acres to the multi-family component of Lakin Park, increasing the overall Multi-Family area to 20.2 acres and establishing a new PAD (known as CP Lakin Park Bungalows) for that area.

The proposed convenience use with gas station (“Project”) will be located at the southwest corner of MC-85 and Cotton Lane, as shown in the attached Aerial Photo (Attachment B), and is within Lakin Park’s Commercial/Industrial Flex Zone. Per the CP Lakin Park PAD Book dated October 2019, the Flex Zone may be developed under the I-2, C-2, or PFD standards. Once a particular use within the Flex Zone is vested with a Site Plan or subdivision approval, the selected zoning district is activated for that use, and the established underlying zoning district cannot be amended without a rezone. Since the current proposal is for a convenience store with gasoline sales, the proposal will utilize C-2, and the permitted uses and development standards for C-2 will apply (except as amended by the PAD).

A Use Permit for a convenience store with gasoline sales was approved for this Property by City Council on September 25, 2023, under Case Number P23-300-00002 which included a conceptual site plan. The administratively approved Site Plan was subsequently approved in February 2024 and was in substantial conformance with the City Council approved Use Permit. The originally approved Site Plan included one access point from MC-85, via a private road located on the adjacent industrial property to the west of the site. After the Site Plan was approved by the city, the developer of the convenience store was unable to obtain access from the private road, which required the approved site plan to be modified to include a new access point. Following the redesign of the site to accommodate new access, the proposed Site Plan is no longer in conformance with the previously approved Use Permit; therefore, a new Use Permit is requested to establish direct access to the convenience store and gas station from MC-85, via a new driveway to the Project site. If approved, the new Use Permit will also modify the layout of the store building, fuel pumps, landscaping, and traffic circulation within the Project site. More details about the proposal can be found in Attachment C - Project Narrative and Attachment D - Details of Request.

STAFF ANALYSIS

Current Policy:

A convenience store with retail gasoline sales is a convenience use as defined in Section 2-2 of the Zoning Ordinance and requires a Use Permit in the C-2 district per Section 3-3-3-C-3. It is also subject to the convenience use standards in Section 4-2-2.

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

Summary of Use Permit Request:

See Attachment D – Details of Request, Attachment E – Conceptual Site Plan, and Attachment F – Conceptual Building & Wall Elevations.

Summary of Compliance with Use Permit Evaluation Criteria

See Attachment G – Evaluation Criteria.

Public Participation

Since no residential uses are located within five hundred (500) feet of the Project, an Alternative Citizen

Review process was conducted in lieu of a neighborhood meeting, as allowed per Article 1-3-8 of the Zoning Ordinance. Under this process, notifications were mailed to nine (9) addresses on June 3, 2026, including parcels within a 500-foot buffer of the Property and other interested parties.

Notifications for the public hearing before Planning & Zoning Commission were mailed to the same address list on June 10, 2026. Additionally, signs were posted to the site on June 9, 2026; a legal advertisement was published in the Arizona Business Gazette- Republic Edition on June 12, 2026; and hearing details were posted to the Current Development Applications map on the city's website on June 5, 2026.

Staff Findings

As outlined herein, staff finds that the proposed Use Permit request is not materially detrimental to persons residing or working in the vicinity adjacent to the Property, to the neighborhood, or to the public welfare, and that the proposed use is reasonably compatible with uses permitted in the surrounding area. Staff further finds the request for Use Permit will meet the additional evaluation criteria for convenience uses as established in Section 4-2-2 of the Zoning Ordinance.

Attachments

Attachment A - Conditions of Approval

Attachment B - Aerial Photo

Attachment C - Project Narrative

Attachment D - Details of Request

Attachment E - Conceptual Site Plan

Attachment F - Conceptual Building & Wall Elevations

Attachment G - Evaluation Criteria

It's a Great time to be in Goodyear.

CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT



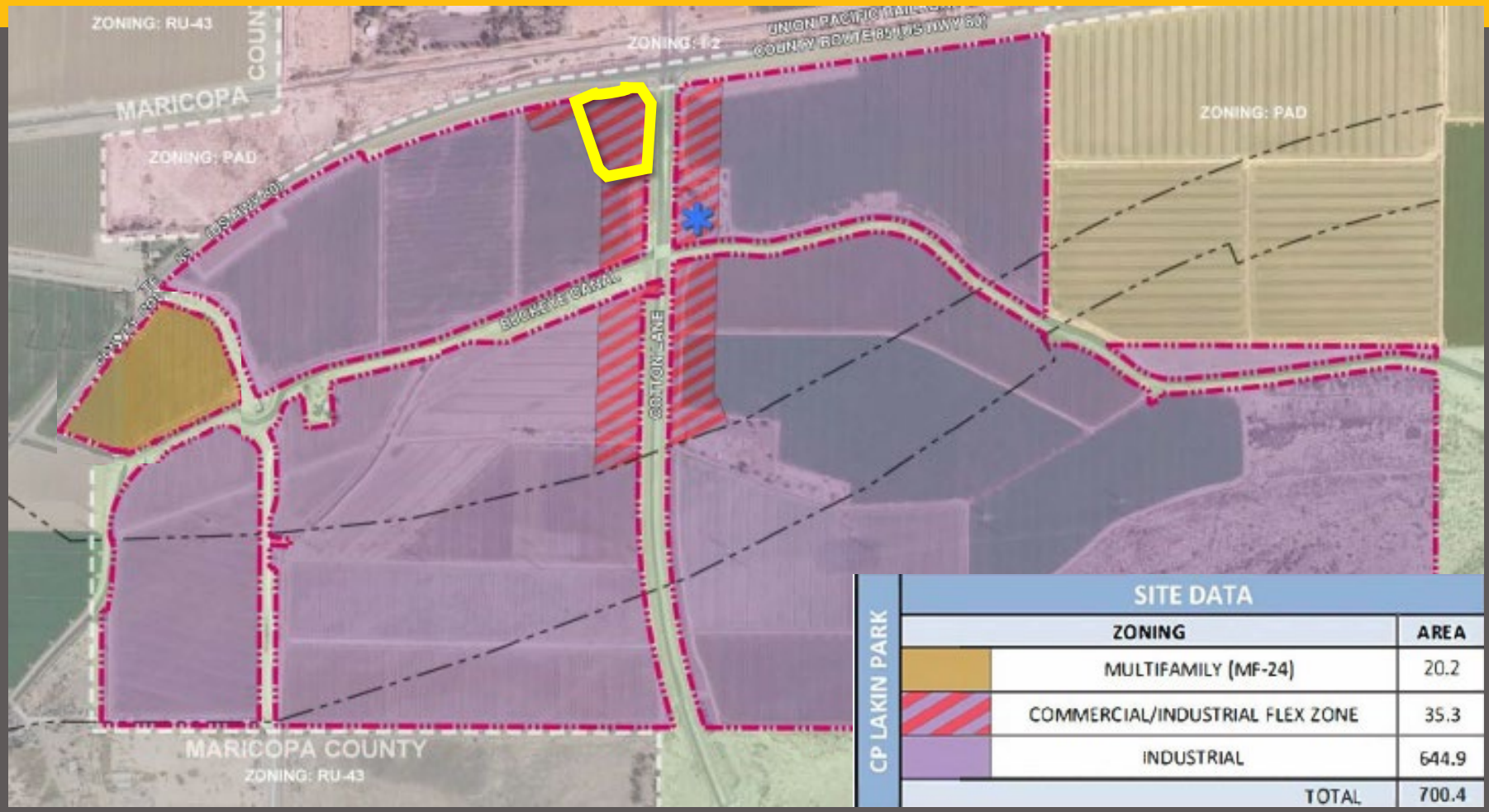
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CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT

5.22 acres

CP Lakin Park PAD

Flex Zone (industrial, commercial, or public facility)

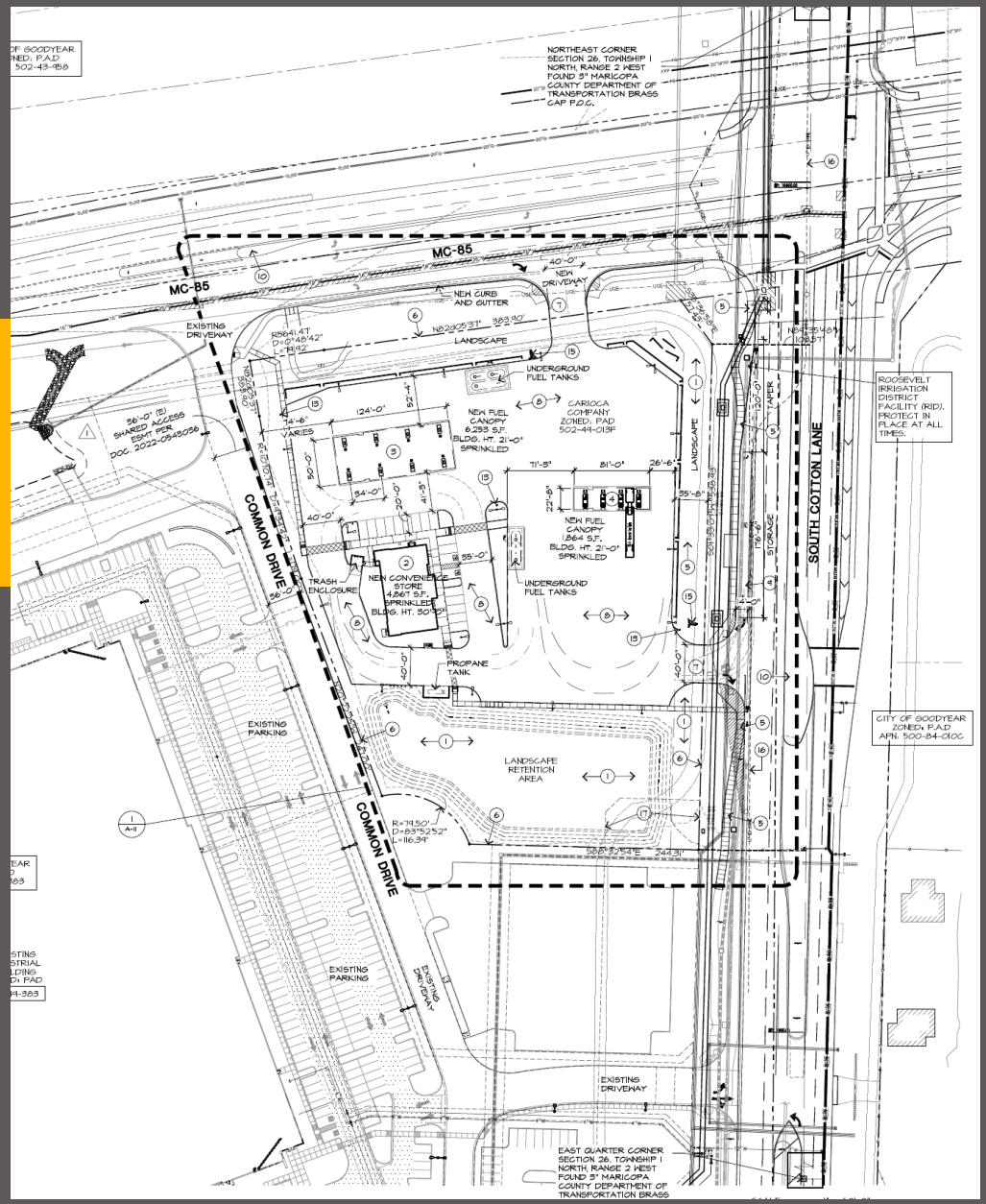


It's a Great time to be in Goodyear.

CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT

Convenience store and retail gasoline sales

"Convenience Use" requires a Use Permit

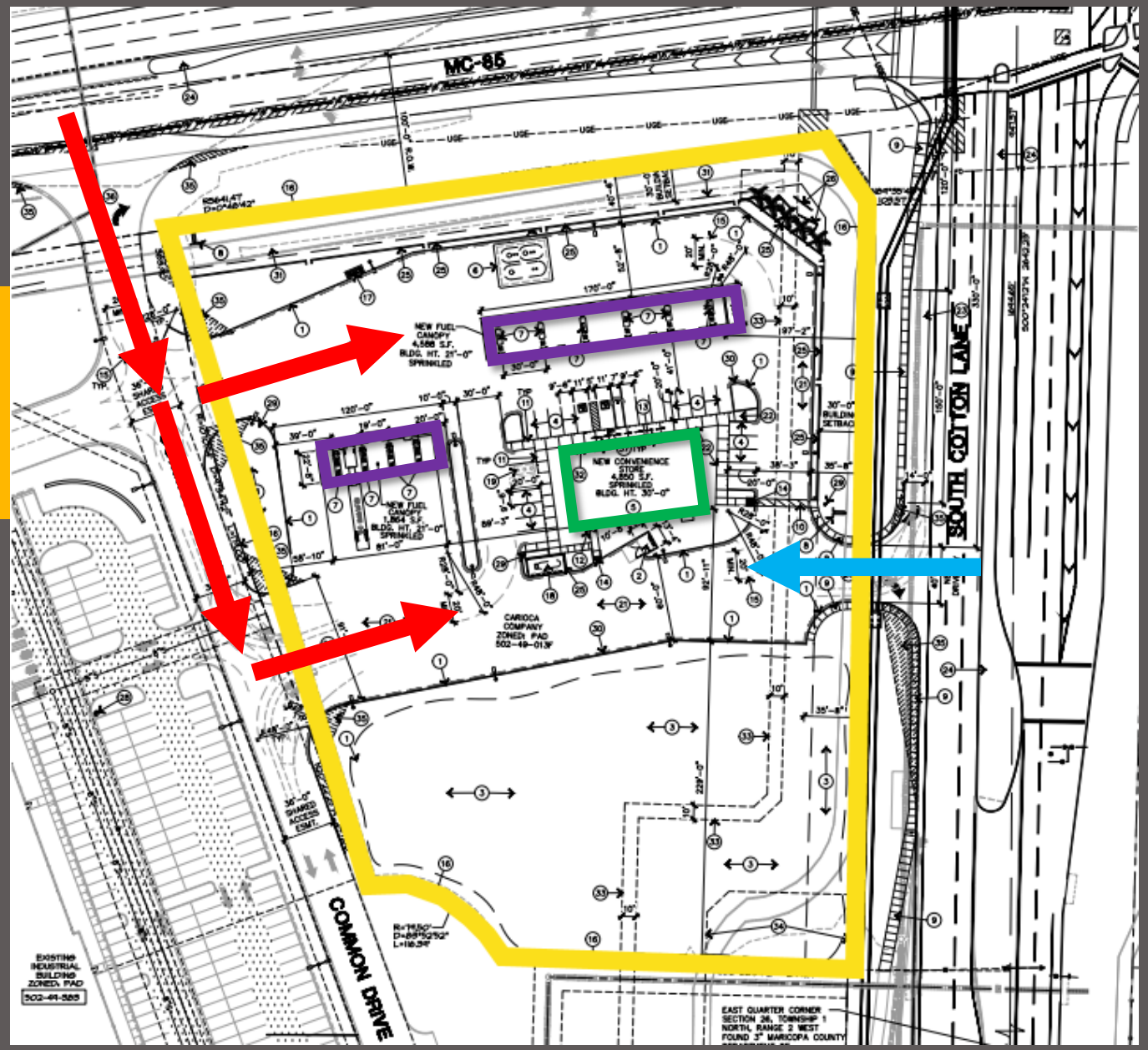


It's a Great time to be in Goodyear.

CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT

Previous Use Permit:
P23-300-00002

Access from common drive on neighboring property

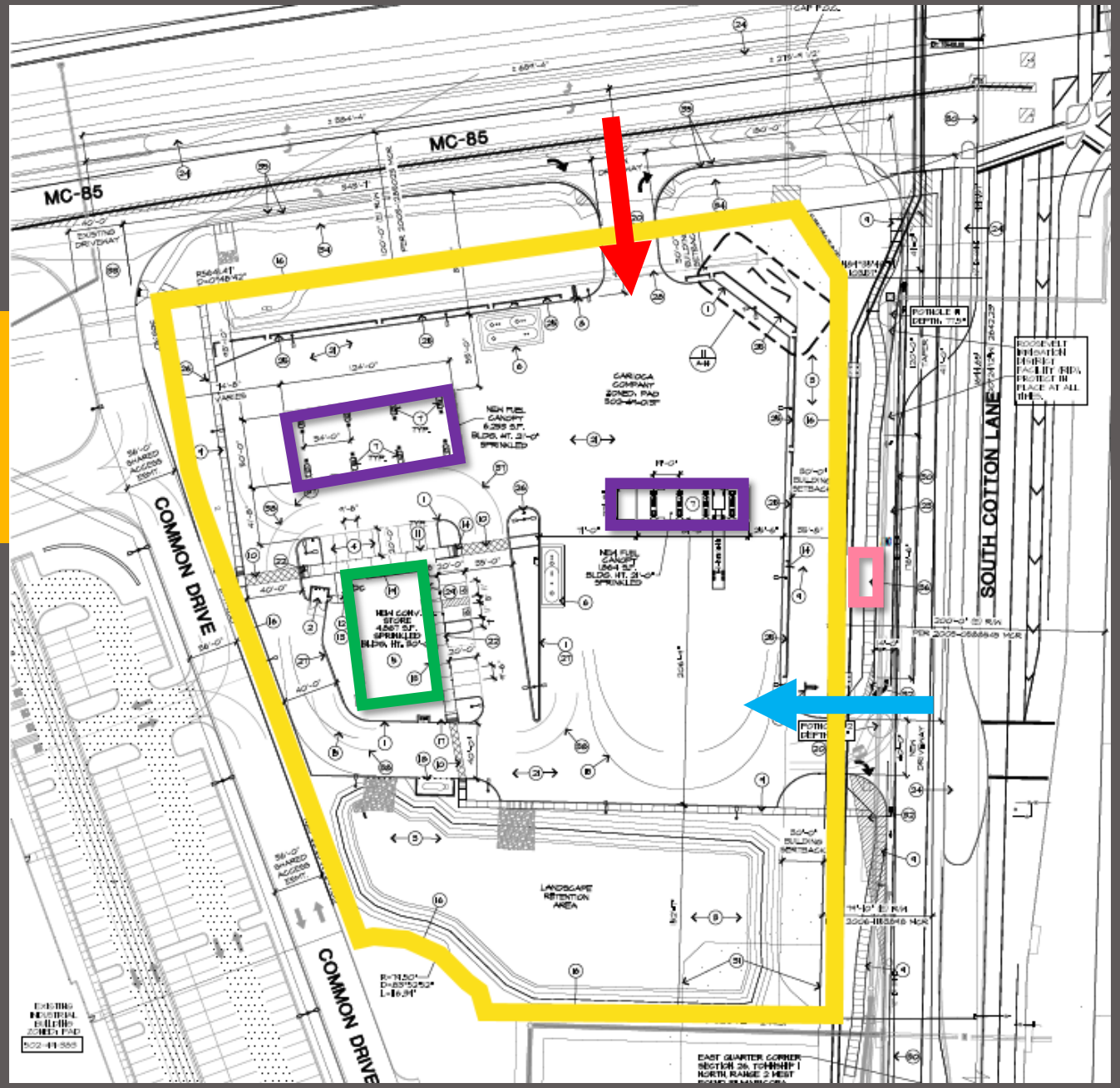


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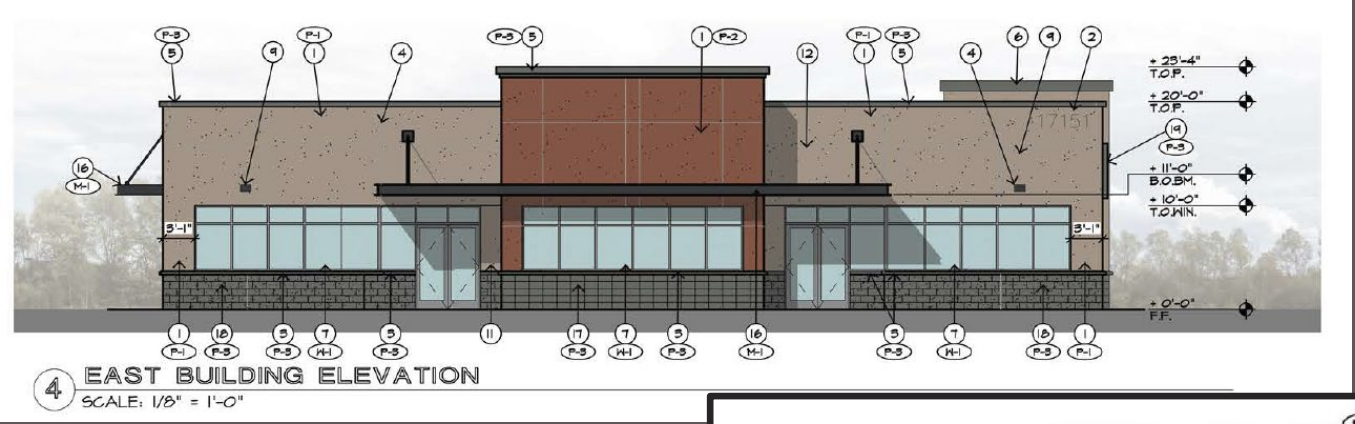
Current proposal

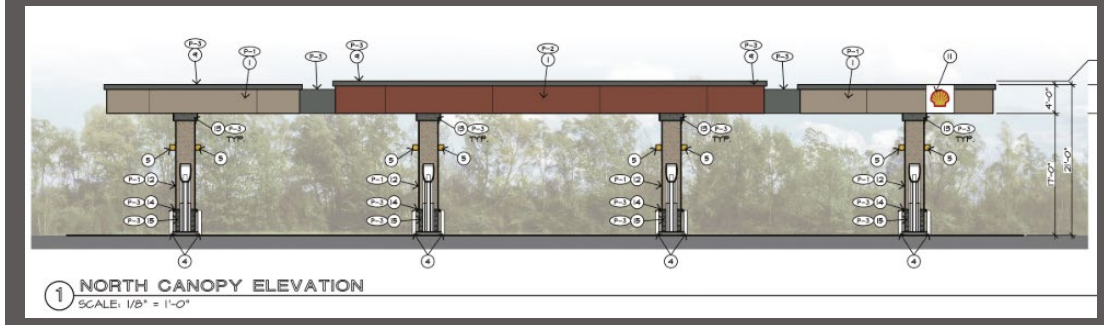
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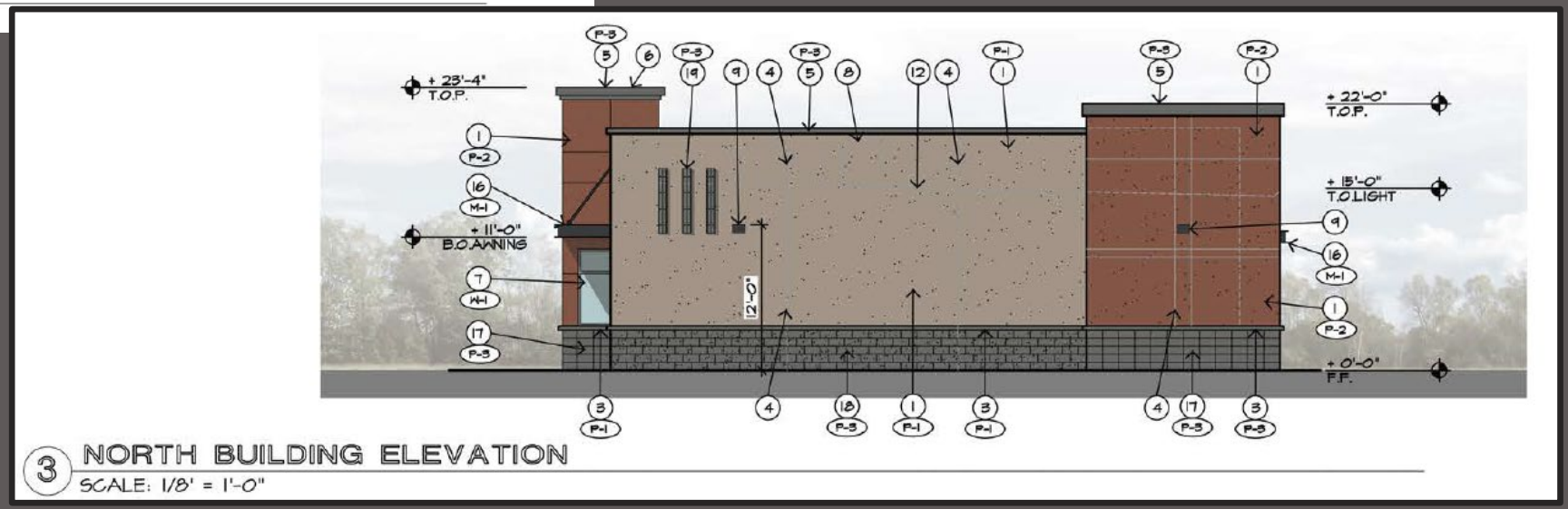
It's a Great time to be in Goodyear.

CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT



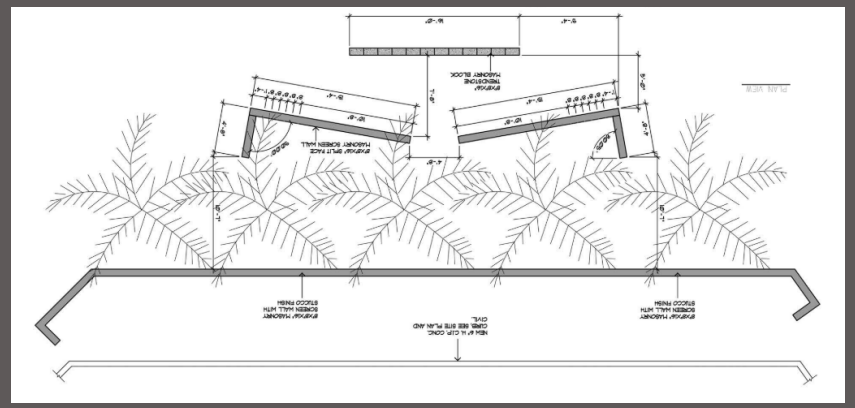


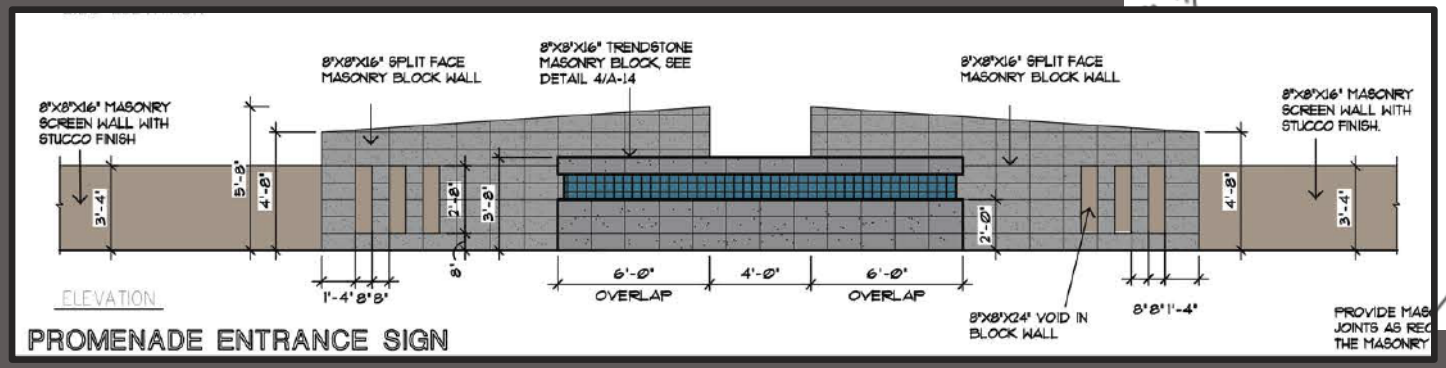
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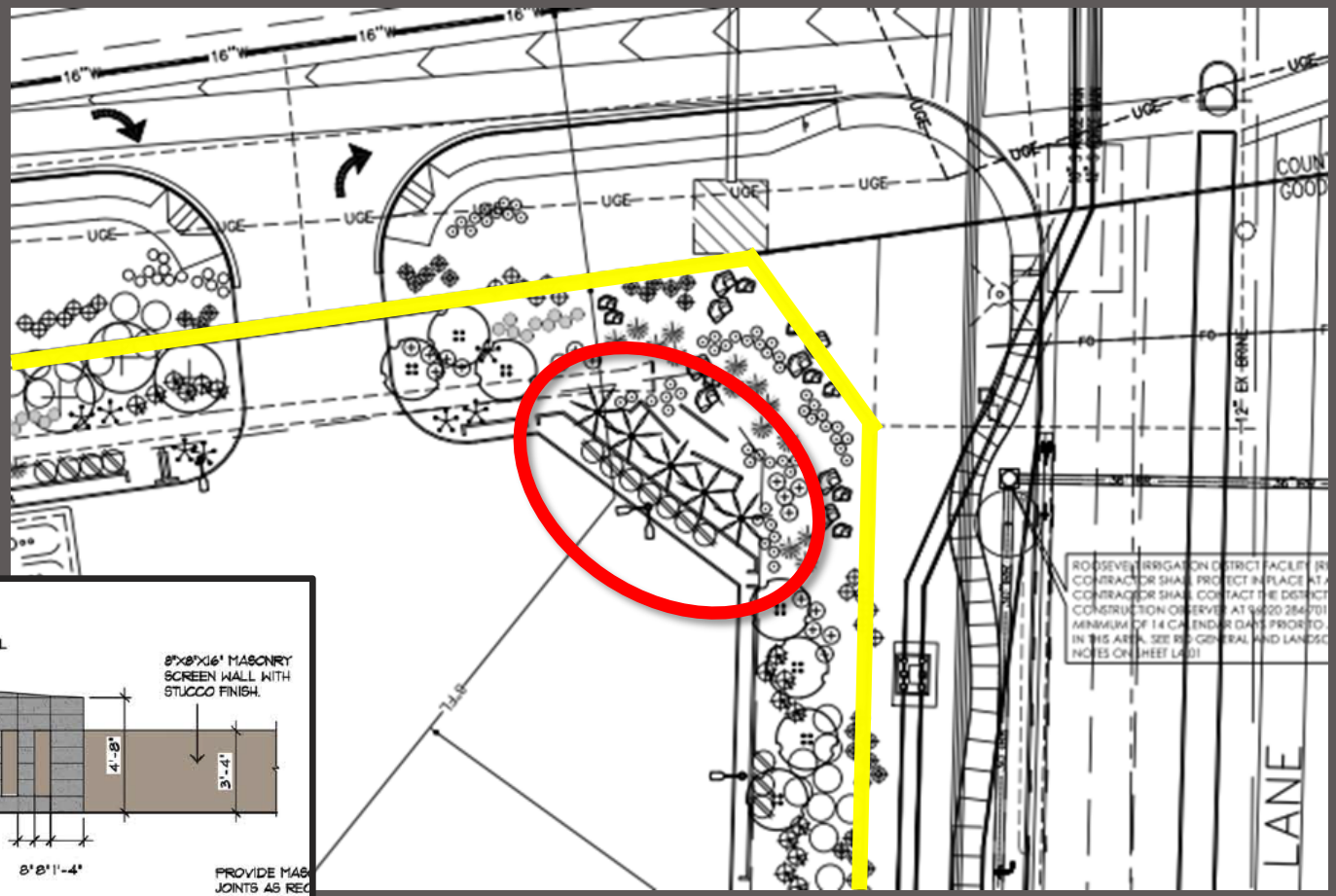


CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT

Corner Feature



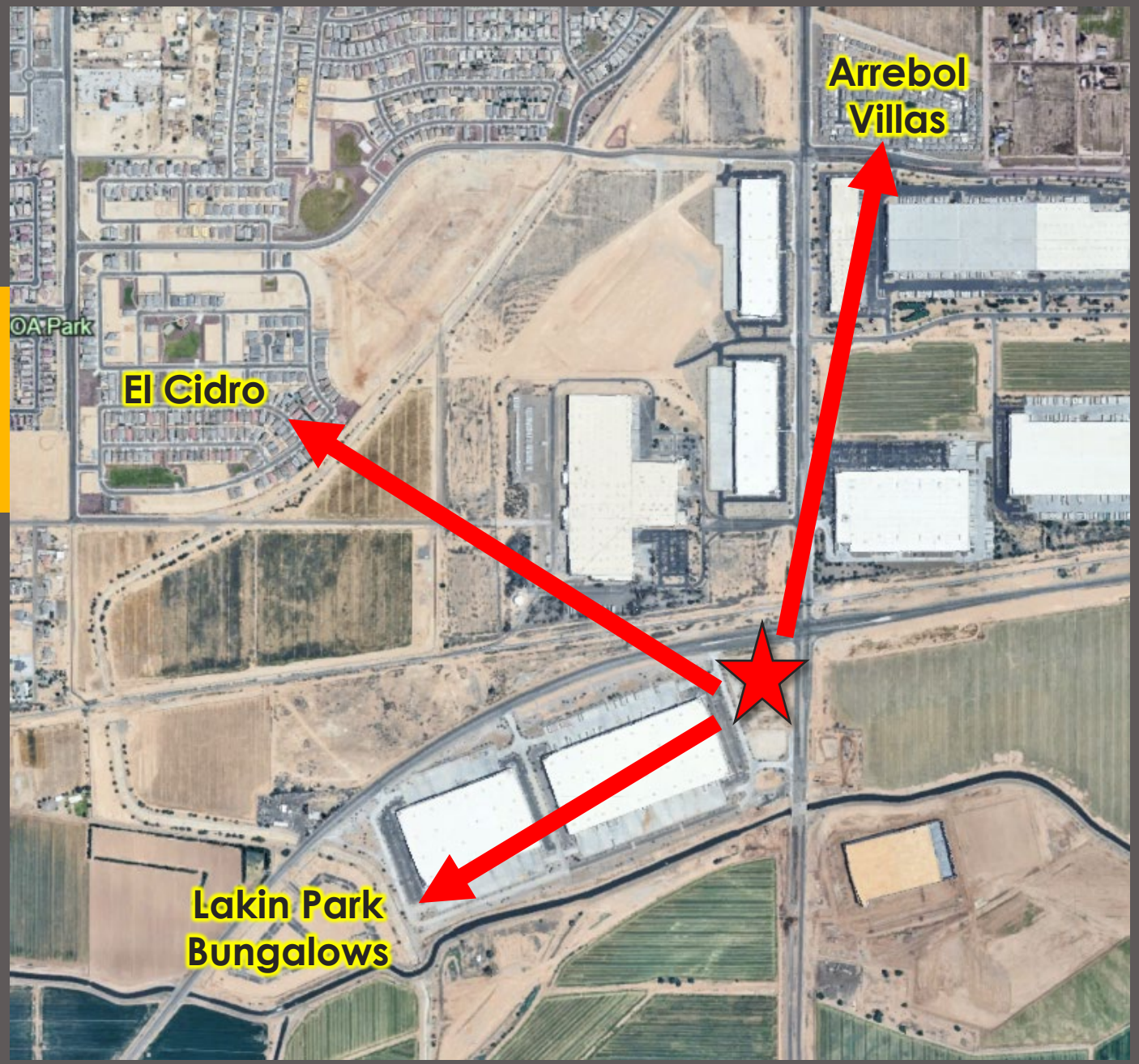




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CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT

Residential Separation



CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT

Public Notification & Prior Action

- Alternative citizen review- postcards
- Public hearing- postcards, sign posting, website posting,
- & legal ad
- ADOT and MCDOT notification
- Planning & Zoning Commission – July 1, 2026

CARIOCA CONVENIENCE STORE & GAS STATION
USE PERMIT

Recommendation

Approve the Use Permit for a Convenience Use (a convenience store with gas station), subject to staff stipulations

ITEM #: 13.
DATE: 07/06/2026
AI #:3175

CITY COUNCIL ACTION REPORT

SUBJECT: **ORDINANCE ADOPTING CITY OF GOODYEAR ZONING ORDINANCE DATED JULY 2026**

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

---

OTHER PRESENTER(S):

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

SUMMARY

Request to adopt the proposed comprehensive update to the city's Zoning Ordinance.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Adopt Ordinance No. 2026-1652 adopting City of Goodyear Zoning Ordinance dated July 1, 2026, and repealing Ordinance No. 99-655. (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 have 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 (ARS 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 residents' requests for continued high-quality development in the city, staff hired Michael Baker International to update the Design Guidelines. The updated Design Guidelines were adopted by City Council in November 2024.

Shortly thereafter, staff began working with Michael Baker International on the Zoning Ordinance update to further improve standards and support high-quality development throughout the city. Since 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, 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 update is a Strategic Plan item for Fiscal Year 2026 and supports the city's intent to conserve and promote public health, safety, and general welfare by supporting the General Plan's goal of creating a community that distinguishes itself through high-quality character and design.

At their regularly scheduled meeting on July 1, 2026, the Planning and Zoning (P&Z) Commission held a public hearing for this item. After the staff presentation, four speakers spoke before the Commission on the topics of Battery Energy Storage Systems (BESS) and housing. At the conclusion of the public hearing, the Planning and Zoning Commission forwarded a recommendation of approval (4-0) to the City Council.

STAFF ANALYSIS

The comprehensive update process began in January 2025. The first community workshop was held on April 23, 2025, at the Goodyear Recreation Center. Ten residents attended and actively engaged with the consultant and city staff throughout the event. A survey on the Zoning Ordinance was available to the public from mid-April through early July, providing the update team with insight into community interests and priorities. Highlights and informational articles about the Zoning Ordinance update were published in the May and June 2025 editions of the *InFocus* magazine.

The first work sessions with the Planning and Zoning Commission and the City Council were held in October and November 2025, respectively. Topics discussed 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 within single-family zoning districts. A second work session was held in March 2026, during which staff presented proposed regulations for Battery Energy Storage Systems (BESS) and data centers. Additional topics included in the staff report were an arts district overlay and updated regulations for drive-through facilities and parking standards. Based on the feedback received during these work sessions, staff and the consultant revised the proposed regulation language. At the third work session in June 2026, the Planning and Zoning Commission and City Council received an update summarizing the modifications made in response to comments from both earlier work sessions.

A final community workshop was conducted on May 5, 2026, in the Canyon Trails meeting room at City Hall. Five developer representatives attended to learn more about the proposed regulations, particularly those related to BESS and data centers.

The initial draft sections of the Zoning Ordinance update, specifically the proposed regulations for BESS and data centers, were released in early March 2026 at the time of the second work session. Remaining draft sections were released through April 22, 2026. Staff received, reviewed, and incorporated feedback until the public hearing draft was finalized on June 12, 2026. During the seven to fourteen weeks the draft was available for public comment, staff met with existing customers and various regional organizations to discuss the update and receive input. Most comments focused on BESS and data center standards, as the city currently has no adopted regulations for these uses; the update will codify how they are permitted and the standards they must meet. All comments received were evaluated and incorporated into the final document.

Since publication of the public hearing draft on June 13, 2026, staff and the consultant have further revised the document to address additional feedback from the development community, correct scrivener's errors, and provide necessary clarity and flexibility. The document showing tracked changes is included as Attachment B. The final Zoning Ordinance, incorporating all revisions, is

included as Exhibit A to Ordinance No. 2026-1652.

The proposed Zoning Ordinance update fulfills the primary goals of the project. It expands opportunities for housing diversity, clarifies definitions, updates existing uses and development standards, and introduces new uses. In addition, the ordinance has been reorganized and modernized with tables and graphics to improve usability and overall reader experience.

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. Accordingly, staff and the Planning and Zoning Commission forward a recommendation to adopt Ordinance No. 2026-1652, Attachment A. If adopted, the Zoning Ordinance will become effective 30 days thereafter.

Attachments

Attachment A - Ordinance No. 2026-1652 with Exhibit

Attachment B - Zoning Ordinance Public Hearing Draft with Track Changes

Staff Presentation

ORDINANCE NO. 2026-1652

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, ADOPTING THE "CITY OF GOODYEAR ZONING ORDINANCE" DATED JULY 1, 2026 AND REAPEALING ORDINANCE NO. 99-655.

WHEREAS, on May 24, 1999, the city of Goodyear, Arizona, adopted the "City of Goodyear Zoning Ordinance" dated May 1999, by Ordinance No. 99-655, which was declared a public record by Resolution No. 99-677;

WHEREAS, since the approval of the Zoning Ordinance, the Mayor and Council of the city of Goodyear, Arizona have approved text amendments to the Zoning Ordinance from time to time;

WHEREAS, the city of Goodyear desires to update the Zoning Ordinance to modernize the ordinance, refine development standards, expand housing options, clarify definitions and improve the user experience;

WHEREAS, the "City of Goodyear Zoning Ordinance" dated July 2026, is consistent with Arizona state law by conserving and promoting public health, safety, and general welfare and is consistent with the "City of Goodyear General Plan 2035" as adopted, by creating a community that distinguishes itself through high-quality character and design;

WHEREAS, the "City of Goodyear Zoning Ordinance" dated July 2026 will improve clarity and usability, protect residents' health, safety, and welfare by establishing land use classifications, and imposing regulations on land use, building dimensions, open space and prescribe penalties for violations of said ordinance;

WHEREAS, public notice of the adoption of the "City of Goodyear Zoning Ordinance" appeared in the June 13, 2026 edition of the Arizona Business Gazette – Republic Edition;

WHEREAS, a public hearing was held before Planning and Zoning Commission on July 1, 2026, and at that meeting the Planning and Zoning Commission voted (4-0) to recommend approval; and

WHEREAS, the Mayor and Council of the city of Goodyear, Arizona find the adoption of this Ordinance to be in the best interests of the health, comfort, convenience, safety, and general welfare of the citizens of the city.

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

SECTION 1. DECLARATION OF PUBLIC RECORD

That certain document titled "City of Goodyear Zoning Ordinance" dated July 2026 a copy of which is attached to this Ordinance 2026-1652 as Exhibit A, is hereby declared a public record, and incorporated herein by this reference. Either three (3) paper copies or one (1) paper copy and one (1) electronic copy, maintained in compliance with A.R.S. 44-7041, of the aforementioned documents being declared public records herein, is ordered to remain on file with

the City Clerk of the city of Goodyear and to be available for public use and inspection during regular business hours.

SECTION 2. ADOPTION

That certain document titled “City of Goodyear Zoning Ordinance” dated July 1, 2026, is referred to adopted and made a part hereof as if fully set forth in this Ordinance.

SECTION 3. REPEAL

Ordinance No. 99-655 and all ordinances or parts of ordinances adopted by the Mayor and Council of the city of Goodyear, Arizona that are in conflict with the provisions of this Ordinance are repealed by this Ordinance No. 2026-1652 but shall remain in full force and effect until the effective date of Ordinance No. 2026-1652. The repeal of Ordinance No. 99-655 does not affect the rights and duties that matured or penalties that were incurred and proceedings that were begun before the effective date of the repeal.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 5. CORRECTIONS

The City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 6. PENALTIES

Violations of any provision of the “City of Goodyear Zoning Ordinance” dated July 2026, are subject to all criminal and civil penalties available as provided in Section 7.2, Violations and Penalties, of the Zoning Ordinance of the City of Goodyear.

SECTION 7 EFFECTIVE DATE

This Ordinance shall become effective at the time and in the manner prescribed by law.

SECTION 8. RECORDATION

This Ordinance shall be recorded with the Maricopa County Recorder’s Office.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this 6th day of July, 2026.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

_____
Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

CITY OF GOODYEAR

ZONING ORDINANCE

July 1, 2026
Exhibit A

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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 Zoning Ordinance 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 Zoning Ordinance, 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 Zoning Ordinance 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 Zoning Ordinance, shall comply with all applicable requirements of this Zoning Ordinance. The establishment of a zoning district or the approval of a development application does not constitute a guarantee of infrastructure capacity; all future development remains dependent upon the availability of infrastructure, including water, necessary to support the intended uses.

1.5.2. Previously Approved Planned Area Developments

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

1.5.3. Prohibited Uses

Any use not expressly identified in this Zoning Ordinance 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, or his or her designee, 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 Zoning Ordinance.

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 a City classification closest to that shown on the official zoning map of Maricopa County at the time of annexation. Per ARS 9-462.04.E, such zoning shall apply for not more than six (6) months. 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/her 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 permit, 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/her 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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; all other applicable provisions within this Zoning Ordinance shall apply.

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 City Council, 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 zoning 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 zoning district in which it is 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 and Fences). Such projection shall not exceed twenty-four (24) inches, except for portals as noted in Section 3.1.6.C.

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)
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 Zoning Ordinance.

B. 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.

C. Any changes to the official Zoning Map shall be considered an amendment to the official Zoning Map and filed in accordance with Section 6.9.4 of this Zoning Ordinance.

D. The official Zoning Map may, from time to time, be republished to delineate any change of zoning approved pursuant to Section 6.9.4 of this Zoning Ordinance or any other amendments thereto.

E. The Zoning Administrator, or his or her designee, may determine that property zoned AG (Agricultural) or AU (Agricultural Urban) that is owned or operated by a public entity and historically used for a non-residential purpose, including but not limited to airports, correctional facilities, or publicly owned roadway corridors, may be considered a non-residential use for the purposes of this Ordinance.

2.1.3. 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, or his or her designee. 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, or his or her designee.

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. **Permitted with Specific Additional Conditions** – "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 6.6.

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 Section 6.5 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 – Permitted with Conditions 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		

Table 2.2.2: Residential Districts Use Classifications												
P - Principal Permitted Use C – Permitted with Conditions 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	
Detached accessory building	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC		3.12.2
Guest ranch and resort	U	U										
Manufactured home	C	C					C				C	3.7 & 3.8
Recreational vehicle											C	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		3.11.22
Inert Material Landfill (Public Project Borrow Pit)	S	S	S	S	S	S	S	S	S	S	S	
Model Home Complex	P	P	P	P	P	P	P	P	P	P	P	
Places of Worship	C	C	C	C	C	C	C	C	C	C	C	3.11.31

Table 2.2.2: Residential Districts Use Classifications												
P - Principal Permitted Use C – Permitted with Conditions 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	
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	
Residential Assembly, Large	U	U	U	U	U	U	U					3.11.33
Residential Assembly, Small	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	3.11.34
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	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)[13]	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] [9]	15 [8] [9]	0 [8]	10	20
Street Side [4]	100	30	20	15	10	10	10 [10]	10	10
Rear	100	50	30[11]	25[11]	20[11][12]	20[11][12]	15 [11]	15[11]	10
Development Conditions									
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 principal residential uses, attached side setbacks shall be 0 feet, whereas building separation shall be a minimum of 5feet
9. Total of both sides setback may be reduced to 10 feet subject to the requirements as provided in Section 3.5.1.
10. 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.
11. 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.

12. The rear setback shall be a minimum of twenty (20) feet to enclosed livable and fifteen (15) feet to rear covered patios.
13. Additional height considerations and exceptions:
    - Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.
    - Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.
    - No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.2.3A – Single Family District Standards (Detached)

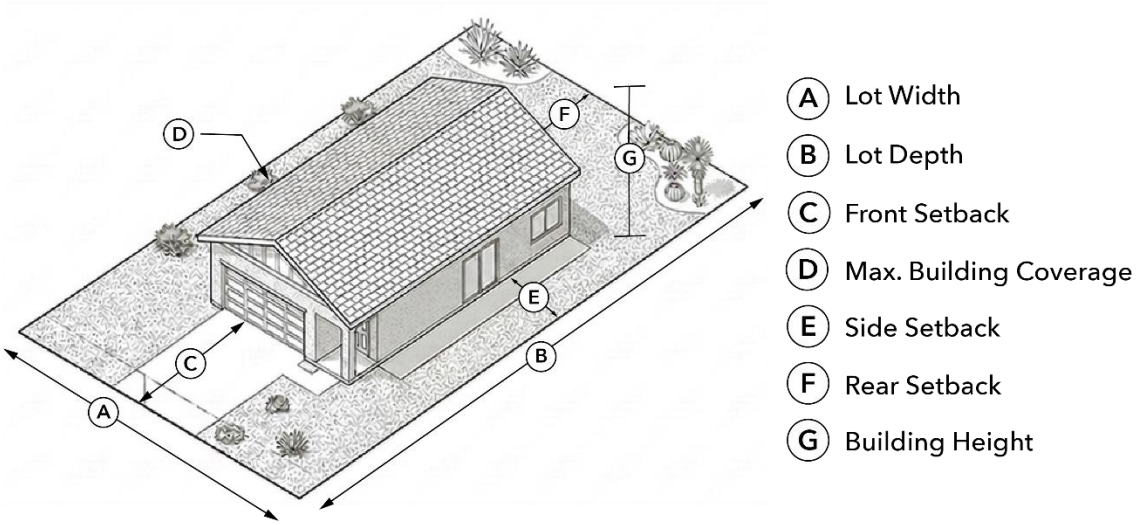
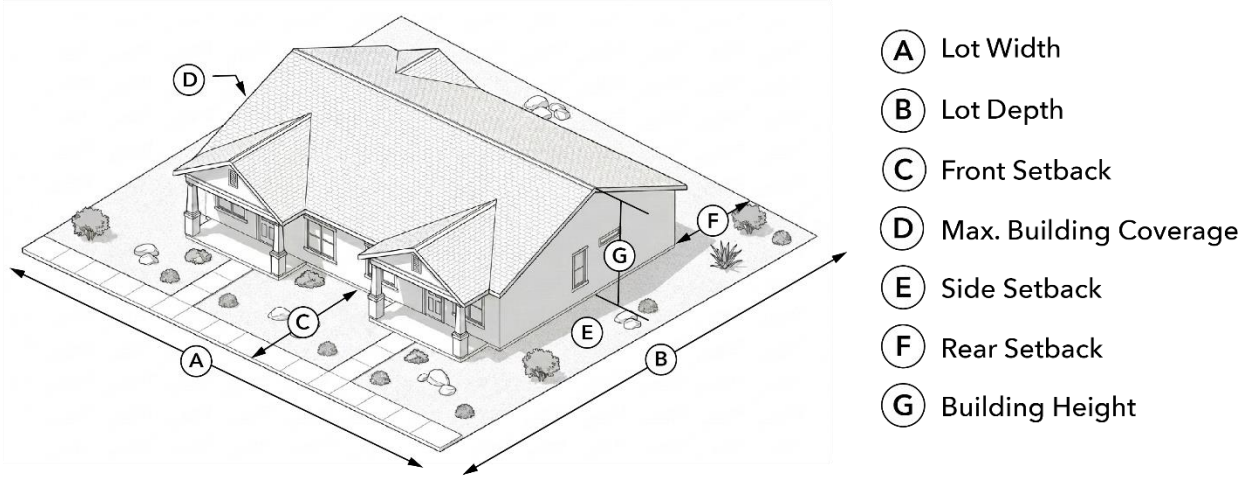


Figure 2.2.3B – Single Family District Standards (Attached)



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Zoning Districts - See Section 3.1 for additional standards applicable to all zoning districts.
2. Supplemental Residential Use Design Standards - See Section 3.2.1 for additional design requirements for residential uses.
3. Supplemental Standards Applicable to All Agricultural and Single-Family Residential Zoning Districts - See Section 3.3 and 3.4 for additional standards applicable to all agricultural and residential zoning districts.
4. Supplemental Standards Applicable to All Single-Family Residential Districts - See Section 3.5 for additional standards applicable to all residential zoning districts.
5. Supplemental Standards Applicable to MHS Zoning District - See Section 3.7 for additional standards applicable to all residential zoning districts.
6. Supplemental Standards Applicable to MH/RVP Zoning District - See Section 3.8 for additional standards applicable to all residential zoning districts.
7. Accessory Uses, Buildings and Structures – See Section 3.12 Additional Use Specific Regulations for additional development and design regulations.
8. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls and Fences for additional development and design regulations.
9. Pool & Spa requirements – See Section 4.3.4 Pools & Spas for additional development and design regulations.
10. Parking and loading requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.
11. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations
12. Signage requirements – See 4.6 Signage for additional development and design regulations.
13. Hillside Development requirements – See Section 4.7 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

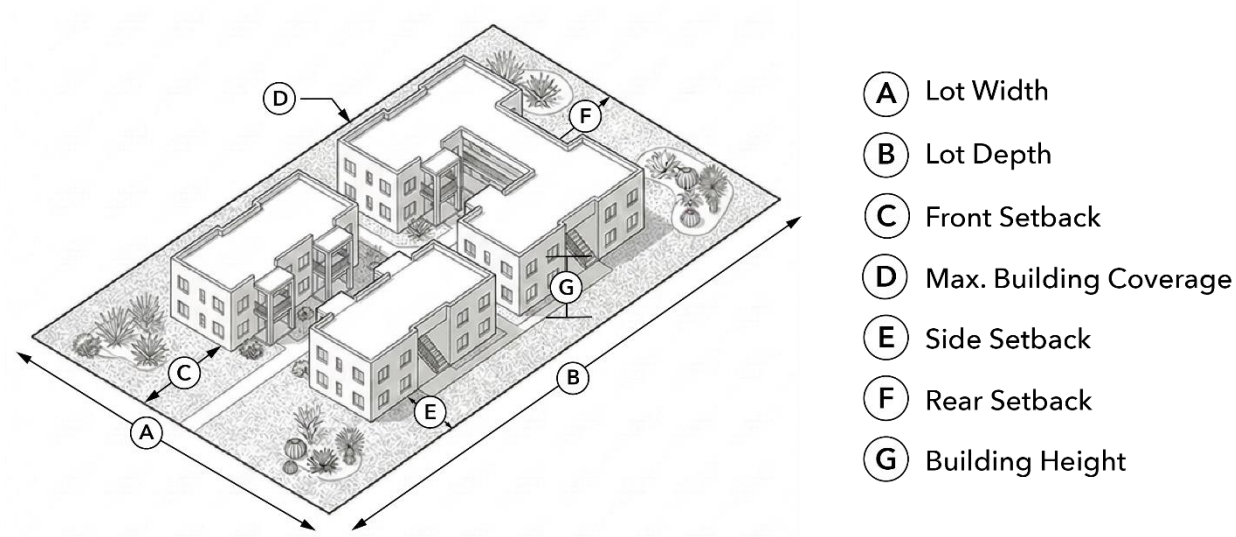
Districts	R2 [1]	MF-12	MF-18	MF-24	MH / RVP (spaces)	
Maximum Density in Du/Ac	8	12	18	24	10	22
Minimum lot Width (ft)	100	200	200	100	50	28
Minimum lot depth (ft)	50	N/A	N/A	N/A	60	40
Maximum Height (ft) [6]	30	30	30 [2][3]	40 [2][4]	20	
Maximum Building coverage	40%	50%	50%	50%	N/A	
Minimum Setbacks						
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)	30	50	50 feet + 5 feet for every foot over 30 feet	50 feet + 5 feet for every foot over 30 feet	N/A	N/A
Development Conditions						
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, developments which do not comply with the Multi-Family Design Guidelines shall be limited to two (2) stories. 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.
   - 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, developments which do not comply with the Multi-Family Design Guidelines shall be limited to two (2) stories. 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.
   - 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.
6. Additional height considerations and exceptions:
   - Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.
   - Parapet walls or cornices may extend to five (5) feet above the maximum building height limit to provide required screening of mechanical equipment from street view.
   - Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.
   - No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.2.4A – Multi-Family Residential Setbacks



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Zoning Districts - See Section 3.1 for additional standards applicable to all zoning districts.
2. Supplemental Residential Use Design Standards - See Section 3.2.1 for additional design requirements for residential uses.
3. Supplemental Standards Applicable to All Multi-Family Residential Districts - See Section 3.3 and 3.6 for additional standards applicable to all residential zoning districts.
4. Accessory Uses, Buildings and Structures – See Section 3.12 Additional Use Specific Regulations for additional development and design regulations.
5. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls, and Fences for additional development and design regulations.
6. Pool & Spa requirements – See Section 4.3.4 Pools & Spas for additional development and design regulations.
7. Parking and Loading requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.
8. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations
9. Signage requirements – See Section 4.6 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 mixed-use 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 (CO)**. The Commercial Office zoned Commercial 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 (C-1)**. The Neighborhood Commercial zoned 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 zoning districts.

3. **General Commercial (C-2)**. The General Commercial zoned 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 (CMX)**. The Core Mixed-Use zoned Commercial District provides for integrated residential zoning with 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 (PFD).** The Public Facilities zoned Commercial 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 (BPD).**

   a. The purpose of the Business Park District (BPD) zoned Commercial 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 District (BPD) 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 District (BPD) 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 (I-1)**. The light Industrial Park zoned Industrial 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 (I-2)**. The General Industrial Park zoned Industrial 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.

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. **Permitted with Specific Additional Conditions** – "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 6.6.

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 Section 6.5 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 - Permitted with Conditions 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	3.11.25
Medical Marijuana Cultivation Location							C	C	3.11.26
Medical Marijuana Dispensary							C	C	3.11.28
Tobacco Retailer/Smoking Establishment		P	P						
Tattoo Studio and/or Body Piercing Studio			C						3.11.35
Automotive & Transportation Related									
Automobile repair, major			C				C	C	3.11.6
Automobile repair, minor			C			C	C	C	3.11.7
Automobile rental		C	C			C			3.11.8
Automobile sales, new or used		C	C			C			3.11.9
Automobile fueling station (gas station)		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	3.11.36
Truck Stop/Travel Plaza								S	3.11.5.A.13

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Permitted with Conditions 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*
Commercial Office, Retail & Services									
Animal Kennel/Shelter							C	C	3.11.2
Animal Pet Day Care Facility		C	C			C	C		3.11.3
Convenience store		C	C						3.11.15
Drive-in restaurant		C	C						3.11.19
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		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						3.11.29
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	3.11.23
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	C			C	C	C	3.11.38
Veterinary Hospital			C			C	C	C	3.11.39
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

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Permitted with Conditions 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*
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			
Health club/Gym			P	P			P		
Hotels and motels			P	P					
Food & Beverage Establishments									
Bar/cocktail lounge			C	C		C			3.11.33
Brewery			C	C		C	C	C	3.11.11
Brewpub			C	C		C			3.11.12
Microbrewery/Distillery									3.11.24
producing ≤ 15,000 barrels/year			C	C		C	C	C	
producing ≥ 15,000 barrels/year			S	S		S	C	C	
Outdoor seating		C	C	C		C			3.12.8
Restaurant		C	C	C		C			3.11.33
Institutional & Public Facilities									
Cemeteries/mausoleums (incl. pets)							S	S	3.11.14
Crematory							U	U	
Day Care Facility	C	C	C	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	C	C	C	C	C	C	C	C	3.11.31
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	

Table 2.3.2: Commercial & Industrial Districts Use Classifications P - Principal Permitted Use C - Permitted with Conditions 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*
Industrial – Heavy / Extractive / Waste									
High-impact processing & refining								U	
Resource Extraction & Processing							S	S	
Sand blasting								P	
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	C	3.11.32
Research and Development Laboratories						P	P	P	
Self-service storage facilities		C	C				C	C	3.11.34
Sign shop			P			P	P	P	
Warehouse, wholesale, or distribution facility						C	C	C	3.11.40
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		P	P	
Sewage disposal & treatment plant							S	P	

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Permitted with Conditions 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*
Transmitting stations								U	
Wireless communications facilities	S	S	S	S	S	S	C	C	3.11.41
Medical / Health Care									
Assisted Living Facility		C	C						3.11.4
Hospital		U	U			U			
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				C					3.9.3
Limited to 3 units attached				C					3.9.3
4 or more units attached				C					3.9.3
Dwelling, multi-family				C					3.9.3
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	3.11.30
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

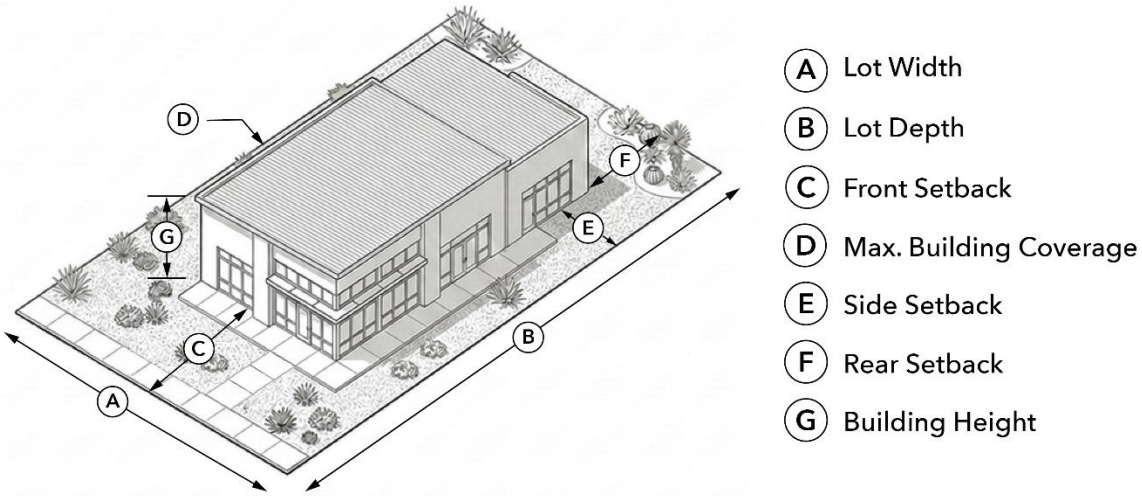
Lot area, height, setback and related standards for the Commercial Districts (including Central Business and Public Facilities Districts) are as follows:

Table 2.3.4: Commercial District Standards						
Districts	C-O	C-1	C-2	CMX	PFD	BPD
Minimum Net Site Area (sq ft)	6,000	10,000 (3)	10,000 (3)	None	None	20,000 (3)
Minimum Lot Width (ft)	60	150 (3)	150 (3)	None	None	150 (3)
Maximum Height (ft)(6)	30	30	56	75	40	56
Maximum Building Coverage	50%	50%	50%	None	None	50%
Minimum Setbacks						
Front (ft)	30	30 (5)	30 (2) (5)	None	None	30 (2) (5)
Side (ft)	20 (1)	20 (1)(4)	N/A (1)	None	None	N/A (1)
Rear (ft)	20 (1)	20 (1)	N/A (1)	None	None	N/A (1)
Street side (ft)	30	30	30 (2)	30	30	30 (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 Zoning Administrator, or his or 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 Zoning Administrator, or his or her 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.
6. Additional height considerations and exceptions:
   - Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.
   - The maximum building height permitted for non-residential uses may be increased 10 feet above the building height limit for unoccupied building architectural elements, such as parapet walls, chimneys, towers, domes and decorative masonry or metal framework, that are necessary to achieve the objectives and requirements of the City Design Guidelines to provide architectural interest and diversity in building elevations or variations in roof form and horizontal lines; provided that the total amount of such architectural elements that exceed the building height limit do not exceed 50% of the linear length of any building elevation or exceed 50% of the total roof area of the building.
   - Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.

- No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.3.4A – Commercial Standards



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Zoning Districts - See Section 3.1 for additional standards applicable to all zoning districts.
2. Supplemental Non-Residential Use Design Standards - See Section 3.2.2 for additional design requirements for residential uses.
3. Additional Standards and Regulations Applicable to Commercial Districts - See Section 3.9 Supplemental Standards Applicable to Commercial & Industrial Districts for additional standards applicable to commercial districts.
4. Accessory Uses, Buildings and Structures – See Section 3.12 Additional Use Specific Regulations for additional development and design regulations.
5. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls and Fences for additional development and design regulations.
6. Parking and loading requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.
7. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations
8. Signage requirements – See Section 4.6 Signage for additional development and design regulations.

2.3.5. Industrial Development Standards

A. Dimension Requirements.

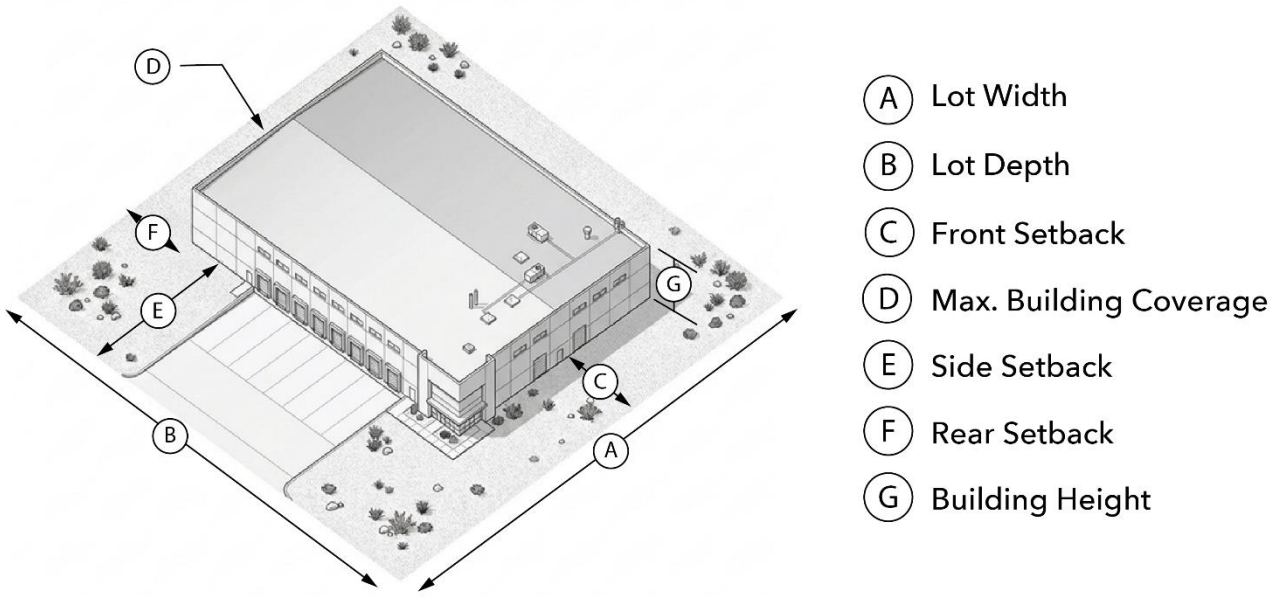
Lot area, height, setback and related standards for the Industrial Districts are as follows:

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

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. 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. 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 3.9.4.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, unless, at the discretion of the Zoning Administrator, or his or her designee, the requirement is waived due to being located on the interior of a unified industrial development, which is a development intended for three or more industrial buildings, so long as the development has permanent cross-access, shared parking and access easements, in a form approved by the Zoning Administrator, or his or her designee.
5. Additional height considerations and exceptions:
   - Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.
   - The maximum building height permitted for non-residential uses may be increased 10 feet above the building height limit for unoccupied building architectural elements, such as parapet walls, chimneys, towers, domes and decorative masonry or metal framework, that are necessary to achieve the objectives and requirements of the City Design Guidelines to provide architectural interest and diversity in building elevations or variations in roof form and horizontal lines; provided that the total amount of such architectural elements that exceed the building height limit do not exceed 50% of the linear length of any building elevation or exceed 50% of the total roof area of the building.

- Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.
- No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.3.5A – Industrial District Standards



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Zoning Districts - See Section 3.1 for additional standards applicable to all zoning districts.
2. Supplemental Non-Residential Use Design Standards - See Section 3.2.2 for additional design requirements for residential uses.
3. Additional Standards and Regulations Applicable to Commercial Districts - See Section 3.9 Supplemental Standards Applicable to Commercial & Industrial Districts for additional standards applicable to industrial districts.
4. Accessory Uses, Buildings and Structures – See Section 3.12 Additional Use Specific Regulations for additional development and design regulations.
5. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls and Fences for additional development and design regulations.
6. Parking and loading requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.
7. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations.
8. Signage requirements – See Section 4.6 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 3.3) 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 (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-Overlay)** – 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 his or her 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 (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 add to 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 usable 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 storage areas, automotive maintenance and washing areas, may be proposed in accordance with Section 4.4, 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 or her 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.

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. Any amendment to an approved Preliminary PAD shall require the applicant to rezone the property to either a base zoning district with an accompanying Planned Area Development Overlay (PAD-Overlay) or a Planned Area Development (PAD) in accordance with Article 6. No amendments to Preliminary PAD zoning districts shall be accepted after the effective date of this Ordinance.

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 Association 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 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 provide for a sound barrier wall of a minimum of eight (8) feet in height, or an acceptable equivalent, subject to the approval of the Zoning Administrator, or his or her designee. If the Freeway is existing or is under construction, a sound barrier wall of a minimum of eight (8) feet in height, or an acceptable equivalent, subject to the approval of the Zoning Administrator, or his or her designee, and landscape treatments shall be constructed and/or installed.

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.

2. Interior Noise Standards.

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.

D. 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 within the city 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 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:

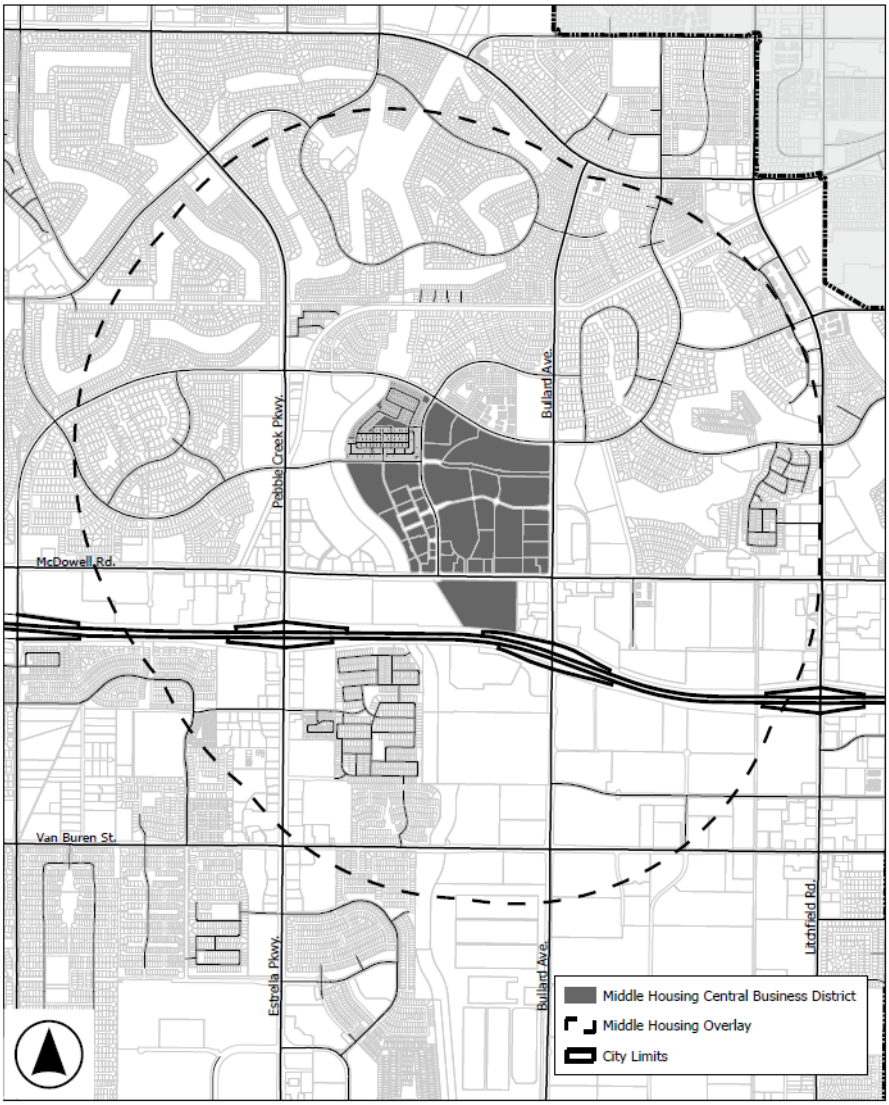
    a. A single duplex, triplex, or fourplex; or,

    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



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. No use shall be established, maintained or conducted within any zoning district which may cause any of the following:
    A. No use is permitted which will emit any offensive odor, dust, noxious gas, noise vibration, smoke, heat or glare 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.
    A. Noise which exceeds levels listed in Table 3.1.5.A Noise Thresholds when measured at or beyond the property line at the receiving property:

Table 3.1.5.A: 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 and may be required upon request by the Zoning Administrator, or his or her designee, for any commercial use located within 600 feet of property zoned or used for Residential or other Noise-Sensitive Uses.
    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 Zoning Administrator, his or her designee, may be used.
    d. The study shall demonstrate compliance with the maximum permissible sound levels listed above.
2. Upon request by the Zoning Administrator, his or her 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 Zoning Administrator, or his or her designee.
    d. Proof of compliance shall be provided to the Zoning Administrator, or his or her designee, upon completion of mitigation.

B. Discharge of any waste material into any watercourse or ditch.

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

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

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

1. 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.

A. 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.

B. 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.

C. 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.

D. 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. 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 of Building" 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 Zoning 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 kept clear.

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.

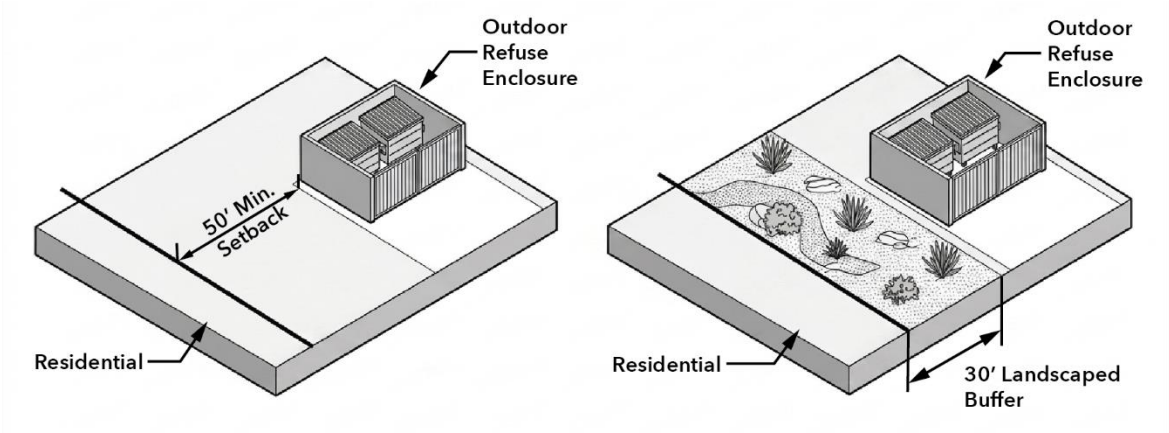
15. There shall be no parking of recreational vehicles (trailers, boats, campers, etc.) on a public street when not attached to a vehicle. If attached to a vehicle, parking on a public street is permitted for a maximum period of forty-eight (48) hours.

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. All outdoor refuse enclosures that are not fully contained within an enclosed building shall be located at least fifty (50) feet from any existing or planned residential use or residential zoning district, except that this distance may be reduced to thirty (30) feet when a continuous thirty-foot-wide landscape buffer is provided and maintained along the adjacent residential property line. All distances shall be measured in a straight line from the exterior wall of the refuse enclosure to the nearest residential property line, including any platted single-family lot or constructed multi-family building. No outdoor refuse enclosure may be located along an arterial road, collector road, or main driveway. In residential zoning districts, outdoor refuse enclosures shall be set back a minimum of twenty (20) feet from single-story residential buildings and twenty-five (25) feet from multi-story residential buildings unless fully enclosed within a building.

Figure 3.1.22A - Outdoor Refuse Screening



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, or his or her designee, through an approved phasing plan.

19. All developed properties, whether occupied or vacant, shall be maintained in a safe, clean, and orderly condition. Buildings shall be kept weather-tight and structurally sound; exterior walls shall be maintained free of graffiti; landscaping shall be maintained in a healthy, weed-free condition with operational irrigation; and outdoor lighting and fire protection systems shall be kept in working order. For properties vacant for more than six (6) months, all building-mounted and monument signage shall be removed and replaced with color-matched blank panels, and affected wall surfaces shall be repaired and repainted.

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:

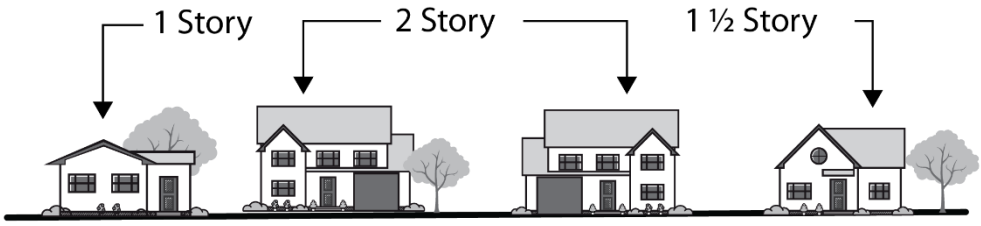
3.2.1. Residential Design Standards.

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.

Figure 3.2.1A – Residential Elevation Variety



C. Two-story homes are discouraged on corner lots, and on more than three (3) consecutive lots.

D. Street appearance. Landscaping plans establish street tree themes – should include a minimum of one (1) tree and five (5) shrubs on lots less than seventy (70) feet and two (2) trees on lots seventy (70) feet in width and greater, plus eight (8) shrubs per lot. Garage fronts should not predominate; they should be recessed and/or constitute less than fifty (50) percent of the residential facade.

E. 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, or his or her designee.

F. Lot Orientation at T-Intersections. Residential lots shall not be designed with the primary building façade directly aligned with and centered on the right-of-way of a terminating street at a T-intersection. Where such configuration cannot be

avoided due to site constraints, mitigation measures such as increased front setback, lot offsetting, enhanced landscaping, berming, fencing, or other design treatments approved by the Zoning Administrator, or his or her designee, shall be provided to minimize headlight glare and promote traffic safety.

G. 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 with a minimum patio size of 100 square feet; the Zoning Administrator, or his or her designee, may administratively reduce 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 Zoning 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. 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.

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

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

7. Tracts thirty-five (35) feet or greater in width are required for lots with two-story dwellings abutting an arterial roadway.

8. 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.

9. 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.

10. 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.

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

12. No mobile home or house trailer shall be parked or stored in a residential zoning 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.

13. 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 3.13, from the Zoning Administrator, or his or her designee, and paying the required fee. Issuance of a temporary use permit for this purpose by the Zoning Administrator, or his or her designee, may be withheld if the Zoning Administrator, or his or her designee, 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 fifty (50) feet from any dwelling or lot line, except when such lot line is located adjacent to another AG or AU property, in such cases the structure shall be located a minimum of (twenty five) 25 feet of the lot line provided it is not located closer than fifty (50) feet from the adjacent building setback.
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 five hundred (500) feet from any dwelling located on or off the property.

B. May not be located two hundred (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 Zoning Administrator, or his or her designee, in the form of a Zoning Clearence 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 daylight hours only.

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

F. The Zoning Administrator, or his or her 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 Zoning Administrator, or his or her designee. 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; and

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 3.5.1.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 3.5.1.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 3.5.1.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 3.5.1.D.1, 3.5.1.D.2, and 3.5.1.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 3.5.1.D and provide at least; one (1) Amenity Elements listed in Section 3.5.1.D.1,

two (2) Connectivity Elements listed in Section 3.5.1.D.2, and two (2) Streetscape Element listed in Section 3.5.1.D.3.

Table 3.5.1.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[3]	1	2	2
R1-4	45	4,500	15	1	2	2
REDUCED R1-4	40	4,000	10[3]	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 3.5.1.D.1.c.i. or an Amenity Element described in Section 3.5.1.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 either be designed as Alley-Loaded Residential or shall not include a double-door front facing garage. One (1) of the required streetscape elements shall be the Alley-Loaded Residential Streetscape Element described in Section 3.5.1.D.3.d or an alternative garage configuration that reduces the predominance of garage forward design. 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.

[3] The minimum rear setback may be reduced to fifteen (15) feet to enclosed livable and ten (10) feet to covered patios of single-story homes when the home is located within one thousand three hundred twenty (1,320) feet of a Community Element, Amenity Element described in Section 3.5.1.D.1.c.i. or an amenity described in Section 3.5.1.D.1.c.ii.

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 gathering 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 3.5.4.

   v. Additional amenities that are not minimally required by the Parks, Recreation, Open Space, and Trails Master Plan as determined by the Zoning Administrator, or his or her designee, 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.

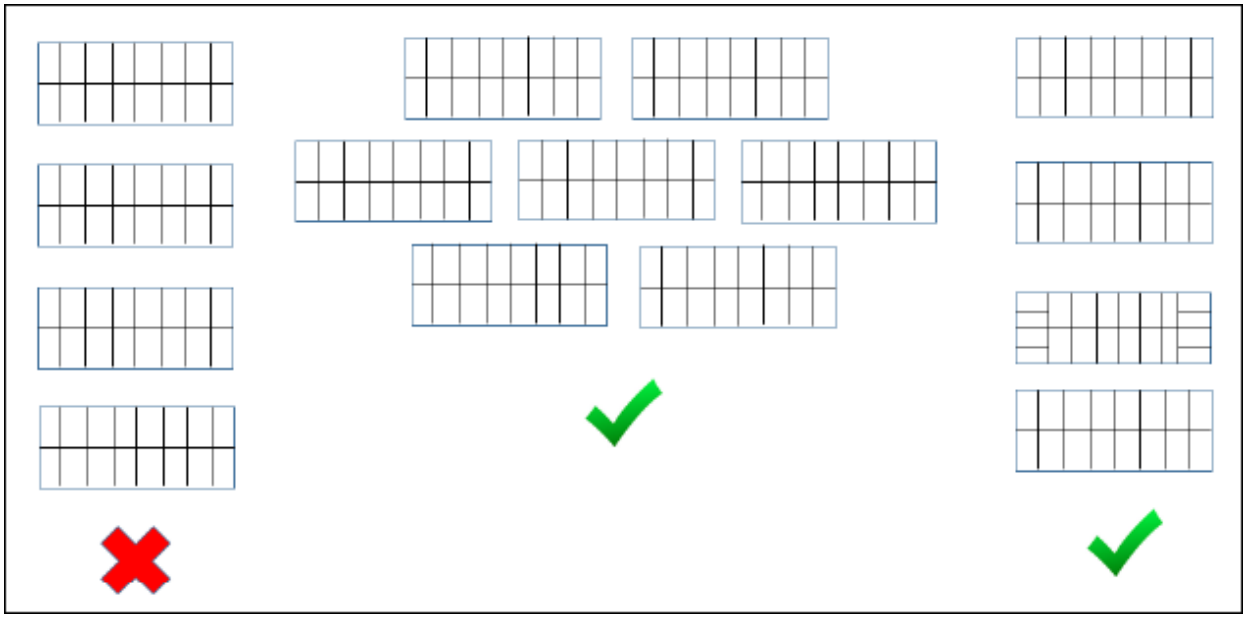
2. Connectivity Elements. The purpose of connectivity elements is to create an inclusive community that promotes a sense of community and provides a walkable and bikeable community with easy and quick access to nearby amenities such as schools, commercial areas, trails, and parks.

a. Infill Development. The site is located in an area that is substantially 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 comprehensive trail systems outside of the subdivision or development or have the ability to connect to any such future external trail systems. Trail alignments must not be limited to those living within the subdivision and shall follow logical and navigable routes that prioritize direct regional connectivity and avoid circuitous or indirect 'zig-zag' designs. All connections which are not direct connections to adjacent trails shall incorporate comprehensive wayfinding and guidestones to ensure seamless integration into the City's broader trail network.

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 unless alternatives mid-block trails are provided. 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.

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

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

g. 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.

h. 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 complementary to the style of the home.

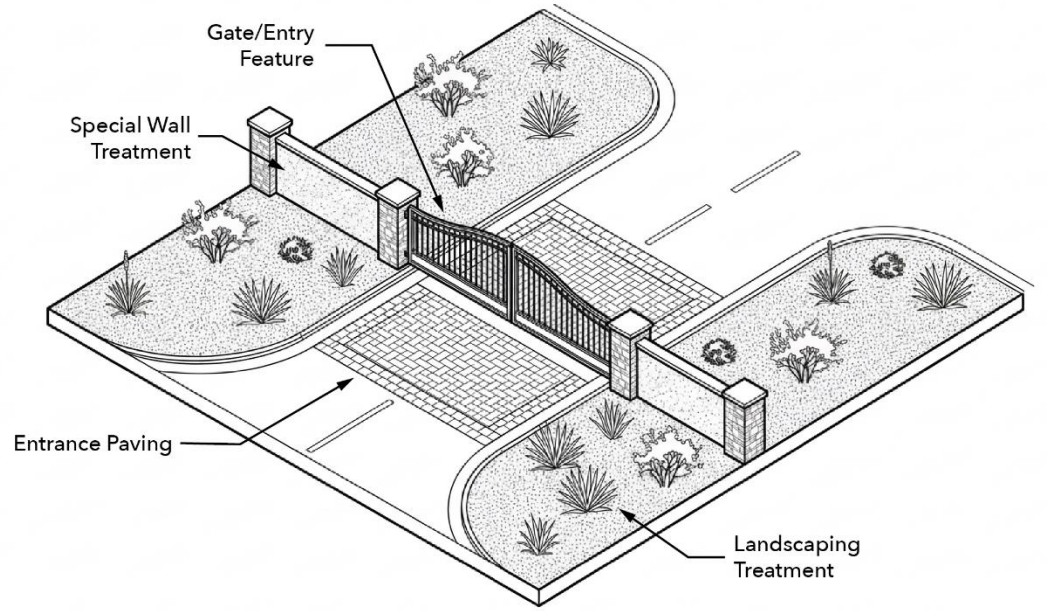
i. Additional Streetscape Elements. Other streetscape elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.

E. Creation of a new lot that is less than the required minimum lot area requires approval of a Planned Area Development (PAD) or Planned Area Development-Overlay, as determined by the Zoning Administrator, or his or her designee.

3.5.2. Entry Feature.

Each project shall have a unique entry feature at its primary entrance to provide individual identity to the development, if within a master planned community or city recognized development it should also incorporate community identity elements. 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 usable open space for recreation purposes. Facilities such as, but not limited to, pools and clubhouses can be counted toward usable open space. The following usable open space shall be provided:

A. For complete developments less than 40 acres in size, 75% of required open space shall be usable 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 3.5.4 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. Usable Open Space Design Standards.

The required usable 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) structurally 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 with a minimum size of 75 feet by 105 feet and are a minimum of 10,000 square feet. 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 or units and is made available collectively 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. Ground floor patios should be walled for privacy.

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.

D. Based on product availability and neighborhood character, the Zoning Administrator, or his or her designee, may waive the Residential Design Guidelines for any residential structures within this District.

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 an opaque 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 this Section.

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.

C. Based on product availability and neighborhood character, the Zoning Administrator, or his or her designee, may waive the Residential Design Guidelines for any residential structures and recreational vehicles within this District.

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 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 proposed 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, or his or her designee.

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.

Figure 3.9.2A - Business Park District Design Configuration

Intended Design Configuration



B. Development shall comply with the screening standards in the Development Standards for Commercial Districts set forth in Section 2.3.4 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 on site 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 his or her 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 located within the Business Park District.

3.9.3. Supplemental Development Regulations for the Core Mixed-Use District

A. Purpose and Intent

The Core Mixed-Use (CMX) District is intended to provide for integrated residential, retail, office, civic, entertainment, hospitality, and service uses within a compact, walkable development pattern. The district shall function as a focal activity center and may be applied in multiple locations throughout the city. Development may include vertical mixed-use, horizontal mixed-use, or a combination of both.

B. Required Commercial Component

1. Horizontal Mixed-Use. When a development phase or project is horizontally mixed use, a minimum of 25% of the site plan area shall be designated for commercial uses. These commercial areas shall be planned and designed concurrently with the residential portions of the project.

2. Master Site Plan Requirement. A Master Site Plan shall be submitted prior to the issuance of construction permits or the submittal of any individual site plan, whichever occurs first. The Master Site Plan shall demonstrate how the 25% commercial requirement will be met for the entire zoning/property area, including phasing.

3. Combined Horizontal and Vertical Mixed-Use. If vertical mixed-use is incorporated within a phase of development, the Zoning Administrator, or his or her designee, may approve a reduction to the 25% horizontal commercial requirement if the development clearly meets the mixed-use, walkable, and integrated intent of the CMX District. Criteria for potential reduction may include:

a. The percentage of dwelling units located within mixed-use buildings.

b. The extent of ground-floor commercial activation along primary pedestrian paths.

c. The continuity and strength of pedestrian linkages between uses.

d. The distribution of commercial uses to ensure activity near public streets and plazas.

e. Demonstrated integration of uses within a defined walkable radius.

f. Phasing commitments ensuring commercial delivery concurrent with or prior to residential occupancy.

4. Commercial Delivery Requirements. To ensure mixed-use functionality, commercial buildings shall receive a Certificate of Occupancy for a shell building, or be substantially under construction, prior to issuance of more than 50% of residential building permits for units within that approved development phase.

5. Administrative Flexibility. The Zoning Administrator, or his or her designee, may authorize reasonable modifications to phasing, distribution of commercial floor area, and mixed-use configuration to ensure both flexibility and certainty while implementing the intent of the CMX District.

C. Master Site Plan Requirements. The Master Site Plan shall be approved by the Zoning Administrator, or his or her designee, and shall include:

1. The location and design of all pedestrian connections, pedestrian plazas and greenspaces, trails, walls, and community features.

2. The materials, colors, and design treatments of these features.

3. The phasing of pedestrian infrastructure, open space, commercial components, and other shared improvements.

4. A coordinated plan showing pedestrian access routes between residential and commercial areas and to adjacent public streets.

D. Pedestrian Connectivity Standards

1. Overall Connectivity. The Master Site Plan shall include a significant number of both Major and Minor Pedestrian Connections throughout the property, establishing multiple direct routes between uses.

2. Major Pedestrian Connections.

a. Minimum 8-foot width, paved.

b. Include shade elements such as shade trees and/or shade structures.

c. Where crossings occur at roadways, drive aisles, or drive-throughs, the crossing shall include decorative pavers and incorporate traffic-calming elements such as narrowed drive aisles, landscape medians, raised crossings, or similar design treatments.

3. Minor Pedestrian Connections.

a. Minimum 5-foot width, paved.

b. b. Provide shade elements wherever feasible.

4. Pedestrian Plaza. A major pedestrian plaza occupying at least 5% of the site plan area shall be provided. The plaza shall:

   a. Include a major shade amenity and seating.

   b. Be located within or adjacent to a street-side landscape setback or other centrally accessible location.

   c. Be flanked by pedestrian paths, storefronts, patios, and/or a pedestrian loop.

   d. Connect directly to the major pedestrian connections shown on the Master Site Plan.

5. Connection Between Residential and Commercial Areas. Developments with horizontal mixed use must provide a direct pedestrian path between residential buildings and commercial uses.

6. Residential Building Connections. Each residential building shall include at least one pedestrian connection to a public sidewalk or major pedestrian connection.

7. Ground-Floor Residential Patios. Residential patios adjacent to public roads shall include gates and sidewalks/paths that provide direct access to the adjacent pedestrian network.

E. Walls, Fencing, and Screening

1. View fencing shall be used between residential and commercial areas unless solid screening is required for mechanical equipment, loading, or refuse enclosures.

2. Walls shall be integrated into the overall materials and theme of the development.

F. Design and Community Identity Standards. All site lighting, landscaping, paving, signage, and community features shall complement the unified design of the development. The project shall maintain consistency in naming, branding, and overall identity across all phases.

3.9.4. 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 proposed 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 twenty (20) 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 five hundred (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.

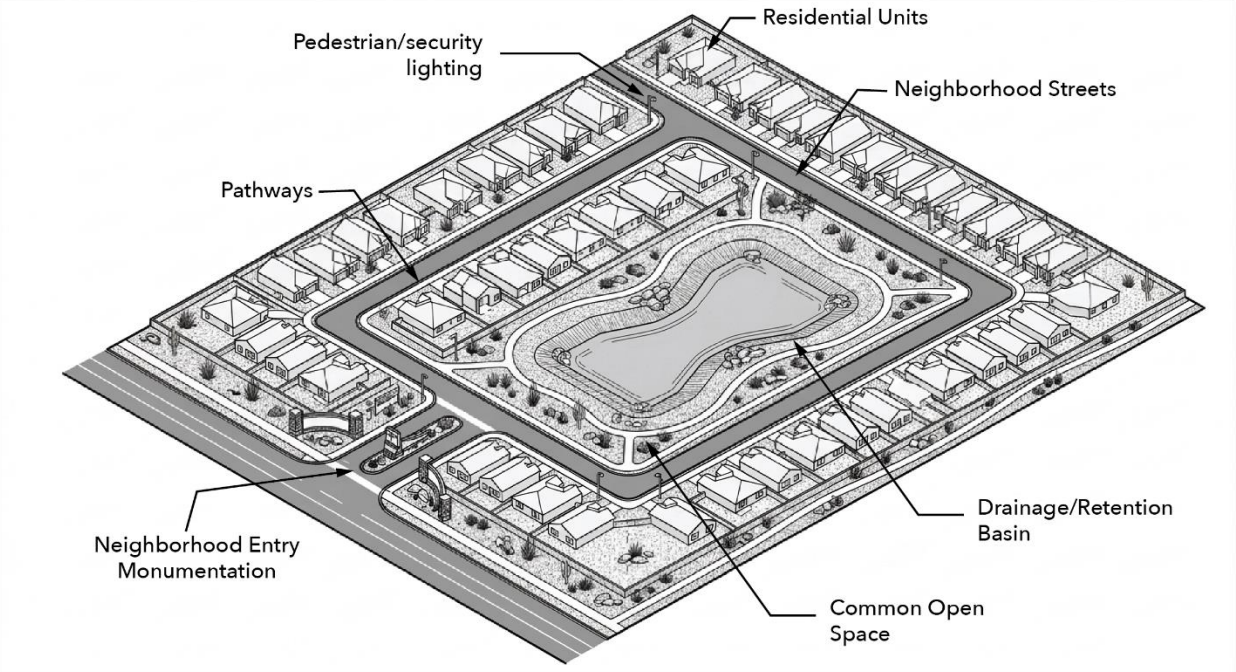
E. Community Integration. Neighborhood design contributes to City-wide enhancements as well as features which provide residential diversity and linkages among neighborhoods.

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 3.10.1A - 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 each other.

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.

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, or his or her designee, 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

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 fifty (150) feet to any residential or agricultural zoning district unless waived by the Zoning Administrator, or his or her designee.

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 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.

2. Special events such as shows, exhibitions, and contests shall only be permitted when a Special Event 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 animal 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.

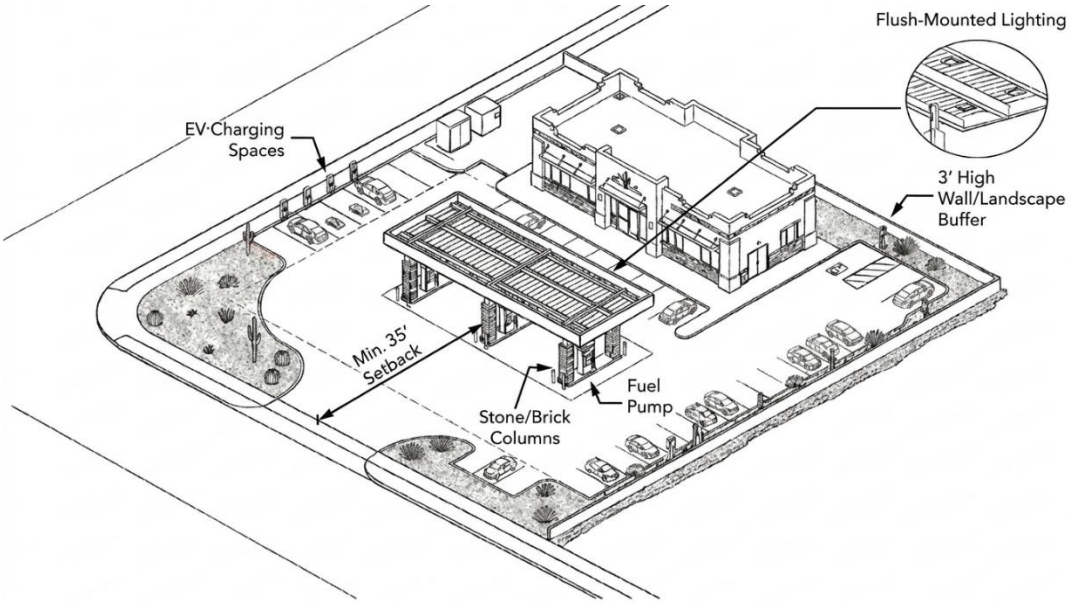
3.11.5. Automobile Fueling Station (Gas Station).

Automobile Fueling 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 five hundred (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 incorporate enhanced streetscape elements at the corner frontage, which may include public art, shade structures, pedestrian amenities or similar features designed to improve the visual character and pedestrian environment, subject to approval by the Zoning Administrator, or his or her designee. When access to the corner is limited, the streetscape element shall be located along the right-of-way on the Automobile Fueling Station property
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, in all other instances the more restrictive of the approval processes shall prevail.

Figure 3.11.5A - 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 Section 6.6.

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 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 total land within the Special Use Permit boundary 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. For BESS associated with an Energy Generation Facility, this shall mean the BESS is interconnected to the Energy Generation Facility for energy storage and distribution purposes related to the on-site Energy Generation Facility.

    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:

        i. The property line of any existing residential use;

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

        iii. Any church, park, school, fire station, public works facility or other similar sensitive use as determined by the Zoning Administrator, or his or her designee.

    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 3.11.10(D)(2)(a) and included as part of an Emergency Response Plan as specified in section 3.11.10(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 Zoning Administrator, or his or her designee, 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 Zoning Administrator, or his or her 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 3.1.23 of this Zoning Ordinance 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 Section 3.1.23 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. 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 Development Services and Fire Department 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 Development Services and Fire Departments 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 3.11.10, 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 demonstrates 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 Zoning Administrator, or his or her designee, 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 Zoning Administrator, or his or her designee, the owner of the brewery shall provide documentation to the Zoning Administrator, or his or her designee, on the quantity of beer produced onsite for the calendar year. Documentation will be required to be submitted to the Development Services 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 Zoning Administrator, or his or her designee, the owner of the brewpub shall provide to the Development Services 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 Development Services 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 (300) feet 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 3.11.19, Drive-through.

D. Required Queuing Area.

The drive-up aisle shall provide queuing space as specified in Section 3.11.19, 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 gross 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

Convenience stores that are stand-alone and not associated with a Automobile Fueling Station (Gas Station), or that are 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, are permitted to operate as a principal use in commercial districts subject to the requirements of this section. A Use Permit and separate Site Plan approval subject to the requirements of this section are required for all other convenience stores.

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, through the Use Permit process, in the judgment of the City Council the findings support the proposal and stipulations designed to mitigates 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:

a. Size and location of the parcel.

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

c. Property lines.

d. Existing and future right of way lines.

e. Existing and proposed curb cuts.

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

g. On site vehicular and pedestrian circulation plan.

h. All parking spaces.

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

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. Evaluation Criteria.

Prior to a convenience store use permit being considered by the Planning and Zoning Commission or Administratively by the Development Review Committee, the Development Review Committee will review and evaluate the proposed 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:

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

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

3. Electric Service Documentation

a. Prior to site plan or building permit approval as determined by the Zoning Administrator, or his or her designee:

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.

ii. For multi-phased developments, the Electric Service Documentation requirements may be waived or amended by the Zoning Administrator, or his or her designee.

4. Water Usage Documentation

a. Prior to site plan, building permit or tenant improvement approval, as determined by the Zoning Administrator, or his or her designee:

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 Zoning Administrator, or his or her designee.

2. Building and Site Design

   a. Noise. The Data Center shall comply with the noise standards, analysis requirements, and mitigation provisions set forth in Section 3.1.5.B of this Zoning Ordinance. 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 Zoning Administrator 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.

3. 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.

4. Utilities. The Data Center shall comply with the underground utility requirements set forth in Section 3.1.23 of this Zoning Ordinance 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., unless such generators are located more than 1,000 feet from a residentially zoned property.

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 3.4.4 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 five hundred (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 and where possible shall be oriented away from residential property lines. Sound shall be mitigated using sound attenuation walls, landscaping, or other measures acceptable to the Zoning Administrator or his or her 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, shade structures, pedestrian amenities or similar features designed to improve the visual character and pedestrian environment, subject to approval by the Zoning Administrator. When access to the corners is limited, the streetscape element shall be located along the right-of-way on the Drive-Through property.

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. 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.

Q. 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.

R. 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 stopping 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.

S. For unique uses or uses not stated in this document the Zoning Administrator, or his or her 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.

T. Where warranted, the Zoning Administrator, or his or her designee may require a queuing memorandum or study be prepared to establish the required drive-through queuing length.

U. In addition to the requirements in subsection 3.11.19(R), 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 meet the following criteria:

1. 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.

B. 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. Hospitals Located in Multi-Family

A hospital located within a Multi-Family Residential zoning district shall comply with the following supplemental regulations:

A. Site Design and Buffers

1. A minimum landscaped setback of twenty (20) feet shall be provided along any property line abutting a residential zoning district.
2. An eight (8) foot solid masonry wall shall be provided along any property line abutting a residential zoning district.
3. Building façades facing residential property shall incorporate architectural articulation and materials compatible with residential scale and character.

B. Building Height

Where adjacent to property zoned residential, building height shall not exceed the maximum height permitted in the underlying district within fifty (50) feet of the shared property line, unless additional setbacks are provided at a ratio of one (1) foot of additional setback per one (1) foot of height above the district maximum.

C. Loading and Service Areas

1. Loading docks, service areas, generators, and mechanical equipment shall not be located between the principal building and a public street.
2. Service and loading areas shall be screened from adjacent residential property.
3. Deliveries, trash collection, and service operations shall be limited to the hours between 6:00 a.m. and 10:00 p.m., except for emergency operations.
4. Ambulance access shall be directed towards arterial roads to minimize traffic impacts on internal streets and adjacent residential areas.

D. Noise

Emergency generators, mechanical equipment, and other stationary noise sources shall comply with the noise regulations in Section 3.1. Routine public address systems shall not be audible beyond the property boundary.

E. Traffic and Access

A Traffic Impact Analysis may be required as determined by the City Engineer or their designee. Access points shall be designed to minimize traffic intrusion into adjacent residential neighborhoods.

F. Helipad.

1. Any helipad accessory to a hospital located in a Multi-Family Residential (MF) zoning district shall require approval of a Use Permit.
2. No helipad shall be located within two hundred fifty (250) feet of any property line abutting a residential zoning district.
3. The applicant shall demonstrate compliance with all applicable Federal Aviation Administration (FAA) regulations and provide

documentation of coordination with appropriate emergency service providers.

4. Helipad lighting shall be limited to that required for aviation safety and shall be designed to minimize glare onto adjacent residential properties.

G. Emergency Operations

Nothing in this Section shall be construed to limit emergency medical operations necessary to protect life and safety.

3.11.23. 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.

1. 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.

2. A minimum building setback of one hundred (100) feet is required from proposed and/or existing public or private primary through secondary

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.

3. 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. 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.

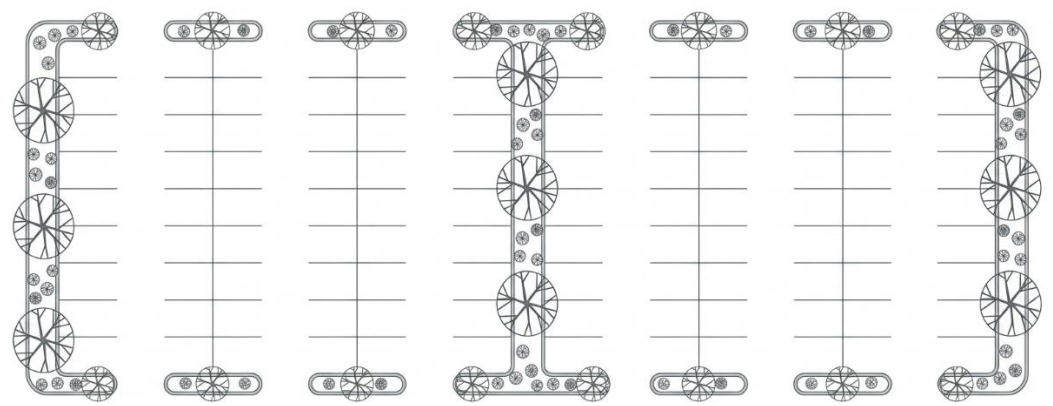
c. The provision of public art as an integral and significant feature of the site. Public art shall be dispersed throughout the site and deployed in concert with the projects pedestrian amenities and plazas.

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.

4. 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 3.11.23A: Large Retail User Parking Lots



5. 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.

6. 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.

7. 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.

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

F. 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.

3.11.24. Microbrewery & 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 or suite 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 Zoning Administrator the owner of the microbrewery or craft distillery shall provide documentation to the Zoning Administrator 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

Development Services 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 3.11.35. 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.

3.11.25. 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 Zoning Administrator, or his or her 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 3.11.27 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 3.11.27 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.

3.11.26. 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 Zoning Administrator, or his or her 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 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 (500) feet 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 (1,000) feet 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 (1,000) feet 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 (1,000) feet 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 (1,000) feet 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 (2,000) feet 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 (1,000) feet 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 sounds 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.

3.11.27. 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.

3.11.28. 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 Zoning Administrator, or his or her, 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 (5,280) feet 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 (500) feet 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 (1,000) feet 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 (1,000) feet 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 (1,000) feet 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 (1,000) feet 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 (2,000) feet 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 (1,000) feet 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 of at least 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 sounds 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.

3.11.29. 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 Zoning Administrator, or his or her, 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 as measured in a straight line in any direction from the building in which any other non-chartered financial institution is located.

3.11.30. 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.

D. All materials stored outdoors shall be stored below the height of the screening wall.

3.11.31. 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:

1. All building, parking, and security lighting shall be directed down with full cut-off directional light fixtures.

2. All lighting shall be dimmed to fifty (50) percent between 10:00 p.m. and 6:00 a.m.

3. Lights mounted on any wall visible from a residence shall not be placed higher than eight (8) feet above the building foundation.

4. Under-canopy lights shall be screened by the canopy edge, so that the light source is not visible from the property line.

5. Programmed or scheduled outdoor events shall not occur within fifty (50) feet of any existing residence and shall not occur between the hours of 10:00 p.m. and 6:00 a.m.

6. 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.

3.11.32. Product Processing

A. Use shall be located on a property that is no closer than five hundred (500) feet from any parcel which contains a residential use or two hundred and fifty (250) feet from any parcel which contains a 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.

3.11.33. Residential Assembly, Large

Residential Assembly, Large, shall require approval of a Use Permit and shall comply with the following:

A. The assembly shall involve more than ten (10) but not more than twenty-five (25) persons at any one time, exclusive of residents of the dwelling.

B. The dwelling shall remain the primary residence of the property owner or occupant, and the assembly shall remain incidental and accessory to the residential use.

C. There shall be no buildings or structures other than those otherwise permitted in the zoning district.

D. Parking shall comply with Article 6 and shall not obstruct public streets, neighboring properties, or create unsafe traffic conditions as determined by the Zoning Administrator, or his or her, designee.

E. Programmed outdoor activities shall not occur within fifty (50) feet of an existing residence located off of the property.

F. Outdoor activities shall occur only between 7:00 a.m. and 10:00 p.m.

G. Noise shall comply with the Noise Regulations in Section 3.1.

H. This Section applies only to assemblies conducted within a dwelling as an accessory residential use. Other assemblies that constitute the principal use of the property shall be classified and regulated separately under this Ordinance.

3.11.34. Residential Assembly, Small

Residential Assembly, Small, is permitted as an accessory use to a lawfully occupied dwelling, subject to the following:

A. The assembly shall involve no more than ten (10) persons at any one time, exclusive of residents of the dwelling.

B. The assembly shall remain incidental and accessory to the primary residential use and shall not constitute the principal use of the property.

C. There shall be no buildings or structures other than those otherwise permitted in the zoning district.

D. All parking shall occur within the driveway or garage serving the dwelling and shall not obstruct public streets or neighboring properties.

E. Outdoor activities shall occur only between 7:00 a.m. and 10:00 p.m.

F. This Section applies only to assemblies conducted within a dwelling as an accessory residential use. Other assemblies that constitute the principal use of the property shall be classified and regulated separately under this Ordinance.

3.11.35. Restaurants, Bars/cocktail Lounges, Breweries, Brewpubs, 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 (300) feet 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.

3.11.36. 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:

1. All storage shall be within an enclosed building.

2. Land area dedicated to storage shall not exceed:

a. Fifty (50) percent of a commercial center or contiguous area of a commercial zoning district; and

b. Seven and one-half (7.5) acres.

c. If the land area dedicated to storage exceeds the provisions of Sections 3.11.36(N)(1) and 3.11.36(N)(2), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

3. Shall not be located within two thousand, six hundred and forty feet (2,640) feet of another self-service storage facility.

a. If a storage unit does not comply with the provisions of Section 3.11.36(N)(3), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

4. A self-service storage facility shall not be located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two (2) arterials (including parkways).

M. 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.

3.11.37. 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 Zoning Administrator, or his or her 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.

3.11.38. 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. 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.

C. 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.

D. 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.

E. 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.

F. Landscape, Walls & Screening.

1. A solid masonry wall a minimum of eight (8) feet in height shall be installed along and interior to any property line abutting a residential zoning district, such that the required landscape buffer is located between the wall and the property line.
2. A landscape buffer not less than twenty (20) feet in width shall be provided between the required wall and any property line abutting a residential zoning district. The buffer shall include a combination of canopy trees, understory trees, and screening shrubs designed to achieve year-round visual mitigation at maturity.

3. Trailer parking and staging areas visible from the public right-of-way shall be screened

G. 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.

3.11.39. 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.

3.11.40. 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. In a multi-tenant building, 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.

3.11.41. 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.

3.11.42. Warehouse, wholesale, or distribution facility

A. Within the Business Park District, loading docks are only permitted on one side of each building (cross-dock buildings are prohibited); truck courts and truck parking to support adjacent industrial use is prohibited.

B. Trailer Parking and Storage. For buildings containing more than twelve (12) dock doors or providing more than five (5) trailer parking or storage spaces, trailer parking and storage areas shall comply with the following:

1. Trailer parking or storage shall not be located between the principal building and a public street.

2. Trailer parking and storage areas shall not encroach into required landscape setbacks.

3. Long-term trailer storage shall occur only within designated areas shown on an approved Site Plan.

C. Screening. Trailer parking and loading areas visible from a public street or residential zoning district shall be screened by a minimum eight (8) foot solid wall, berm, or equivalent opaque screening.

3.11.43. 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.

1. The following wireless communications facilities may be approved administratively by the Zoning Administrator, or his or her designee, after review by the Development Review Committee:

   a. 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;

   b. Antennae attached to a utility transmission tower or pole that do not increase the overall height by more than fifteen (15) feet;

   c. Antennae attached to an existing conforming wireless communications tower that do not increase the height of such tower by more than fifteen (15) feet.

   d. 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.

2. 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.

3. New freestanding wireless communications towers located more than five hundred (500) feet from property zoned for residential use shall require Site Plan approval only.

4. 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 property 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 as determined by the Zoning Administrator, or his or her designee.

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 3.11.43(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.

F. Small Wireless Facilities in the Public Right of Way.

Notwithstanding other provisions of this Section, Section 22-3-12 of City Code, and the City of Goodyear Engineering Design Standards and Policies Manual, small wireless facilities and associated utility poles located within the public right of way shall be regulated in accordance with A.R.S. § 9 591 et seq., as amended, and the following standards:

1. Height Limitations.
    a. A new or modified utility pole or wireless support structure in the public right of way shall not exceed the greater of:
        i. Ten (10) feet taller than the tallest existing utility pole located within five hundred (500) feet in the same right of way; or
        ii. Fifty (50) feet above ground level.
    b. A small wireless facility collocated on an existing utility pole shall not extend more than ten (10) feet above the pole's existing

height or above the maximum height permitted for a new utility pole under this Section.

2. Antenna Size. Each antenna associated with a small wireless facility shall not exceed six (6) cubic feet in volume.

3. Equipment Size. All other wireless equipment associated with the facility shall not exceed twenty eight (28) cubic feet in total volume, excluding electric meters, concealment elements, grounding equipment, power transfer switches, cut off switches, and other equipment as permitted by state law.

4. Permit Review Timeline. Applications for small wireless facilities shall be processed in accordance with the statutory review period of seventy five (75) days as required by state law. The review period shall commence upon receipt of a complete application by the City.

5. Construction Completion. As a condition of approval, the applicant shall provide written confirmation that installation of the approved facility will be completed within one hundred eighty (180) days of permit issuance.

6. Applicability. Small wireless facilities meeting the requirements of this subsection shall be reviewed administratively and shall not require a Special Use Permit.

G. Conflict with State or Federal Law. This Section shall be interpreted and applied in a manner consistent with applicable state and federal law, including but not limited to A.R.S. § 9-591 et seq. and the Telecommunications Act of 1996, as amended. In the event of a conflict between the provisions of this Section and applicable state or federal law, the provisions of state or federal law shall control. Any requirement of this Section that is preempted or otherwise determined to be invalid under state or federal law shall not affect the validity of the remaining provisions.

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 Zoning Districts, accessory buildings and structures shall conform to the following restrictions concerning location and design within lots:

1. Front accessory buildings or structures are those located in the front half of the lot and are limited to an attached front porch cover (closed-roof patio), a garage, a porte-cochere, a living area typical of the principal building, such as a bedroom or home office, and may include a bathroom but not kitchen facilities, with all front patios required to be attached to the principal building.
2. 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.

3. 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.

4. Exceptions. Subdivisions recorded prior to 1981, which are most commonly located in Historic Goodyear, Parque De Paz Park area, and Canada Village, are allowed to have attached or detached 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 and all front yard covers constructed pursuant to this exception shall be architecturally consistent with the primary dwelling in terms of design, materials, colors, and overall character.

I. 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, beyond the three (3) foot side and five (5) foot rear minimums listed in the section above, 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. Detached carports located in the rear yard and accessed from an alley shall be permitted as accessory structures and shall comply with the setback, height, and measurement

requirements of this Section. Detached carports shall be open on at least two (2) sides.

g. 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. Accessory buildings that contain sleeping facilities or are designed or used as a dwelling unit or habitable living space shall comply with the same setback requirements as the principal building. Accessory structures containing only non-habitable space, such as storage areas, pool equipment rooms, restrooms without cooking facilities, or similar incidental uses, may comply with the reduced setback standards applicable to accessory structures.

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.

J. Measurement. For purposes of this Section, required setbacks for detached accessory buildings and structures, including but not limited to patio covers, ramadas, storage sheds, and detached garages, shall be measured from the property line to the furthest horizontal projection of the structure, including roof overhangs or other projections, and not to the supporting wall or post.

K. Accessory structures not expressly identified or regulated in this Section shall be subject to administrative review and approval by the Zoning Administrator, or his or her designee. Such structures shall comply with the general accessory structure standards of this Ordinance unless otherwise approved, and shall not exceed the height, setback, or coverage limitations applicable to accessory structures in the zoning district.

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 that of the underlying zoning district.
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. 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. 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 Development Services 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.

1. 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.

2. General Regulations.

a. Must be shown as part of a Site Plan Review with all applicable site improvements.

b. If added to an existing site. The use shall obtain Site Plan Review approval with all applicable site improvements.

c. Shall comply with parking ratios found in Section 4.4.4(B)(1).

C. Temporary Outdoor Display.

1. 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:

2. General Regulations.

a. Merchandise must be associated with an established business and shall be the same as that sold inside the store;

b. When located outside of a multitenant building, an outdoor display shall not extend beyond the tenant frontage of the primary business.

c. An outdoor display may not be located within landscape areas, parking lots, drive-aisles, loading zones, or fire lanes;

d. Any display must allow for a minimum four (4) foot wide pedestrian pathway across the building frontage and to all building entrances and exits.

e. Displays are limited to the normal hours of operation of the business, unless otherwise authorized by Site Plan approval stipulations.

f. Sound amplification shall not be used for sales demonstrations; and

g. 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 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.

C. In properties zoned AG or AU, portable storage containers may be permitted as a long term accessory use, subject to approval of a Zoning Permit and compliance with the following standards:

1. Storage containers shall be accessory to a principal permitted use on the property.

2. On lots less than one (1) acre, no more than one (1) storage container shall be permitted. On lots one (1) acre or greater, no more than two (2) storage containers shall be permitted.

3. Storage containers shall not be stacked and shall not exceed standard commercial container dimensions.

4. Where the property contains a dwelling, storage containers shall be located behind the rear plane of the principal dwelling and shall not be located in a required front yard.

5. Storage containers shall be screened from view of adjacent public streets and residential properties by a minimum six (6) foot solid fence or wall, dense vegetation, or a combination thereof.

6. Storage containers shall not be located within required setbacks and shall not create hazardous conditions.

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 3.13.5 (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

Use	Time Limit (days)	Frequency of Use (calendar year)	Interval Between Uses (days)[5]
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 3.13.5.

[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, or his or her designee.

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 health and licensing laws. Vendors are required to obtain a City business license and any other permits required by this Zoning Ordinance, but the City shall not require additional health permits beyond those authorized by Arizona 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 upon request 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 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. A mobile food vendor may operate within the public right-of-way in connection with a private residential event or a homeowners' association-sponsored event for a period not to exceed six (6) hours within a twenty-four (24) hour period, provided any required City permits or right-of-way authorizations are obtained. Such operation shall not occur more than one (1) time per calendar month at the same location.

d. 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 hazardous materials within the I-2 Zoning District shall be permitted, with Goodyear Fire Department approval 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 Section shall be held to be the minimum requirements necessary for the promotion of the foregoing objectives of this Section.

4.2.2. General Applicability.

The installation and maintenance of landscaping, in accordance with the design standards and requirements of this Section, 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 as 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 Zoning Administrator, or his or her designee, 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 2.2.3 of Article 2.2 (Residential Zoning 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 and five (5) 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 and eight (8) shrubs. For clustered home products and townhomes trees may be relocated and supplemented at the discretion of the Zoning Administrator, or his or her designee.

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 or alternatively include parking lot and drive-aisle screen walls 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.

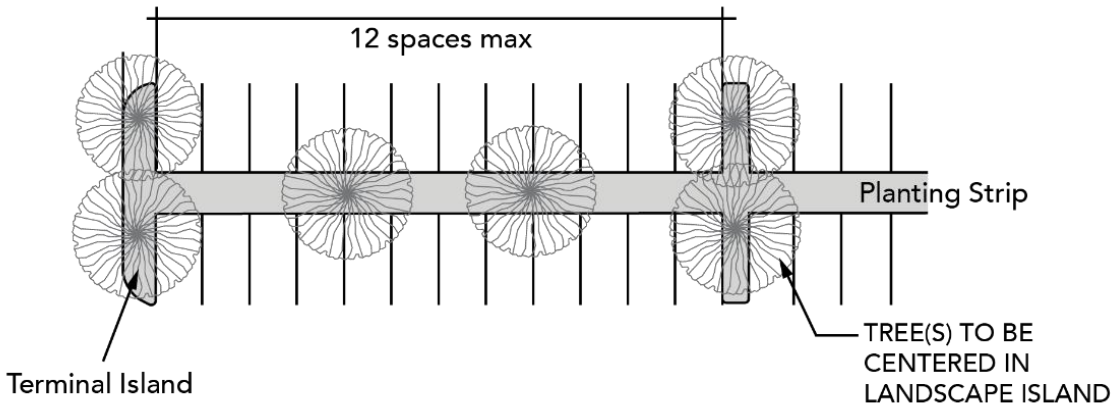
7. To help prevent a fire hazard, palm trees located within any zoning district shall be regularly pruned to remove dried fronds.

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 4.2.4A - 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 4.2.4A, 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 & Conservation. This section is not intended to regulate or prevent the beneficial use of water on property within the City service area. It is intended to prevent and discourage the waste of water within the City service area.

1. General

a. Notwithstanding any provision of an approved Planned Area Development (PAD), PAD Overlay district, design guidelines, or other prior land use approval to the contrary, the Zoning Administrator, or his or her designee, may approve alternative landscape treatments that reduce or eliminate non-functional turf in order to conserve water and promote drought-resilient landscaping.

Such approval may be granted upon a finding that the alternative design is consistent with the intent of the approved development and does not reduce required functional open space.

b. Prohibition on certain covenants, conditions, and restrictions.

i. It shall be unlawful for covenants, conditions, and restrictions of a new residential development or similar document regulating architectural and landscaping guidelines to require the use of Water-intensive Landscaping or prohibit Low Water Use Landscaping.

ii. It shall be unlawful for covenants, conditions, and restrictions of a new residential development or similar document regulating architectural and landscaping guidelines to require plant densities in the front yard of homes to be higher than 50% as outlined in Goodyear Landscape Design Standards.

c. Plumbing Fixtures. All plumbing fixtures shall comply with the current plumbing code adopted by the City.

d. Limitations on new Common Area Water Features. Common Area Water Features shall comply with the following requirements to reduce or eliminate water waste:

i. A permit to install, erect or construct the Water Feature shall be obtained. Such permit shall only be issued if the Water Feature complies with the requirements of this section. For splash pads, the following requirements may be waived with measurable water conservation efforts in the portion of the community served by the splash pad as determined by the Water Services Department.

ii. The Water Feature shall be designed with catch basins that will maximize the amount of water recycled and minimize makeup water.

iii. Water Features with jetting or falling water over six (6) feet in height shall be equipped with wind shut-off valves.

iv. The Water Feature shall be designed to use water equipment that will minimize leakage throughout the life of the Water Feature.

v. The Water Feature shall reuse filtered backwash in a manner beneficial to surrounding plant material and landscaped areas.

vi. The Water Feature shall be operational only during normal business hours and shall be equipped with an automatic timer and a recirculation system.

e. Artificial Lakes and Turf Areas

i. All artificial lakes created after the adoption of the ordinance, shall not be filled with groundwater.

ii. All lawns and grassed areas shall be Functional Turf. Non-functional Turf is not allowed.

iii. The use of synthetic/artificial grass is encouraged in lieu of Turf. Synthetic/artificial grass may be used for aesthetic purposes where Non-functional Turf is not allowed.

iv. Except on golf courses, Functional Turf slopes shall not exceed two percent (2%). To reduce erosion, landscaping alternatives to Functional Turf for slopes exceeding two percent (2%) may include, but are not limited to, any combination of terraces, riprap, baffles, desert shrubbery or synthetic/artificial grass

2. Residential Developments

a. Landscaping of Common Areas in New Developments that are single-family and multi-family Developments. Common Areas in new residential development shall be subject to the following regulations:

i. The amount of Water-intensive Landscaping in the Common Areas of a New Development that is a single-family and/or multi-family shall not exceed ten (10) percent of the total Landscapable Area.

ii. Only Low Water Use Landscaping shall be used in the remaining Landscapable Area.

iii. All irrigation systems shall be Efficient Irrigation Systems.

iv. All features, systems, designs, etc. will be designed and operated to eliminate Waste of Water.

v. Residential turf area perimeters should be spaced at least two (2) feet away from shared property lines and turf irrigation cannot contact or damage the integrity of shared property walls.

b. Model homes in New Residential Developments

i. The combined Water-intensive Landscaping and Water Features of model homes in new residential developments

shall not exceed twenty (20) percent of the Landscapable Area.

ii. Water-intensive Landscaping shall be located only where it is functionally useful, such as in play areas.

iii. All other plant material shall be Low Water Use Landscaping.

iv. All irrigation systems shall be Efficient Irrigation Systems

v. All features, systems, designs, etc. will be designed and operated to eliminate Waste of Water.

3. Non-residential Developments

a. New non-residential developments that have an estimated annual water use that averages 9,000 gallons per day or more, except Turf-related Facilities, shall submit a "water conservation plan" prior to issuance of a building permit. All features, systems, processes, designs, etc. will be designed and operated to eliminate Waste of Water. The water conservation plan shall identify all water uses anticipated by the user and the water conservation measures to be utilized and shall contain at least the following:

i. Whether alternative water sources will be used. Alternative water sources include Reclaimed Water, rain water, poor quality groundwater or other non-groundwater sources;

ii. Operating levels of total dissolved solids (TDS) or conductivity for cooling towers and total cooling capacity, as well as proposed cycles of concentration; Submeters shall be required for makeup and blowdown lines on any new water based cooling.

iii. How the Development will use the best available conservation technologies in accordance with existing processes. Examples include, but are not limited to, recirculating systems for processed water, alternative dust control methods, and automatic shut-down devices to eliminate continuous running water;

iv. Any plans for the reuse of wastewater or process water at the Development;

v. Description of the landscaping and irrigation system for the Development; and,

vi. Description of the irrigation system maintenance protocols.

b. Landscaping in new non-residential developments shall be subject to the following:

i. For all non-residential Developments, the Water-intensive Landscaped Area shall not exceed ten (10) percent of the Landscapable Area.

ii. Only Low Water Use Landscaping shall be used in the remaining Landscapable Area.

iii. For schools, parks, cemeteries, golf courses, and public recreational facilities irrigated with potable water the water-intensive landscaped area shall not exceed 30% of the landscapable area. Developments of this type irrigated with another source are exempt from this provision.

iv. Water-intensive Landscaping shall be located only where it is functionally useful, such as in play areas.

v. All irrigation systems shall be Efficient Irrigation Systems.

vi. For landscape areas not adjacent to a public right-of-way or not visible to a publicly accessed area, temporary irrigation systems that exist for 2-3 year plant establishment are allowed. An applicable plant establishment plan must be included.

c. Evaporative Cooling as part of a new development shall be subject to the following:

i. Submeters are required on the makeup and blowdown lines.

ii. Registration of each unit's details including tonnage, cooling type, and cooling purpose with the Water Services Department.

iii. Annual water use report to the Water Services Department including total makeup water used, total blowdown, and any known unmeasured leaks or maintenance procedures that would impact normal water use.

iv. An average cycles of concentration target of 2.5 or higher.

v. Installation of an overflow alarm.

I. Irrigation Systems Design.

1. A programmable, automatic, and underground irrigation system shall be provided to all required landscape areas, except in areas where re-vegetation is needed and a temporary water source is provided.

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.

J. 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 his or her 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.

D. Drought Emergency Modifications

Upon declaration of a local, regional, or state drought emergency by the City Council, Governor, or authorized water provider, the Zoning Administrator, or his or her designee, may temporarily suspend or modify landscaping installation, irrigation, or maintenance requirements of this Ordinance to promote water conservation.

During such declared drought emergency, failure to maintain turf in a green condition shall not constitute a violation of this Ordinance, provided the landscape area is maintained in a safe and orderly condition free of weeds and hazards.

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.

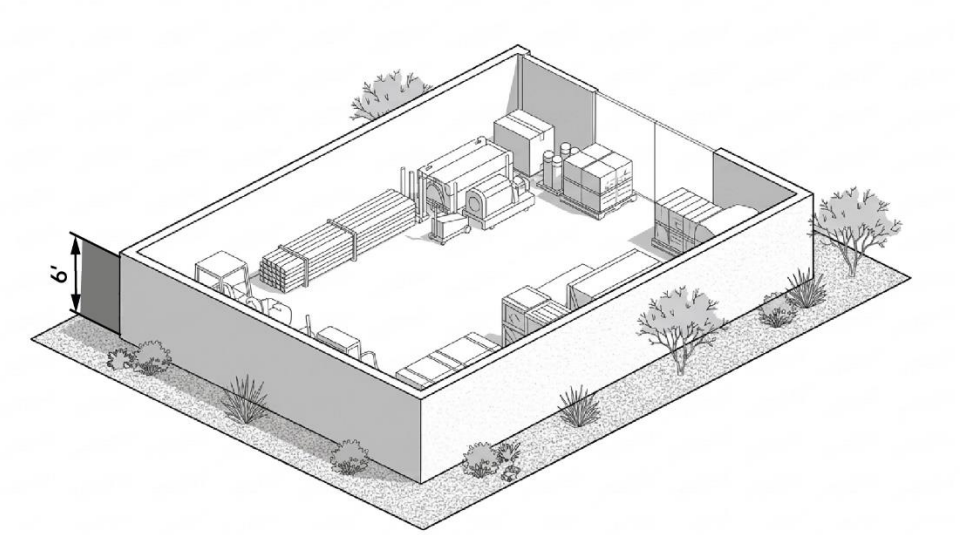
B. Screening Requirements. Screening requirements shall be as follows:

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 so as to screen or block the viewing of the storage areas.

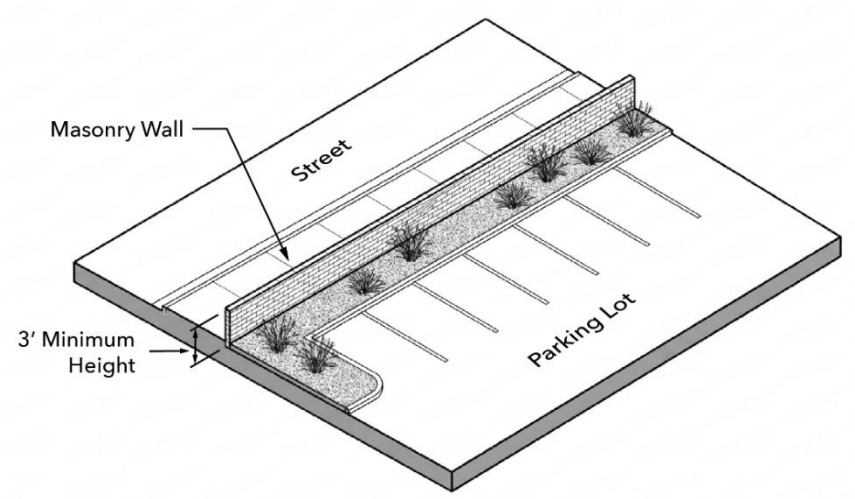
Figure 4.3.1A - Outdoor Storage Screening



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 4.3.1B: Parking Area Screening



5. Refuse. See Section 3.1.22 for outdoor refuse enclosure regulations.

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 3.11.19 (Drive-Through).

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 and utility equipment, whether ground mounted or roof mounted, including but not limited to HVAC units, plumbing equipment, fire protection systems, generators, transformers, switchgear, backflow preventers, battery storage systems, refuse and recycling enclosures, and similar appurtenances, shall comply with the following:

    a. Location.

        i. Equipment shall not be located within required landscape setbacks, required open space, or between the primary building façade and a public street.

ii. Equipment shall be located to the side or rear of buildings and arranged to minimize visibility from public streets and adjacent properties.

b. Screening.

i. Ground mounted equipment visible from a public street or residential zoning district or within public view shall be screened by an architectural wall or enclosure compatible with the primary building.

ii. Roof mounted equipment shall be fully screened by a parapet or architecturally integrated screening element consistent with the building design.

c. Maintenance. Required screening shall be maintained in good condition.

8. Utilities. All utility substations, wells, storage facilities, and other utilities shall be screened from view by a solid masonry wall and landscape.

9. 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 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.

10. 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.

11. 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.

a. When a fence or wall greater than four (4) feet in height is not placed on the shared property line and is instead set back within fifty (50) feet of that line, the constructing property owner shall obtain approval from the Development Services Department prior to construction. The Department may require an impact analysis demonstrating effects on the adjoining property and may require a recorded easement providing attachment, access, and maintenance rights to allow the adjoining owner to construct and tie their fence or wall into the setback wall.

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.

   a. For residential lots with side yards that include a tract less than fifty (50) feet wide, a solid wall may be allowed on the portion of the lot located in front of the rear yard setback, along the full length of the lots on one side of the tract, or through other means deemed as approved by the Zoning Administrator, or his or her designee.

4. Height of walls and fences in residential districts shall be measured from the lowest adjacent grade, except when adjacent to an alley, private road, or street right-of-way 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 three (3) 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 single-family lots that are located along collector or arterial streets and may be installed elsewhere around the perimeter of a subdivision. Such walls shall be not less than 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 one hundred fifty (150) 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, 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.

4. 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.

5. All fences in a side or rear yard of a lot abutting an alley, which is intended to be utilized for garbage and trash storage must allow for a three (3) foot deep by eight (8) foot wide inset with gate for storage of garbage cans.

6. 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.

7. A building permit must be obtained prior to the installation of any wall that exceeds six (6) feet in height.

8. A building permit must be obtained prior to the installation of any fence that exceeds six (6) feet in height.

9. In residential and agricultural districts with residential uses, no open wire fences, including chain link fences, are allowed in a front yard.

10. 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. In a rear yard where such fencing is concealed behind a masonry wall;

    c. 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.

11. 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.

12. 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.

13. 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.

A. 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.

B. Design and Enclosure Details. Additional requirements for the design and enclosure of pools apply as follows:

1. 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.

2. 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.

3. 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.

4. 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.

   a. 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.

   b. 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.

C. Zoning Districts and Placement.

1. In any agricultural or single-family residential zoning districts, 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.

2. 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.

3. No public swimming pool shall be closer than twenty-five (25) feet to any property line.

D. Permit, Inspection, Maintenance.

1. 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.

2. 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.

3. 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.

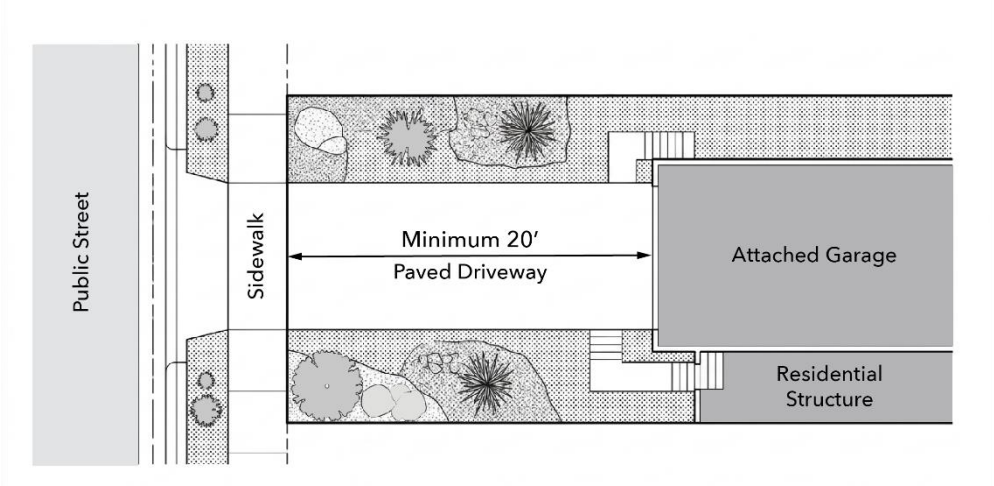
a. Spaces shall be provided in the form of a rectangle not less than ten (10) feet by twenty-four (24) feet, or larger as may be required to accommodate the unit, subject to the screening requirements of Section 4.3.1.

B. Residential Vehicular Access.

1. Driveways.

a. One (1) 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 and unless shared shall not be paved within two and a half (2.5) feet from the side property line on the front of the home. 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. Lots that are one hundred (100) feet wide or less that also have a driveway at the maximum width shall be permitted additional

driveway width up to ten (10) feet if the additional side width serves as an access path to a side yard gate, provided that the following criteria are met:

i. The lot includes a home with a garage with three (3) forward-facing spaces for personal vehicles with garage doors; and

ii. The lot has a minimum existing side setback of at least ten (10) feet on one side.

1) To ensure aesthetic consistency and avoid unintended visual impacts, all of the following design standards and requirements for the permitted additional side driveway width would apply:

a) The additional side driveway surface cannot be constructed of uncolored standard concrete;

b) The additional side driveway area must be constructed of a material such as pavers or stamped/colored concrete;

c) A ribbon/tire strip design for the additional side driveway area would require the use of pavers to construct them;

d) The additional side driveway area must function and serve as access to a side yard gate;

e) Side driveway extensions not serving as an access path would not be allowed;

f) The additional side driveway area must not be flush with the property line and not be less than two and a half (2.5) feet from the property line—a clear separation (e.g., landscaped strip or setback buffer) would be required to reduce hardscape massing and maintain neighborhood character;

g) Parking on the additional side driveway is prohibited;

h) Any driveway extension, additions, or cuts that encroach on the public right-of-way shall require a permit deemed necessary by the Zoning Administrator, or his or her designee.

j. 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 surface (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.

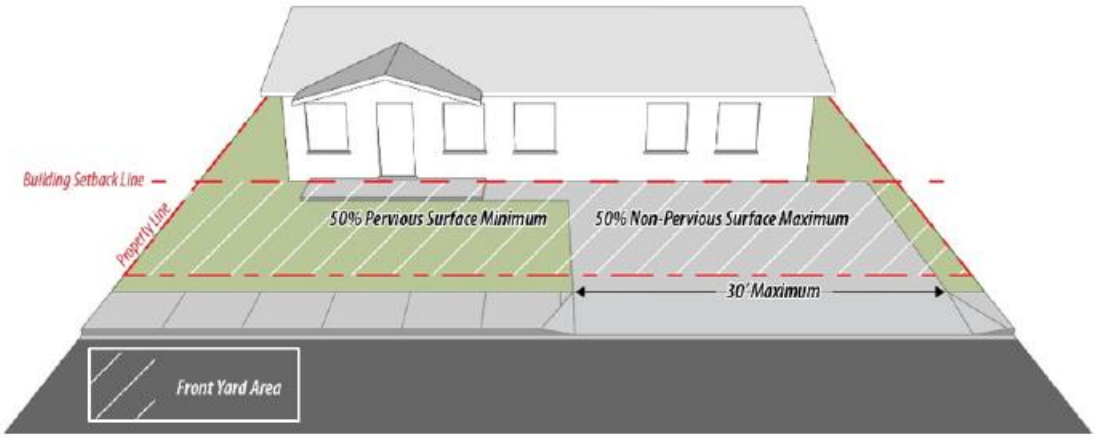
k. Lots that exceed one hundred (100) feet in width may incorporate a front yard circular drive provided the maximum driveway width is a combined forty (40) feet. In no case shall the front yard exceed a total of forty-five (45) percent of improved paved surface. Paved areas contiguous to a driveway and in excess of one hundred (100) square feet in size shall be considered part of the driveway for the purposes of this provision.

l. 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

m. 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.

n. 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



2. 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, or his or her designee, 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, or his or her designee, 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 except as provided below:

i. 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.

b. The Zoning Administrator, or his/her designee, at his/her discretion, may allow the use of other materials for surfacing 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); or

iii. the use of the parking lot is for a recreational use and the Zoning Administrator, or his or her designee, has determined the use of such material is appropriate to the character and nature of the area and use.

iv. Any alternative surfacing materials allowed by the Zoning Administrator, 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.

v. 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.

vi. 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, or his or her designee, 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, or his or her designee.

   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 (Litchfield Manor, Goodyear Estates, Litchfield), Litchfield Shadows, Arnold Manor, and Canada Village Parking:

On residential lots within subdivisions recorded prior to 1981, 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

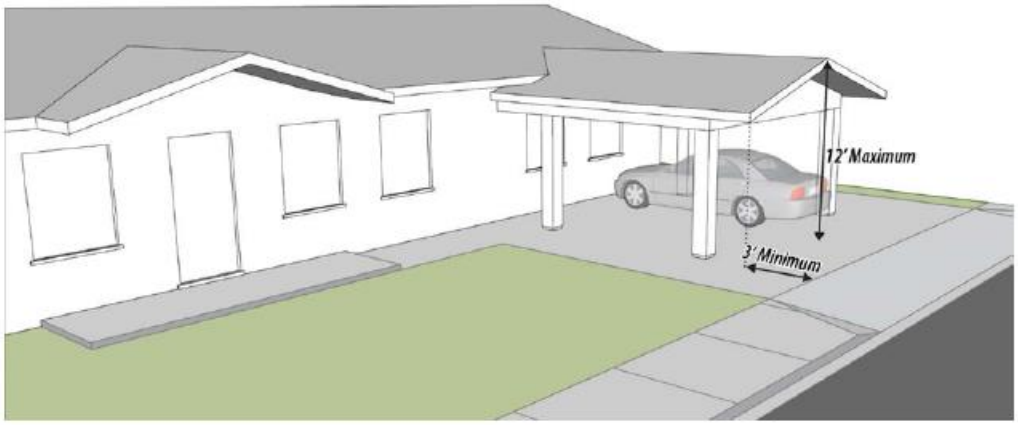
supporting elements are permitted. No fabric, plastic, or other similar temporary materials shall be utilized.

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, or his or her designee, 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).

D. Parking Standards for Multi-family Residential, Commercial, Industrial and Mixed – Use Development.

1. 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. The City shall not be liable for parking availability or private disputes between owners and lessees if subsequent tenant improvements (TI) alter the parking demand established with the approved Site Plan.

2. 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.

3. 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.

4. For developments with more than three (3) 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.

E. 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.

F. Parking Plan.

1. 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.

2. A Parking Plan shall be required for:

   a. All multi-family or mixed-use developments.

   b. Developments containing multiple parking types, including structured, covered, or shared parking.

   c. Any development requesting a parking reduction or shared parking arrangement.

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.

G. 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, or his or her designee, 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 4.4.4 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, or his or her designee, may require additional site area to be provided, and as necessary improved, to supply additional required parking facilities.

H. 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.

I. 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.

J. Parking Reductions

Required parking for any use may be reduced by the Zoning Administrator, or his or her designee, 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.

K. 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 4.4.4B.
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.

L. Parking Structures.

1. Location. Parking structures may be located in all Multi-family, Commercial, Industrial and in areas within PAD 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.

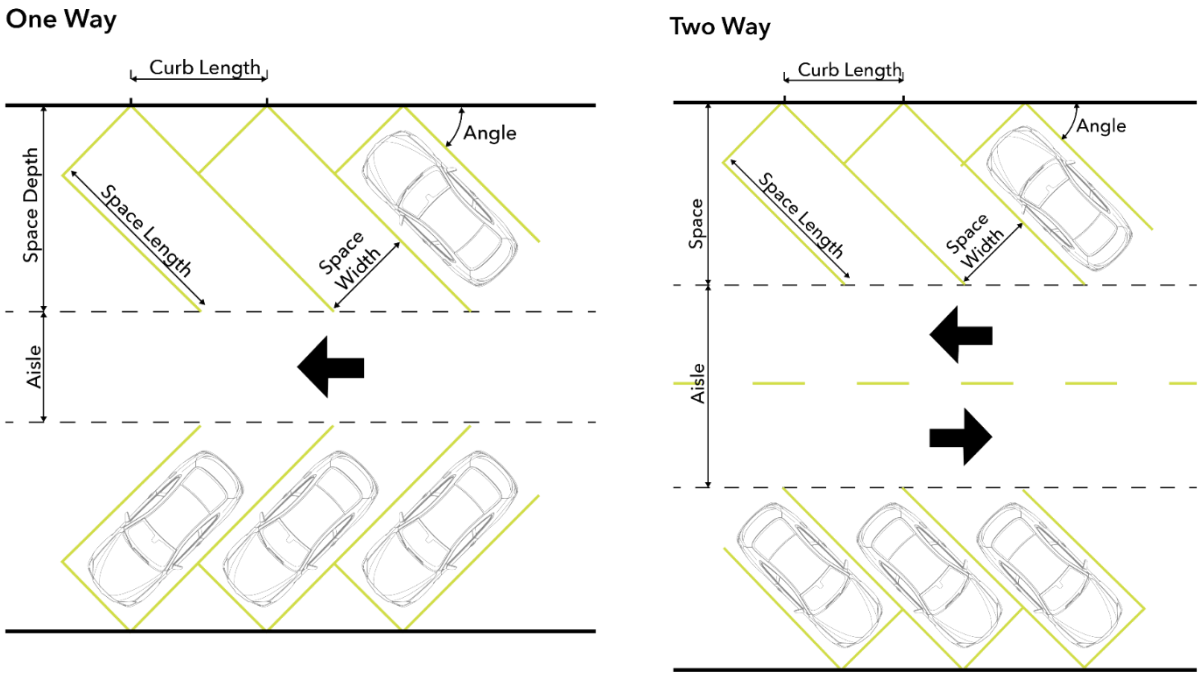
M. Parking Dimensions. Dimensions for parking spaces and maneuvering aisles shall meet the following minimum dimensions:

Table 4.4.3N – Parking 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'

Table 4.4.3N – Parking Space and Aisle Dimensions				
PARKING ANGLE	**SPACE WIDTH**	**SPACE DEPTH**	**ONE-WAY AISLE WIDTH**	**TWO-WAY AISLE WIDTH**
70°	9' 0"	21' 0"	19'	24'
90°	9' 0"	18' 0"	24'	24'

Figure 4.4.3B - Parking and Aisle Dimensions



N. 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, or his or her designee.

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

Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
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	
Data Centers	1 space per 5,000 sq. ft. for the first 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 first 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 first 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 first 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	

Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
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
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

Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
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
****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. Bicycle 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, or his or her designee.

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, or his or her designee.

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. Bicycle 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, or his or her designee.

4.4.7. Electric Vehicle Charging

Electric vehicle charging stations and associated infrastructure shall comply with the following:

A. Customer-Facing Equipment. EV charging pedestals and associated bollards intended for customer use may remain visible and accessible.

B. Support Equipment. Transformers, switchgear, utility cabinets, meters, conduit, battery systems, and other supporting infrastructure shall:

1. Not be located within required landscape setbacks or between the primary building façade or a public street;
2. Be screened by an architectural enclosure compatible with the primary building;
3. Maintain required utility and emergency access clearances.

C. Design Integration. EV charging canopies, equipment, and screening elements shall utilize colors and materials compatible with the overall development.

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, or his or her designee, 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, or his or her designee. 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, or his or her designee, 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. The Zoning Administrator, or his or her designee, has the ability to amend the standards for any lighting zone as development patterns change. Note that lighting on arterial streets does not follow lighting zone standards but rather needs to follow the City of Goodyear Engineering Design Standards and Policies Manual.

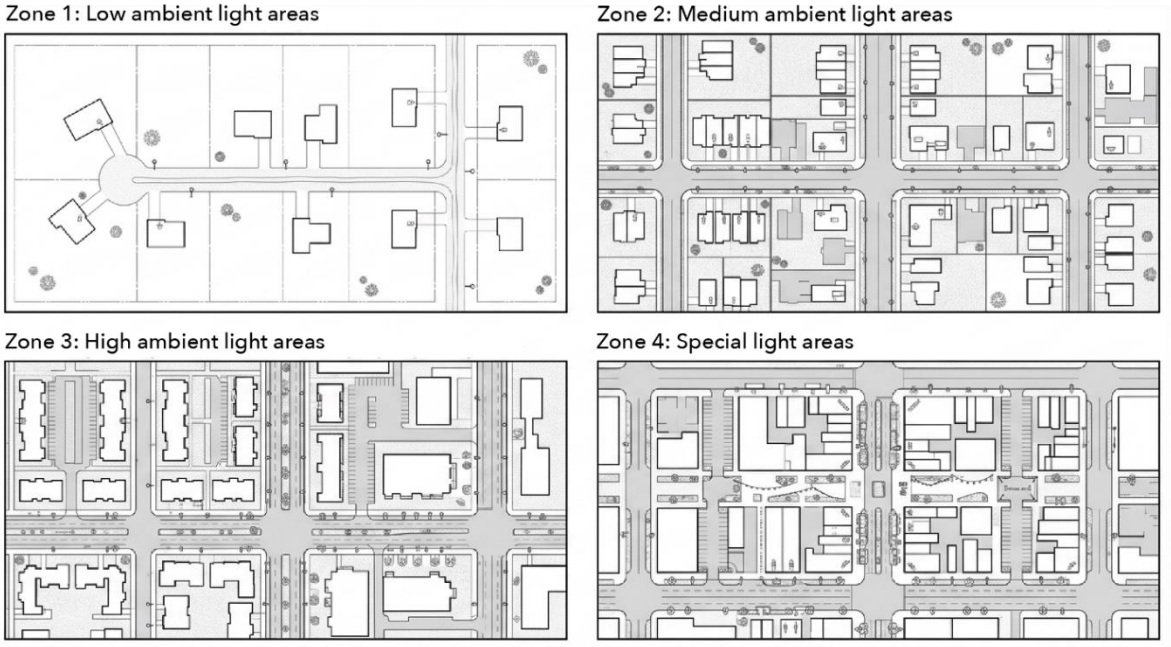
ZONE 1. Low ambient light areas – Rural residential areas or low-density residential areas with limited commercial

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 nighttime 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 4.5.3A - 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.

ZONE 4. All outdoor lighting in special light areas shall be reduced according to the lighting plan in the approved development agreement.

4.5.5. Light Sources and Fixture Shielding

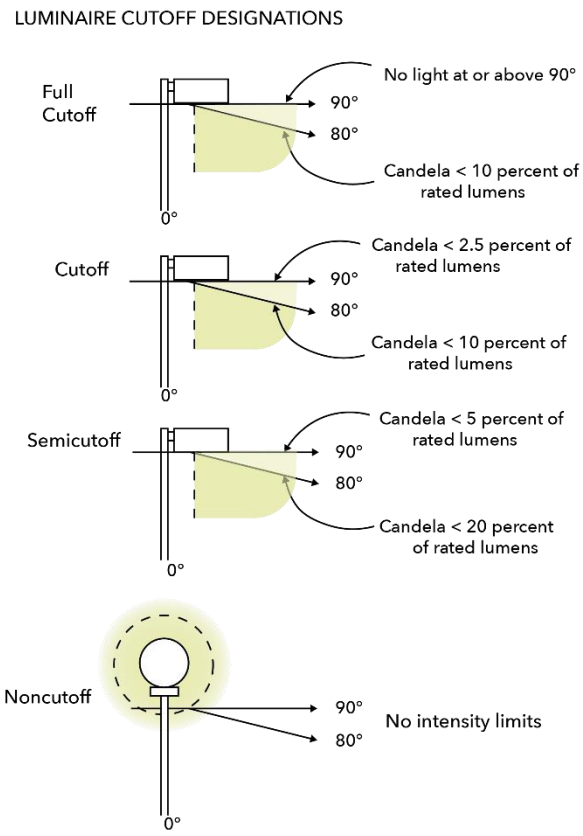
Mercury Vapor light sources shall not be allowed. Searchlights and strobe/ flashing lights are not allowed in any Zone without a separate Use Permit, and the duration of the allowed use may be limited by Planning & Zoning staff. Lasers, exposed neon, and other intense linear light sources are not allowed in Zone 1, but they 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 4.5.5A - 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. HSS on Perimeter Fixtures	6' height <= 30' from Residential Property Line. 15' height > 30'. Dark and Non-Reflective Colors.	1.50 Average	0.30 Maximum	<= 1,800 Lumens Turn off at 10:00 PM. or 1-hour after 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.

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
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 6,500 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. 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	<= 1,800 Lumens = 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. Sports lighting 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. Sports lighting 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. Sports lighting 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. Sports lighting 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.

D. *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.

E. *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 by the property owner 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, the property owner is responsible for implementing 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 public welfare and safety by the 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 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:
      a. Additions less than 2,000 square feet that do not exceed fifty (50) percent of the existing usable floor area;
      b. Additions greater than 2,000 square feet that do not exceed ten (10) percent of the existing usable floor area;
      c. Modifications required by federal, state, or local regulations.
      d. 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;

e. The sign remains substantially the same in design and structure;

f. The sign is relocated to a position as similar as practicable to its original location; and

g. The relocation complies with all applicable safety requirements.

C. 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.

D. Signs for Legal Nonconforming Use.

1. No new or additional sign shall be permitted for a legal nonconforming use.

2. A sign associated with a legal nonconforming use, shall be removed or brought into compliance if:

3. The use is discontinued for a period of three hundred sixty-five (365) consecutive days; or

4. The use becomes conforming.

E. Signs Rendered Abandoned.

1. Determination of Abandonment. A sign shall be deemed abandoned if any of the following conditions exist:

a. The sign displays no message, copy, or content for a continuous period of six months (6) months;

b. The business, use, or activity to which the sign pertains has ceased operations for a period of six months (6) months; or

c. The sign advertises or relates to a time, event, or purpose that is no longer applicable; or

d. The business, use, or activity to which the sign pertains ceases to maintain an active business license.

2. Prohibition. Any abandoned sign is prohibited and shall be brought into compliance with this Article.

3. Removal and Maintenance Requirements. Within thirty (30) days 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 display faded, damaged or incomplete copy.

4. Responsible Party. The responsible party shall include the property owner, sign owner or any person or entity in control of the property or sign.

5. Failure to Comply. Failure to comply with this Section shall constitute a violation subject to enforcement and abatement in accordance with Section 4.6.13.

F. Unsafe Signs

1. 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.

2. 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.

3. 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 Sign 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. This shall include any sign required by the City for the enforcement of city laws

2. City Kiosks and Public Information Structures. Kiosk signs or similar structures erected, maintained or authorized by the City.

3. Flags. Any flags that are not used for commercial advertising and do not contain commercial speech, or other commercial promotional content. The maximum height of flagpoles associated with such signs shall not exceed two (2) times the height of the tallest building located on the subject site;

4. Memorials and Historical Markers. Tablets, grave markers, headstones, statuary or remembrances of persons or events, located on private property.

5. 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.

6. Required Regulatory Signs. Signs required to be installed by any governmental entity or a public or quasi-public utility.

7. 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.

4.6.6. 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. Billboards.

3. Off-Site Signs, except as may be expressly permitted by this Article.

4. 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 by this Article.

5. 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.

6. 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

7. 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

8. Roof Signs. Signs located on, attached to, or above any roof, parapet, or rooftop equipment.

9. 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

10. Portable and Temporary Signs. Portable signs, including A-frame signs and similar devices, except as expressly permitted under Temporary Sign regulations.

11. Pole Signs. Pole signs that are mounted on one or more freestanding poles exceeding six (6) feet in height.

12. Nonconforming and Unpermitted Signs. Nonconforming signs that are:

a. Not legal nonconforming signs; or

b. Signs installed or maintained without a required permit

13. 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.

4.6.7. 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 4.5 (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. The City may require adjustments to illumination intensity or direction where a sign creates a demonstrated nuisance or safety hazard. 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 4.5 (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, unless the applicant can demonstrate to the Zoning Administrator, or his or her designee, that halo/backlit lighting will not cause a nuisance or safety hazard the abutting residential property.

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, except as expressly permitted by this Article.

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.

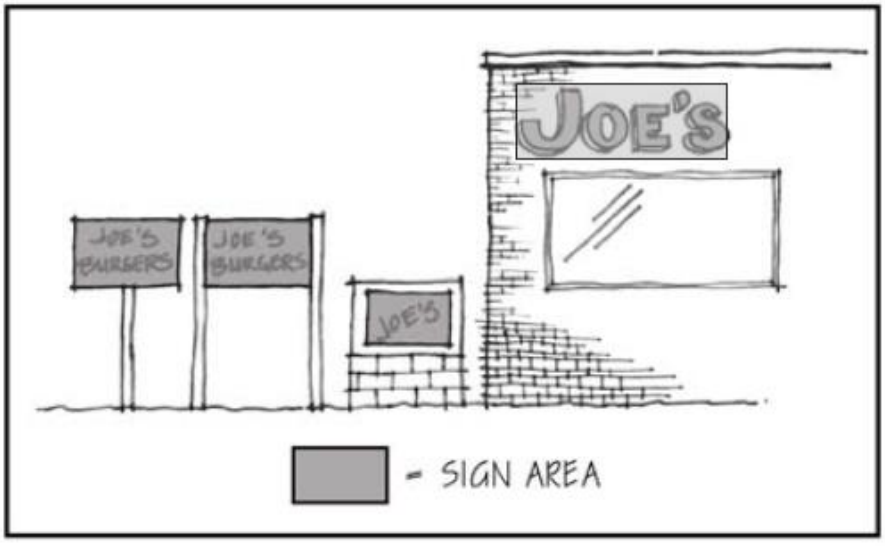
C. Comprehensive Sign Packages

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 4.6.12 of this Ordinance for additional information.

4.6.8. Sign Copy Area and Height

A. Sign Copy Area. Sign copy 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 copy area unless said base contains sign, copy, graphics or tenant panels (see definition of a sign).

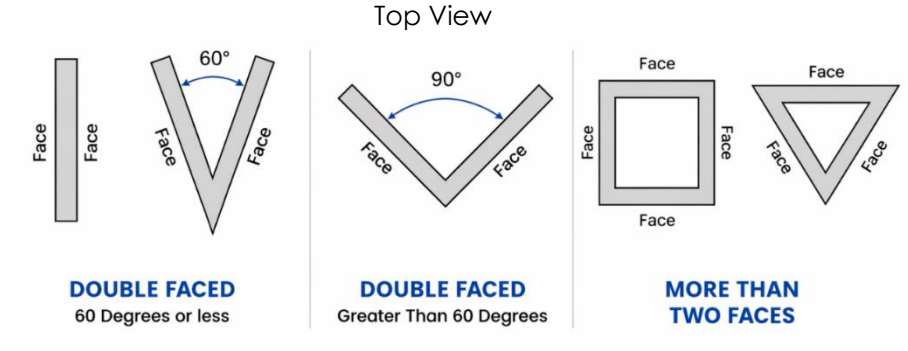


2. Sign copy mounted as individual letters and/or graphics on a building wall or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangles that will enclose each word and each graphic in the total sign copy.

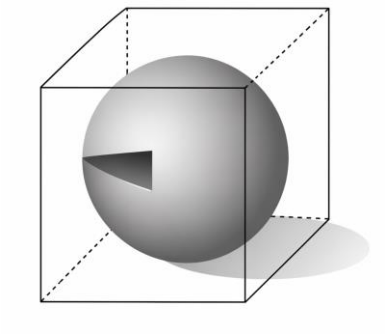


Sign copy area When Background Not a Part of

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 copy 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 copy 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 copy area 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 copy 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.



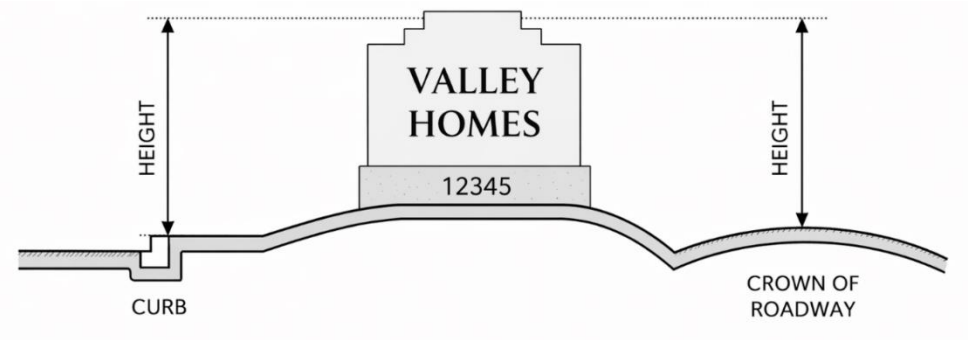
Multi-Face Signs



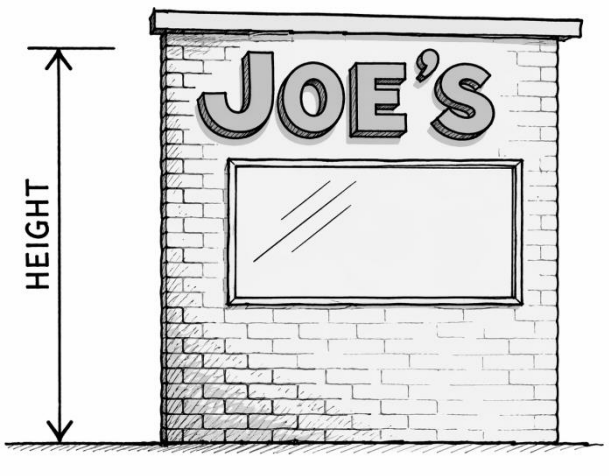
Non-Planar Signs

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.



Measurement when within 30 feet of right-of-way



Wall Sign Height

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 copy 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 used to identify, advertise or communicate information related to a permitted use.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Directional	All zoning districts	Multi-family Residence Uses; All permitted 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, CMX, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.C
Electronic Message Display	CO, C-1, C-2, CMX, PFD, BPD and Commercial PADs	In conjunction with a permitted monument sign	See Section 4.6.9.D
Monument	All zoning districts	Multi-family Residence Uses; All permitted non-residential uses	See Section 4.6.9.E
Murals and Public Art	R2, MF-12, MF-18, MF-24, CO, C-1, C-2, CMX, PFD, I-1, I-2 and PADs	Multi-family Residence Uses; All permitted non-residential uses	See Section 4.6.9.F
Freeway Pylon	Subject to approval of Use Permit as specified in Sections 6.5 and 4.6.9	Subject to approval of Use Permit as specified in Sections 6.5 and 4.6.9	See Section 4.6.9.G

* Murals and Public Art shall be considered as both Site Signs and Building Signs depending on application.

Building Signs*
For the purposes of this Ordinance, a Building Sign shall mean any permanent sign affixed to a building, including windows and architectural elements, used to identify, advertise or communicate 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, CMX, 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, CMX, 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, CMX, PFD, BPD, and Commercial PADs	All permitted uses	See Section 4.6.10.C
Shingle	CO, C-1, C-2, CMX, 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, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted uses	See Section 4.6.10.F

*Note: Building signs shall be subject to the applicable development standards of this Article, including but not limited to sign copy 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 to be used for limited periods of time.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Sign Walker	All zoning districts	All permitted uses All permitted non-residential uses	See Section 4.6.11.A.1
Vehicle	CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.A.2
Yard	All residential zoning districts and residential PADs	All permitted residential uses	See Section 4.6.11.A.3

*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
Banners	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.1
Construction Impacted Development	R2, MF-12, MF-18, MF-24, CO, C-1, C-2, CMX, PFD and Residential and Commercial PADs	All permitted multi-family and commercial uses	See Section 4.6.11.B.2
Property Under Construction (Non-Residential Subdivision)	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.3
Inflatable Devices	All zoning districts	All permitted uses	See Section 4.6.11.B.4
Model Home Complex	All residential zoning districts and residential PADs	All permitted residential uses	See Section 4.6.11.B.5
Model Home Flags	All residential zoning districts and residential PADs	All permitted residential uses	See Section 4.6.11.B.6
Multi-Family Development Flags	R2, MF-12, MF-18, MF-24, and Residential PADs	Sales Office of Multi-family Residence Uses; Model home of a permitted subdivision	See Section 4.6.11.B.7
Portable	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.8
Property Under Construction (Residential Subdivision)	All residential zoning districts and residential PADs	All permitted residential uses	See Section 4.6.11.B.9
Residential Development Signs	All zoning districts	All permitted residential uses	See Section 4.6.11.B.10
Signs on Property Offered for Sale or Lease	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.11

4.6.9. Specific Regulations for Site Sign Types

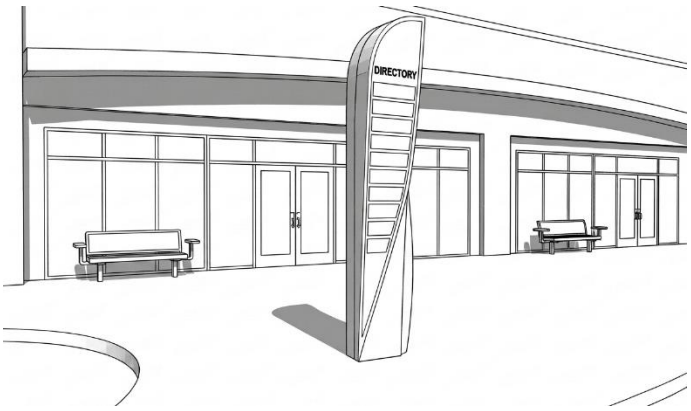
A. Directional Signs



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. These signs shall be utilized for wayfinding and site circulation purposes.
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 copy 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 copy 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 copy area.

4. Industrial Use in an Industrial Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite.

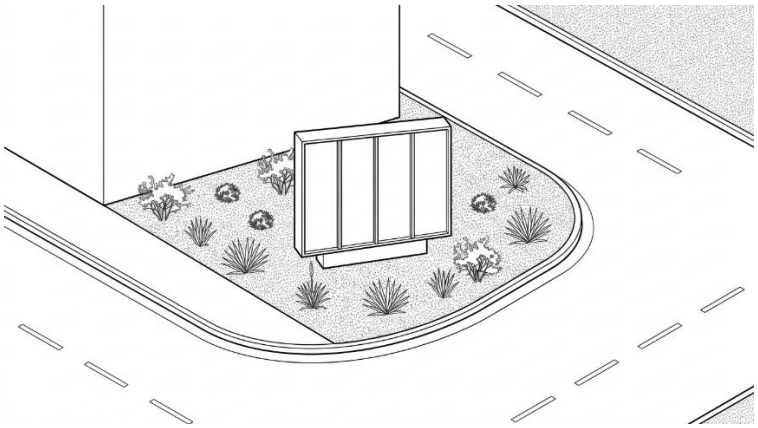
b. The maximum sign copy area shall be eighteen (18) square feet.

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 copy area.

C. Drive Through Menu Board



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.

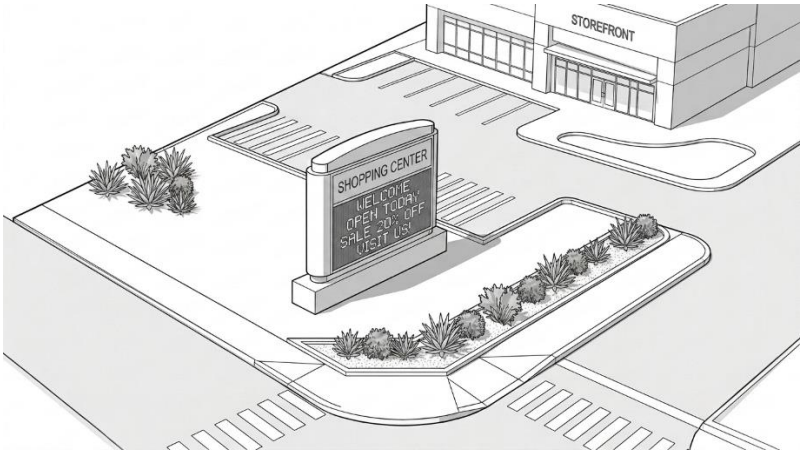
e. The menu board(s) shall be screened from public view by enhanced landscaping, screen walls, and other design elements as deemed appropriate by the Zoning Administrator or his/her designee.

f. A menu board shall be located at least forty-five (45) feet from any public right-of-way or residential property line.

g. 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. 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. For electronic message display signs used to display gas prices, an additional electronic changeable copy display monument sign may be permitted for corner lots or lots with multiple street

frontages, provided that each street frontage adjacent to the subject site is at least three hundred thirty (330) feet in length. Only one (1) electronic message display sign shall be permitted per street frontage.

c. The electronic message display shall be integrated into the monument sign and shall not be mounted above the monument sign cabinet or pole.

d. An electronic message display may occupy up to fifty (50) percent of the allowable sign copy area of the monument sign or twenty-four (24) square feet, whichever is less.

e. 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.

f. 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.

g. 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.

h. 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.

i. 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.

j. The use of an electronic message display for off-site advertising is prohibited.

E. 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 thirty-two (32) square feet when adjacent to an arterial street and sixteen (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. On primary monument signs, permanent site identity, which is not tied to a single tenant, is encouraged.

2. Commercial Use in a Commercial Zoning District

e. 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.

f. 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.

g. 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.

h. 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. On primary monument signs, permanent site identity, which is not tied to a single tenant, is encouraged.

i. 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.(D)

j. 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:

i. 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.

ii. The maximum height of the internal monument shall be six (6) feet.

iii. The maximum copy area of the internal monument sign shall be sixteen (16) square feet.

iv. 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.

v. 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.

vi. Internal monument signs shall be used for tenant identification only and shall not include electronic message displays.

3. 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.

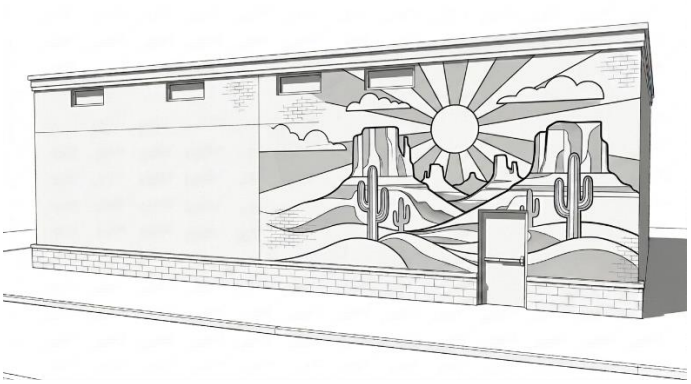
b. The maximum height shall be eight (8) feet and the maximum sign copy area shall be thirty-two (32) square feet. Within a unified industrial development containing three (3) or more businesses and subject to an approved Comprehensive Sign Package, the maximum height shall be twelve (12) feet and the 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. On primary monument signs, permanent site identity, which is not tied to a single tenant, is encouraged.

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.(D)

F. Murals and Public Art



1. Murals and public art shall be permitted in the Multi-Family, Commercial, and Industrial Zoning Districts. Murals shall also be permitted on governmental and institutional structures.

   a. Murals are not permitted on the primary façade of a building. A primary façade is defined (for purposes of this section) as the building elevation that faces the adjacent street right-of-way and is the primary customer entrance.

2. Permit Required

   a. No mural or public artwork shall be installed unless a permit has first been obtained by the owner, or his/her agent, from the Zoning Administrator, or his or her designee.

3. Application Requirements

   Permit application shall contain, but not be limited to, the following information:

   a. Site plan showing the lot and building dimensions and indicating the proposed location of the mural.

   b. Pictures of the building elevations.

   c. A scale drawing and color photo of the building elevation showing the proposed size and placement of the mural or public artwork.

   d. A colored drawing of the proposed mural or public artwork.

   e. Proposed materials and installation methods.

   f. A description of the proposed maintenance schedule that includes the timeframe for the life of the mural or public artwork, maintenance and method for removal, if applicable.

4. Fees

   The Fee for application for a permit shall be as established by Resolution of the City Council.

5. Prohibited Artwork Types

   a. Murals or public artworks that imitates or interferes with traffic control devices or creates a safety hazard, or obstructs visibility for motorists, pedestrians, or bicyclists.

   b. Murals affixed, applied or mounted above, upon or suspended from any part of the roof of a structure.

   c. Murals shall not project from the wall surface, other than the minimum necessary protrusion to mount the mural to the wall or structure.

   d. Murals or public artwork containing any gang affiliation symbols or include characteristics of illegal graffiti that do not match the design and use of the subject property.

   e. Murals or public artwork containing political themes or agenda-driven content

   f. Murals or public artwork containing any commercial messages or advertising.

   g. Murals or public artwork containing copyrighted material without proper authorization

   h. Murals or public artwork containing obscene content. For purposes of this section, the following themes or elements are not permitted:

      i. representations of violence or hate, nudity or sexually explicit content; or

      ii. profanity or obscene language; depictions of illegal activities; or

      iii. disparagement or denigration of cultures.

   The City reserves the right to reject proposals for murals or public artwork based on the themes or messages expressed as permitted by applicable First Amendment law.

6. Maintenance

   a. The mural or public artwork shall be kept in good condition for the life of the artwork according to the maintenance schedule and responsibilities approved by the Zoning Administrator, or his or her designee.

   b. The display surface shall be kept clean and free from corrosion.

   c. Any mural or public artwork that is not maintained, faded, or is in disrepair shall be ordered removed or covered with opaque paint, similar to the primary building materials/colors or other appropriate material by the Zoning Administrator, or his or her designee.

7. Design Standards

   a. The proposed mural or public artwork will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic; and

   b. The proposed mural or public artwork is well integrated with the building's façade and other elements of the property and enhances the architecture or aesthetics of a building or wall; and

   c. The mural or public artwork will not have a detrimental effect on the structural integrity of the building or wall on which it is applied/affixed.

8. Mural Permit Approval

   a. No mural permit shall be approved unless the Zoning Administrator, or his or her designee, shall find that the requirements of this Section have been fulfilled.

      i. Permit Denial. A mural permit applicant may appeal the decision of the Zoning Administrator, or his or her designee, to deny a mural permit. Said appeal shall be made in writing to the Zoning Administrator, or his or her designee, and said appeal shall be made within 30 days of the decision by the Zoning Administrator, or his or her designee, to deny the permit. Appeals will be heard by the Planning and Zoning Commission to determine if the Zoning Administrator, or his or her designees' decision to deny the permit is consistent with the provisions of this Section of the Zoning Ordinance.

G. Freeway Pylon Signs



1. Freeway Pylon Signs shall require a Use Permit approved in accordance with the provisions of Section 6.5 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 ensuring 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 copy 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 6.5 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 Zoning Administrator, or his or her designee.

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 Zoning Administrator, or his or her designee.

f. The proposed maximum sign copy 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 4.5 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 4.6 (Sign Regulations).

4.6.10. 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

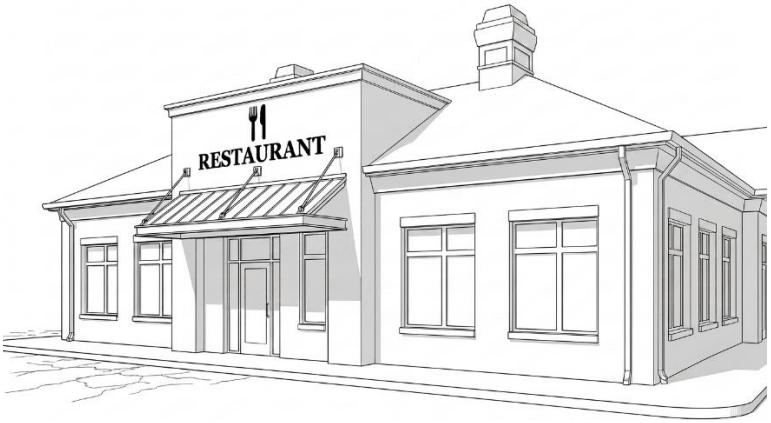


1. Commercial Use in a Commercial Zoning District

   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 copy 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 copy 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 copy area shall be calculated as follows:

      i. Primary Building Elevation. One (1) square foot of sign copy 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 copy 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 copy area for the primary building or tenant space.

      iii. Maximum Sign Copy Area. Wall signage on an accessory building shall not exceed:

         1) One-half (0.5) square foot of sign copy 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 architecturally compatible with the primary building and overall development.

         2) 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.

3) 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 copy area shall be calculated as follows in accordance with the following guidelines:

i. Primary Building Elevation. One (1) square foot of sign copy 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 copy 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



a. Window signs are permitted for all multi-family and non-residential uses. Such signs shall not be permitted on individual multi-family tenant windows.

b. Window signs shall only be permitted on ground-floor windows.

c. 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 sign is located.

d. Perforated window vinyl, window wraps, and neon window signs shall be considered window signs.

e. Window signs printed on perforated, semi-opaque material shall be counted in the same manner as non-perforated, fully-opaque materials, including paint.

f. Permanent window signs may be illuminated but shall not be animated and shall not include electronic message displays.

g. Window signs shall be installed on the interior surface of the window and shall not be placed on the exterior of the window.

h. Window signs shall utilize materials and colors that are consistent with the building and tenant branding.

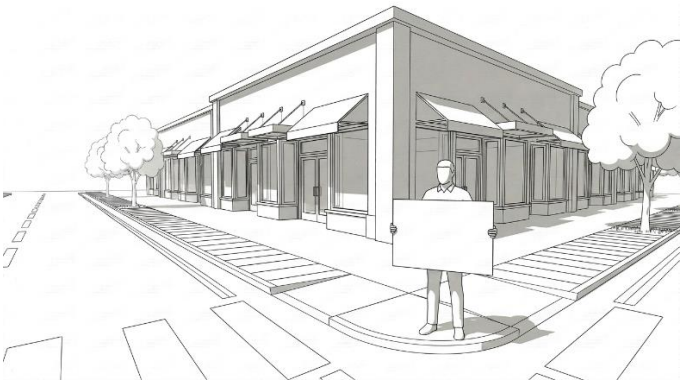
i. Window signs shall not obstruct visibility into the tenant space in a manner that creates a safety concern, as determined by the Zoning Administrator, or his or her designee.

j. Window signs shall not count toward the maximum permitted wall sign copy area.

4.6.11. 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. This Section regulates temporary signs without regard to message content. No provision of this Section shall be interpreted to require review of the message displayed on a sign, except to determine whether the sign is commercial or noncommercial as permitted by law.

1. 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.

2. 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.

3. 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. 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 shall require a sign permit, subject to the standards below. This Section regulates temporary signs without regard to message content. No provision of this Section shall be interpreted to require review of the message displayed on a sign, except to determine whether the sign is commercial or noncommercial as permitted by law.

1. Banner Signs



a. Banner signs may be permitted in commercial, industrial, multi-family, or permitted non-residential uses in residential districts.

b. Banner signs may be displayed for a maximum of thirty (30) consecutive days, no more than four (4) times in any given calendar year or as determined by the Zoning Administrator, or his or her designee. Banner signs may be displayed on the building 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 signage area above shall include banners, pennants, inflatables, balloons, portable signs, and similar temporary displays. Banner signs shall be subject to the following limitations:

i. The maximum sign copy area per sign shall be sixty-four (64) square feet. For developments greater than ten (10) acres, the maximum sign copy area may be increased to ninety-six (96) square feet.

ii. The maximum sign height shall be eight (8) feet.

iii. Signs shall not be animated by mechanical or other means.

iv. Signs shall not be illuminated.

v. No sign shall be placed on or above the roof of any building.

vi. Balloons and pennants shall be tethered and shall not exceed the maximum building height for the zoning district.

vii. Displays shall not be placed in required parking spaces, or drive aisles, or on City-owned property or rights-of-way.

2. Construction Impacted Development

a. Additional temporary signs may be permitted for multi-family and commercial uses when active construction is occurring within 500 feet of said uses.

b. A maximum of one (1) sign per street frontage shall be permitted.

c. The maximum sign copy area shall be thirty-two (32) square feet.

d. The maximum wall sign height shall be eight (8) feet.

e. Signage facing single-family residential shall not be placed higher than 10 feet from the ground.

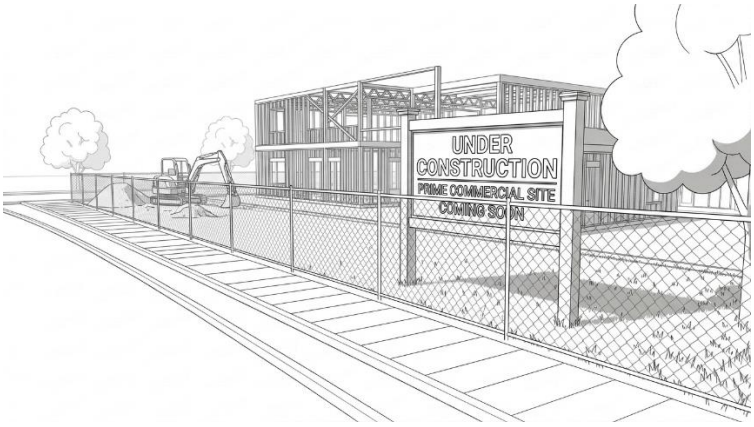
f. Signs may be installed after issuance of the first building permit.

g. Signs shall be removed at the earliest of the following:

i. Twelve (12) months after the construction has commenced on a property within 500 feet of the property;

ii. Within 30 days of the Certificate of Occupancy (C of O) being issued for the site under construction.

3. Property Under Construction (non-residential subdivision)



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.

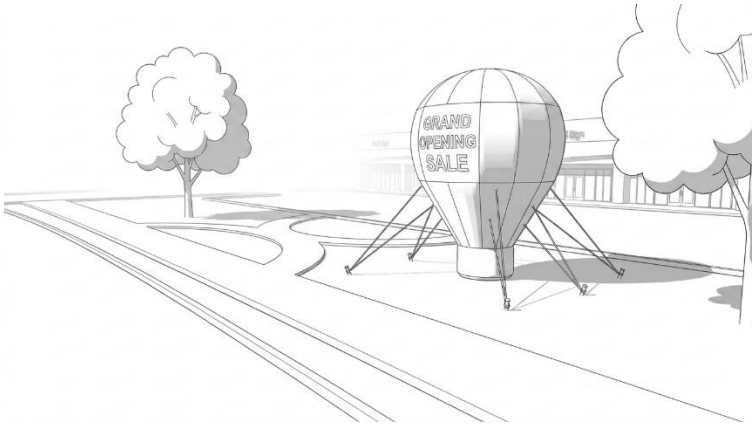
b. A maximum of one (1) construction sign shall be permitted per street frontage.

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.

4. Inflatable Devices



a. Inflatable devices shall comply with the following:

i. Inflatable devices shall be limited to a maximum of two (2) events per calendar year per business.

ii. Each event shall not exceed seven (7) consecutive days.

iii. Inflatable devices shall be included in the total allowable temporary signage area.

iv. Inflatables shall be securely anchored at all times.

v. Inflatables shall not exceed the maximum building height permitted for the zoning district.

vi. Inflatables shall not be located within the public right-of-way or within any sight visibility triangle.

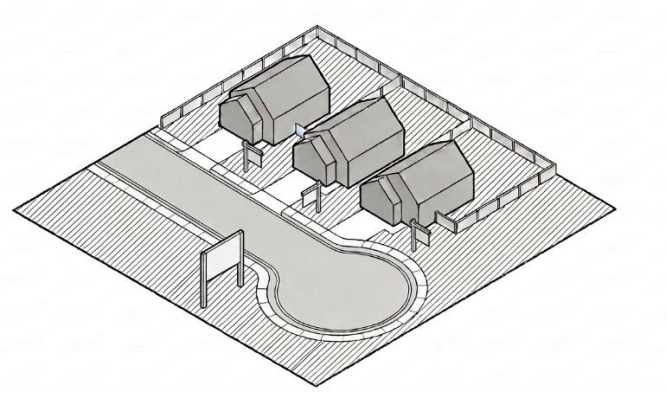
vii. Inflatables shall not be placed on, attached to, or supported from any roof, parapet, or rooftop equipment.

viii. Inflatables shall not emit sound or utilize flashing or strobe lighting.

ix. Animated inflatable devices are prohibited.

x. Inflatable devices are prohibited except as expressly permitted in this subsection.

5. Model Home Complex (Residential Subdivisions)



a. One (1) temporary sign shall be permitted per model home, and one (1) additional temporary sign shall be permitted per model home complex entrance.

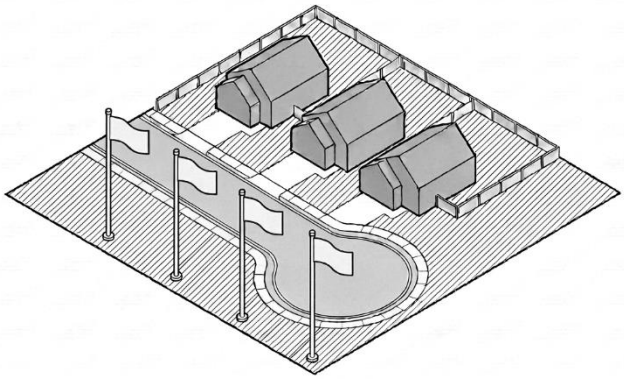
b. The maximum sign copy area shall be six (6) square feet.

c. The maximum sign height shall be six (6) feet.

d. Signs shall be located within the complex associated with the applicable model home(s) and outside of any sight visibility triangle.

e. Signs shall not be illuminated.

6. Model Home Flags



a. Model home flags that include commercial speech shall be permitted only at:

   i. Model home complexes; or

   ii. Residential subdivision sales offices.

b. A maximum of:

   i. Four (4) model home flags per model home complex; and

   ii. Eight (8) accessory model home flags per residential subdivision shall be permitted.

c. Model home flags shall:

   i. Not exceed twelve (12) square feet in area per flag; and

   ii. Not exceed twenty-five (25) feet in height.

d. Flags shall be mounted on permanently installed flagpoles or integrated architectural supports.

e. Feather flags, flutter flags, blade flags, pennants, streamers, and similar flexible wind-driven signage are prohibited.

f. Model home flags shall be maintained in good condition and free from fading, tearing, or fraying.

g. Model home 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.

7. Multi-Family Development Flags

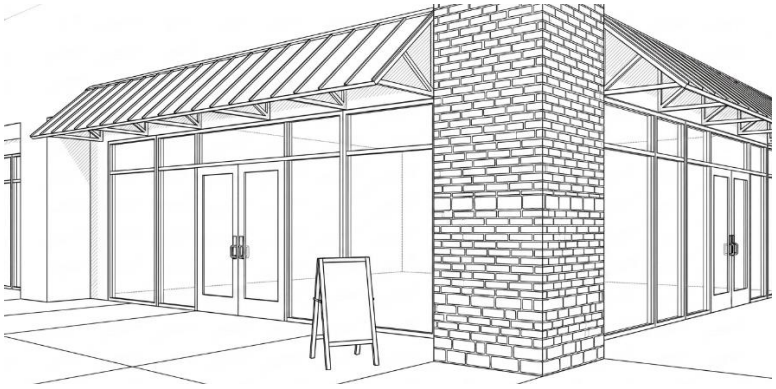


a. Multi-family development flags that include commercial speech shall be limited to a maximum of eight (8).

b. Multi-family development flags shall have a maximum area of twelve (12) square feet per flag and a maximum height of twenty-five (25) feet.

c. Multi-family development flags shall be removed no later than one (1) year from the issuance of the first Certificate of Occupancy for the development.

8. Portable Signs (A-Frame)



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.

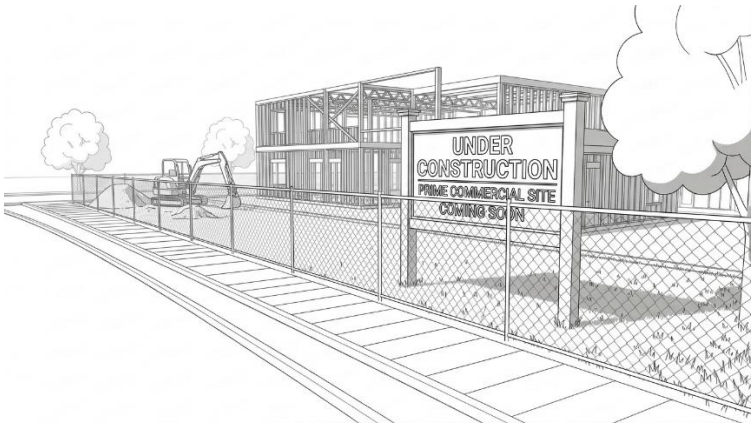
g. Portable signs shall be located within three (3) feet of the building and within ten (10) feet of the primary building entrance.

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 tethered or 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.

9. Property Under Construction (residential subdivision)



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;

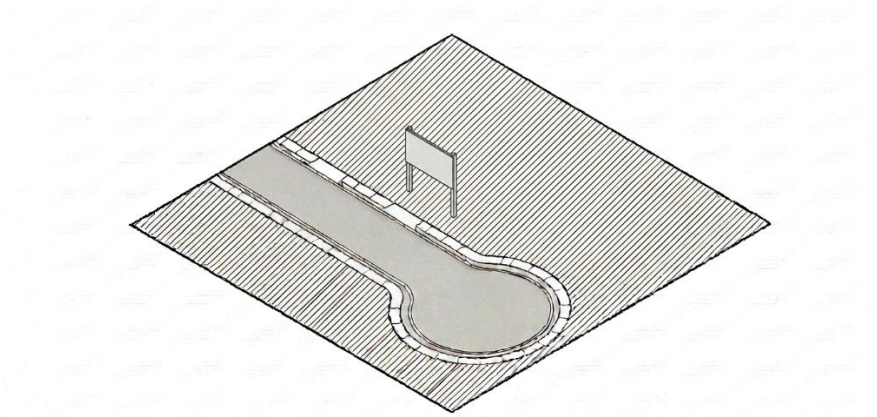
   ii. Eight (8) feet in height.

d. Construction activity signs shall be removed within thirty (30) days following:

   i. Completion of subdivision infrastructure improvements; or

Issuance of the final Certificate of Occupancy for the subdivision phase served by the sign

10. 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 copy area shall be thirty-two (32) square feet, and the maximum sign height shall be eight (8) feet.

c. Recorded subdivisions having more than forty (40) lots shall have a maximum area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

d. Signs may be installed following approval of the subdivision final plat or issuance of a grading permit.

e. Residential development signs shall not be located within one hundred (100) feet of any property line of an existing residence.

f. Residential development signs shall not be illuminated.

g. 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.

11. Signs on Property Offered for Sale or Lease



a. Non-illuminated 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. Maximum sign quantity, area, and height shall be determined by parcel size as follows:

i. 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 copy area of thirty-two (32) square feet and a maximum height of eight (8) feet.

ii. 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 copy area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

iii. For undeveloped commercial or industrial property greater than one hundred (100) acres and adjacent to a freeway, one (1) sign with a maximum sign copy area of five hundred (500) square feet and a maximum height of twelve (12) feet may be permitted.

iv. 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 copy area shall be thirty-two (32) square feet, and the maximum height shall be eight (8) feet.

v. Real estate signs shall be removed within ten (10) days following the sale or lease of the property.

4.6.12. 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 (as identified on the approved site plan, final plat or other approved city document).

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, or his or her designee, 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 copy 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.

4.6.13. Violations

A. Enforcement. Violations of this Section shall be prosecuted pursuant to Section 7.2 of the City of Goodyear Zoning Ordinance, 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.

4.6.14. Appeals

A. Decisions By the Zoning Administrator, or his or her designee.

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 5.6(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 withstanding who is aggrieved by the decision of the Zoning Administrator, or his or her designee, 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, or his or her designee, on a form(s) provided by the Development Services Department and shall be processed in accordance with the procedures generally described in Section 5.6(C).

5. The Board of Adjustment may affirm, reverse, or modify the decision of the Zoning Administrator, or his or her designee, 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 5.6(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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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.

4.6.15. 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

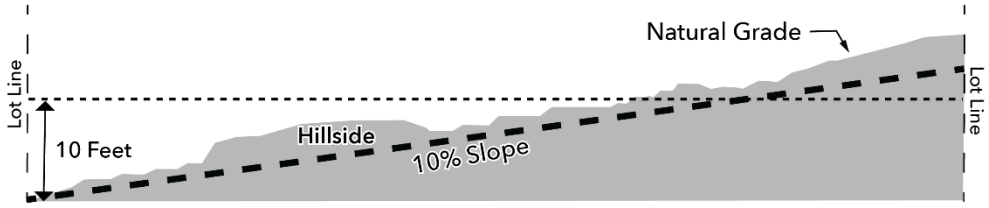
A. Hillside Development Area Identification

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 4.7.2A below).

Because of the unique conditions inherent in the development of subdivisions within hillside areas, special standards and conditions that deviate from the regulations for hillside development areas in this section may be considered. When approved by the City Engineer or his/her designee and the Zoning Administrator, or his or her designee, special considerations associated with subdivision hillside development may be applied.

Figure 4.7.2A - 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.

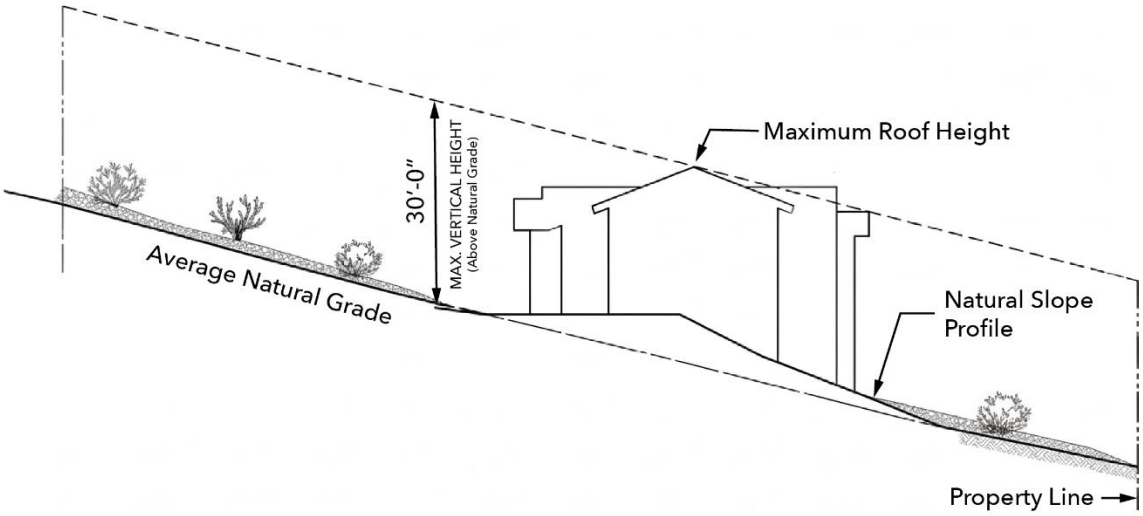
4.7.3. General Development Standards

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 not be located within the required setbacks, except that disturbance related to the driveway and utility connections may encroach into the required 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 4.7.3A)

Figure 4.7.3A - 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. The Zoning Administrator may approve alternative design solutions or modifications to specific development standards of this Ordinance in conjunction with Site Plan approval, provided that the alternative achieves equal or greater compliance with the purpose and intent of the applicable provision and does not result in an increase in permitted density, intensity, height, or a change in permitted use. This authority shall not authorize a variance as defined by state law, nor waive any requirement expressly reserved to the Board of Adjustment or City Council.
5. Where property zoned for residential use is substantially encumbered by existing or planned public roadways, access limitations, or other physical constraints such that it cannot reasonably develop for residential purposes in compliance with this Ordinance, the Zoning Administrator may grant an administrative exemption from specific development standards or buffering requirements, provided that:
    A. The exemption is the minimum necessary to address the encumbrance;
    B. The exemption does not authorize a use not otherwise permitted in the zoning district;
    C. The exemption does not increase permitted density or intensity; and

D. The Zoning Administrator makes written findings that the property cannot reasonably develop for residential purposes due to the identified constraints.

6. 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 his or her designee 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 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.

5.4. Planning and Zoning Commission

5.4.1. 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.

5.4.2. 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 affect 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.

A. 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.

   1. The Commission shall elect a Chairman and Vice Chairman from among its own members.

   2. 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.

   3. The Commission shall adopt rules of procedure not inconsistent with the provisions of this Ordinance for the conduct of its business and procedure.

   4. 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.

   5. The Zoning Administrator, or his or her designee, shall serve ex-officio as Secretary of the Commission, but shall have no vote.

   6. The Commission may hold closed executive sessions or like sessions for the purposes and the manner provided by law.

   7. 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.

5.4.3. 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.

5.5. Development Review Committee

5.5.1. 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, or his or her designee.

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 his or her designee, or on an as-needed basis.

D. The Zoning Administrator, or his or her designee, or his or her designee shall be responsible for coordinating and directing the meetings of the Committee and issuing all written decisions.

5.5.2. 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, or his or her designee, 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.

5.5.3. Powers, Duties, Jurisdiction.

A. The Committee shall advise the Zoning Administrator, or his or her designee, 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, or his or her designee, reasonable conditions to carry out the intent of this Ordinance.

C. The Committee shall also provide technical review and recommendations to the Zoning Administrator, or his or her designee, for transmittal to the Planning and Zoning Commission and City Council on zoning amendments, Use Permits, Special Use Permits, General Plan amendments, and all other land use and

development applications that require Planning and Zoning Commission and/or City Council review and action.

5.6. Board of Adjustment

5.6.1. 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, or his or her designee.

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, or his or her designee, the City shall appoint outside counsel to represent the Board in such appeals.

5.6.2. 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, or his or her designee 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, or his or her designee 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, or his or her designee 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.

5.6.3. Appeals of Decision of Zoning Administrator.

Unless otherwise provided in this Ordinance or the Goodyear City Code, any person who is directly affected by or aggrieved by a decision of the Zoning Administrator, or his or her, designee may 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, or his or her designee, and shall be processed in accordance with the procedures set forth in this Ordinance.

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, or his or her designee, 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, or his or her designee'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, or his or her designee, of the Ordinance and/or provisions of the Goodyear Code of Ordinances bears the burden of proving that the Zoning Administrator, or his or her designee'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, or his or her designee, 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, or his or her designee, certifies in writing to the Board that in the Zoning Administrator, or his or her designee's opinion, based on the facts presented in the Zoning Administrator, or his or her designee'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 application and notice to the Zoning Administrator, or his or her designee.

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, or his or her designee.

5.6.4. 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 of 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	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)	R/Rec	Rec		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.

6.3.2. 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, or his or her designee, 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, or his or her designee, shall be considered a violation of this Ordinance, and shall render any permit null and void.

6.3.3. 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.

6.3.4. 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, or his or her designee, which is needed to ensure 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.

6.3.5. 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.

6.3.6. 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.

6.3.7. 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.

6.3.8. 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 has 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, or his or her designee, a temporary extension 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.

6.3.9. 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, or his or her designee.

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, or his or her designee.

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, or his or her designee, 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.

6.3.10. Appeal Procedure.

A. An applicant may appeal the decision of the Zoning Administrator, or his or her designee, 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 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.

D. 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, or his or her designee, 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).

E. The Zoning Administrator, or his or her designee, 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 2.3.3 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 ensure 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 the 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 2.3.3 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 2.3.3 of this Ordinance; and any other data that may be required by the Zoning Administrator, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 the 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 any subsequently granted extension), the Zoning Administrator, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 which 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 of 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, or his or her designee, 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 6.13 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 a 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 Overlay) 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 Overlay (PAD 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 set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator, or his or her designee, that is needed for the review of the application. Applications for a PAD Overlay 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 Conceptual development 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

1. 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.

2. 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.

3. 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.

4. 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.

5. 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 is required by the Zoning Administrator, or his or her designee, 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 one thousand two hundred (1,200) 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. 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 conceptual development 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 conceptual 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, or his or her designee, 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, or his or her designee, 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 as "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 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 cause a Recession of Zoning and 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.

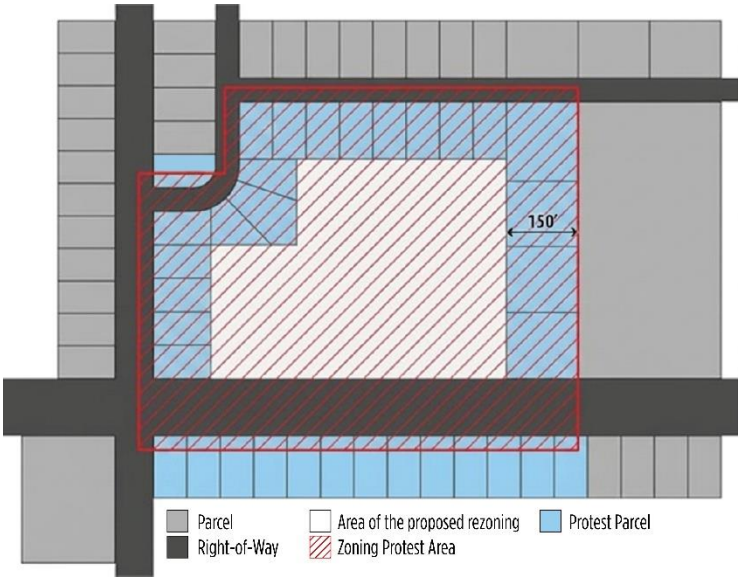
G. If the owners of twenty (20) percent or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths (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:

1. The area within one hundred fifty (150) feet, including all rights-of-way, of the affected property subject to the proposed amendment or change.
2. 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.

J. Approval of a rezoning, Planned Area Development (PAD), Planned Area Overlay, or other land use entitlement shall not constitute a guarantee of the availability or adequacy of public infrastructure, including but not limited to water, wastewater, storm drainage, transportation, or utility services. All development remains subject to the availability of public facilities and services necessary to support the proposed use, and to compliance with all applicable City codes, standards, and infrastructure requirements in effect at the time of development.

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, or his or her designee, 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 6.13.

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 promote implementation of goals and objectives 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, or his or her designee, 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 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, or his or her designee, 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, or his or her designee, that is needed for the review of the application.

B. Applications will be processed and reviewed by the Zoning Administrator, or his or her designee, 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 one hundred eighty (180) calendar days from the date of 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, or his or her designee, may authorize, in writing, no more than one extension of one hundred eighty (180) 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, or his or her designee, 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, Planned Area Development Overlay, 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 application; and to such other persons as the Zoning Administrator, or his or her designee, reasonably determines to be potentially affected citizens. In determining the number of potentially affected citizens, the Zoning Administrator, or his or her designee, 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 his or her designee; 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, or his or her designee, 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, or his or her designee, shall attend the meeting but is not required to conduct the meeting. The Zoning Administrator, or his or her designee, 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, or his or her designee, 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 6.13, 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 6.13.2. Application Notification Requirements

Request	Public Hearing Required	Mailed Notice	Site Posting	Newspaper Notice	Notification Radius	Timing Notice
Neighborhood Meeting	N/A	Yes	Yes	No	Property owners within 600 feet or 1200 feet for PAD	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 Overlay (PAD Overlay)	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing

Table 6.13.2. Application Notification Requirements

Request	Public Hearing Required	Mailed Notice	Site Posting	Newspaper Notice	Notification Radius	Timing Notice
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 6.13.2 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.

6.14. Design Guidelines Manual and Design Review Process

6.14.1. Establishment and Purpose of Design Guidelines Manual

The Mayor and City Council hereby authorize the establishment of a Design Guidelines Manual (the "Guidelines")that is intended to provide design criteria for site layout, building elevations, landscape plans, and parking arrangement in order to provide environmentally-focused designs, create a sense of place, bring city streets to life and apply proper transitions. Basic concepts that will aid in assessing a design proposal are outlined within the Guidelines Manual. The Guidelines are not intended to restrict creativity, variety, innovation or imagination, but rather to assist the designer in achieving a quality design which will enhance the proposed development and the City, and be compatible with adjacent land uses. Development applications will be reviewed by the Development Review Committee and the Development Services Department in accordance with the City Council adopted Design Guidelines Manual, and all other applicable requirements of this Ordinance, as amended from time to time.

6.14.2. Administration of Manual

A. Design Guidelines.

1. Design review shall consider the design of a project in relation to its urban context, and shall focus on the application of the City of Goodyear Design Guidelines Manual referred to in this Ordinance and formally adopted by the City Council, as amended from time to time and any interpretations of the Design Guidelines made by the Zoning Administrator, or his or her designee, that are published as Addendums to the Design Guidelines Manual.

2. The Development Review Committee shall use the Design Guidelines Manual adopted by the City Council and any interpretations of the Design Guidelines made by the Zoning Administrator, or his or her designee, that are published as Addendums to the Design Guidelines Manual as its official policy in the design review process.

B. Consistency. All applications for Design Review approval required under these Guidelines and the review of such applications shall be consistent with the requirements of this Ordinance and the Goodyear City Code, as amended from time to time.

C. Applicability. The requirements of the Guidelines apply to the development identified below, and Design Review approval is required prior to undertaking such development.

1. New Development. Except as otherwise expressly provided by ordinance(s) adopted by City Council, all new residential and non-residential development shall comply with the standards and requirements as set forth in the Guidelines and this Zoning Ordinance.

2. Additions, Alterations and Restoration of Non-Residential Buildings. 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 the Guidelines and this Zoning Ordinance.

a. Additions or alterations to existing non-residential buildings and/or to individual suites/stores that will increase gross floor area of the building and/or individual suite/store by more than one thousand (1,000) square feet of gross floor area of the building and/or individual suite/store.

b. Any alterations to the exterior façade of an existing non-residential building and/or to an individual suite/store, including changes in the color or materials of the façade. Changes to a sign cabinet or panel shall not constitute alterations under these provisions.

c. Any non-residential building that is destroyed to the extent of more than fifty (50) percent of the assessed value.

3. Additions, Alterations and Restorations of Residential and Accessory Structures. 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 the Guidelines and this Ordinance.

a. Additions of detached accessory buildings in excess of one hundred twenty (120) square feet shall comply with the standards and requirements set forth in the Guidelines and this Ordinance and shall be designed to be compatible with the existing residential dwelling in terms of building materials, including roof materials, and colors.

b. Additions or alterations to existing residential buildings that will increase the gross floor area of the building by more than one hundred (100) square feet.

c. Any residential building that is destroyed to the extent of more than fifty (50) percent of the assessed value.

4. Non-Conforming Uses. All non-conforming uses and buildings shall be subject to Article 7 of this Zoning Ordinance. If under those provisions a nonconforming building or use is altered or restored, said building or use shall be subject to review and approval by the Zoning Administrator, or his or her designee, for conformance with all applicable Design Guidelines.

5. Other Regulations. Compliance with additional codes and/or regulations as adopted by the Goodyear City Council shall be adhered to, and where differences occur, the more restrictive requirement shall prevail. Where any inconsistency exists between additional codes and/or regulations, the Zoning Administrator, or his or her designee shall make a determination on their applicability.

6. Existing And Approved Design Guidelines. In cases where separate Design Guidelines have been approved by the City Council in conjunction with a Planned Area Development or other zoning application, those guidelines shall govern except to the extent that the specific P.A.D. or zoning guidelines have not addressed issues within the Council adopted Design Guidelines Manual and/or any interpretations by the Zoning Administrator, or his or her designee, of the Design Guidelines that are published as Addendums to the Design Guidelines Manual.

D. Application Review and Approval Process.

1. Applications for Design Review approval shall be processed and reviewed in accordance with the procedures generally described herein and more fully described in the Guidelines.

   a. Prior to submitting an application for Design Review Approval, the applicant shall attend a pre-application conference with a representative of the Development Services Department.

   b. Applications for Design Review approval 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), in the Guidelines, and any other data that may be required by the Zoning Administrator, or his or her designee, that is needed for review of the application.

   c. 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 applicable Guidelines and this Ordinance and, following the completion of the Committee's review, the Zoning Administrator, or his or her designee, shall approve, approve with conditions or deny the Design Review application. In the event of a denial, no development activities shall be authorized until a new application for Design Review approval has been submitted and approved.

3. The approval date of the Design Review approval shall be the date on which the application was approved by the Zoning Administrator, or his or her designee. Design Review approvals are tied to other development approvals, which will be identified in the notification of Design Review approval; and the Design Review approval expires if such related development approval expires.

E. Compliance.

1. Development shall conform to the development and design reflected in the Design Review application submittal as approved by the Zoning Administrator, or his or her designee, as a condition for receiving a Certificate of Occupancy. To ensure such conformance, City staff may conduct site inspections during the construction and upon completion of the construction.

   a. If in the opinion of the Zoning Administrator, or his or her designee, development within a subdivision or other residential development project does not conform to the development and design reflected in the Design Review Application submittal as approved by the Zoning Administrator, the Zoning Administrator, or his or her designee, shall be entitled to have a hold placed on the release of future building permits until the lack of conformance has been remedied.

   b. If in the opinion of the Zoning Administrator, or his or her designee, the completed construction of improvements does not conform to the development and design reflected in the Design Review Application submittal as approved by the Zoning Administrator, the Zoning

Administrator, or his or her designee, shall be entitled to have a hold placed on the release of a Certificate of Occupancy until the lack of conformance has been remedied.

2. Non-Compliance. The failure to comply with the requirements of the Guidelines, or the terms of a design review approval, shall constitute a violation of this Ordinance.

6.14.3. Appeal Process

A. Any recommendation or requirement imposed by the Zoning Administrator, or his or her designee, on any design review application may be appealed to the Planning and Zoning Commission by the applicant. The appeal shall be filed in writing to the Development Services Department Director within fifteen (15) working days of the date that the decision of the Zoning Administrator, or his or her designee, is transmitted to the applicant. The appeal shall give reasons for the appeal and the relief requested. The Planning and Zoning Commission may approve, approve with modifications, conditionally approve, or deny the appeal. All decisions of the Planning and Zoning Commission shall be in writing and shall be binding, unless such decision is appealed to the City Council.

B. Any decision made by the Planning and Zoning Commission may be appealed to the City Council by the applicant. The appeal, along with the 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. 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. Appeals from a City Council decision shall be heard by an Arizona court of competent jurisdiction.

ARTICLE 7 – ENFORCEMENT & NONCONFORMITIES

7.1. Purpose

The purpose of this Article is to establish the procedures used by the City to enforce this Zoning Ordinance, ensure compliance, and remedy violations. This Article also identifies the remedies and penalties applicable to violations of this Zoning Ordinance, 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, or his or her designee, 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 (hereafter "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 thereto 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 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.

7.2.6. 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 that is discontinued for a period of six (6) months shall be presumed abandoned, and any future use of said building or land shall be in conformity with this Ordinance.

B. 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.

C. An existing building or land devoted to a use not permitted under this Ordinance for the district in which it is located shall not be enlarged, extended, reconstructed, or structurally altered unless the use conforms with this Ordinance. Reasonable repairs or alterations 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 that does not conform to the district in which it is located and that is destroyed to the extent of fifty (50) percent of its replacement cost value (as determined by three [3] competent appraisers) shall, without further action by the Council, be subject to this Ordinance from the date of destruction.

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 the 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.

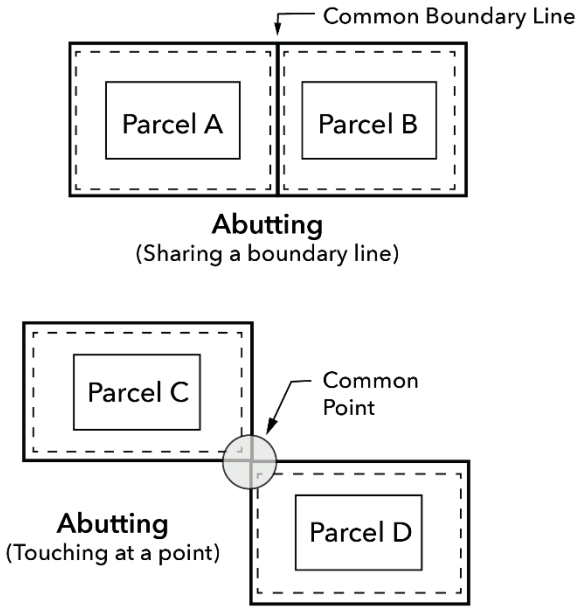
1. Present tense shall include future tense; singular number shall include plural, and plural shall include singular; "shall" is mandatory, "should" is generally required though alternatives may be considered, and "may" is permissive; "persons" include individuals, partnerships, corporations, clubs or 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, or his or her designee, 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.

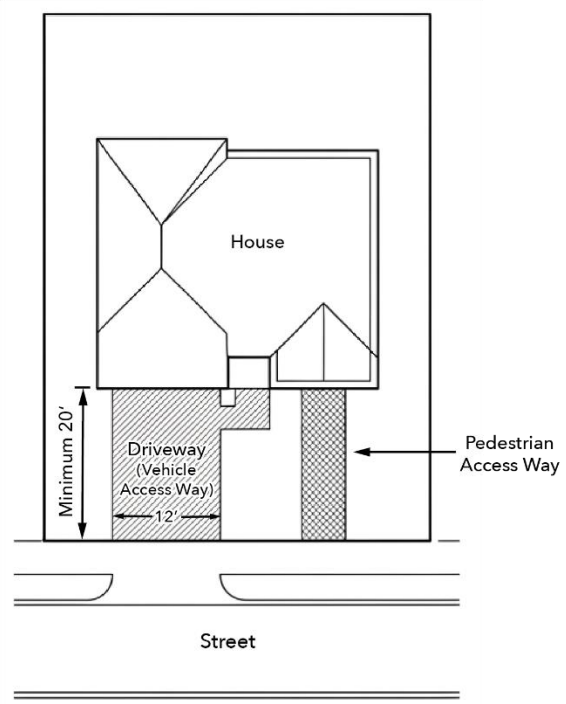
Abutting. Two adjoining properties sharing a common property line; also where two or more adjoin only at a corner, but not including cases where adjoining lots are separated by right-of-way.

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.

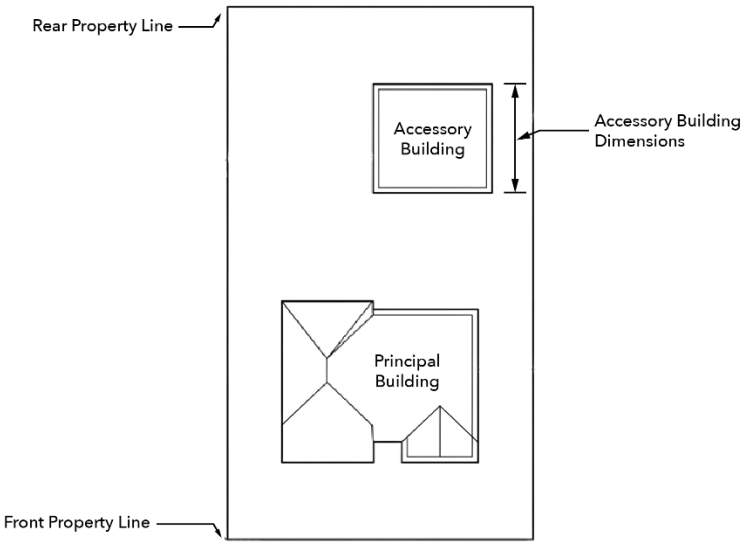
Figure 8.2B - Access/Access Way



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 permanent, roofed, and largely enclosed structure whose use is customarily incidental and subordinate to the principal building. This includes, but is not limited to, detached garages and pool houses. Any Accessory Building designed or used as livable space (including offices, game rooms, or sleeping quarters) shall be subject to the principal building setbacks required.

Figure 8.2C - Accessory Building



Accessory Structure: A subordinate structure that is customarily incidental to the principal building and is not designed or utilized for human habitation or used as livable space. Examples include gazebos, pergolas, and sheds. While an Accessory Structure may be served by utilities, the addition of insulation, climate control, or plumbing for the purpose of creating livable space shall cause the structure to be reclassified as an Accessory Building.

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. 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.

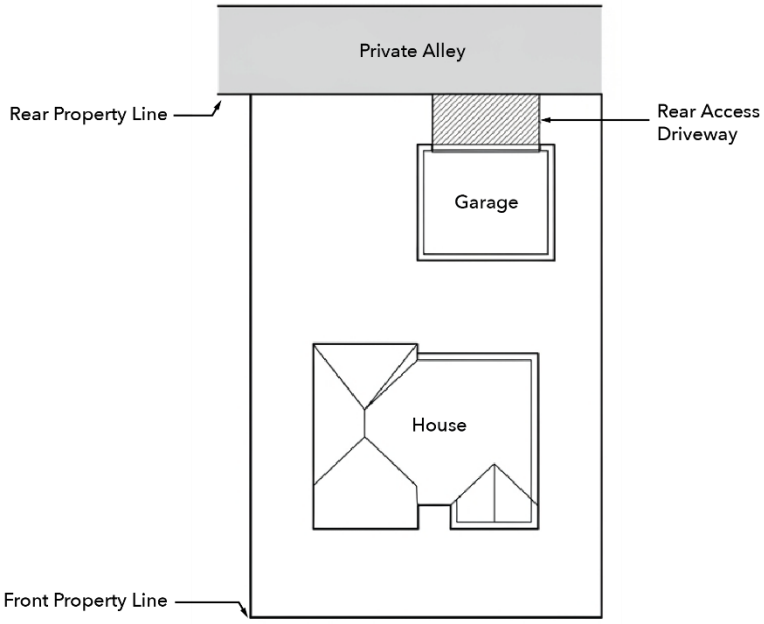
Agricultural Stand. A structure for the display and commercial sale of agricultural and horticultural products raised on the premises.

Airport/Heliport/Helistop. Property used or intended primarily for taking off and landing of aircraft or helicopters, and appurtenant areas used or intended for support buildings or facilities (e.g., open spaces, taxiways and tie down areas, terminals, hangers and accessory buildings).

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, or his or her designee.

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 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.

Architectural Feature. A decorative or ornamental element incorporated into the design of a building that enhances its visual character and is not intended for human occupancy. Architectural features may include, but are not limited to, towers, spires, cupolas, decorative screens, façade projections, trim elements, and similar design components. Architectural features shall not include mechanical equipment or appurtenances unless specifically integrated into the architectural design of the building.

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 Fueling Station (gas station). 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 primarily selling used motor vehicles not in conjunction with or on same site as new auto sales 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.

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 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.

Block. Property abutting one side of the street and lying between two nearest intersecting streets or railroad 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 shall 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.

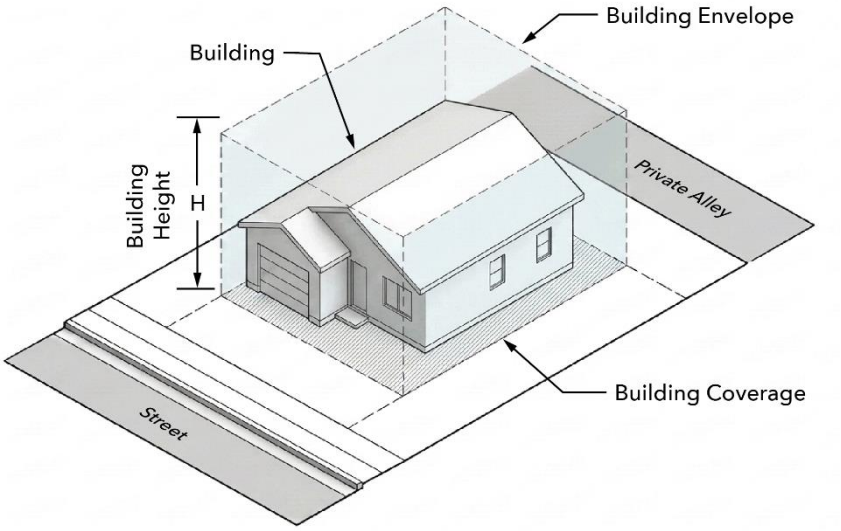
Building, Height of. Vertical distance measured from point of reference elevation (fourteen inches above average elevation at top of crown of roadway, if no curb) to

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.

A. Point of Reference Elevation: The point of reference elevation is the top of the curb at the midpoint of the front property line; however, if no curb exists, the reference elevation shall be fourteen (14) inches above the average elevation at the top of the crown of the adjacent roadway.

B. Administrative Authority: The Zoning Administrator, or his or her designee, is authorized to determine or approve an alternative point of reference elevation if unique topography, drainage considerations, or specific site conditions make the standard measurement impractical.

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.

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. Usable open space, other than private open space or required setbacks, may include recreation-oriented areas.

Common Area(s). Areas in a Development that are held in common by the owners or by an owners' association and are not reserved for the exclusive use or benefit or an individual owner or tenant, such as open space, parks, trails, courtyards, community aquatic areas, sports courts, play areas, and parking lots

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 fueling station. This use excludes supermarkets or other large-scale retail establishments.

Convenience Uses. Convenience uses include those commercial uses in which:

A. Retail gasoline is sold.

B. Convenience store 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, and drive through laundry/dry cleaners.

D. The Zoning Administrator, or his or her designee, makes a determination that an establishment is a "convenience use" by virtue of being an analogous use to the businesses described above.

Cornice. A horizontal projecting molding or decorative band located at the top of a wall or façade, typically where the wall meets the roofline, designed to provide architectural detail and visual termination of the building elevation.

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 daytime care and supervision 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), automobile fueling stations or other uses, which are separately defined.

Dust Free. Treatment of native soil with covering of asphalt, concrete, or masonry.

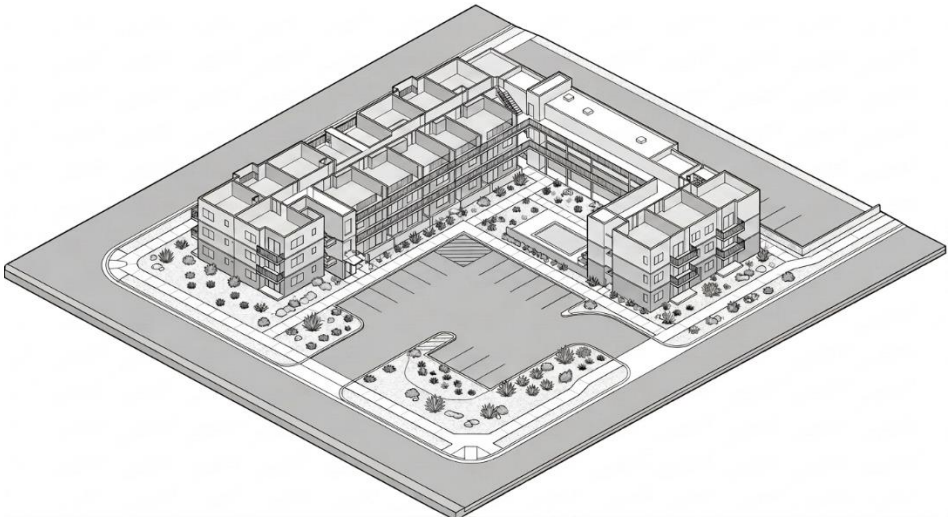
Dwelling for a Watchman or Caretaker. A dwelling unit located on the same site as a permitted non-residential use, provided exclusively for an individual employed as a watchman or caretaker responsible for security, maintenance, or oversight of the property. This use is accessory to the principal use 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.

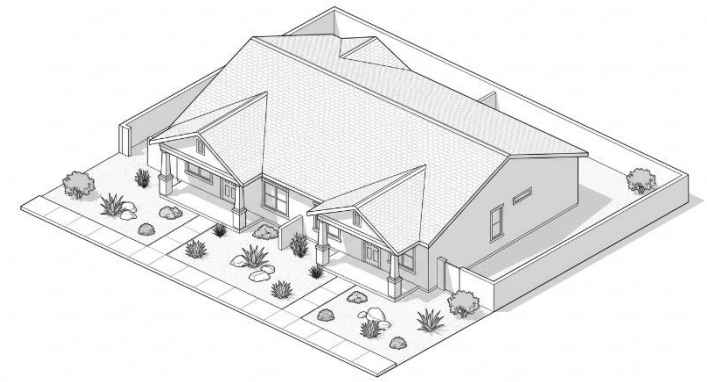
Dwelling, Multi-family. A single building or buildings containing three or more dwelling units on an individual lot for occupancy by a housekeeping unit living independently of each other. Within apartments, the building and land are under single ownership and dwelling units are rented or leased. Within 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



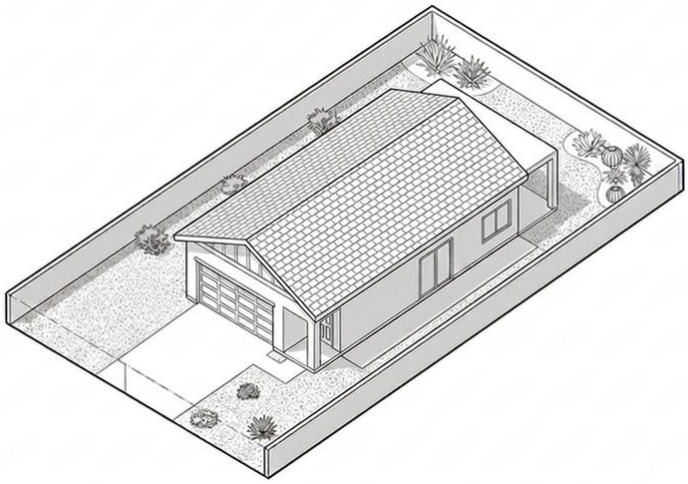
Dwelling, One Single-Family Attached. A dwelling unit designed for or used by one housekeeping unit, located on an individual lot, and having any portion of one or more walls in common with adjoining dwelling units. Each dwelling unit has its own external entrance.

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.

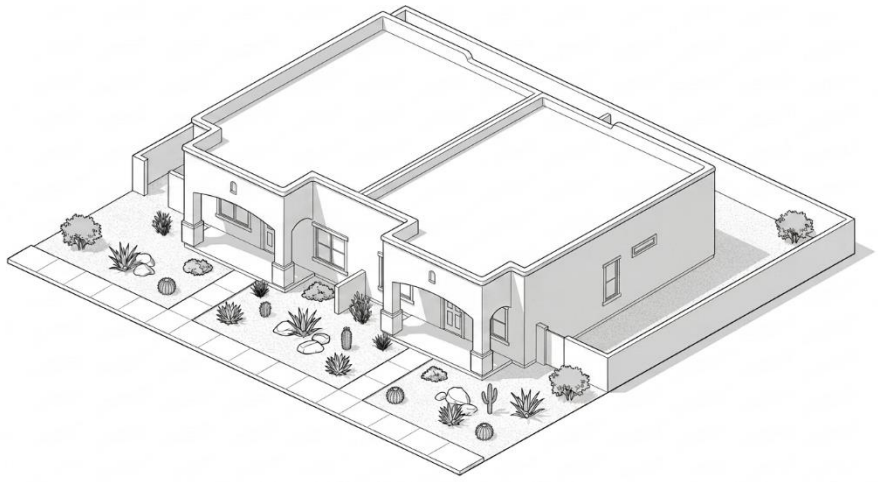
Figure 8.2H - Single-Family Detached Dwelling



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).

Efficient Irrigation System. a system that delivers water in sufficient supply to meet the plants' seasonal water consumption requirements, directly to the plant material without causing loss of water due to surface runoff, while taking into account soil type, soil chemistry, and the need for leaching.

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.

Evaporative Cooling. Any device, equipment, or process that utilizes water in a non-closed loop system in the process of cooling. (e.g., cooling towers, evaporative condensers, swamp coolers)

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; or

C. 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

D. No more than six persons not related, living together as a single housekeeping unit within a dwelling unit; or

E. 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 openair 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.

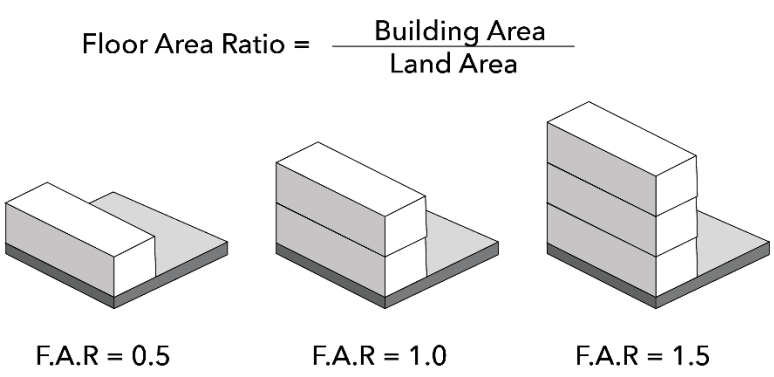
Flag. A piece of fabric, vinyl, or similar flexible material, mounted on a pole or staff, and displayed on a lot in a manner that is incidental and subordinate to a principal use or structure on the same lot.

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, stairwells, 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.)



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.

Functional Turf. Lawn/grass areas that used regularly for human recreational purposes or business operations (e.g., wedding / event facilities, golf courses, day care centers, pre-schools, schools, parks, cemeteries, sports fields, single-family homes).

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.

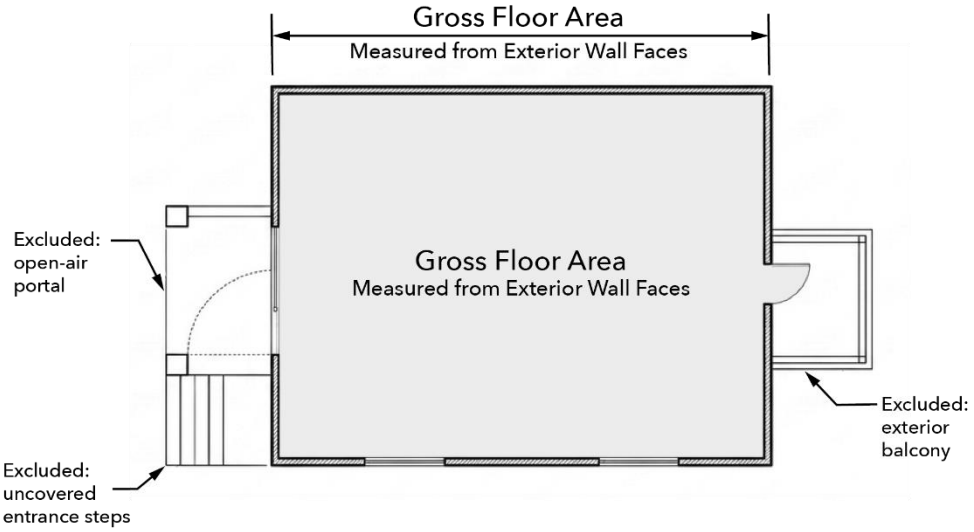
Golf Course. Facility, other than a miniature golf course, for playing of golf which includes a clubhouse with restrooms and locker rooms as well as additional services customarily furnished (swimming, outdoor recreation and related retail sales, including restaurant and cocktail lounge if approved as 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 Zoning Ordinance.

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 and Fences.

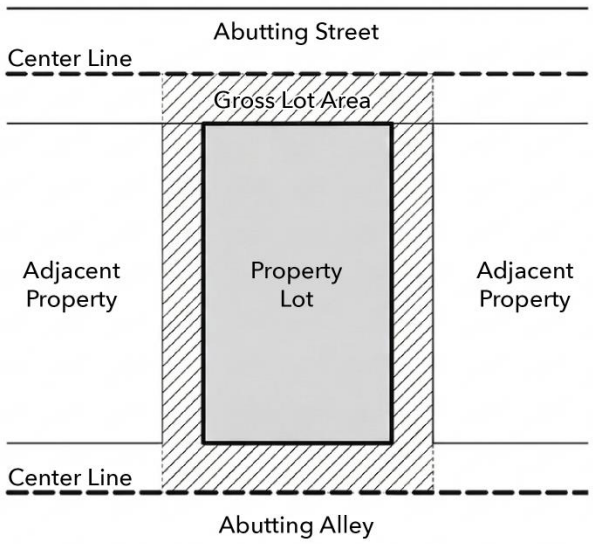
Gross Floor Area. Sum of gross areas of several floors of a building or buildings, measured from the exterior wall, or from a center line of a wall separating two buildings. Gross floor area shall not include: underground parking space; uncovered steps; portals; or exterior balconies.

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 and such uses are prohibited unless expressly permitted elsewhere in this Ordinance.

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.

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 on-site retail transactions or direct sale or bartering of goods with visiting customers;

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 or industrial-scale production;

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.

Landscapable Area. Permeable areas in a New Development capable of being decoratively or functionally landscaped with living and nonliving ground cover.

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. The shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line.

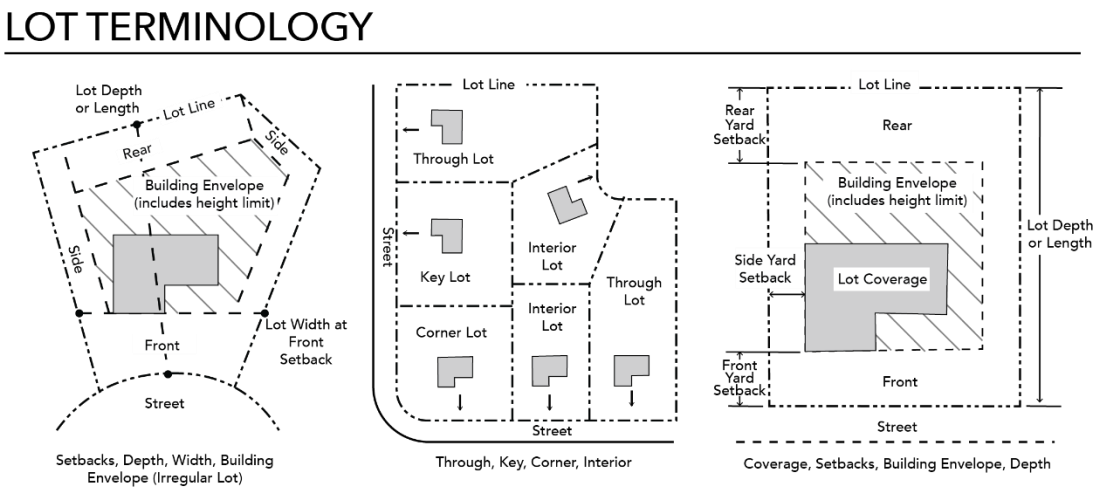
Lot, Flag. An interior lot in which the buildable area is located to the rear of a lot abutting a street, and which has access to the same street by means of a narrow driveway.

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 fronts 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.

Lot, Through lot, Double Frontage. Lot having frontage on two non-intersecting parallel (or approximately parallel) streets.

Lot Width. If the side property lines are parallel, the shortest distance between these side lines. If the side property lines are not parallel, the width of the lot shall be the width of the lot at its front setback line.

Low Water Use Landscaping. Plant materials that are desert adapted, low water use, and found in the then current Arizona Department of Water Resources Low Water Use Drought Tolerant Plant List or City of Goodyear Plant Matrix.

Lumen. The unit used to measure the actual amount of light which is produced by a lamp. Lumen output of lamps is listed on the product packaging.

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 Zoning Ordinance. 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 3.11.27.

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 3.11.27.

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. One 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.

Mural. A mural is an original piece of visual artwork, such as a painting, mosaic, graphic, or other applied technique, created directly onto or affixed onto a wall or fence. Murals shall not contain copy, advertising symbols, lettering, trademarks, or other references to the premises, products or services that are provided on the premises where the graphics are located or any other premises.

Net Site. See Lot Area.

Noise Sensitive Uses. Schools, places of worship, childcare facilities, hospitals, nursing homes, libraries, and similar facilities determined by the Zoning Administrator, or his or her designee.

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 presentment 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.

Non-functional Turf. Ornamental lawns/grassed areas that provide no recreational benefits. This includes aesthetic Turf in residential and commercial projects, street medians, street rights-of-way, and residential and commercial sign / monument areas.

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 4.4, 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.)

Open Space, Active. Open space areas designed and improved to accommodate organized or programmed recreational activities that require constructed facilities or equipment. Active open space may include, but is not limited to, playgrounds, sports courts, athletic fields, splash pads, swimming pools, dog parks, and similar recreational amenities.

Open Space, Passive. Open space areas intended primarily for informal recreation, aesthetic enjoyment, or environmental preservation, and that generally do not include structured recreational facilities. Passive open space may include, but is not limited to, landscaped areas, natural areas, trails, seating areas, courtyards, and similar spaces designed for unstructured use.

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.

Parapet. The portion of a wall that extends above the roofline of a building and is typically used to screen rooftop equipment, provide architectural articulation, or serve as a safety barrier along the edge of a roof.

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 Section 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).

Permitted Use. Use specifically permitted, or use analogous, as determined by the Zoning Administrator, or his or her designee, 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. The term does not include accessory buildings or structures, including storage sheds, that are constructed or installed in accordance with this Zoning Ordinance.

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 Art. Works of art placed in areas accessible to the public. Examples of public art include, but are not limited to, murals, fountains, sculptures, and paintings. Public art is non-commercial, publicly accessible, and site-specific, designed to beautify shared spaces and reflect a community's culture.

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 or suite.

Racetracks/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.

Reclaimed Water. Water that has received treatment in a facility that is regulated pursuant to A.R.S., tit. 49, ch. 2, and has not legally acquired the characteristics of groundwater or surface water.

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 Assembly, Large: A residential dwelling or a portion of a residential dwelling used to gather for regularly scheduled events, programming and/or activities that is accessory to the primary residential use and involves at any one time more than ten (10) but less than twenty-five (25) people, exclusive of the residents of the dwelling and where the assemblage changes the normal flow of pedestrian traffic, vehicular traffic or residential atmosphere of the neighborhood or residential district.

Residential Assembly, Small: A residential dwelling or a portion of a residential dwelling located within a residential district that is used for people to gather for regularly scheduled events, programming and/or activities that is accessory to the primary residential use and involves at any one time ten (10) or fewer persons exclusive of the residents of the dwelling.

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. Structures meeting the fifty percent (50%) solid threshold shall be included in the calculation of Maximum Building Coverage for the applicable zoning district. 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, 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 Zoning Ordinance.

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 Zoning Ordinance.

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. Signs include 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, Banner. A sign made of fabric, plastic, or other pliable material without a rigid structural support or internal illumination on which advertising copy or graphics may be displayed. A banner sign can be composed of several different elements (including the sign face, balloons, pennants, 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, 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.

Sign, Business. For purposes of Section 4.7 (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.

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, 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 on-site 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, Drive-Through Menu Board. A permanent sign typically displaying items for sale at a drive-in or drive-through restaurant, with or without ordering capability.

Sign, Electronic Message Display. A permanent sign that displays copy, graphics, symbols, or images using electronic or digital technology, including but not limited to light-emitting diodes (LED), liquid crystal display (LCD), plasma display, or similar technology, and that is capable of being changed by electronic means.

Sign, Electronic Changeable Copy Display. A 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 Design. An application on a sign that advertises the occupant activity or business through the use of graphic or crafted symbols, such as shoes, keys, glasses, books, etc. Figurative designs 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 Devices. 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, by a business with a valid business license, which does not conform to the requirements of this Ordinance.

Sign, Maintenance. 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.

Sign, Monument. A freestanding, permanent self-supported identification sign that is not attached to the supportive elements of a building used to identify the development name and/or individual tenants.

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, 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.

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, also referred to as A-frame signs, 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, Property Offered for Sale or Lease. A temporary, on-premises sign associated with the sale, lease, or rental of the property on which the sign is located.

Sign, Property Under Construction. A temporary sign, limited to the period of construction, located on the premises of an existing construction project.

Sign, Residential Development. A temporary sign placed on an undeveloped property in a residential zoned district.

Sign, Roof. A permanent sign erected on, above or over the roof.

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, Short-Term Off-Premises. 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, 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.

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 of a window, 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 or posts 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. Status as a single housekeeping unit is determined by occupants sharing expenses for food, rent, or utilities under a unified arrangement, rather than through individual room-by-rent leases or partitioned rental agreements that would otherwise classify the use as a Boardinghouse. Furthermore, 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 Development Review Committee as described in Section 5.5.

Site Plan, Conceptual. A preliminary plan of development submitted in conjunction with a Rezoning, Use Permit, or Planned Area Development application that illustrates the proposed land use, building placement, and overall site configuration with sufficient detail to demonstrate consistency with the General Plan and compatibility with surrounding properties. Unlike a final Site Plan required for Site Plan approval, construction permits, a Conceptual Site Plan focuses on the overall development theme and intent, serving as the basis for legislative approval and any attached zoning conditions.

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:

A. Human genitals in a state of sexual stimulation or arousal;

B. Acts of human masturbation, sexual intercourse or sodomy; and

C. 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 topmost story shall be a portion of the building included between the upper surface of the topmost 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 (this term does not include 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.

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 and is generally related to a particular seasonal, cultural, traditional or community activity.

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.

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 uses, 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 primarily for the use of truck crews and restaurant facilities.

Turf. A surface layer of earth containing regularly mowed grass, with its roots. Turf includes but is not limited to annual and perennial Rye grass, Fescue, all types of Bermuda, and Azoya. Turf does not include synthetic / artificial grass.

Turf-related Facility. Any facility, including schools, parks, cemeteries, and golf courses, that applies water from any source, including Reclaimed Water, to ten (10) or more acres of Water-intensive Landscaped Area.

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 otherwise 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, and 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, and 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 sell 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.

Waste of Water. To permit water to escape from any private property onto a street, sidewalk, gutter, alley, public utility easement, tract, parking area, or another person's property. Water is not wasted if any of the following apply:

1. The flow of water results from water supply system failures or malfunctions that are fixed within seventy-two (72) hours of the date of notice of such failure or malfunction.
2. The flow results from firefighting, inspection of fire hydrants by the fire department or from fire training activities.
3. The flow is from water reasonably applied as a dust control measure as may be required by law.
4. The flow is from water applied to abate spills of flammable or otherwise hazardous materials, where water is the appropriate methodology.
5. The flow is from water applied to prevent or abate health, safety, or accident hazards when alternate methods are not available.
6. The flow results from the inspection, operation or maintenance of a water supply system.
7. The flow results from inspection or maintenance of irrigation systems.
8. The flow results from water used for construction or maintenance activities where the application of water is the appropriate methodology and where no other practical alternative exists.
9. The flow results from maintenance of a swimming pool.

Water Feature. Pools, ponds, fountains, streams, waterfalls, swimming pools, artificial lakes, and other artificial water structures. A Water Feature does not include a system that injects or drops water into the air solely for the purpose of cooling a confined air space.

Water-intensive Landscaping / Water Intensive Landscaped Area.

1. Any area landscaped with plants not defined as Low Water Use Landscaping; and
2. The total surface area of all Water Features that are an integral part of the landscaped area.

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.

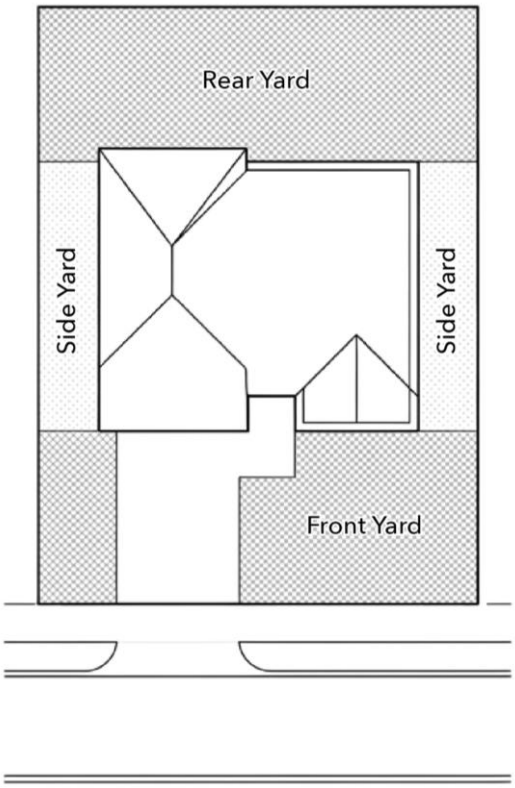
Yard. Open space at grade level between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward. Width of side yard, depth of front yard, or depth of rear yard measured as a minimum horizontal distance between lot lines and a main building.

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, or his or her designee.

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 his/her designee.

Zoning Clearance. Written authorization issued by the Zoning Administrator, or his or her 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 Zoning Ordinance. 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.

CITY OF GOODYEAR ZONING ORDINANCE

July 1, 2026

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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~~Zoning Ordinance 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~~Zoning Ordinance, 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~~Zoning Ordinance 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~~Zoning Ordinance, shall comply with all applicable requirements of this ~~Code~~Zoning Ordinance. The establishment of a zoning district or the approval of a development application does not constitute a guarantee of infrastructure capacity; all future development remains dependent upon the availability of infrastructure, including water, necessary to support the intended uses.

1.5.2. Previously Approved Planned Area Developments

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

1.5.3. Prohibited Uses

Any use not expressly identified in this ~~Code~~Zoning Ordinance 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, or his or her designee, 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~~Zoning Ordinance.

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 a City classification closest to that shown on the official zoning map of Maricopa County at the time of annexation. Per ARS 9-462.04.E~~07~~, such zoning shall apply for not more than six (6) months. 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/her 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 permit, 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/her 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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; all other applicable provisions within this Zoning Ordinance shall apply.

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 City Council~~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 zoning 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 zoning district in which it is 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 and Fences). Such projection shall not exceed twenty-four (24) inches, except for portals as noted in Section 3.1.6.C.

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)
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~~Zoning Ordinance.

B. 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.

C. Any changes to the official Zoning Map shall be considered an amendment to the official Zoning Map and filed in accordance with Section 6.9.4 of this ~~Code~~Zoning Ordinance.

D. The official Zoning Map may, from time to time, be republished to delineate any change of zoning approved pursuant to Section 6.9.4 of this ~~Code~~Zoning Ordinance or any other amendments thereto.

E. The Zoning Administrator, or his or her designee, may determine that property zoned AG (Agricultural) or AU (Agricultural Urban) that is owned or operated by a public entity and historically used for a non-residential purpose, including but not limited to airports, correctional facilities, or publicly owned roadway corridors, may be considered a non-residential use for the purposes of this Ordinance.

2.1.3. 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, or his or her designee.~~.~~ 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, or his or her designee.

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. **Permitted with Specific Additional Conditions** – "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 6.6.

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 Section 6.5~~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 – Permitted with Conditions 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		

Table 2.2.2: Residential Districts Use Classifications												
P - Principal Permitted Use C – Permitted with Conditions 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	
Detached accessory building	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC		3.12.2
Guest ranch and resort	U	U										
Manufactured home	C	C					C				C	3.7 & 3.8
Recreational vehicle											C	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		3.11.22
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 – Permitted with Conditions 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	C	C	-C	-C	C	C	C	-C	-C	-C	-C	-3.11.31
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	
Residential Assembly, Large	U	-U	-U	-U	-U	-U	-U					-3.11.33
Residential Assembly, Small	AC	–AC	–AC	–AC	–AC	–AC	–AC	–AC	–AC	–AC	–AC	-3.11.34
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	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)[13]	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] [9]	15 [8] [9]	0 [8]	10	20
Street Side [4]	100	30	20	15	10	10	10 [10]	10	10
Rear	100	50	30[11]	25[11]	20[11][12]	20[11][12]	15 [11]	15[11]	10
Development Conditions~~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 principal residential uses, attached side setbacks shall be 0 feet, whereas building separation shall be a minimum of 5 feet

9 Total of both sides setback may be reduced to 10 feet subject to the requirements as provided in Section 3.5.1.

10 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.

11 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.

12 The rear setback shall be a minimum of twenty (20) feet to enclosed livable and fifteen (15) feet to rear covered patios.

13 Additional height considerations and exceptions:

1. • Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.

2. • Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.

3. • No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.2.3A – Single Family District Standards (Detached)

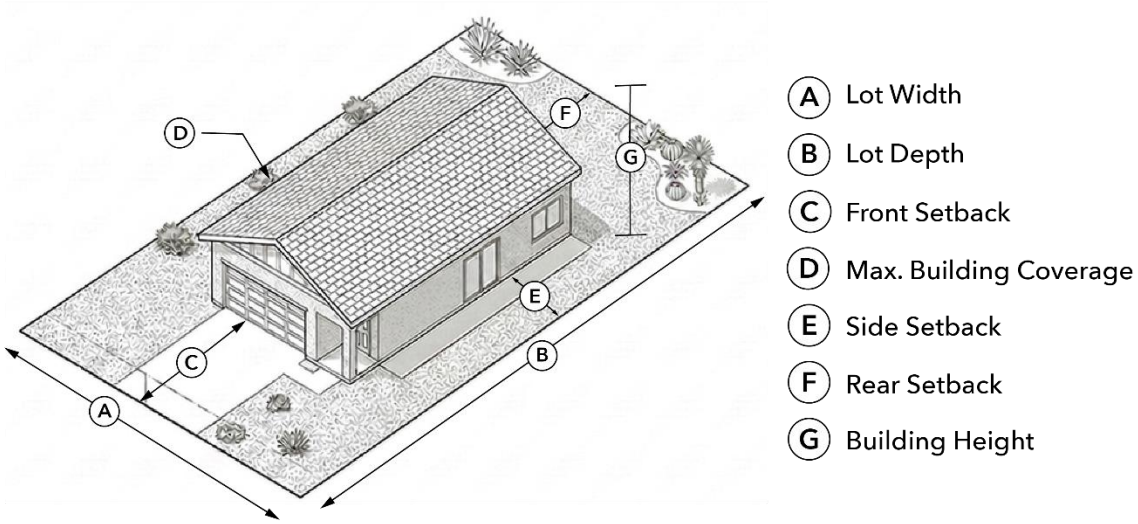
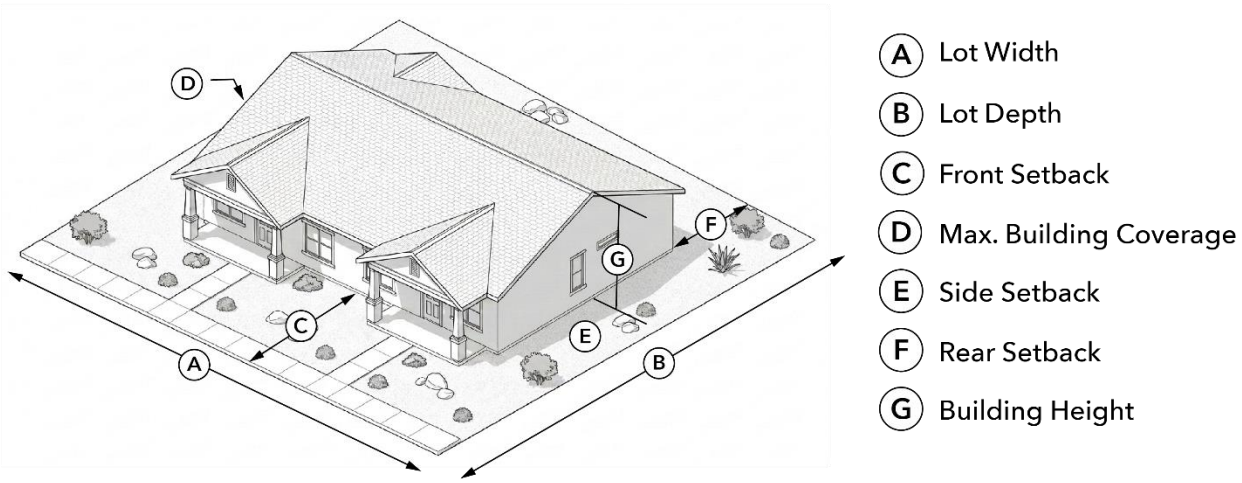


Figure 2.2.3B – Single Family District Standards (Attached)



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Zoning Districts - See Section 3.1 for additional standards applicable to all zoning districts.

2. Supplemental Residential Use Design Standards - See Section 3.2.1 for additional design requirements for residential uses.

3. Supplemental Standards Applicable to All Agricultural and Single-Family Residential Zoning Districts - See Section 3.3 and 3.4 for additional standards applicable to all agricultural and residential zoning districts.

~~1.~~4. Supplemental Standards Applicable to All Single-Family Residential Districts - See Section 3.5 for additional standards applicable to all residential zoning districts.

5. Supplemental Standards Applicable to MHS Zoning District - See Section 3.7 for additional standards applicable to all residential zoning districts.

6. Supplemental Standards Applicable to MH/RVP Zoning District - See Section 3.8 for additional standards applicable to all residential zoning districts.

~~2.~~7. Accessory Uses, Buildings and Structures – See Section 3.12~~11~~ Additional Use Specific Regulations for additional development and design regulations.

~~3.~~8. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls and Fences for additional development and design regulations.

~~4.~~9. Pool & Spa requirements – See Section 4.3.4 Pools & Spas for additional development and design regulations.

~~5.~~10. Parking and loading requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.

~~6.~~11. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations

~~7.~~12. Signage requirements – See 4.6 Signage for additional development and design regulations.

~~8.~~13. Hillside Development requirements – See Section 4.7 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 (ft)	100 ~~ft.~~	200 ~~ft.~~	200 ~~ft.~~	100 ~~ft.~~	50 ~~ft.~~	28 ~~ft.~~
Minimum lot depth (ft)	50 ~~ft.~~	N/A	N/A	N/A	60 ~~ft.~~	40 ~~ft.~~
Maximum Height (ft) (6 ~~.~~) (2)	30	30	30 (2) (3)	40 (2) (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) ~~.~~	30 ~~N/A~~	50 ~~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
Development Conditions						
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, developments which do not comply with the Multi-Family Design Guidelines shall be limited to two (2) stories. 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.
- 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, developments which do not comply with the Multi-Family Design Guidelines shall be limited to two (2) stories. 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.
- 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.

6 Additional height considerations and exceptions:

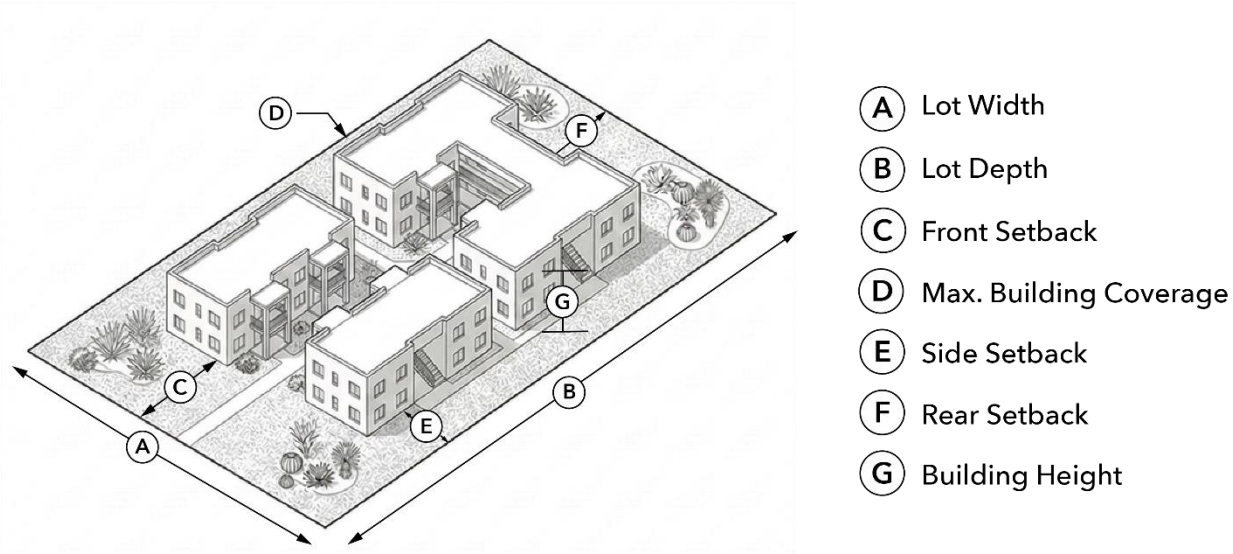
1. Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.

2. Parapet walls or cornices may extend to five (5) feet above the maximum building height limit to provide required screening of mechanical equipment from street view.

3. Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.

4. No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.2.4A – Multi-Family Residential Setbacks



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Zoning ~~Multi-Family Residential~~ Districts - See Section 3.1 for additional standards applicable to all zoning districts.

2. Supplemental Residential Use Design Standards - See Section 3.2.1 for additional design requirements for residential uses.

~~1.~~3. Supplemental Standards Applicable to All Multi-Family Residential Districts - See Section 3.3 and 3.6 for additional standards applicable to all residential zoning districts.

~~2.~~4. Accessory Uses, Buildings and Structures – See Section 3.12~~11~~ Additional Use Specific Regulations for additional development and design regulations.

~~3.~~5. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls, and Fences for additional development and design regulations.

~~4.~~6. Pool & Spa requirements – See Section 4.3.4 Pools & Spas for additional development and design regulations.

~~5.~~7. Parking and Loading~~loading~~ requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.

~~6.~~8. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations

~~7.~~9. Signage requirements – See Section 4.6 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 mixed-use 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 (CO)**. The Commercial Office zoned Commercial 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 (C-1)**. The Neighborhood Commercial zoned 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 zoning districts.

3. **General Commercial (C-2)**. The General Commercial zoned 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 (CMX)**. The Core Mixed-Use zoned Commercial District provides for integrated residential zoning with 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 (PFD).** The Public Facilities zoned Commercial 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 (BPD).**

   a. The purpose of the Business Park District (BPD) zoned Commercial 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 District (BPD) 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 District (BPD) 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 (I-1)**. The light Industrial Park zoned Industrial 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 (I-2)**. The General Industrial Park zoned Industrial 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. **Permitted with Specific Additional Conditions** – "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 6.6~~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 Section 6.5~~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 - Permitted with Conditions 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	3.11.25
Medical Marijuana Cultivation Location							C	C	3.11.26
Medical Marijuana Dispensary							C	C	3.11.28
Tobacco Retailer/Smoking Establishment		P	P						
Tattoo Studio and/or Body Piercing Studio			C						3.11.35
Automotive & Transportation Related									
Automobile repair, major			C				C	C	3.11.6
Automobile repair, minor			C			C	C	C	3.11.7
Automobile rental		C	C			C			3.11.8
Automobile sales, new or used		C	C			C			3.11.9
Automobile~~Automotive~~ fueling station (gas station)~~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	

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Permitted with Conditions 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*
Parking structures				P		P	P	P	
Transfer Company/Trucking Terminal							C	C	3.11.36
Truck Stop/Travel Plaza								S	3.11.5.A.13
Commercial Office, Retail & Services									
Animal Kennel/Shelter	-	-	-	-	-	-	C	C	3.11.2
Animal Pet Day Care Facility		C	C			C	C		3.11.3
Convenience store	-	-C	-C	-	-	-	-	-	3.11.15
~~Crematories or Funeral Home~~	-		~~P~~	-	-	-	~~P~~	~~P~~	
Drive-in restaurant	-	-C	-C	-	-	-	-	-	3.11.19
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-	-	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	-	-	-	-	-	3.11.29
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	3.11.23
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	C	-	-	C-	C	C	3.11.38
Veterinary Hospital	-	-	-C	-	-	C-	C	C	3.11.39
Entertainment, Recreation & Cultural									

Table 2.3.2: Commercial & Industrial Districts Use Classifications P - Principal Permitted Use C - Permitted with Conditions 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*
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			
Health club/Gym			P	P			P		
Hotels and motels			P	P					
Food & Beverage Establishments									
Bar/cocktail lounge			C	C		C			3.11.33
Brewery			C	C		C	C	C	3.11.11
Brewpub			C	C		C			3.11.12
Microbrewery/Distillery									3.11.24
producing ≤ 15,000 barrels/year			C	C		C	C	C	
producing ≥ 15,000 barrels/year			S	S		S	C	C	
Outdoor seating		C	C	C		C			3.12.8
Restaurant		C	C	C		C			3.11.33
Institutional & Public Facilities									
Cemeteries/mausoleums (incl. pets)							S	S	3.11.14
Crematory							U	U	
Day Care Facility	C	C	C	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	C	C	C	C	C	C	C	C	3.11.31
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	

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Permitted with Conditions 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*
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	
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	C	3.11.32
Research and Development Laboratories						P	P	P	
Self-service storage facilities		C	C				C	C	3.11.34
Sign shop			P			P	P	P	
Warehouse, wholesale, or distribution facility						C	C	C	3.11.40
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	

Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Permitted with Conditions 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*
Public utility facilities, minor	U	U	P		P		P	P	
Public works facilities			U		P		P	P	
Sewage disposal & treatment plant							S	P	
Transmitting stations								U	
Wireless communications facilities	S	S	S	S	S	S	C	C	3.11.41
Medical / Health Care									
Assisted Living Facility		C	C						3.11.4
Hospital		U	U			U			
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				C					3.9.3
Limited to 3 units attached				C					3.9.3
4 or more units attached				C					3.9.3
Dwelling, multi-family				C					3.9.3
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	3.11.30
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 (sq ft)	6,000	10,000 (3)	10,000 (3)	None	None	20,000 (3)
Minimum Lot Width (ft)	60 ~~ft.~~	150 ~~ft.~~ (3)	150 ~~ft.~~ (3)	None	None	150 ~~ft.~~ (3)
Maximum Height (ft) (6)	30 ~~ft.~~	30 ~~ft.~~	56 ~~ft.~~	75 ~~ft.~~	40 ~~ft~~	56 ~~ft.~~
Maximum Building Coverage	50%	50%	50%	None	None	50%
Minimum Setbacks						
Front (ft)	30 ~~ft.~~	30 ~~ft.~~ (5)	30 ~~ft.~~ (2) (5)	None	None	30 ~~ft.~~ (2) (5)
Side (ft)	20 ~~ft.~~ (1)	20 ~~ft.~~ (1)(4)	N/A (1)	None	None	N/A (1)
Rear (ft)	20 ~~ft.~~ (1)	20 ~~ft.~~ (1)	N/A (1)	None	None	N/A (1)
Street side (ft)	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 Zoning Administrator, or his or 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 Zoning Administrator, ~~Development Services Director~~ or his or her designee, is required.

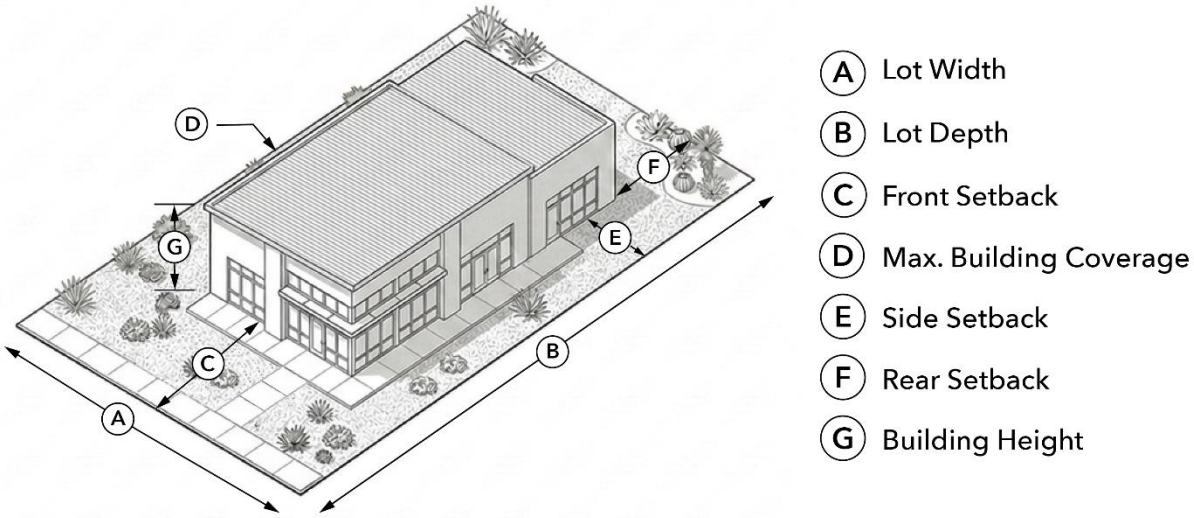
5 Except as provided herein, the setback for lots within a unified commercial development, which is intended for three or more businesses with permanent cross access and shared parking easements, shall be measured from the nearest public streets. If there are conflicts between this exception and other 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.

6 Additional height considerations and exceptions:

- Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.
- The maximum building height permitted for non-residential uses may be increased 10 feet above the building height limit for unoccupied building architectural elements, such as parapet walls, chimneys, towers, domes and decorative masonry or metal framework, that are necessary to achieve the objectives and requirements of the City Design Guidelines to provide architectural interest and diversity in building elevations or variations in roof form and horizontal lines; provided that the total amount of such architectural elements that exceed the building height limit do not exceed 50% of the linear length of any building elevation or exceed 50% of the total roof area of the building.
- Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.

- No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.3.4A – Commercial Standards



B. Additional Development Standards & Regulations

- ~~Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.~~
- ~~The maximum building height permitted for non-residential uses may be increased 10 feet above the building height limit for unoccupied building architectural elements, such as parapet walls, chimneys, towers, domes and decorative masonry or metal framework, that are necessary to achieve the objectives and requirements of the City Design Guidelines to provide architectural interest and diversity in building elevations or variations in roof form and horizontal lines; provided that the total amount of such architectural elements that exceed the building height limit do not exceed 50% of the linear length of any building elevation or exceed 50% of the total roof area of the building.~~
- ~~Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.~~
- ~~No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.~~

1. Supplemental Standards Applicable to All Zoning Districts - See Section 3.1 for additional standards applicable to all zoning districts.

2. Supplemental Non-Residential Use Design Standards - See Section 3.2.2 for additional design requirements for residential uses.

~~1.~~3. Additional Standards and Regulations Applicable to Commercial Districts - See Section 3.9 Supplemental Standards Applicable to Commercial & Industrial Districts for additional standards applicable to commercial districts.

~~2.~~4. Accessory Uses, Buildings and Structures – See Section 3.12~~11~~ Additional Use Specific Regulations for additional development and design regulations.

~~3.~~5. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls and Fences for additional development and design regulations.

~~4.~~6. Parking and loading requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.

~~5.~~7. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations

~~6.~~8. Signage requirements – See Section 4.6 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 (ft)	150 ~~ft.~~	300 ~~ft.~~
Minimum Lot Depth (ft)	200 ~~ft.~~	400 ~~ft.~~
Maximum Building Coverage	50%	50%
Maximum Height (ft) (1)~~(5)~~	56 ~~ft~~	56 ~~ft.~~
Maximum Height w/ 300 ft. buffer~~300ft Buffer~~ from property line (ft) ~~Project Line~~(1)	70 ~~ft~~	70 ~~ft~~
Minimum Setbacks(3)		
Front (ft) (2)	30 ~~ft.~~	50 ~~ft.~~
Side (ft) (4)	30 ~~ft.~~	30 ~~ft.~~
Rear (ft)	20 ~~ft.~~	50 ~~ft.~~
Street side (ft) (2)	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 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 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 3.9.4.B.2.

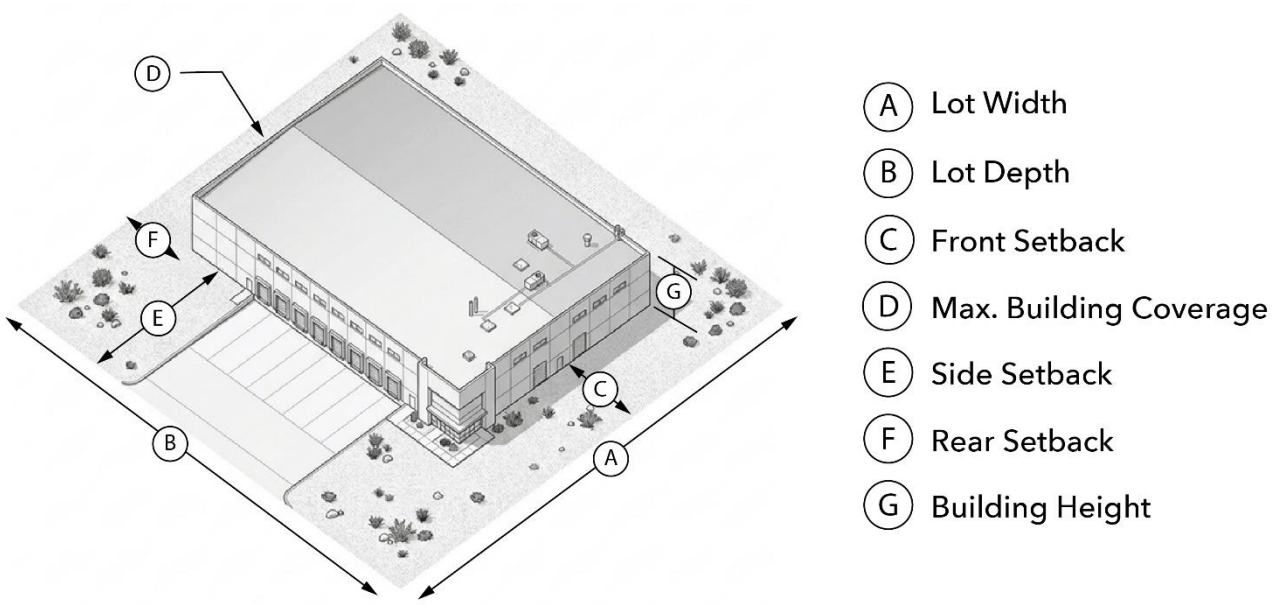
4 A minimum setback of thirty (30) feet shall be provided on each side of the property. A landscaped area at least ten (10) feet in width shall be provided and maintained adjacent to each side property line, unless, at the discretion of the Zoning Administrator, or his or her designee, the requirement is waived due to being located on the interior of a unified industrial development, which is a development intended for three or more industrial buildings, so long as the

development has permanent cross-access, shared parking and access easements, in a form approved by the Zoning Administrator, or his or her designee.

5 Additional height considerations and exceptions:

- Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.
- The maximum building height permitted for non-residential uses may be increased 10 feet above the building height limit for unoccupied building architectural elements, such as parapet walls, chimneys, towers, domes and decorative masonry or metal framework, that are necessary to achieve the objectives and requirements of the City Design Guidelines to provide architectural interest and diversity in building elevations or variations in roof form and horizontal lines; provided that the total amount of such architectural elements that exceed the building height limit do not exceed 50% of the linear length of any building elevation or exceed 50% of the total roof area of the building.
- Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.
- No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.

Figure 2.3.5A – Industrial District Standards



B. Additional Development Standards & Regulations

- ~~Attached church spires, crosses, belfries, cupolas, flag poles, clock towers, or similar features may extend above the roof no more than the height of the building. Detached features shall be no greater than twice the height of the highest building on site.~~
- ~~The maximum building height permitted for non-residential uses may be increased 10 feet above the building height limit for unoccupied building architectural elements, such as parapet walls, chimneys, towers, domes and decorative masonry or metal framework, that are necessary to achieve the objectives and requirements of the City Design Guidelines to provide architectural interest and diversity in building elevations or variations in roof form and horizontal lines; provided that the total amount of such architectural elements that exceed the building height limit do not exceed 50% of the linear length of any building elevation or exceed 50% of the total roof area of the building.~~
- ~~Notwithstanding this Ordinance, no exceptions to the height limit shall be permitted in any district combined with an airport hazard district, except to the extent that the height limit in an airport hazard district exceeds the height limit in the use district.~~

~~• No building shall be erected to exceed the height limit designated for the district in which located, whether the height be designated in number of stories, number of feet, or otherwise.~~

1. Supplemental Standards Applicable to All Zoning Districts - See Section 3.1 for additional standards applicable to all zoning districts.

2. Supplemental Non-Residential Use Design Standards - See Section 3.2.2 for additional design requirements for residential uses.

~~1.~~3. Additional Standards and Regulations Applicable to Commercial Districts - See Section 3.9 Supplemental Standards Applicable to Commercial & Industrial Districts ~~– See Section 3.9.4 Supplemental Development Regulations for All Industrial Districts~~ for additional standards applicable to industrial~~commercial~~ districts.

~~2.~~4. Accessory Uses, Buildings and Structures – See Section 3.12~~11~~ Additional Use Specific Regulations for additional development and design regulations.

~~3.~~5. Landscaping, Walls and Screening requirements – See Section 4.2 Landscaping and Section 4.3 Screening, Walls and Fences for additional development and design regulations.

~~4.~~6. Parking and loading requirements – See Section 4.4 Off-Street Parking and Loading for additional development and design regulations.

~~5.~~7. Exterior Lighting requirements – See Section 4.5 Outdoor Lighting for additional development and design regulations.

~~6.~~8. Signage requirements – See Section 4.6 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 3.3) 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 (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-Overlay)** – 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 his or her~~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 (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 add to 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 usable 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 storage areas, automotive maintenance and washing areas, may be proposed in accordance~~accord~~ with Section 4.4, 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 or her 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. Any amendment to an approved Preliminary PAD shall require the applicant to rezone the property to either a base zoning district with an accompanying Planned Area Development Overlay (PAD-Overlay) or a Planned Area Development (PAD) in accordance with Article 6. No amendments to Preliminary PAD zoning districts shall be accepted after the effective date of this Ordinance.

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 Association 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. If the Freeway is existing or is under construction, a sound barrier wall of a minimum of eight (8) feet in height, or an acceptable equivalent, subject to the approval of the Zoning Administrator, or his or her designee, and landscape treatments shall be constructed and/or installed.

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.

2. Interior Noise Standards.

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.

D. 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 within the city 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 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.

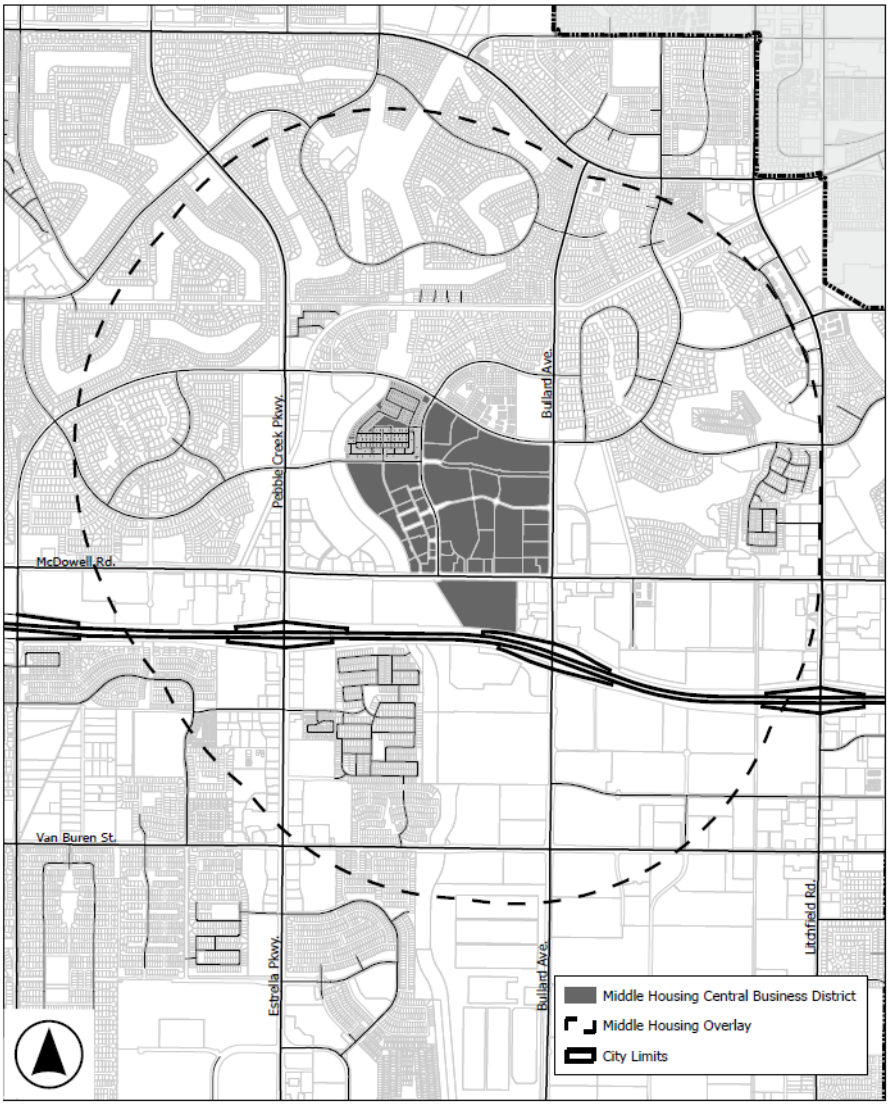
2. **Number of Dwelling Units**. Any eligible parcel developed for middle housing is limited to the following:

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.

1. **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



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 zoning district which may cause any of the following:
   A. No use is permitted which will emit any offensive odor, dust, noxious gas, noise vibration, smoke, heat or glare 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.A Noise Thresholds when measured at or beyond the property line at the receiving property:

Table 3.1.5.A: 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 and may be required upon request by the Zoning Administrator, or his or her designee, for any commercial use located within 600 feet of property zoned or used for Residential~~residential~~ or other Noise-Sensitive Uses~~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 Zoning Administrator, his~~Development Services Director~~ or her~~their~~ designee, may be used.
    d. The study shall demonstrate compliance with the maximum permissible sound levels listed above.
2. ~~Ongoing Compliance and Monitoring:~~ Upon request by the Zoning Administrator, his~~Development Services Director~~ or her~~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 Zoning Administrator, or his or her~~Development Services Director or their~~ designee.
    d. Proof of compliance shall be provided to the Zoning Administrator,~~Development Services Director~~ or his or her~~their~~ designee, upon completion of mitigation.

C. Discharge of any waste material into any watercourse 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 or her 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.

   A. 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.

   A. 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.

   B. 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.

   C. 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 of Building" 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 Zoning 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 kept clear.

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.

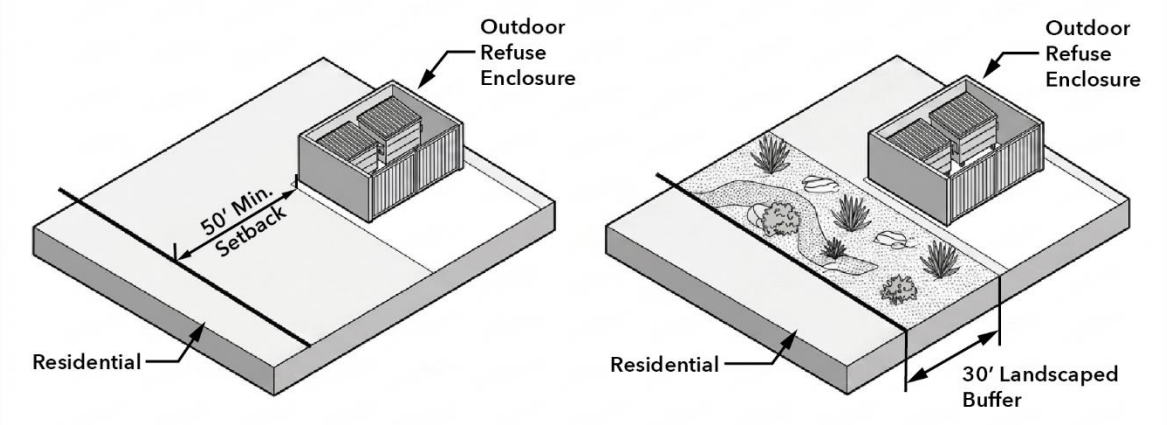
14. All lighting shall be screened in a downward direction and directed away from adjacent properties and streets.

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. All outdoor refuse enclosures that are not fully contained within an enclosed building shall be located at least fifty (50) feet from any existing or planned residential use or residential zoning district, except that this distance may be reduced to thirty (30) feet when a continuous thirty-foot-wide landscape buffer is provided and maintained along the adjacent residential property line. All distances shall be measured in a straight line from the exterior wall of the refuse enclosure to the nearest residential property line, including any platted single-family lot or constructed multi-family building. No outdoor refuse enclosure may be located along an arterial road, collector road, or main driveway. In residential zoning districts, outdoor refuse enclosures shall be set back a minimum of twenty (20) feet from single-story residential buildings and twenty-five (25) feet from multi-story residential buildings unless fully enclosed within a building.

Figure 3.1.22A - Outdoor Refuse Screening



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, or his or her designee, through an approved phasing plan.

19. ~~Property Maintenance.~~ All developed properties, whether occupied or vacant, shall be maintained in a safe, clean, and orderly condition. Buildings shall be kept weather-tight and structurally sound; exterior walls shall be maintained free of graffiti; landscaping shall be maintained in a healthy, weed-free condition with operational irrigation; and outdoor lighting and fire protection systems shall be kept in working order. For properties vacant for more than six

(6) months, all building-mounted and monument signage shall be removed and replaced with color-matched blank panels, and affected wall surfaces shall be repaired and repainted.

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:

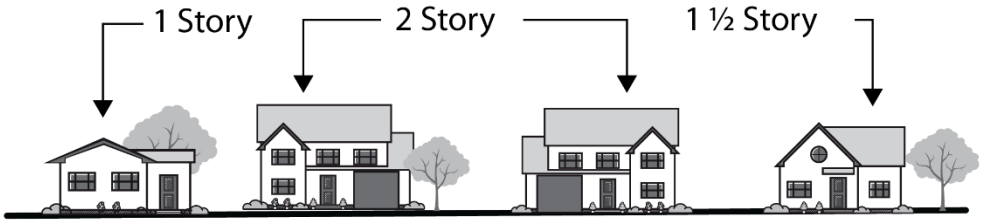
3.2.1. Residential Design Standards.

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.

Figure 3.2.1A – Residential Elevation Variety



C. Two-story homes are discouraged on corner lots, and on more than three (3) consecutive lots. ~~or on lots abutting major or minor arterials (unless additional open space is provided).~~

~~C.~~D. Street appearance. Landscaping plans establish street tree themes – should include a~~recommended~~ minimum of one (1) tree and five (5) shrubs on lots less than seventy (70) feet and two (2) trees on lots seventy (70) feet in width and greater, plus eight (8) 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.~~E. 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, or his or her designee.

~~E.~~F. Lot Orientation at T-Intersections. Residential lots shall not be designed with the primary building façade directly aligned with and centered on the right-of-way of a terminating street at a T-intersection. Where such configuration cannot be avoided due to site constraints, mitigation measures such as increased front setback, lot offsetting, enhanced landscaping, berming, fencing, or other design treatments approved by the Zoning Administrator, or his or her designee, shall be provided to minimize headlight glare and promote traffic safety.

~~F.~~G. 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 with a minimum patio size of 100 square feet; the Zoning Administrator, or his or her designee, may administratively reduce 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 Zoning 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.~~4. 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.~~5. Landscaping is required to be installed in accordance with City standards within collector and/or arterial rights-of-way.

~~10.~~6. Sidewalks shall be at least five (5) feet wide on both sides of all streets.

7. Tracts thirty-five (35) feet or greater in width are required for lots with two-story dwellings abutting an arterial roadway.

~~11.~~8. 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.~~9. 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.~~10. 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.~~11. No more than three (3) children, other than those residing therein, may be taken in for childcare~~child care~~ or baby sitting in a private residence.

~~15.~~12. No mobile home or house trailer shall be parked or stored in a residential zoning~~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.~~13. 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 3.13, from the Zoning Administrator, or his or her designee, and paying the required fee. Issuance of a temporary use permit for this purpose by the Zoning Administrator, or his or her designee, may be withheld if the Zoning Administrator, or his or her designee, 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 fifty (50) feet from any dwelling or lot line, except when such lot line is located adjacent to another AG or AU property, in such cases the structure shall be located a minimum of (twenty five) 25 feet of the lot line provided it is not located closer than fifty (50) feet from the adjacent building setback.
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 five hundred (500) ~~-~~feet from any dwelling located on or off the property.

B. May not be located two hundred (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 Zoning Administrator,~~Development Services Director~~ or his or her~~their~~ designee, in the form of a Zoning ~~Permit~~ Clearence 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 daylight~~day light~~ hours only.

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

F. The Zoning Administrator~~Development Services Director~~, or his or her~~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 Zoning Administrator, or his or her designee.~~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~~A.M~~. and 8:00 p.m.;~~P.M.~~

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

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 3.5.1.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 3.5.1.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 3.5.1.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 3.5.1.D.1, 3.5.1.D.2, and 3.5.1.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 3.5.1.D and provide at least; one (1) Amenity Elements listed in Section 3.5.1.D.1, two (2) Connectivity Elements listed in Section 3.5.1.D.2, and two (2) Streetscape Element listed in Section 3.5.1.D.3.

Table 3.5.1.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[(3)]	1	2	2
R1-4	45	4,500	15	1	2	2
REDUCED R1-4	40	4,000	10[(3)]	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 3.5.1.D.1.c.i. or an Amenity Element~~amenity~~ described in Section 3.5.1.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 either be designed as Alley-Loaded Residential or shall not include a double-door front facing garage. One~~;one~~ (1) of the required streetscape elements shall be the Alley-Loaded Residential Streetscape Element described in Section 3.54.1.D.3.d or an alternative garage configuration that reduces the predominance of garage forward design. 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.

[3] The minimum rear setback may be reduced to fifteen (15) feet to enclosed livable and ten (10) feet to covered patios of single-story homes when the home is located within one thousand three hundred twenty (1,320) feet of a Community Element, Amenity Element described in Section 3.5.1.D.1.c.i. or an amenity described in Section 3.5.1.D.1.c.ii.

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 gathering 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 3.5.4.

        v. Additional amenities that are not minimally required by the Parks, Recreation, Open Space, and Trails Master Plan as determined by the Zoning Administrator, or his or her designee, 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.

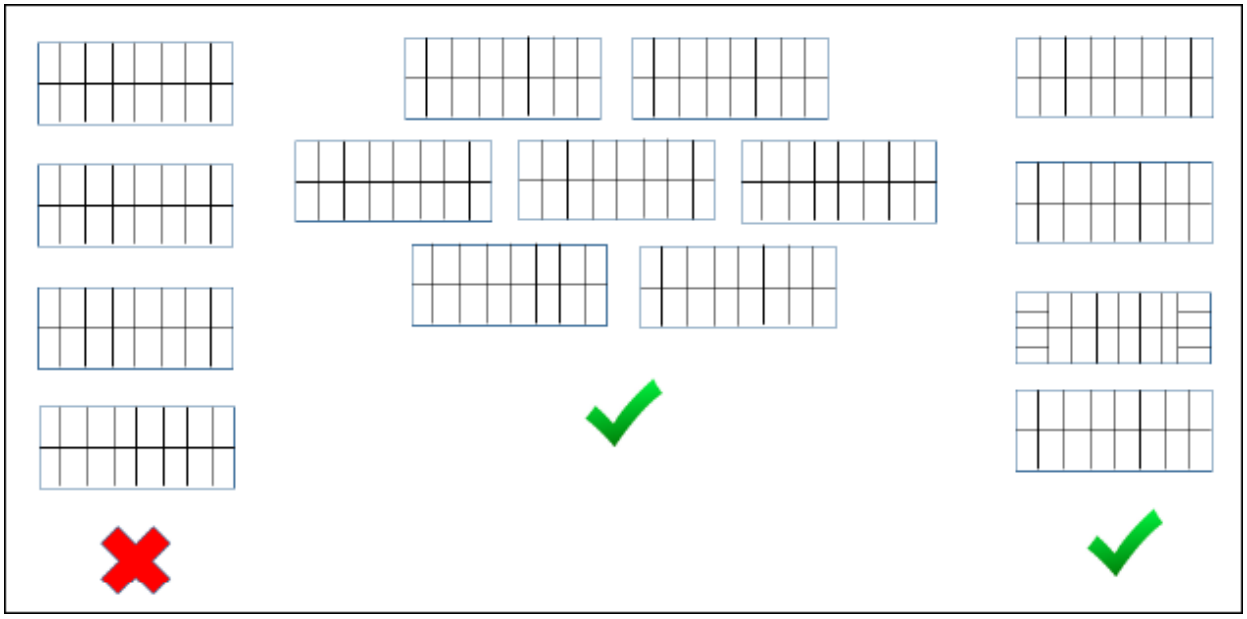
a. Infill Development. The site is located in an area that is substantially surrounded on two or three sides by an existing, separate development and that will provide easy and quick access to nearby amenities such as schools, trails, and parks and that also have been identified as in a Growth Area or 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 comprehensive trail systems outside of the subdivision or development or have the ability to connect to any such future external trail systems. Trail alignments must not be limited to those living within the subdivision and shall follow logical and navigable routes that prioritize direct regional connectivity and avoid circuitous or indirect 'zig-zag' designs. All connections which are not direct connections to adjacent trails shall incorporate comprehensive wayfinding and guidestones to

ensure seamless integration into the City's broader trail network.

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 unless alternatives mid-block trails are provided. 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.

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

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

g. 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.

h. 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 complementary to the style of the home.

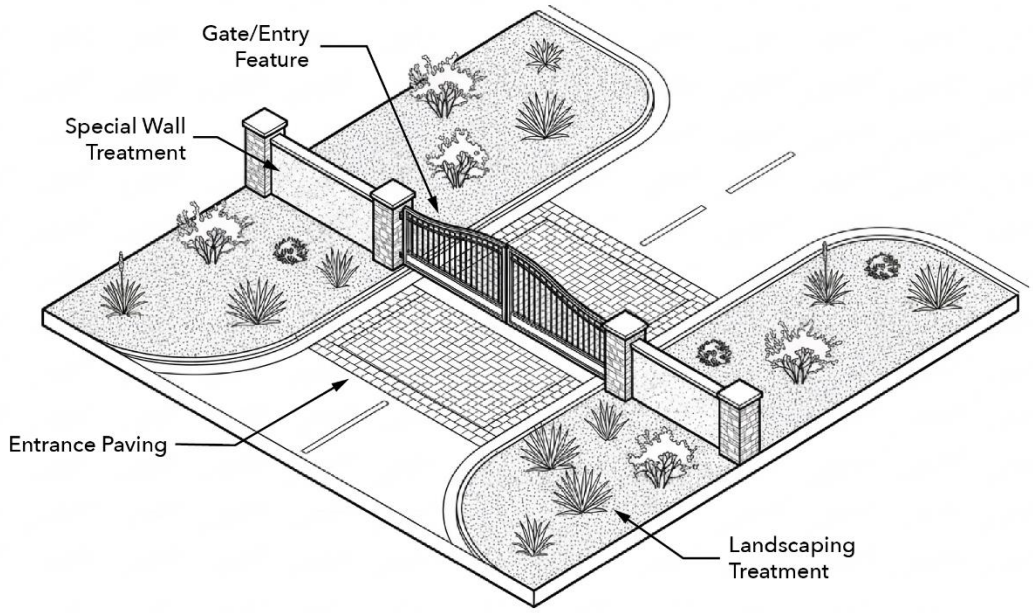
i. Additional Streetscape Elements. Other streetscape elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.

E. Creation of a new lot that is less than the required minimum lot area requires approval of a Planned Area Development (PAD) or Planned Area Development-Overlay, as determined by the Zoning Administrator, or his or her designee.).

3.5.2. Entry Feature.

Each project shall have a unique entry feature at its primary entrance to provide individual identity to the development, if within a master planned community or city recognized development it should also incorporate community identity elements.. 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 usable open space for recreation purposes. Facilities such as, but not limited to, pools and clubhouses can be counted toward usable open space. The following usable open space shall be provided:

A. For complete developments less than 40 acres in size, 75% of required open space shall be usable 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 3.5.4 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. Usable Open Space Design Standards.

The required usable 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) structurally 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 with a minimum size of 75 feet by 105 feet and are a minimum of 10,000 square feet. 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 or units and is made available collectively 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. Ground floor patios should be walled for privacy.

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.

D. Based on product availability and neighborhood character, the Zoning Administrator, or his or her designee, may waive the Residential Design Guidelines for any residential structures within this District.

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 an opaque 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 this 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.

C. Based on product availability and neighborhood character, the Zoning Administrator, or his or her designee, may waive the Residential Design Guidelines for any residential structures and recreational vehicles within this District.

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 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 proposed 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, or his or her designee.

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 2.3.4 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 on site 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 his or her 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 located within the Business Park District.

3.9.3. Supplemental Development Regulations for the Core Mixed-Use District

A. Purpose and Intent

The Core Mixed-Use (CMX) District is intended to provide for integrated residential, retail, office, civic, entertainment, hospitality, and service uses within a compact, walkable development pattern. The district shall function as a focal activity center and may be applied in multiple locations throughout the city. Development may include vertical mixed-use, horizontal mixed-use, or a combination of both.

B. Required Commercial Component

1. Horizontal Mixed-Use. When a development phase or project is horizontally mixed use, a minimum of 25% of the site plan area shall be designated for commercial uses. These commercial areas shall be planned and designed concurrently with the residential portions of the project.

2. Master Site Plan Requirement. A Master Site Plan shall be submitted prior to the issuance of construction permits or the submittal of any individual site plan, whichever occurs first. The Master Site Plan shall demonstrate how the 25% commercial requirement will be met for the entire zoning/property area, including phasing.

3. Combined Horizontal and Vertical Mixed-Use. If vertical mixed-use is incorporated within a phase of development, the Zoning Administrator, or his or her designee, may approve a reduction to the 25% horizontal commercial requirement if the development clearly meets the

mixed-use, walkable, and integrated intent of the CMX District. Criteria for potential reduction may include:

a. The percentage of dwelling units located within mixed-use buildings.

b. The extent of ground-floor commercial activation along primary pedestrian paths.

c. The continuity and strength of pedestrian linkages between uses.

d. The distribution of commercial uses to ensure activity near public streets and plazas.

e. Demonstrated integration of uses within a defined walkable radius.

f. Phasing commitments ensuring commercial delivery concurrent with or prior to residential occupancy.

4. Commercial Delivery Requirements. To ensure mixed-use functionality, commercial buildings shall receive a Certificate of Occupancy for a shell building, or be substantially under construction, prior to issuance of more than 50% of residential building permits for units within that approved development phase.

5. Administrative Flexibility. The Zoning Administrator, or his or her designee, may authorize reasonable modifications to phasing, distribution of commercial floor area, and mixed-use configuration to ensure both flexibility and certainty while implementing the intent of the CMX District.

C. Master Site Plan Requirements. The Master Site Plan shall be approved by the Zoning Administrator, or his or her designee, and shall include:

1. The location and design of all pedestrian connections, pedestrian plazas and greenspaces, trails, walls, and community features.

2. The materials, colors, and design treatments of these features.

3. The phasing of pedestrian infrastructure, open space, commercial components, and other shared improvements.

4. A coordinated plan showing pedestrian access routes between residential and commercial areas and to adjacent public streets.

D. Pedestrian Connectivity Standards

1. Overall Connectivity. The Master Site Plan shall include a significant number of both Major~~major~~ and Minor Pedestrian Connections~~minor pedestrian connections~~ throughout the property, establishing multiple direct routes between uses.

2. Major Pedestrian Connections.

a. Minimum 8-foot width, paved.

b. Include shade elements such as shade trees and/or shade structures.

c. Where crossings occur at roadways, drive aisles, or drive-throughs, the crossing shall include decorative pavers and incorporate traffic-calming elements such as narrowed drive aisles, landscape medians, raised crossings, or similar design treatments.

3. Minor Pedestrian Connections.

a. Minimum 5-foot width, paved.

b. b. Provide shade elements wherever feasible.

4. Pedestrian Plaza. A major pedestrian plaza occupying at least 5% of the site plan area shall be provided. The plaza shall:

a. Include a major shade amenity and seating.

b. Be located within or adjacent to a street-side landscape setback or other centrally accessible location.

c. Be flanked by pedestrian paths, storefronts, patios, and/or a pedestrian loop.

d. Connect directly to the major pedestrian connections shown on the Master Site Plan.

5. Connection Between Residential and Commercial Areas. Developments with horizontal mixed use must provide a direct pedestrian path between residential buildings and commercial uses.

6. Residential Building Connections. Each residential building shall include at least one pedestrian connection to a public sidewalk or major pedestrian connection.

7. Ground-Floor Residential Patios. Residential patios adjacent to public roads shall include gates and sidewalks/paths that provide direct access to the adjacent pedestrian network.

E. Walls, Fencing, and Screening

1. View fencing shall be used between residential and commercial areas unless solid screening is required for mechanical equipment, loading, or refuse enclosures.

2. Walls shall be integrated into the overall materials and theme of the development.

F. Design and Community Identity Standards. All site lighting, landscaping, paving, signage, and community features shall complement the unified design of the development. The project shall maintain consistency in naming, branding, and overall identity across all phases.

3.9.4. 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 proposed 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 twenty (20) 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 five hundred (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~~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.

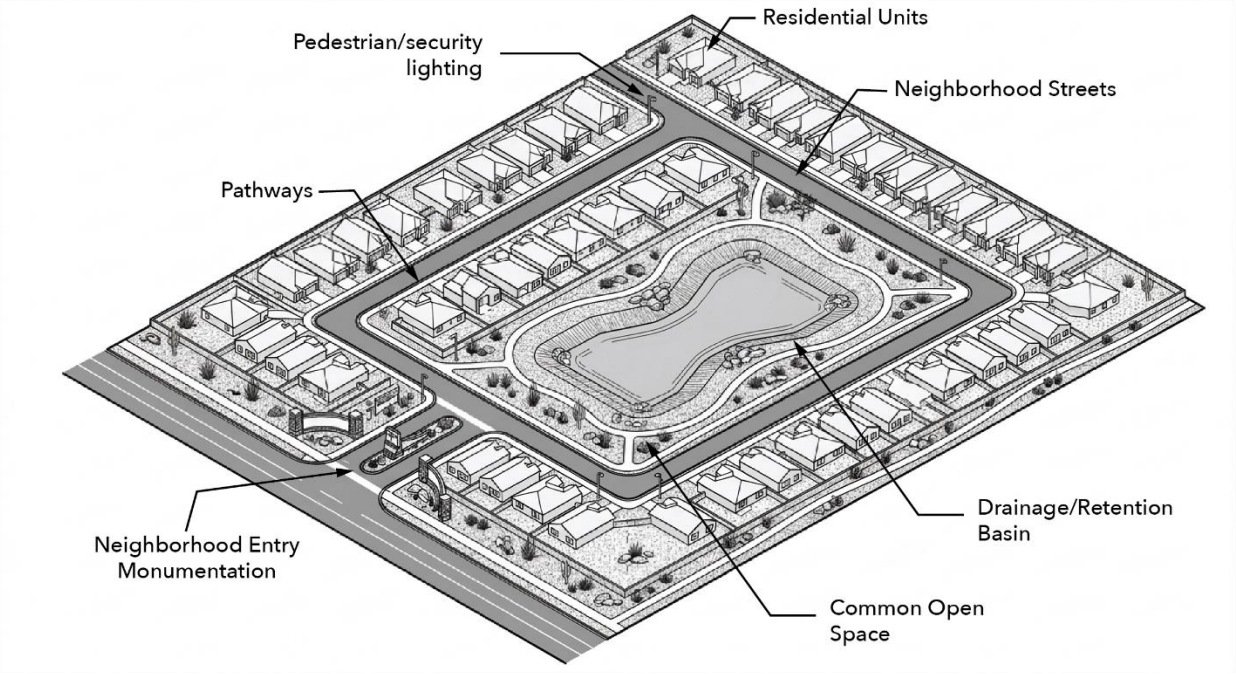
E. Community Integration. Neighborhood design contributes to City-wide enhancements as well as features which provide residential diversity and linkages among neighborhoods.

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 3.10.1A - 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 each other~~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, or his or her designee, 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

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 fifty (150~~(100)~~) feet to any residential or agricultural zoning district unless waived by the Zoning Administrator, or his or her designee.

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 fifty (150~~(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 Special Event Permit~~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 animal 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.

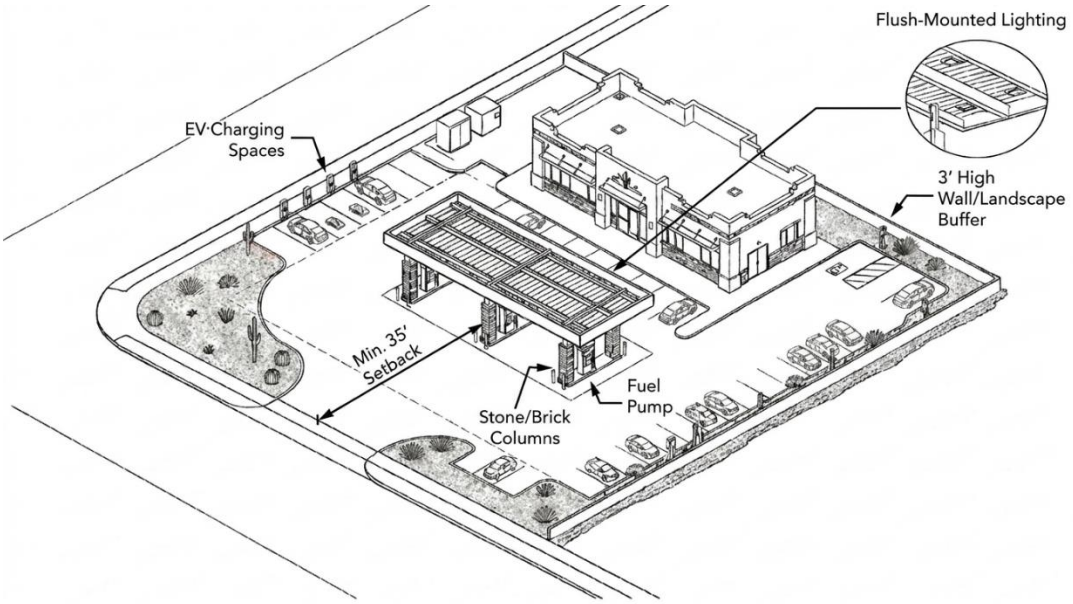
3.11.5. Automobile Fueling Station (Gas Station~~Stations~~).

Automobile Fueling Station~~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 five hundred (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 incorporate enhanced streetscape elements at the corner frontage, which may include public art, shade structures, pedestrian amenities or similar features designed to improve the visual character and pedestrian environment, subject to approval by the Zoning Administrator, or his or her designee. When access to the corner is limited, the streetscape element shall be located along the right-of-way on the Automobile Fueling Station property~~.~~
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, in all other instances the more restrictive of the approval processes shall prevail.

Figure 3.11.5A~~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 Section 6.6.

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 total land within the Special Use Permit boundary 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. For BESS associated with an Energy Generation Facility, this shall mean the BESS is interconnected to the Energy Generation Facility for energy storage and distribution purposes related to the on-site Energy Generation Facility.

    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:

        i. The property line of any existing residential use;

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

        iii. Any church, park, school, fire station, public works facility or other similar sensitive use as determined by the Zoning Administrator, or his or her designee~~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 3.11.10~~7~~(D)(2)(a) and included as part of an Emergency Response Plan as specified in section 3.11.10~~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 Zoning Administrator, or his or her designee,~~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 Zoning Administrator,~~Development Services Director~~ or his or her~~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 3.1.23 of this ~~Code~~Zoning Ordinance 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 Section 3.1.23 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. 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 Development Services and Fire Department 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 Development Services and Fire Departments 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 3.11.10, 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 demonstrates 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 Zoning Administrator, or his or her designee,~~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 Zoning Administrator, or his or her designee~~Development Services Director~~, the owner of the brewery shall provide documentation to the Zoning Administrator, or his or her designee,~~Development Services Director~~ on the quantity of beer produced onsite for the calendar year. Documentation will be required to be submitted to the Development Services 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 Zoning Administrator, or his or her designee~~Development Services Director~~, the owner of the brewpub shall provide to the Development Services 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 Development Services 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 (300) 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 3.11.19, Drive-through.

D. Required Queuing Area.

The drive-up aisle shall provide queuing space as specified in Section 3.11.19, 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 gross 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

Convenience stores that are stand-alone and not associated with a Automobile Fueling Station (Gas Station), or that are~~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 ~~not associated with an Automobile Fueling Station (Gas Stations), or when~~ permitted as an accessory use to another Principal Permitted use, are permitted to operate as a principal use in commercial districts subject to the requirements of this section. A Use Permit and separate Site Plan approval subject to the requirements of this section are required for all other convenience stores.

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, through the Use Permit process, in the judgment of the City Council the findings support the proposal and stipulations designed to mitigates 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:

a. Size and location of the parcel.

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

c. Property lines.

d. Existing and future right of way lines.

e. Existing and proposed curb cuts.

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

g. On site vehicular and pedestrian circulation plan.

h. All parking spaces.

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

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. Evaluation Criteria.

Prior to a convenience store use permit being considered by the Planning and Zoning Commission or Administratively by the Development Review Committee, the Development Review Committee will review and evaluate the proposed 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:

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

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

3. Electric Service Documentation

a. Prior to site plan or building permit approval as determined by the Zoning Administrator, or his or her designee~~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.

ii. For multi-phased developments, the Electric Service Documentation requirements may be waived or amended by the Zoning Administrator, or his or her designee.

4. Water Usage Documentation

a. Prior to site plan, building permit or tenant improvement approval, as determined by the Zoning Administrator, or his or her designee~~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 Zoning Administrator, or his or her designee~~Development Services Director~~.

2. Building and Site Design

   a. Noise. The Data Center shall comply with the noise standards, analysis requirements, and mitigation provisions set forth in Section 3.1.5.B~~9.3~~ of this ~~Code~~Zoning Ordinance. 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 Zoning Administrator~~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.

3. 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.

4. Utilities. The Data Center shall comply with the underground utility requirements set forth in Section 3.1.23 of this ~~Code~~Zoning Ordinance 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., unless such generators are located more than 1,000 feet from a residentially zoned property.

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 3.4.4 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 five hundred (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 and where possible shall be oriented away from residential property lines. Sound shall be mitigated using sound attenuation walls, landscaping, or other measures acceptable to the Zoning Administrator or his or her 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, shade structures, pedestrian amenities or similar features designed to improve the visual character and pedestrian environment, subject to approval by the Zoning Administrator. When access to the corners is limited, the streetscape element shall be located along the right-of-way on the Drive-Through property.

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. 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.

Q. 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.

R. 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 stopping 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.

S. For unique uses or uses not stated in this document the Zoning Administrator,~~Development Services Director~~ or his or her~~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.

T. Where warranted, the Zoning Administrator, or his or her~~Development Services Director or their~~ designee may require a queuing memorandum or study be prepared to establish the required drive-through queuing length.

U. In addition to the requirements in subsection 3.11.19(R), 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 meet the following criteria:

1. 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.

B. 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. Hospitals Located in Multi-Family

A hospital located within a Multi-Family Residential ~~(MF)~~ zoning district shall comply with the following supplemental regulations:

A. Site Design and Buffers

1. A minimum landscaped setback of twenty (20) feet shall be provided along any property line abutting a residential zoning district.
2. An eight (8) foot solid masonry wall shall be provided along any property line abutting a residential zoning district.
3. Building façades facing residential property shall incorporate architectural articulation and materials compatible with residential scale and character.

B. Building Height

Where adjacent to property zoned residential, building height shall not exceed the maximum height permitted in the underlying district within fifty (50) feet of the shared property line, unless additional setbacks are provided at a ratio of one (1) foot of additional setback per one (1) foot of height above the district maximum.

C. Loading and Service Areas

1. Loading docks, service areas, generators, and mechanical equipment shall not be located between the principal building and a public street.
2. Service and loading areas shall be screened from adjacent residential property.
3. Deliveries, trash collection, and service operations shall be limited to the hours between 6:00 a.m~~A.M~~. and 10:00 p.m~~P.M~~., except for emergency operations.
4. Ambulance access shall be directed towards arterial roads to minimize traffic impacts on internal streets and adjacent residential areas.

D. Noise

Emergency generators, mechanical equipment, and other stationary noise sources shall comply with the noise regulations in Section 3.1. Routine public address systems shall not be audible beyond the property boundary.

E. Traffic and Access

A Traffic Impact Analysis may be required as determined by the City Engineer or their designee. Access points shall be designed to minimize traffic intrusion into adjacent residential neighborhoods.

F. Helipad.

1. Any helipad accessory to a hospital located in a Multi-Family Residential (MF) zoning district shall require approval of a Use Permit.
2. No helipad shall be located within two hundred fifty (250) feet of any property line abutting a residential zoning district.
3. The applicant shall demonstrate compliance with all applicable Federal Aviation Administration (FAA) regulations and provide documentation of coordination with appropriate emergency service providers.
4. Helipad lighting shall be limited to that required for aviation safety and shall be designed to minimize glare onto adjacent residential properties.

G. Emergency Operations

Nothing in this Section shall be construed to limit emergency medical operations necessary to protect life and safety.

3.11.23. 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.

1. 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.

2. A minimum building setback of one hundred (100) feet is required from proposed and/or existing public or private primary through secondary~~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.

3. 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. 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.

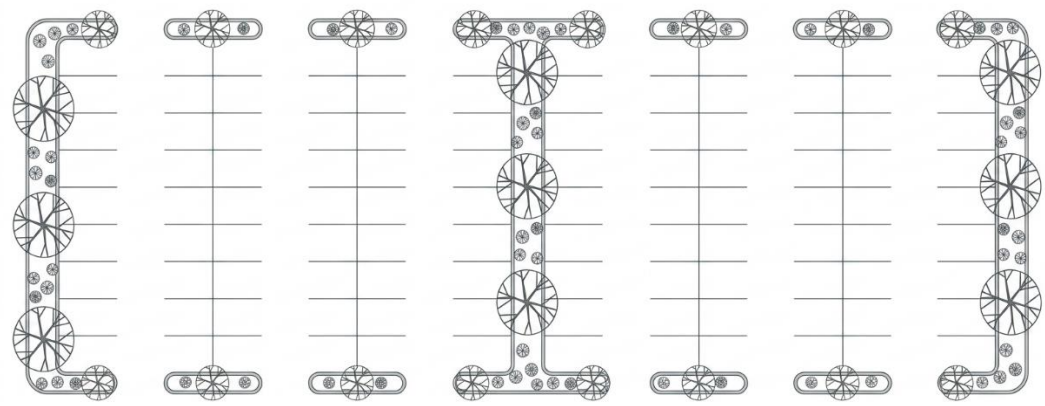
c. The provision of public art as an integral and significant feature of the site. Public art shall be dispersed throughout the site and deployed in concert with the projects pedestrian amenities and plazas.

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.

4. 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 3.11.23A~~12.16A~~: Large Retail User Parking Lots



5. 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.

6. 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.

7. 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.

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

F. 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.

3.11.24. 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 or suite 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 Zoning Administrator~~Development Services Director~~ the owner of the microbrewery or craft distillery shall provide documentation to the Zoning Administrator~~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 Development Services 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 3.11.35. 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.

3.11.25. 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 Zoning Administrator,~~Development Services Department Director~~ or his or her 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 3.11.27 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 3.11.27 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~~A.M~~. and 7:00 p.m~~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.

3.11.26. 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 Zoning Administrator, ~~Community Development Director~~ or his or her 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 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 (500) 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 (1,000) 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 (1,000) 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 (1,000) 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 (1,000) 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 (2,000) 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 (1,000) 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 sounds 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.

3.11.27. 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.

3.11.28. 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 Zoning Administrator, ~~Community Development Director~~ or his or her, 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 (5,280) 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 (500) 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 (1,000) 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 (1,000) 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 (1,000) 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 (1,000) 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 (2,000) 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 (1,000) 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 of at least 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 sounds 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.

3.11.29. 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 Zoning Administrator, or his or her, ~~their~~ 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 as measured in a straight line in any direction from the building in which any other non-chartered financial institution is located.

3.11.30. 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~~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.

D. All materials stored outdoors shall be stored below the height of the screening wall.

3.11.31. 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:

1. All building, parking, and security lighting shall be directed down with full cut-off directional light fixtures.

2. All lighting shall be dimmed to fifty (50) percent between 10:00 p.m~~P.M~~. and 6:00 a.m~~A.M~~.

3. Lights mounted on any wall visible from a residence shall not be placed higher than eight (8) feet above the building foundation.

4. Under-canopy lights shall be screened by the canopy edge, so that the light source is not visible from the property line.

5. Programmed or scheduled outdoor events shall not occur within fifty (50) feet of any existing residence and shall not occur between the hours of 10:00 p.m~~P.M~~. and 6:00 a.m~~A.M~~.

6. 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~~P.M~~. and 7:00 a.m~~A.M~~. at the property line of the church.

3.11.32. Product Processing

A. Use shall be located on a property that is no closer than five hundred (500) feet from any parcel which contains a residential use or two hundred and fifty (250) feet from any parcel which contains a 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.

3.11.33. Residential Assembly, Large

Residential Assembly, Large, shall require approval of a Use Permit and shall comply with the following:

A. The assembly shall involve more than ten (10) but not more than twenty-five (25) persons at any one time, exclusive of residents of the dwelling.

B. The dwelling shall remain the primary residence of the property owner or occupant, and the assembly shall remain incidental and accessory to the residential use.

C. There shall be no buildings or structures other than those otherwise permitted in the zoning district.

D. Parking shall comply with Article 6 and shall not obstruct public streets, neighboring properties, or create unsafe traffic conditions as determined by the Zoning Administrator, or his or her, ~~their~~ designee.

E. Programmed outdoor activities shall not occur within fifty (50) feet of an existing residence located off of the property.

F. Outdoor activities shall occur only between 7:00 a.m. and 10:00 p.m.

G. Noise shall comply with the Noise Regulations in Section 3.1.

H. This Section applies only to assemblies conducted within a dwelling as an accessory residential use. Other assemblies that constitute the principal use of the property shall be classified and regulated separately under this Ordinance.

3.11.34. Residential Assembly, Small

Residential Assembly, Small, is permitted as an accessory use to a lawfully occupied dwelling, subject to the following:

A. The assembly shall involve no more than ten (10) persons at any one time, exclusive of residents of the dwelling.

B. The assembly shall remain incidental and accessory to the primary residential use and shall not constitute the principal use of the property.

C. There shall be no buildings or structures other than those otherwise permitted in the zoning district.

D. All parking shall occur within the driveway or garage serving the dwelling and shall not obstruct public streets or neighboring properties.

E. Outdoor activities shall occur only between 7:00 a.m. and 10:00 p.m.

F. This Section applies only to assemblies conducted within a dwelling as an accessory residential use. Other assemblies that constitute the principal use of the property shall be classified and regulated separately under this Ordinance.

3.11.35. 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 (300) 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.

3.11.36. 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~~P.M~~. to 5:00 a.m~~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:

5. All storage shall be within an enclosed building.

6. Land area dedicated to storage shall not exceed:

e. Fifty (50) percent of a commercial center or contiguous area of a commercial zoning district; and

f. Seven and one-half (7.5) acres.

g. If the land area dedicated to storage exceeds the provisions of Sections 3.11.36(N)(1) and 3.11.36(N)(2), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

7. Shall not be located within two thousand, six hundred and forty feet (2,640) feet of another self-service storage facility.

h. If a storage unit does not comply with the provisions of Section 3.11.36(N)(3), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

8. 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).

M. 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.

3.11.37. 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 Zoning Administrator,~~Development Services Director~~ or his or her 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.

3.11.38. 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. 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.

C. 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.

D. 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.

E. 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.

F. Landscape, Walls & Screening.

1. A solid masonry wall a minimum of eight (8) feet in height shall be installed along and interior to any property line abutting a residential zoning district, such that the required landscape buffer is located between the wall and the property line.
2. A landscape buffer not less than twenty (20) feet in width shall be provided between the required wall and any property line abutting a residential zoning district. The buffer shall include a combination of canopy trees, understory trees, and screening shrubs designed to achieve year-round visual mitigation at maturity.
3. Trailer parking and staging areas visible from the public right-of-way shall be screened

G. 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.

3.11.39. 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.

3.11.40. 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. In a multi-tenant building, 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.

3.11.41. 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.

3.11.42. Warehouse, wholesale, or distribution facility

A. Within the Business Park District, loading docks are only permitted on one side of each building (cross-dock buildings are prohibited); truck courts and truck parking to support adjacent industrial use is prohibited.

B. Trailer Parking and Storage. For buildings containing more than twelve (12) dock doors or providing more than five (5) trailer parking or storage spaces, trailer parking and storage areas shall comply with the following:

1. Trailer parking or storage shall not be located between the principal building and a public street.

2. Trailer parking and storage areas shall not encroach into required landscape setbacks.

3. Long-term trailer storage shall occur only within designated areas shown on an approved Site Plan.

C. Screening. Trailer parking and loading areas visible from a public street or residential zoning district shall be screened by a minimum eight (8) foot solid wall, berm, or equivalent opaque screening.

3.11.43. 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.

1. The following wireless communications facilities may be approved administratively by the Zoning Administrator,~~Development Services Director~~ or his or her~~their~~ designee, after review by the Development Review Committee:

a. 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;

b. Antennae attached to a utility transmission tower or pole that do not increase the overall height by more than fifteen (15) feet;

c. Antennae attached to an existing conforming wireless communications tower that do not increase the height of such tower by more than fifteen (15) feet.

d. 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.

2. 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.

3. New freestanding wireless communications towers located more than five hundred (500) feet from property zoned for residential use shall require Site Plan approval only.

4. 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 property 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 as determined by the Zoning Administrator, or his or her designee.
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 3.11.43(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.

F. Small Wireless Facilities in the Public Right of Way.

Notwithstanding other provisions of this Section, Section 22-3-12 of City Code, and the City of Goodyear Engineering Design Standards and Policies Manual,

small wireless facilities and associated utility poles located within the public right of way shall be regulated in accordance with A.R.S. § 9 591 et seq., as amended, and the following standards:

1. Height Limitations.
   a. A new or modified utility pole or wireless support structure in the public right of way shall not exceed the greater of:
      i. Ten (10) feet taller than the tallest existing utility pole located within five hundred (500) feet in the same right of way; or
      ii. Fifty (50) feet above ground level.
   b. A small wireless facility collocated on an existing utility pole shall not extend more than ten (10) feet above the pole's existing height or above the maximum height permitted for a new utility pole under this Section.
2. Antenna Size. Each antenna associated with a small wireless facility shall not exceed six (6) cubic feet in volume.
3. Equipment Size. All other wireless equipment associated with the facility shall not exceed twenty eight (28) cubic feet in total volume, excluding electric meters, concealment elements, grounding equipment, power transfer switches, cut off switches, and other equipment as permitted by state law.
4. Permit Review Timeline. Applications for small wireless facilities shall be processed in accordance with the statutory review period of seventy five (75) days as required by state law. The review period shall commence upon receipt of a complete application by the City.
5. Construction Completion. As a condition of approval, the applicant shall provide written confirmation that installation of the approved facility will be completed within one hundred eighty (180) days of permit issuance.
6. Applicability. Small wireless facilities meeting the requirements of this subsection shall be reviewed administratively and shall not require a Special Use Permit.

G. Conflict with State or Federal Law. This Section shall be interpreted and applied in a manner consistent with applicable state and federal law, including but not limited to A.R.S. § 9-591 et seq. and the Telecommunications Act of 1996, as amended. In the event of a conflict between the provisions of this Section and applicable state or federal law, the provisions of state or federal law shall control. Any requirement of this Section that is preempted or otherwise determined to be invalid under state or federal law shall not affect the validity of the remaining provisions.

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 Zoning Districts, accessory buildings and structures shall conform to the following restrictions concerning location and design within lots:

1. Front accessory buildings or structures are those located in the front half of the lot and are limited to an attached front porch cover (closed-roof patio), a garage, a porte-cochere, a living area typical of the principal building, such as a bedroom or home office, and may include a bathroom but not kitchen facilities, with all front patios required to be attached to the principal building.

2. 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.

3. 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.

4. Exceptions. Subdivisions recorded prior to 1981, which are most commonly located in Historic Goodyear, Parque De Paz Park area, and Canada Village, are allowed to have attached or detached 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 and all front yard covers constructed pursuant to this exception shall be architecturally consistent with the primary dwelling in terms of design, materials, colors, and overall character.

I. 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, beyond the three (3) foot side and five (5) foot rear minimums listed in the section above, 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. Detached carports located in the rear yard and accessed from an alley shall be permitted as accessory structures and shall comply with the setback, height, and measurement requirements of this Section. Detached carports shall be open on at least two (2) sides.

g. 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. Accessory buildings that contain sleeping facilities or are designed or used as a dwelling unit or habitable living space shall comply with the same setback requirements as the principal building. Accessory structures containing only non-habitable space, such as storage areas, pool equipment rooms, restrooms without cooking facilities, or similar incidental uses, may comply with the reduced setback standards applicable to accessory structures.

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.

J. Measurement. For purposes of this Section, required setbacks for detached accessory buildings and structures, including but not limited to patio covers, ramadas, storage sheds, and detached garages, shall be measured from the property line to the furthest horizontal projection of the structure, including roof overhangs or other projections, and not to the supporting wall or post.

K. Accessory structures not expressly identified or regulated in this Section shall be subject to administrative review and approval by the Zoning Administrator, or his or her designee. Such structures shall comply with the general accessory structure standards of this Ordinance unless otherwise approved, and shall not exceed the height, setback, or coverage limitations applicable to accessory structures in the zoning district.

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 that of the underlying zoning district.
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. 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. 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 Services 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.

1. 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.

2. General Regulations.

a. Must be shown as part of a Site Plan Review with all applicable site improvements.

b. If added to an existing site. The use shall obtain Site Plan Review approval with all applicable site improvements.

c. Shall comply with parking ratios found in Section 4.4.4(B)(1).

C. Temporary Outdoor Display.

1. 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:

2. General Regulations.

a. Merchandise must be associated with an established business and shall be the same as that sold inside the store;

b. When located outside of a multitenant building, an outdoor display shall not extend beyond the tenant frontage of the primary business.

c. An outdoor display may not be located within landscape areas, parking lots, drive-aisles, loading zones, or fire lanes;

d. Any display must allow for a minimum four (4) foot wide pedestrian pathway across the building frontage and to all building entrances and exits.

e. Displays are limited to the normal hours of operation of the business, unless otherwise authorized by Site Plan approval stipulations.~~condition;~~

f. Sound amplification shall not be used for sales demonstrations; and

g. 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 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.

C. In properties zoned AG or AU, portable storage containers may be permitted as a long term accessory use, subject to approval of a Zoning Permit and compliance with the following standards:

1. Storage containers shall be accessory to a principal permitted use on the property.

2. On lots less than one (1) acre, no more than one (1) storage container shall be permitted. On lots one (1) acre or greater, no more than two (2) storage containers shall be permitted.

3. Storage containers shall not be stacked and shall not exceed standard commercial container dimensions.

4. Where the property contains a dwelling, storage containers shall be located behind the rear plane of the principal dwelling and shall not be located in a required front yard.

5. Storage containers shall be screened from view of adjacent public streets and residential properties by a minimum six (6) foot solid fence or wall, dense vegetation, or a combination thereof.

6. Storage containers shall not be located within required setbacks and shall not create hazardous conditions.

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 3.13.5 (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 3.13.5.

[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, or his or her designee.
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 health and licensing laws. Vendors are required to obtain a City business license and any other permits required by this ~~Code~~Zoning Ordinance, but the City shall not require additional health permits beyond those authorized by Arizona 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 upon request 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 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. A mobile food vendor may operate within the public right-of-way in connection with a private residential event or a homeowners' association-sponsored event for a period not to exceed six (6) hours within a twenty-four (24) hour period, provided any required City permits or right-of-way authorizations are obtained. Such operation shall not occur more than one (1) time per calendar month at the same location.

d. 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 hazardous materials~~products~~ within the I-2 Zoning District shall be permitted, with Goodyear Fire Department approval 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 Section shall be held to be the minimum requirements necessary for the promotion of the foregoing objectives of this Section.

4.2.2. General Applicability.

The installation and maintenance of landscaping, in accordance with the design standards and requirements of this Section, 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 as 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 Zoning Administrator, or his or her designee, ~~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.

4.2.1. 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 2.2.3 of Article 2.2 (Residential Zoning 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~~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 and five (5)~~,~~ 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 and eight (8) shrubs.~~,~~ For clustered home products and townhomes trees~~the one (1) tree~~ may be relocated and supplemented at the discretion of the Zoning Administrator, or his or her designee.

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 or alternatively include parking lot and drive-aisle screen walls 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.

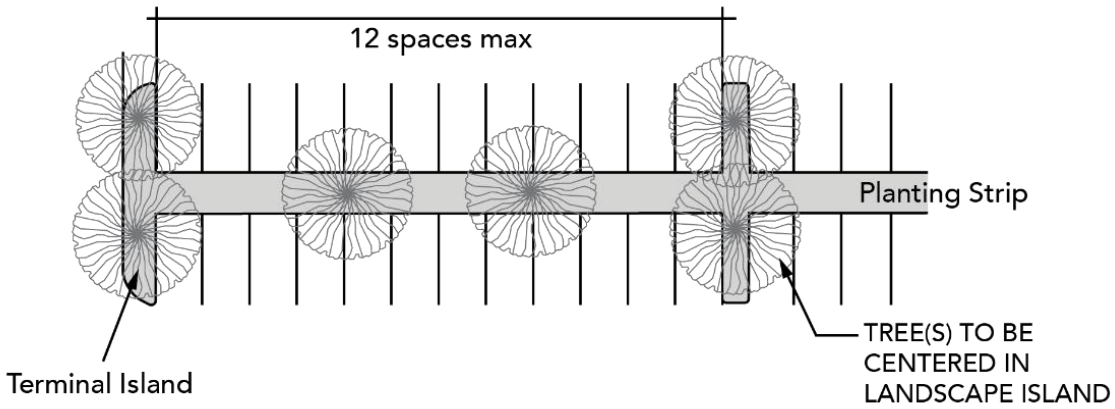
7. To help prevent a fire hazard, palm trees located within any zoning district shall be regularly pruned to remove dried fronds.

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 4.2~~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 4.2~~5~~.4A, 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~~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 & Conservation. This section is not intended to regulate or prevent the beneficial use of water on property within the City service area. It is intended to prevent and discourage the waste of water within the City service area.

1. General

a. Notwithstanding any provision of an approved Planned Area Development (PAD), PAD Overlay district, design guidelines, or other prior land use approval to the contrary, the Zoning Administrator, or his or her designee, may approve alternative landscape treatments that reduce or eliminate non-functional turf in order to conserve water and promote drought-resilient landscaping.

Such approval may be granted upon a finding that the alternative design is consistent with the intent of the approved development and does not reduce required functional open space.

b. Prohibition on certain covenants, conditions, and restrictions.

i. It shall be unlawful for covenants, conditions, and restrictions of a new residential development or similar document regulating architectural and landscaping guidelines to require the use of Water-intensive Landscaping or prohibit Low Water Use Landscaping.

ii. It shall be unlawful for covenants, conditions, and restrictions of a new residential development or similar document regulating architectural and landscaping guidelines to require plant densities in the front yard of homes to be higher than 50% as outlined in Goodyear Landscape Design Standards.

c. Plumbing Fixtures. All plumbing fixtures shall comply with the current plumbing code adopted by the City.

d. Limitations on new Common Area Water Features. Common Area Water Features shall comply with the following requirements to reduce or eliminate water waste:

i. A permit to install, erect or construct the Water Feature shall be obtained. Such permit shall only be issued if the Water Feature complies with the requirements of this section. For splash pads, the following requirements may be waived with measurable water conservation efforts in the portion of the community served by the splash pad as determined by the Water Services Department.

ii. The Water Feature shall be designed with catch basins that will maximize the amount of water recycled and minimize makeup water.

iii. Water Features with jetting or falling water over six (6) feet in height shall be equipped with wind shut-off valves.

iv. The Water Feature shall be designed to use water equipment that will minimize leakage throughout the life of the Water Feature.

v. The Water Feature shall reuse filtered backwash in a manner beneficial to surrounding plant material and landscaped areas.

vi. The Water Feature shall be operational only during normal business hours and shall be equipped with an automatic timer and a recirculation system.

e. Artificial Lakes and Turf Areas

i. All artificial lakes created after the adoption of the ordinance, shall not be filled with groundwater.

ii. All lawns and grassed areas shall be Functional Turf. Non-functional Turf is not allowed.

iii. The use of synthetic/artificial grass is encouraged in lieu of Turf. Synthetic/artificial grass may be used for aesthetic purposes where Non-functional Turf is not allowed.

iv. Except on golf courses, Functional Turf slopes shall not exceed two percent (2%). To reduce erosion, landscaping alternatives to Functional Turf for slopes exceeding two percent (2%) may include, but are not limited to, any combination of terraces, riprap, baffles, desert shrubbery or synthetic/artificial grass

2. Residential Developments

a. Landscaping of Common Areas in New Developments that are single-family and multi-family Developments. Common Areas in new residential development shall be subject to the following regulations:

i. The amount of Water-intensive Landscaping in the Common Areas of a New Development that is a single-family and/or multi-family shall not exceed ten (10) percent of the total Landscapable Area.

ii. Only Low Water Use Landscaping shall be used in the remaining Landscapable Area.

iii. All irrigation systems shall be Efficient Irrigation Systems.

iv. All features, systems, designs, etc. will be designed and operated to eliminate Waste of Water.

v. Residential turf area perimeters should be spaced at least two (2) feet away from shared property lines and turf irrigation cannot contact or damage the integrity of shared property walls.

b. Model homes in New Residential Developments

i. The combined Water-intensive Landscaping and Water Features of model homes in new residential developments

shall not exceed twenty (20) percent of the Landscapable Area.

ii. Water-intensive Landscaping shall be located only where it is functionally useful, such as in play areas.

iii. All other plant material shall be Low Water Use Landscaping.

iv. All irrigation systems shall be Efficient Irrigation Systems

v. All features, systems, designs, etc. will be designed and operated to eliminate Waste of Water.

3. Non-residential Developments

a. New non-residential developments that have an estimated annual water use that averages 9,000 gallons per day or more, except Turf-related Facilities, shall submit a "water conservation plan" prior to issuance of a building permit. All features, systems, processes, designs, etc. will be designed and operated to eliminate Waste of Water. The water conservation plan shall identify all water uses anticipated by the user and the water conservation measures to be utilized and shall contain at least the following:

i. Whether alternative water sources will be used. Alternative water sources include Reclaimed Water, rain water, poor quality groundwater or other non-groundwater sources;

ii. Operating levels of total dissolved solids (TDS) or conductivity for cooling towers and total cooling capacity, as well as proposed cycles of concentration; Submeters shall be required for makeup and blowdown lines on any new water based cooling.

iii. How the Development will use the best available conservation technologies in accordance with existing processes. Examples include, but are not limited to, recirculating systems for processed water, alternative dust control methods, and automatic shut-down devices to eliminate continuous running water;

iv. Any plans for the reuse of wastewater or process water at the Development;

v. Description of the landscaping and irrigation system for the Development; and,

vi. Description of the irrigation system maintenance protocols.

b. Landscaping in new non-residential developments shall be subject to the following:

i. For all non-residential Developments, the Water-intensive Landscaped Area shall not exceed ten (10) percent of the Landscapable Area.

ii. Only Low Water Use Landscaping shall be used in the remaining Landscapable Area.

iii. For schools, parks, cemeteries, golf courses, and public recreational facilities irrigated with potable water the water-intensive landscaped area shall not exceed 30% of the landscapable area. Developments of this type irrigated with another source are exempt from this provision.

iv. Water-intensive Landscaping shall be located only where it is functionally useful, such as in play areas.

v. All irrigation systems shall be Efficient Irrigation Systems.

vi. For landscape areas not adjacent to a public right-of-way or not visible to a publicly accessed area, temporary irrigation systems that exist for 2-3 year plant establishment are allowed. An applicable plant establishment plan must be included.

c. Evaporative Cooling as part of a new development shall be subject to the following:

i. Submeters are required on the makeup and blowdown lines.

ii. Registration of each unit's details including tonnage, cooling type, and cooling purpose with the Water Services Department.

iii. Annual water use report to the Water Services Department including total makeup water used, total blowdown, and any known unmeasured leaks or maintenance procedures that would impact normal water use.

iv. An average cycles of concentration target of 2.5 or higher.

v. Installation of an overflow alarm.

I. Irrigation Systems Design.

1. A programmable, automatic, and underground irrigation system shall be provided to all required landscape areas, except in areas where re-vegetation is needed and a temporary water source is provided.

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.

J. 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.

4.2.2. 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 his or her~~their~~ 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.

D. Drought Emergency Modifications

Upon declaration of a local, regional, or state drought emergency by the City Council, Governor, or authorized water provider, the Zoning Administrator, or his or her designee, may temporarily suspend or modify landscaping installation, irrigation, or maintenance requirements of this Ordinance to promote water conservation.

During such declared drought emergency, failure to maintain turf in a green condition shall not constitute a violation of this Ordinance, provided the landscape area is maintained in a safe and orderly condition free of weeds and hazards.

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.

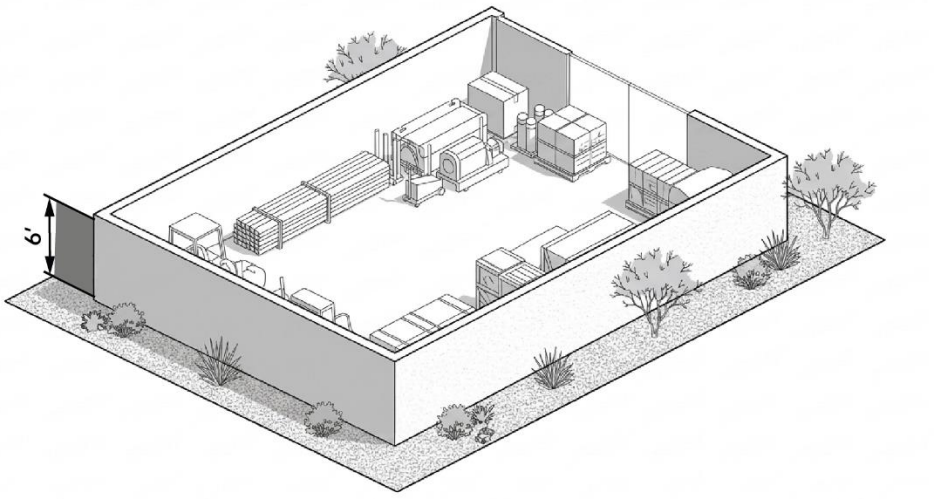
B. Screening Requirements. Screening requirements shall be as follows:

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 so as to screen or block the viewing of the storage areas.

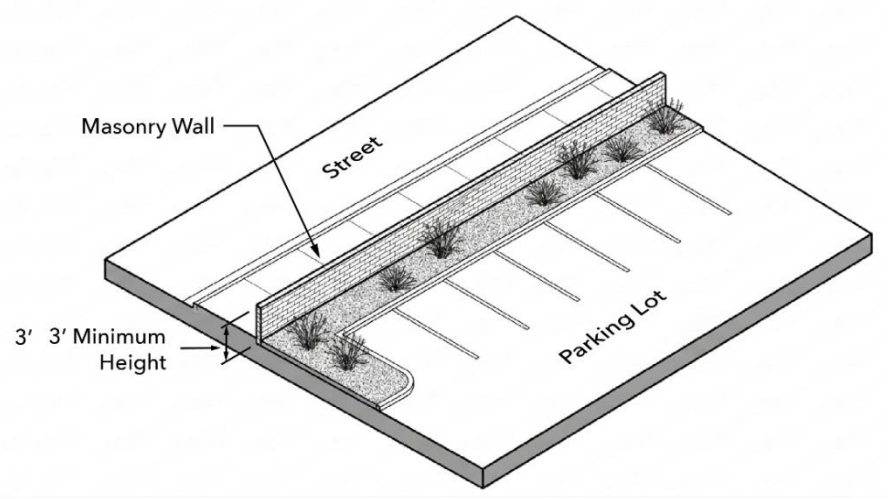
Figure 4.~~36~~.1A - Outdoor Storage Screening



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.

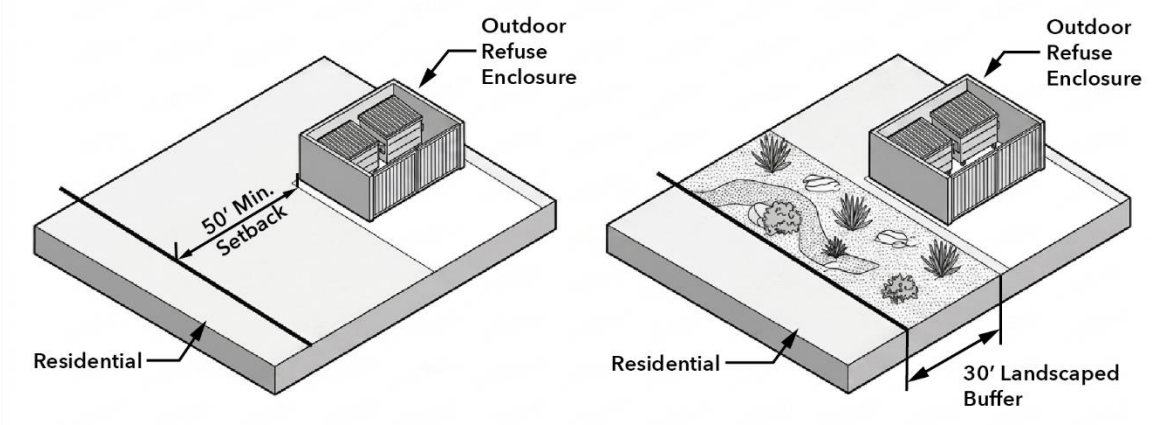
Figure 4.36.1B: Parking Area Screening



5. Refuse.

See Section~~Article~~ 3.1.22 for outdoor refuse enclosure regulations. ~~– General Requirements in All Districts~~

~~***Figure 4.6.1C - Outdoor Refuse Screening***~~



~~6.~~5.

~~7.~~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 3.11.194.5.13 (Drive-Through ~~Restaurants~~).

~~8.~~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 and utility equipment, whether ground mounted or roof mounted, including but not limited to HVAC units, plumbing equipment, fire protection systems, generators, transformers, switchgear, backflow preventers, battery storage systems, refuse and recycling enclosures, and similar appurtenances, shall comply with the following:

   a. Location.

      i. Equipment shall not be located within required landscape setbacks, required open space, or between the primary building façade and a public street.

      ii. Equipment shall be located to the side or rear of buildings and arranged to minimize visibility from public streets and adjacent properties.

   b. Screening.

      i. Ground mounted equipment visible from a public street or residential zoning district or within public view shall be screened by an architectural wall or enclosure compatible with the primary building.

      ii. Roof mounted equipment shall be fully screened by a parapet or architecturally integrated screening element consistent with the building design.

   c. Maintenance. Required screening shall be maintained in good condition.

~~9.~~8. Utilities. All utility substations, wells, storage facilities, and other utilities shall be screened from view by a solid masonry wall and landscape.

~~10.~~9. 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 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.~~10. 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.~~11. 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.

   a. When a fence or wall greater than four (4) feet in height is not placed on the shared property line and is instead set back within fifty (50) feet of that line, the constructing property owner shall obtain approval from the Development Services Department prior to construction. The Department may require an impact analysis demonstrating effects on the adjoining property and may require a recorded easement providing attachment, access, and maintenance rights to allow the adjoining owner to construct and tie their fence or wall into the setback wall.

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.

   a. For residential lots with side yards that include a tract less than fifty (50) feet wide, a solid wall may be allowed on the portion of the lot located in front of the rear yard setback, along the full length of the lots on one side of the tract, or through other means deemed as approved by the Zoning Administrator, or his or her designee.

4. Height of walls and fences in residential districts shall be measured from the lowest adjacent grade, except when adjacent to an alley, private road, or street right-of-way 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 three (3~~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 that are located 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 one hundred fifty (150~~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.~~3. 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.~~4. 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.~~5. All fences in a side or rear yard of a lot abutting an alley, which is intended to be utilized for garbage and trash storage must allow for a three (3) foot deep by eight (8) foot wide inset with gate for storage of garbage cans.

~~7.~~6. 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.~~7. A building permit must be obtained prior to the installation of any wall that exceeds six (6~~eight (8~~) feet in height.

~~9.~~8. A building permit must be obtained prior to the installation of any fence that exceeds six (6) feet in height.

9. In residential and agricultural districts with residential uses, no open wire fences, including chain link fences, are allowed in a front yard.

10. 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. In a rear yard where such fencing is concealed behind a masonry wall;

~~b.~~c. 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.

11. 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.

12. 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.

13. 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.

A. 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.

B. Design and Enclosure Details. Additional requirements for the design and enclosure of pools apply as follows:

    1. 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.

    2. 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.

    3. 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.

4. 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.

   a. 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.

   b. 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.

C. Zoning Districts and Placement.

1. In any agricultural or single-family residential zoning districts, 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.

2. 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.

3. No public swimming pool shall be closer than twenty-five (25) feet to any property line.

D. Permit, Inspection, Maintenance.

1. 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.

2. 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.

3. 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.

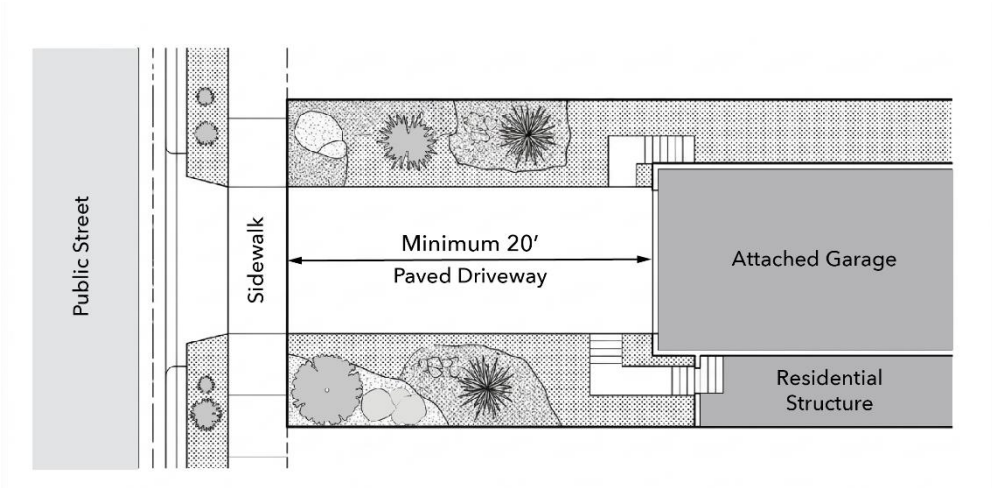
a. Spaces shall be provided in the form of a rectangle not less than ten (10) feet by twenty-four (24) feet, or larger as may be required to accommodate the unit, subject to the screening requirements of Section 4.3.1.

B. Residential Vehicular Access.

1. Driveways.

a. One (1)~~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 and unless shared shall not be paved within two and a half (2.5) feet from the side property line on the front of the home. 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. Lots that are one hundred (100) feet wide or less that also have a driveway at the maximum width shall be permitted additional driveway width up to ten (10) feet if the additional side width serves as an access path to a side yard gate, provided that the following criteria are met:

i. The lot includes a home with a garage with three (3) forward-facing spaces for personal vehicles with garage doors; and

ii. The lot has a minimum existing side setback of at least ten (10) feet on one side.

1) To ensure aesthetic consistency and avoid unintended visual impacts, all of the following design standards and requirements for the permitted additional side driveway width would apply:

a) The additional side driveway surface cannot be constructed of uncolored standard concrete;

b) The additional side driveway area must be constructed of a material such as pavers or stamped/colored concrete;

c) A ribbon/tire strip design for the additional side driveway area would require the use of pavers to construct them;

d) The additional side driveway area must function and serve as access to a side yard gate;

e) Side driveway extensions not serving as an access path would not be allowed;

f) The additional side driveway area must not be flush with the property line and not be less than two and a half (2.~~five (~~5) feet from the property line—a clear separation (e.g., landscaped strip or setback buffer) would be required to reduce hardscape massing and maintain neighborhood character;

g) Parking on the additional side driveway is prohibited;

h) Any driveway extension, additions, or cuts that encroach on the public right-of-way shall require a permit deemed necessary by the Zoning Administrator, or his or her designee.

j. 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 surface (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.

k. Lots that exceed one hundred (100) feet in width may incorporate a front yard circular drive provided the maximum driveway width is a combined 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.

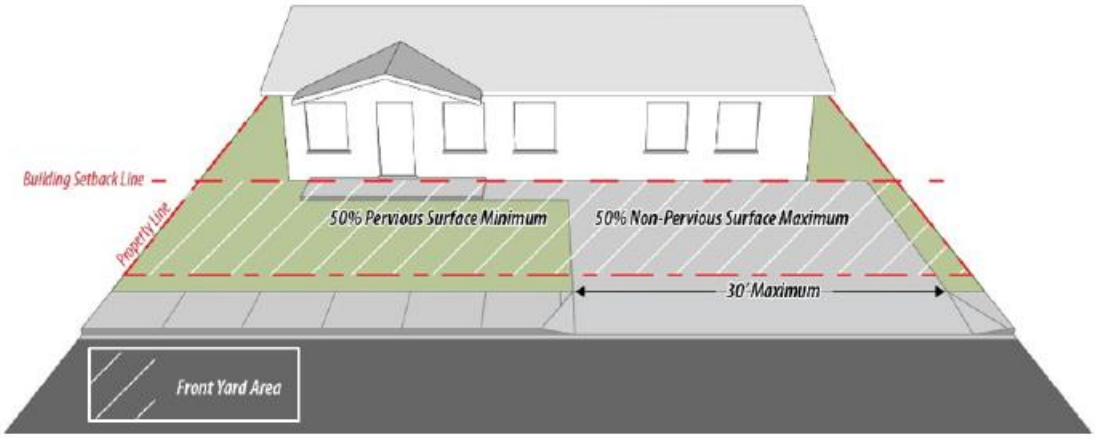
l. Residential lots in the Agricultural (AG) District accessed from a paved street shall include a paved apron that extends from the street a minimum of twenty (20) feet or to the edge of the public right-of-way, whichever is greater. The driveway may be paved or may contain a stabilized surface of two (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

m. 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.

n. 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



2. 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, or his or her designee, 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, or his or her designee, 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 except as provided below:

vi. 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.

b. The Zoning Administrator, or his/her designee, at his/her discretion, may allow the use of other materials for surfacing 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); or~~).~~

iii. the use of the parking lot is for a recreational use and the Zoning Administrator, or his or her designee, has determined the use of such material is appropriate to the character and nature of the area and use.

~~iii.~~iv. Any alternative surfacing materials allowed by the Zoning Administrator, 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.~~v. 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.~~vi. 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, or his or her designee, 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, or his or her designee.

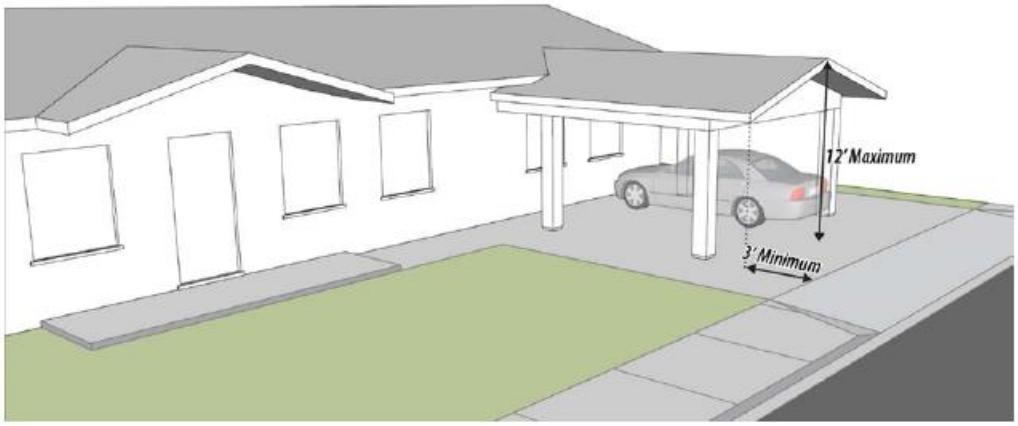
b. For residential lots in the Agricultural Urban (AU) and Agricultural (AG) districts accessed from an unpaved roadway, two (2) paved parking spaces shall be required in the form of either: (1) an enclosed garage; or (2) a carport that is located to the rear of the residence and not visible from the 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 (Litchfield Manor, Goodyear Estates, Litchfield), Litchfield Shadows, Arnold Manor, ~~Northern Subdivisions~~ and Canada Village Parking:

On residential lots within subdivisions recorded prior to 1981, 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, or his or her designee, 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).

D. Parking Standards for Multi-family Residential, Commercial, Industrial and Mixed – Use Development.

1. 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. The City shall not be liable for parking availability or private disputes between owners and lessees if subsequent tenant improvements (TI) alter the parking demand established with the approved Site Plan.

2. 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.

3. 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.

4. For developments with more than three (3) 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.

E. 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.

F. Parking Plan.

1. 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.

2. A Parking Plan shall be required for:

~~a. Any development proposing 50 or more parking spaces.~~

a. All multi-family or mixed-use developments.

b. Developments containing multiple parking types, including structured, covered, or shared parking.

c. Any development requesting a parking reduction or shared parking arrangement.

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.

G. 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, or his or her designee, 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 4.4.4 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, or his or her designee, may require additional site area to be provided, and as necessary improved, to supply additional required parking facilities.

H. 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.

I. 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.

J. Parking Reductions

Required parking for any use may be reduced by the Zoning Administrator, or his or her designee, 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.

K. 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 4.4.4B.
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.

L. Parking Structures.

1. Location. Parking structures may be located in all Multi-family, Commercial, Industrial and in areas within PAD zoning districts that are not designated for single-family residential development.

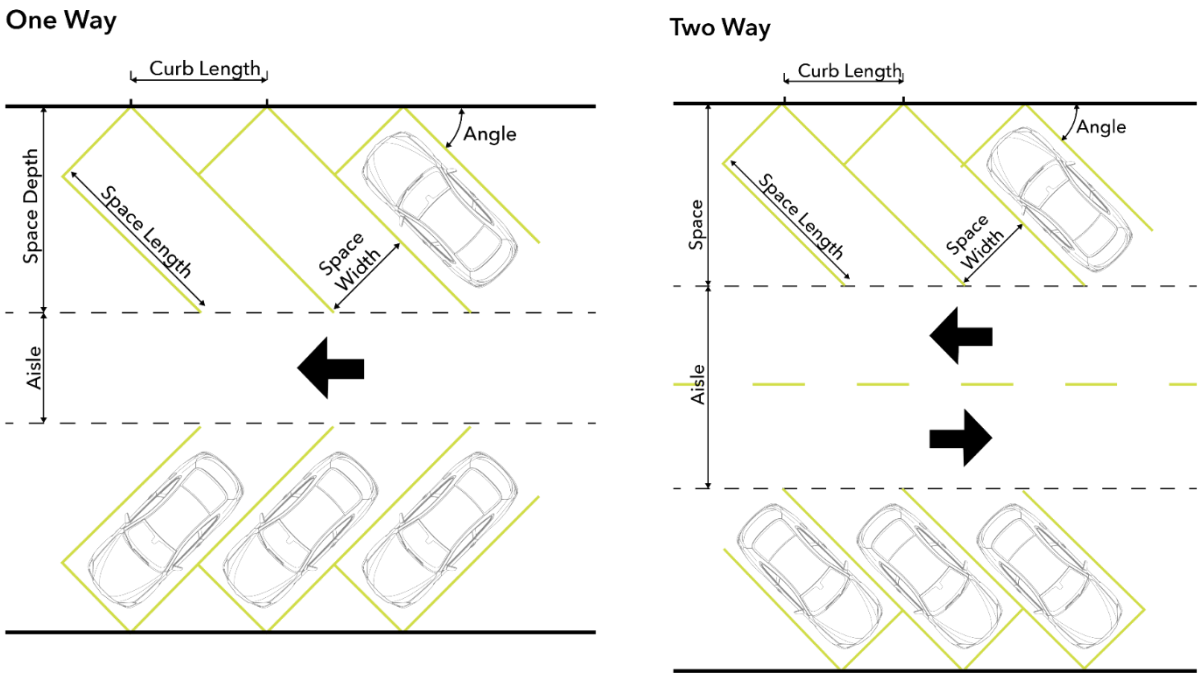
2. Development Standards. Parking structures shall conform to all principal building development standards, including setbacks, building heights, and lot coverage applicable to the zoning district in which parking structures are located.

M. Parking Dimensions. Dimensions for parking spaces and maneuvering aisles shall meet the following minimum dimensions:

Table 4.4.3N – Parking 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 4.4.3B~~3~~ - Parking and Aisle Dimensions



N. 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, or his or her designee.

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 first 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 first 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 first 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 first 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. Bicycle 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, or his or her designee.

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, or his or her designee.

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. Bicycle 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, or his or her designee.

4.4.7. Electric Vehicle Charging

Electric vehicle charging stations and associated infrastructure shall comply with the following:

A. Customer-Facing Equipment. EV charging pedestals and associated bollards intended for customer use may remain visible and accessible.

B. Support Equipment. Transformers, switchgear, utility cabinets, meters, conduit, battery systems, and other supporting infrastructure shall:

1. Not be located within required landscape setbacks or between the primary building façade or a public street;

2. Be screened by an architectural enclosure compatible with the primary building;

3. Maintain required utility and emergency access clearances.

C. Design Integration. EV charging canopies, equipment, and screening elements shall utilize colors and materials compatible with the overall development.

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, or his or her designee, 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, or his or her designee.~~.~~ 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, or his or her designee, 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. The Zoning Administrator, or his or her designee, has the ability to amend the standards for any lighting zone as development patterns change. Note that lighting on arterial streets does not follow lighting zone standards but rather needs to follow the City of Goodyear Engineering Design Standards and Policies Manual.

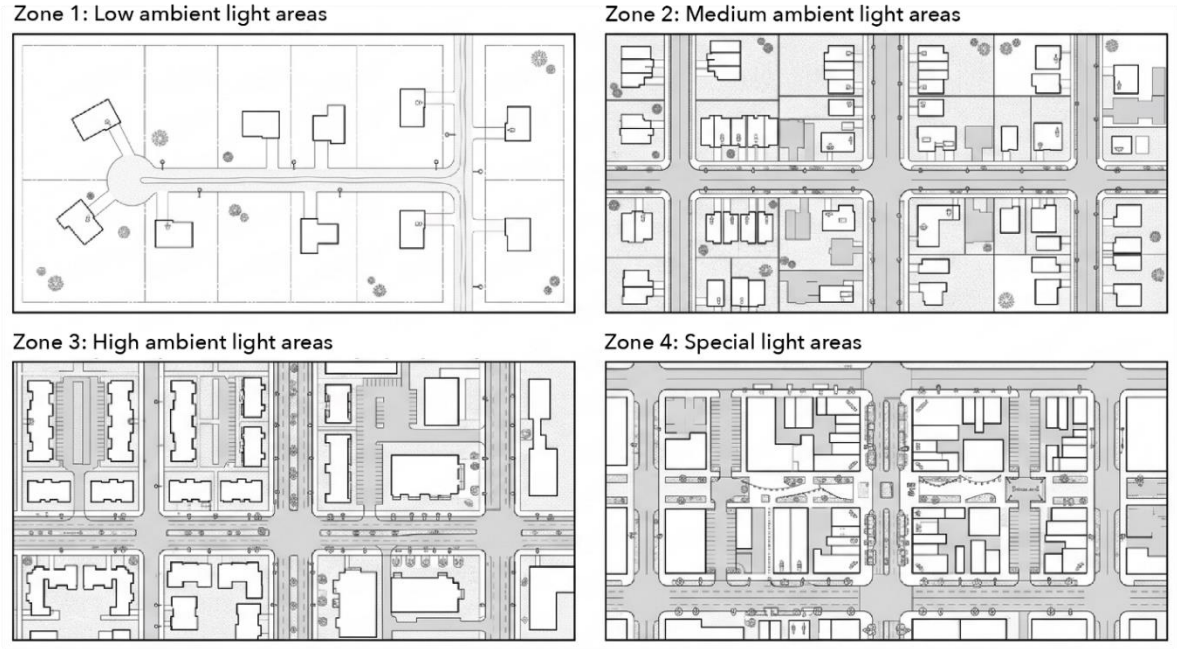
ZONE 1. Low ambient light areas – Rural residential areas or low-density residential areas with limited commercial

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 nighttime 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 4.5~~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.

ZONE 4. All outdoor lighting in special light areas shall be reduced according to the lighting plan in the approved development agreement.

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 they 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.

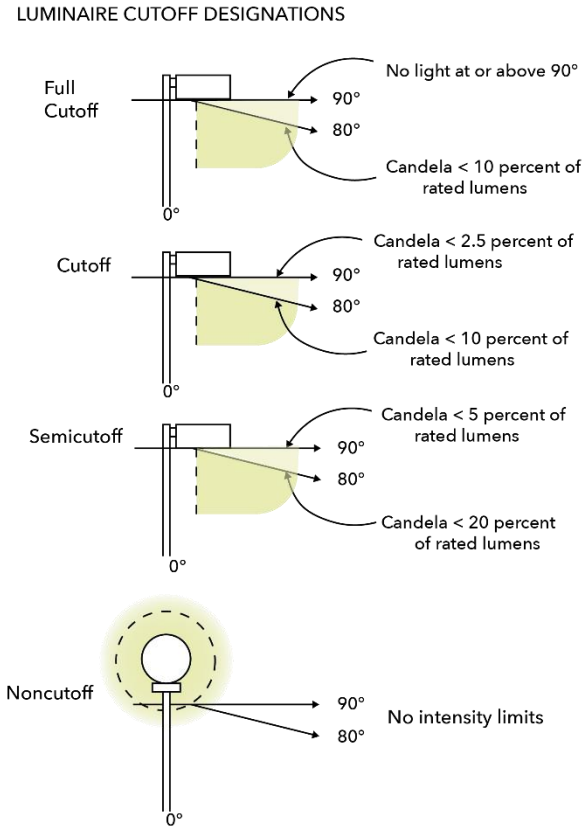
ZONE 1. Pole or wall-mounted fixtures shall be full-cutoff fixtures only. All perimeter fixtures shall possess house-side shielding Bollards shall be louvered and utilize coated lamps. All light sources shall have a color temperature of less than or equal to 3,200 Kelvin. Wall-mounted fixtures of greater 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 4.5~~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. 15' height > 30'.	1.50 Average	0.30 Maximum	<= 1,800 Lumens Turn off at 10:00 PM. or 1-hour after Close of Business.

		HSS on Perimeter Fixtures	Dark and Non-Reflective Colors.			
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	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.
3,500 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	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	<= 1,800 Lumens = 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. Sports lighting~~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. Sports lighting~~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. Sports lighting~~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. Sports lighting~~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.

D. *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.

E. *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 by the property owner 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, the property owner is responsible for implementing 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 public welfare and safety by the 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 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:

   a. Additions less than 2,000 square feet that do not exceed fifty (50) percent of the existing usable floor area;

b. Additions greater than 2,000 square feet that do not exceed ten (10) percent of the existing usable floor area;

c. Modifications required by federal, state, or local regulations.

d. 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;

e. The sign remains substantially the same in design and structure;

f. The sign is relocated to a position as similar as practicable to its original location; and

g. The relocation complies with all applicable safety requirements.

C. 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.

D. Signs for Legal Nonconforming Use.

1. No new or additional sign shall be permitted for a legal nonconforming use.

2. A sign associated with a legal nonconforming use, shall be removed or brought into compliance if:

3. The use is discontinued for a period of three hundred sixty-five (365) consecutive days; or

4. The use becomes conforming.

E. Signs Rendered Abandoned.

1. Determination of Abandonment. A sign shall be deemed abandoned if any of the following conditions exist:

a. The sign displays no message, copy, or content for a continuous period of six months (6) months;

b. The business, use, or activity to which the sign pertains has ceased operations for a period of six months (6) months; or

c. The sign advertises or relates to a time, event, or purpose that is no longer applicable; or~~.~~

d. The business, use, or activity to which the sign pertains ceases to maintain an active business license.

2. Prohibition. Any abandoned sign is prohibited and shall be brought into compliance with this Article.

3. Removal and Maintenance Requirements. Within thirty (30) days~~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 display faded, damaged or incomplete copy.

4. Responsible Party. The responsible party shall include the property owner, sign owner or any person or entity in control of the property or sign.

5. Failure to Comply. Failure to comply with this Section shall constitute a violation subject to enforcement and abatement in accordance with Section 4.6.13.

F. Unsafe Signs

6. 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.

7. 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.

8. 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 Sign 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. This shall include any sign required by the City for the enforcement of city laws

2. City Kiosks and Public Information Structures. Kiosk signs or similar structures erected, maintained or authorized by the City.

3. Flags. Any flags that are not used for commercial advertising and do not contain commercial speech, or other commercial promotional content. The maximum height of flagpoles associated with such signs shall not

exceed two (2) times the height of the tallest building located on the subject site;

4. Memorials and Historical Markers. Tablets, grave markers, headstones, statuary or remembrances of persons or events, located on private property.

5. 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.

6. Required Regulatory Signs. Signs required to be installed by any governmental entity or a public or quasi-public utility.

7. 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.

4.6.6. 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. Billboards.

3. Off-Site Signs, except as may be expressly permitted by this Article.

4. 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 by this Article.

5. 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.
6. 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
7. 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
8. Roof Signs. Signs located on, attached to, or above any roof, parapet, or rooftop equipment.
9. 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
10. Portable and Temporary Signs. Portable signs, including A-frame signs and similar devices, except as expressly permitted under Temporary Sign regulations.
11. Pole Signs. Pole signs that are mounted on one or more freestanding poles exceeding six (6) feet in height.
12. Nonconforming and Unpermitted Signs. Nonconforming signs that are:
    a. Not legal nonconforming signs; or
    b. Signs installed or maintained without a required permit
13. 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.

4.6.7. 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 4.5 (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. The City may require adjustments to illumination intensity or direction where a sign creates a demonstrated nuisance or safety hazard. 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 4.5 (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, unless the applicant can

demonstrate to the Zoning Administrator, or his or her designee, that halo/backlit lighting will not cause a nuisance or safety hazard the abutting residential property. ~~.~~

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, except as expressly permitted by this Article.

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.

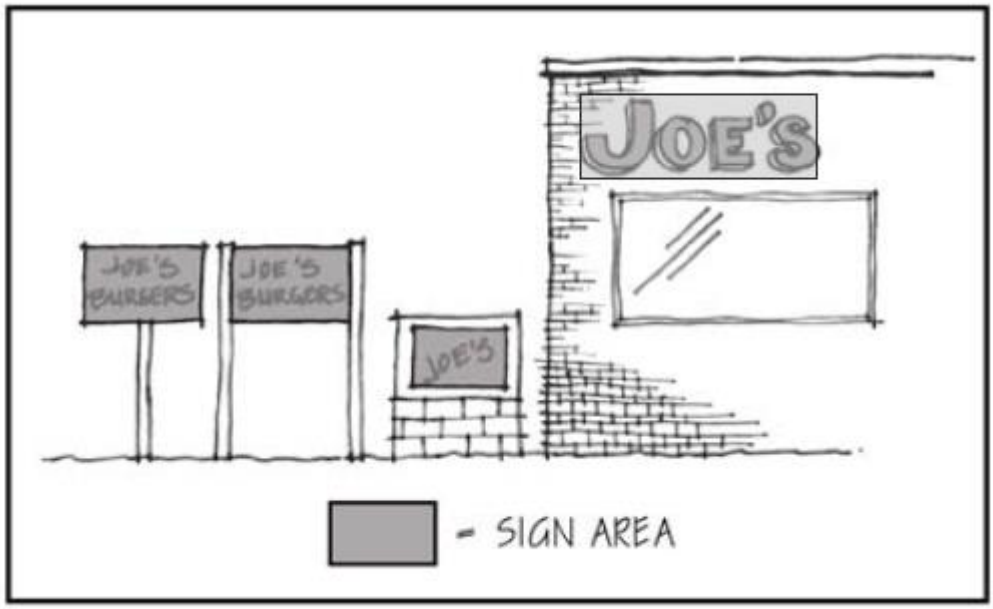
C. Comprehensive Sign Packages

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 4.6.12 of this Ordinance for additional information.

4.6.8. Sign Copy Area and Height

A. Sign Copy Area. Sign copy 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 copy 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 a Part of Sign

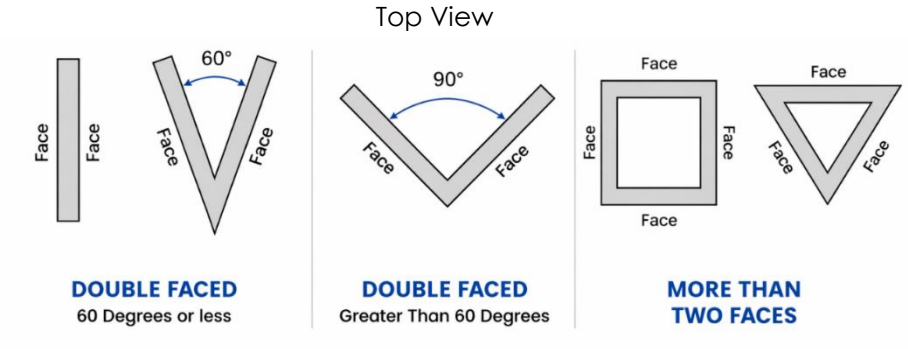
3. Sign copy mounted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as the smallest rectangle that will enclose both the sign copy and background area together.
4. Sign copy area shall include all cabinets, raceways, background 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 copy area shall be calculated using only one face.

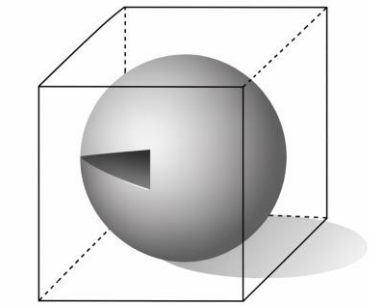
b. Where the distance between sign faces exceeds four feet, or the angle between faces exceeds 60 degrees, the sign shall be calculated as the sum of both faces.

c. Where a sign has three or more faces, the sign copy area 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 copy 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.



Multi-Face Signs



Non-Planar Signs

B. Sign Height. Sign height is defined and shall be measured as follows:

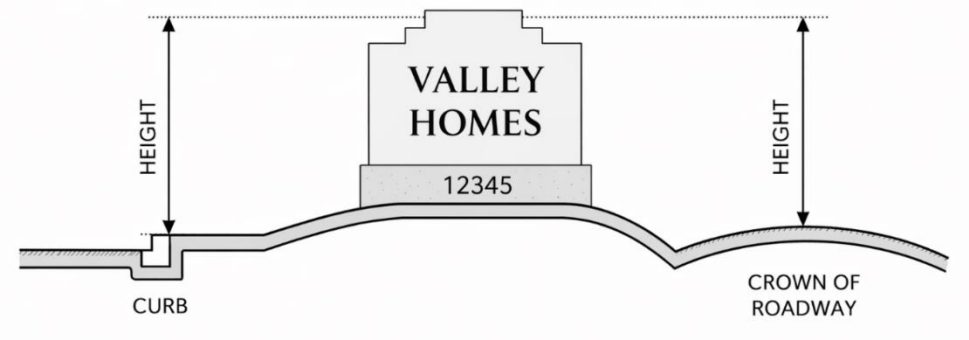
1. The height of a freestanding monument sign located within 30 feet of an adjacent street right-of-way shall be measured as the vertical distance from the top of the highest element of the sign structure to the top of the curb or crown of the adjacent roadway where no curb exists.

Any monument base or other structure erected to support or enhance the sign shall be measured as part of the sign height.

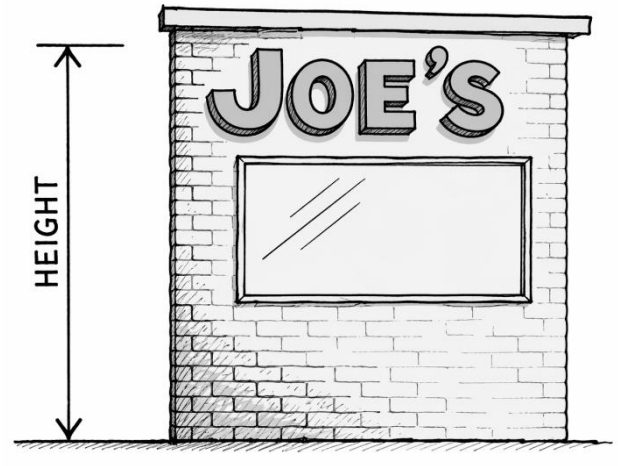
2. The height of all other freestanding monument signs or ground-mounted signs, not located within 30 feet of an adjacent street right-of-way, shall be measured as the vertical distance from the top of the highest element of the sign structure to the adjacent grade.

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.



Measurement when within 30 feet of right-of-way



Wall Sign Height

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 copy 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 used to identify, advertise or communicate information related to a permitted use.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Directional	All zoning districts	Multi-family Residence Uses; All permitted 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, CMX, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.C
Electronic Message Display	CO, C-1, C-2, CMX, PFD, BPD and Commercial PADs	In conjunction with a permitted monument sign	See Section 4.6.9.D
Monument	All zoning districts	Multi-family Residence Uses; All permitted non-residential uses	See Section 4.6.9.E
Murals and Public Art	R2, MF-12, MF-18, MF-24, CO, C-1, C-2, CMX, PFD, I-1, I-2 and PADs	Multi-family Residence Uses; All permitted non-residential uses	See Section 4.6.9.F
Freeway Pylon	Subject to approval of Use Permit as specified in Sections 6.5 and 4.6.9	Subject to approval of Use Permit as specified in Sections 6.5 and 4.6.9	See Section 4.6.9.G

* Murals and Public Art shall be considered as both Site Signs and Building Signs depending on application.

Building Signs*
For the purposes of this Ordinance, a Building Sign shall mean any permanent sign affixed to a building, including windows and architectural elements, used to identify, advertise or communicate 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, CMX, 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, CMX, 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, CMX, PFD, BPD, and Commercial PADs	All permitted uses	See Section 4.6.10.C
Shingle	CO, C-1, C-2, CMX, 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, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted uses	See Section 4.6.10.F

*Note: Building signs shall be subject to the applicable development standards of this Article, including but not limited to sign copy 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 to be used for limited periods of time.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
~~Multi-Family Development Flags~~	~~R2, MF-12, MF-18, MF-24, and Residential PADs~~	~~Sales Office of Multi-family Residence Uses; Model home of a permitted subdivision~~	~~See Section 4.6.11.A.1~~
~~Model Home Complex~~	~~All residential zoning districts and residential PADs~~	~~All permitted residential uses~~	~~See Section 4.6.11.A.2~~
~~Model Home Flags~~	~~All residential zoning districts and residential PADs~~	~~All permitted residential uses~~	~~See Section 4.6.11.A.3~~
~~Residential Development Signs~~	~~All zoning districts~~	~~All permitted residential uses~~	~~See Section 4.6.11.A.4~~
~~Property Under Construction (Residential Subdivision)~~	~~All residential zoning districts and residential PADs~~	~~All permitted residential uses~~	~~See Section 4.6.11.A.5~~
~~Short Term Off-Premises~~	~~All residential zoning districts and residential PADs~~	~~All permitted residential uses~~	~~See Section 4.6.11.A.6~~
Sign Walker	All zoning districts	All permitted uses All permitted non-residential uses	See Section 4.6.11.A.1~~7~~

Vehicle	CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.A.28
Yard	All residential zoning districts and residential PADs	All permitted residential uses	See Section 4.6.11.A.39

*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
Banners	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.1
Construction Impacted Development	R2, MF-12, MF-18, MF-24, CO, C-1, C-2, CMX, PFD and Residential and Commercial PADs	All permitted multi-family and commercial uses	See Section 4.6.11.B.2
Property Under Construction (Non-Residential Subdivision)	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.3
Inflatable Devices	All zoning districts	All permitted uses	See Section 4.6.11.B.4
Model Home ComplexBanners	All residential zoning districts and residential PADsR2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.54
Model Home FlagsInflatable Devices	All residential zoning districts and residential PADs	All permitted residential uses	See Section 4.6.11.B.65
Multi-Family Development Flags	R2, MF-12, MF-18, MF-24, and Residential PADs	Sales Office of Multi-family Residence Uses; Model home of a permitted subdivision	See Section 4.6.11.B.7
Portable	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.86

	(Commercial and Industrial)		
Property Under Construction (Residential Subdivision)	All residential zoning districts and residential PADs	All permitted residential uses	See Section 4.6.11.B.9
Residential Development Signs	All zoning districts	All permitted residential uses	See Section 4.6.11.B.10
Signs on Property Offered for Sale or Lease	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CMX, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted commercial, industrial, multi-family or permitted non-residential uses	See Section 4.6.11.B.11~~7~~

4.6.9. 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. These signs shall be utilized for wayfinding and site circulation purposes.

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.

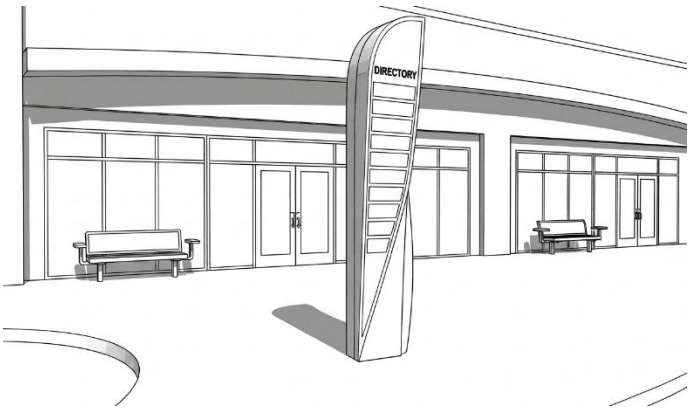
b. The maximum sign copy area shall be six (6) square feet.

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 copy 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 copy 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 copy area.

4. Industrial Use in an Industrial Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite.

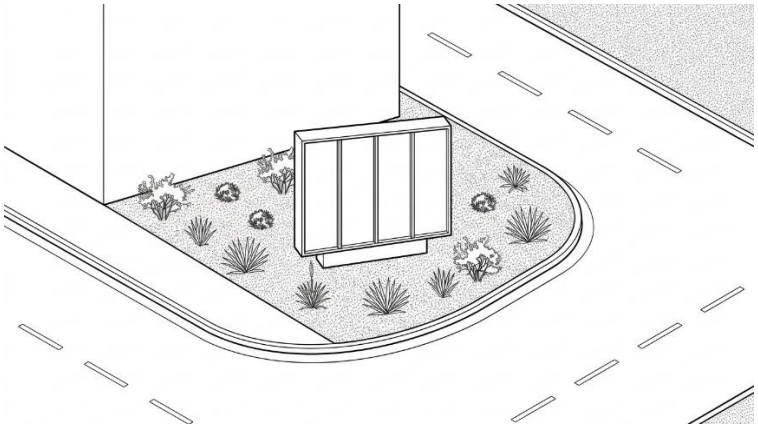
b. The maximum sign copy area shall be eighteen (18) square feet.

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 copy area.

C. Drive Through Menu Board



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.

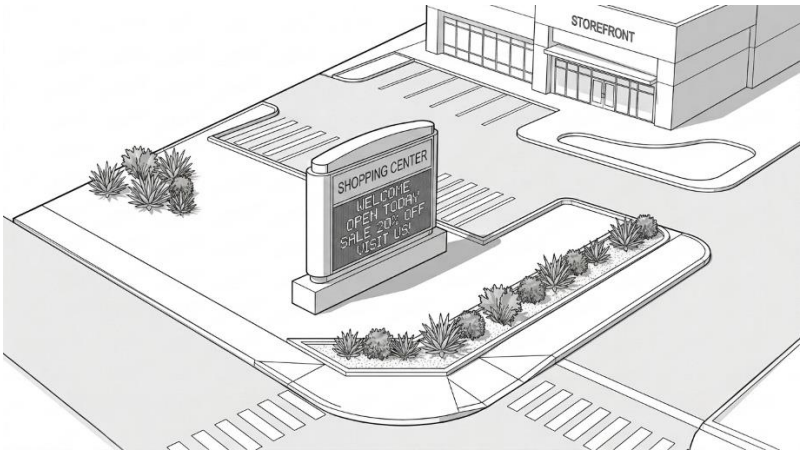
   f. A menu board shall be located at least forty-five (45) feet from any public right-of-way or residential property line.

   g. 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. 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. For electronic message display signs used to display gas prices, an~~Corner Lot and Multiple Street Frontage Allowance. An~~ additional electronic changeable copy display monument sign may be permitted for corner lots or lots with multiple street frontages, provided that each street frontage adjacent to the subject site is at least three hundred thirty (330) feet in length. Only one (1) electronic message display sign shall be permitted per street frontage.

c. The electronic message display shall be integrated into the monument sign and shall not be mounted above the monument sign cabinet or pole.

d. An electronic message display may occupy up to fifty (50) percent of the allowable sign copy area of the monument sign or twenty-four (24) square feet, whichever is less.

e. 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.

f. 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.

g. 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.

h. 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.

i. 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.

j. The use of an electronic message display for off-site advertising is prohibited.

E. 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 thirty-two (32) square feet when adjacent to an arterial street and sixteen (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. On primary monument signs, permanent site identity, which is not tied to a single tenant, is encouraged.

2. Commercial Use in a Commercial Zoning District

e. 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.

f. 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.

g. 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.

h. 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. On primary monument signs, permanent site identity, which is not tied to a single tenant, is encouraged.

i. 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.(D)

j. 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:

   i. 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.

   ii. The maximum height of the internal monument shall be six (6) feet.

   iii. The maximum copy area of the internal monument sign shall be sixteen (16) square feet.

   iv. 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.

   v. 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.

   vi. Internal monument signs shall be used for tenant identification only and shall not include electronic message displays.

3. 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.

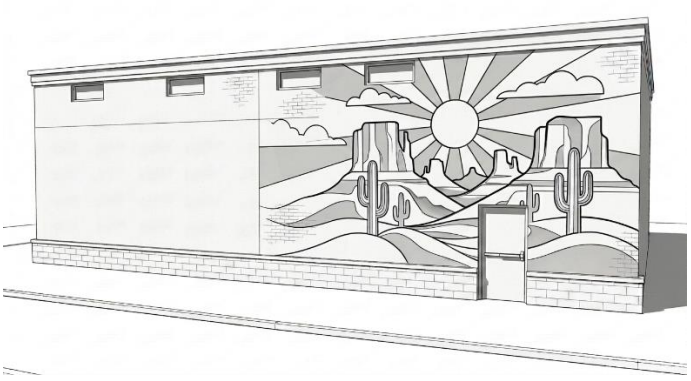
b. The maximum height shall be eight (8) feet and the maximum sign copy area shall be thirty-two (32) square feet. Within a unified industrial development containing three (3) or more businesses and subject to an approved Comprehensive Sign Package, the maximum height shall be twelve (12) feet and the 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. On primary monument signs, permanent site identity, which is not tied to a single tenant, is encouraged.

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.(D)

F. Murals and Public Art



1. Murals and public art shall be permitted in the Multi-Family, Commercial, and Industrial Zoning Districts. Murals shall also be permitted on governmental and institutional structures.

a. Murals are not permitted on the primary façade of a building. A primary façade is defined (for purposes of this section) as the building elevation that faces the adjacent street right-of-way and is the primary customer entrance.

2. ~~Mural~~ Permit Required

a. No mural or public artwork shall be installed unless a ~~mural~~ permit has~~shall~~ first been~~be~~ obtained by the owner, or his/her agent, from the Zoning Administrator~~Development Services Director~~, or his or ~~/~~her designee.

3. Application Requirements

Permit application shall contain, but not be limited to, the following information:

a. Site plan showing the lot and building dimensions and indicating the proposed location of the mural.

b. Pictures of the building elevations.

c. A scale drawing and color photo of the building elevation showing the proposed size and placement of the mural or public artwork.

d. A colored drawing of the proposed mural or public artwork.

e. Proposed materials and installation methods.

f. A description of the proposed maintenance schedule that includes the timeframe for the life of the mural or public artwork, maintenance and method for removal, if applicable.

4. Fees

The Fee for application for a permit~~Mural Permit~~ shall be as established by Resolution of the City Council.

5. Prohibited Artwork Types

a. Murals or public artworks that imitates or interferes with traffic control devices or creates a safety hazard, or obstructs visibility for motorists, pedestrians, or bicyclists.

b. Murals affixed, applied or mounted above, upon or suspended from any part of the roof of a structure.

c. Murals shall not project from the wall surface, other than the minimum necessary protrusion to mount the mural to the wall or structure.

d. Murals or public artwork containing any gang affiliation symbols or include characteristics of illegal graffiti that do not match the design and use of the subject property.

e. Murals or public artwork containing political themes or agenda-driven content

f. Murals or public artwork containing any commercial messages or advertising.

g. Murals or public artwork containing copyrighted material without proper authorization

h. Murals or public artwork containing obscene content. For purposes of this section, the following themes or elements are not permitted:

i. representations of violence or hate, nudity or sexually explicit content; or

ii. profanity or obscene language; depictions of illegal activities; or

iii. disparagement or denigration of cultures.

The City reserves the right to reject proposals for murals or public artwork based on the themes or messages expressed as permitted by applicable First Amendment law.

6. Maintenance

a. The mural or public artwork shall be kept in good condition for the life of the artwork according to the maintenance schedule and responsibilities approved by the Zoning Administrator~~Development Services Director~~, or his or ~~/~~her designee.

b. The display surface shall be kept clean and free from corrosion.

c. Any mural or public artwork that is not maintained, faded, or is in disrepair shall be ordered removed or covered with opaque paint, similar to the primary building materials/colors or other appropriate material by the Zoning Administrator~~Development Services Director~~, or his or ~~/~~her designee.

7. Design Standards

a. The proposed mural or public artwork will not have an adverse impact on the safe and efficient movement of vehicular or pedestrian traffic; and

b. The proposed mural or public artwork is well integrated with the building's façade and other elements of the property and enhances the architecture or aesthetics of a building or wall; and

c. The mural or public artwork will not have a detrimental effect on the structural integrity of the building or wall on which it is applied/affixed.

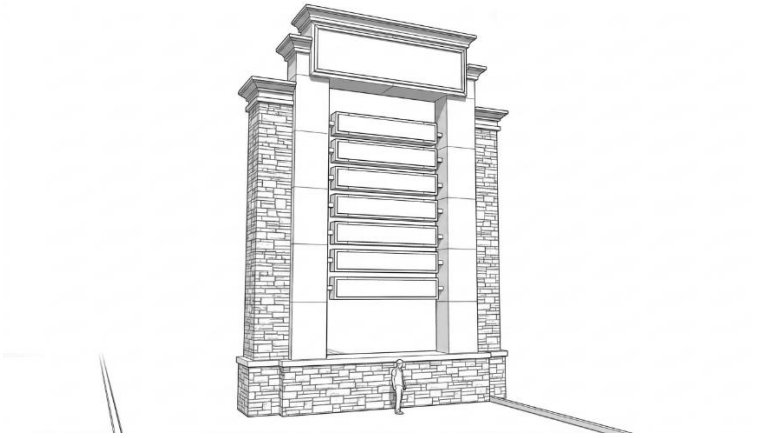
8. Mural Permit Approval

a. No mural permit shall be approved unless the Zoning Administrator~~Development Services Director~~, or his or ~~/~~her designee, shall find that the requirements of this Section have been fulfilled.

i. Permit Denial. A mural permit applicant may appeal the decision of the Zoning Administrator, or his or her designee,~~Development Services Director~~ to deny a mural permit. Said appeal shall be made in writing to the Zoning

Administrator, or his or her designee,~~Development Services Director~~ and said appeal shall be made within 30 days of the decision by the Zoning Administrator, or his or her designee,~~Development Services Director~~ to deny the permit. Appeals will be heard by the Planning and Zoning Commission to determine if the Zoning Administrator, or his or her designees'~~Development Services Directors'~~ decision to deny the permit is consistent with the provisions of this Section of the Zoning ~~Code~~Ordinance.

G. Freeway Pylon Signs



1. Freeway Pylon Signs shall require a Use Permit approved in accordance with the provisions of Section 6.5 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 ensuring~~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 copy 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 6.5 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 Zoning Administrator, or his or her designee~~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 Zoning Administrator~~Community Development Director~~, or his or her designee.

   f. The proposed maximum sign copy 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 4.5 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 4.6 (Sign Regulations).

4.6.10. 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

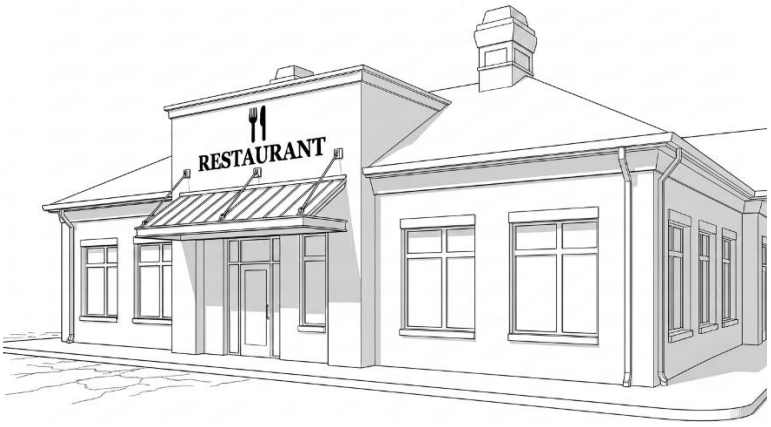


1. Commercial Use in a Commercial Zoning District

    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 copy 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 copy 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 copy area shall be calculated as follows:
        i. Primary Building Elevation. One (1) square foot of sign copy 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 copy 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 copy area for the primary building or tenant space.

iii. Maximum Sign Copy Area. Wall signage on an accessory building shall not exceed:

1) One-half (0.5) square foot of sign copy 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 architecturally compatible with the primary building and overall development.

2) 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.

3) 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 copy area shall be calculated as follows in accordance with the following guidelines:

i. Primary Building Elevation. One (1) square foot of sign copy area per linear foot of tenant frontage or thirty-five (35) square feet, whichever is greater.

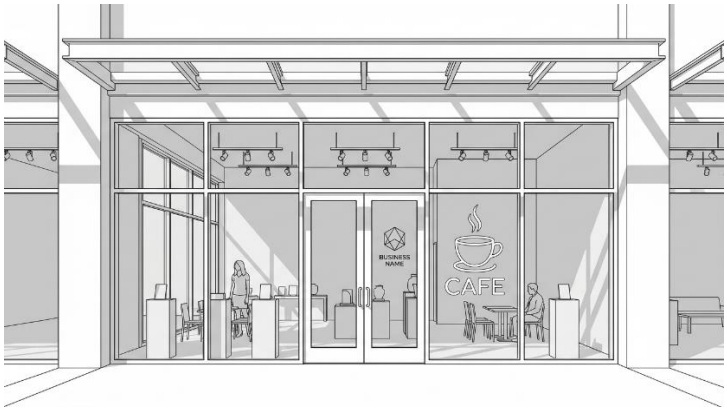
ii. Secondary Elevations. One-half (0.5) square feet of sign copy area per linear foot of tenant frontage on each additional building elevation with public exposure.

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



a. Window signs are permitted for all multi-family and non-residential uses. Such signs shall not be permitted on individual multi-family tenant windows.

b. Window signs shall only be permitted on ground-floor windows.

c. 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 sign is located.

d. Perforated window vinyl, window wraps, and neon window signs shall be considered window signs.

e. Window signs printed on perforated, semi-opaque material shall be counted in the same manner as non-perforated, fully-opaque materials, including paint.

f. Permanent window signs may be illuminated but shall not be animated and shall not include electronic message displays.

g. Window signs shall be installed on the interior surface of the window and shall not be placed on the exterior of the window.

h. Window signs shall utilize materials and colors that are consistent with the building and tenant branding.

i. Window signs shall not obstruct visibility into the tenant space in a manner that creates a safety concern, as determined by the Zoning Administrator, ~~Development Services Director~~ or his or ~~/~~ her designee.

j. Window signs shall not count toward the maximum permitted wall sign copy area.

4.6.11. 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. This Section regulates temporary signs without regard to message content. No provision of this Section shall be interpreted to require review of the message displayed on a sign, except to determine whether the sign is commercial or noncommercial as permitted by law.

~~6.1. Multi-Family Development Flags~~

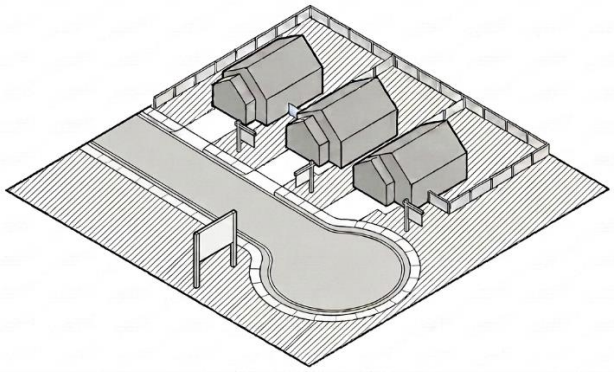


~~a. Multi-family development flags that include commercial speech shall be limited to a maximum of eight (8).~~

~~b.~~a. ~~Multi-family development flags shall have a maximum area of twelve (12) square feet per flag and a maximum height of twenty five (25) feet.~~

c.a. Multi-family development flags shall be removed no later than one (1) year from the issuance of the first Certificate of Occupancy for the development.

7.1. Model Home Complex (Residential Subdivisions)



a. One (1) temporary sign shall be permitted per model home, and one (1) additional temporary sign shall be permitted per model home complex entrance.

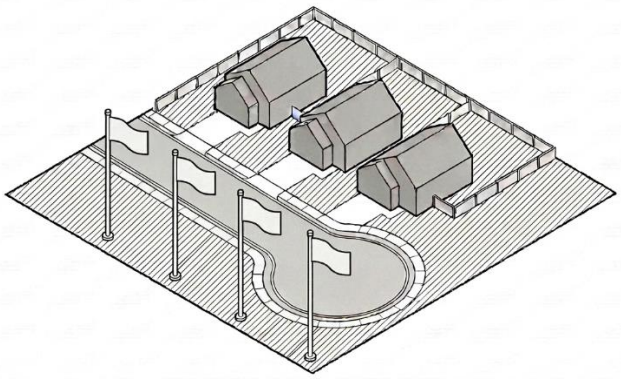
b.a. The maximum sign area shall be six (6) square feet.

c.a. The maximum sign height shall be six (6) feet.

d.a. Signs shall be located within the complex associated with the applicable model home(s) and outside of any sight visibility triangle.

e.a. Signs shall not be illuminated.

8.1. Model Home Flags



a. Model home flags that include commercial speech shall be permitted only at:

i. Model home complexes; or

i. Residential subdivision sales offices.

a. A maximum of:

i. Four (4) model home flags per model home complex; and

i. Eight (8) accessory model home flags per residential subdivision shall be permitted.

a. Model home flags shall:

i. Not exceed twelve (12) square feet in area per flag; and

i. Not exceed twenty-five (25) feet in height.

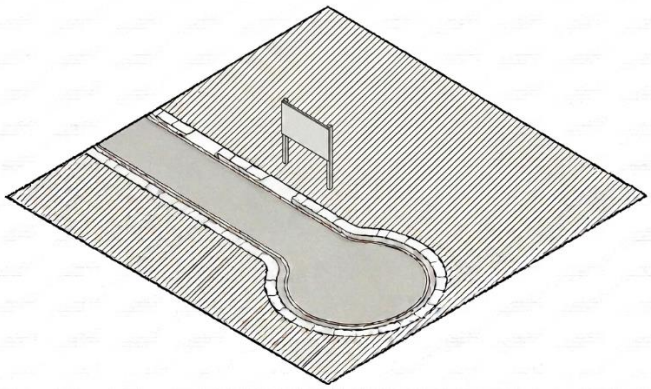
a. Flags shall be mounted on permanently installed flagpoles or integrated architectural supports.

a. Feather flags, flutter flags, blade flags, pennants, streamers, and similar flexible wind-driven signage are prohibited.

a. Model home flags shall be maintained in good condition and free from fading, tearing, or fraying.

a. Model home 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.

9.1. 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.a. The maximum sign area shall be thirty two (32) square feet, and the maximum sign height shall be eight (8) feet.

c.a. Recorded subdivisions having more than forty (40) lots shall have a maximum area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

d.a. Signs may be installed following approval of the subdivision final plat or issuance of a grading permit.

e.a. Residential development signs shall not be located within one hundred (100) feet of any property line of an existing residence.

f.a. Residential development signs shall not be illuminated.

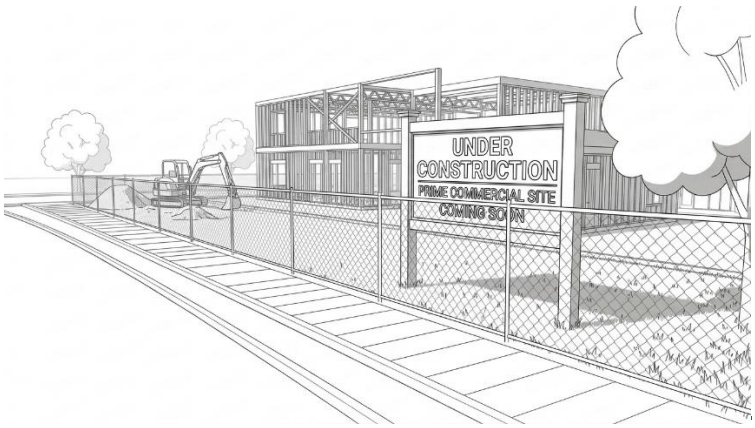
g.a. Signs shall be removed upon the earliest of the following:

i. Installation of a permanent subdivision monument sign;

ii.i. Opening of the subdivision sales office; or

iii.i. Issuance of the first Certificate of Occupancy for the subdivision.

10.1. Property Under Construction (residential subdivision)



a. One (1) temporary sign associated with residential subdivision construction activity shall be permitted during active construction operations.

b.a. A maximum of one (1) construction activity sign per model home complex parking lot or subdivision entrance shall be permitted.

c.a. Construction activity signs shall not exceed:

i. Thirty-two (32) square feet in area;

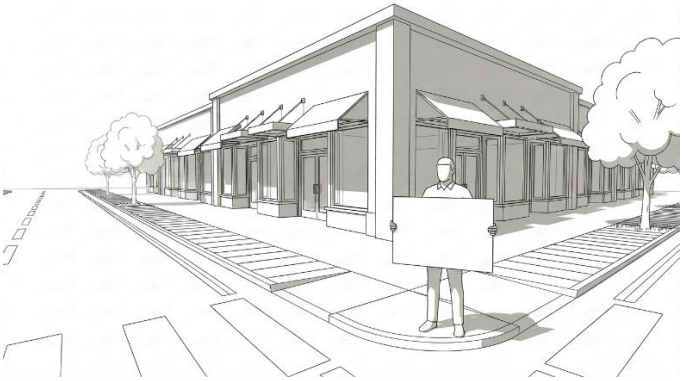
ii.i. Eight (8) feet in height.

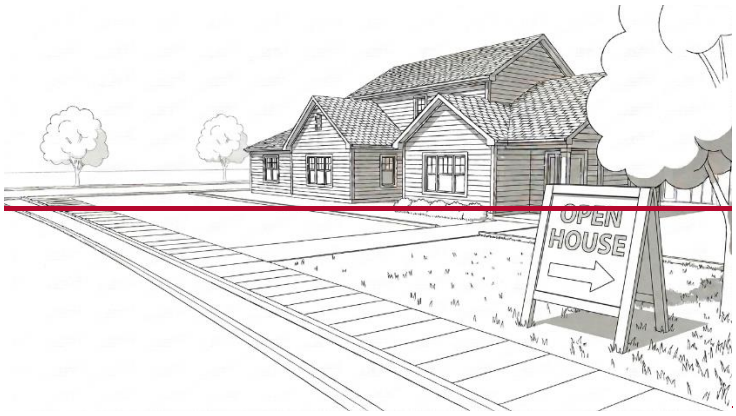
d.a. Construction activity signs shall be removed within thirty (30) days following:

i. Completion of subdivision infrastructure improvements; or

Issuance of the final Certificate of Occupancy for the subdivision phase served by the sign

11. Short-Term Off-Premises





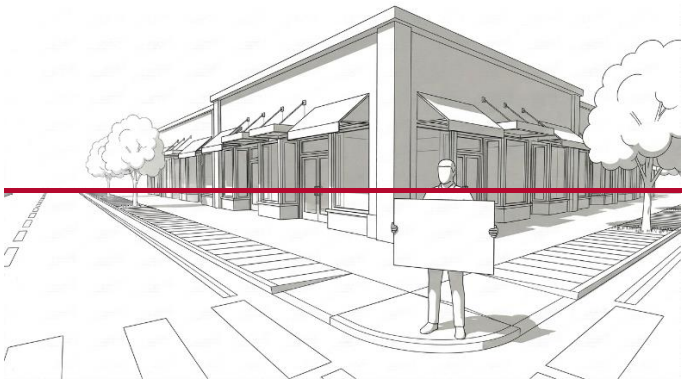
~~a. Short term off-premises signs are permitted in residential zoning districts for residences and multiple residence developments.~~

~~b. A maximum of four (4) signs may be displayed per residence or multiple residence 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. Signs shall not be located within the public right-of-way or within any sight visibility triangle.~~

~~12.~~6. 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.

~~13.~~7. 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.

~~14.~~8. 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. 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 shall require a sign permit, subject to the standards below. This Section regulates temporary signs without regard to message content. No provision of this Section shall be interpreted to require review of the message displayed on a sign, except to determine whether the sign is commercial or noncommercial as permitted by law.

~~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 flag and blade flag signs are prohibited.~~

2.1. Construction Impacted Development

a. Additional temporary signs may be permitted for multi-family and commercial uses when active construction is occurring within 500 feet of said uses.

a. A maximum of one (1) sign per street frontage shall be permitted.

a. The maximum sign area shall be thirty-two (32) square feet.

a. The maximum wall sign height shall be eight (8) feet.

a. Signage facing single-family residential shall not be placed higher than 10 feet from the ground.

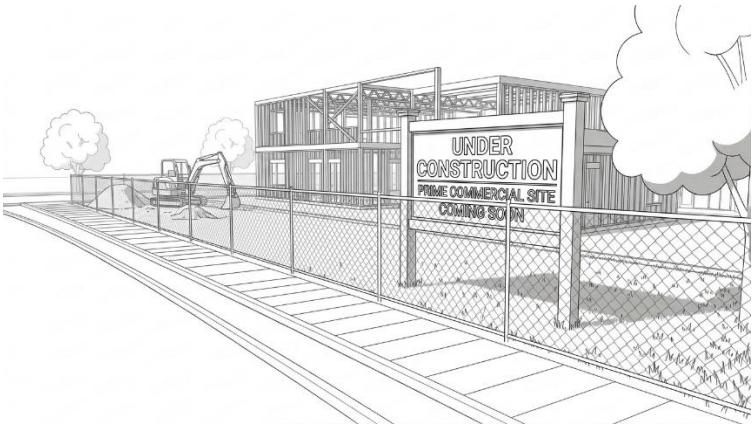
a. Signs may be installed after issuance of the first building permit.

a. Signs shall be removed at the earliest of the following:

i. Twelve (12) months after the construction has commenced on a property within 500 feet of the property;

ii.i. Within 30 days of the Certificate of Occupancy (C of O) being issued for the site under construction.

3.1. Property Under Construction (non-residential subdivision)



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. A maximum of one (1) construction sign shall be permitted per street frontage.

c.a. The maximum sign copy area shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet.

d.a. A sign permit shall not be issued prior to the issuance of a building permit.

e.a. The sign shall be removed within ten (10) days following the issuance of a Certificate of Occupancy.

~~4.~~9. Banner Signs



a. Banner signs may be permitted in commercial, industrial, multi-family, or permitted non-residential uses in residential districts.

b. Banner signs may be displayed for a maximum of thirty (30) consecutive days, no more than four (4) times in any given calendar year or as determined by the Zoning Administrator, or his or her designee.~~.~~ Banner signs may be displayed on the building 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 signage area above shall include banners, pennants, inflatables, balloons, portable signs, and similar temporary displays. Banner signs shall be subject to the following limitations:

   i. The maximum sign copy area per sign shall be sixty-four (64) square feet. For developments greater than ten (10) acres, the maximum sign copy area may be increased to ninety-six (96) square feet.

   ii. The maximum sign height shall be eight (8) feet.

   iii. Signs shall not be animated by mechanical or other means.

   iv. Signs shall not be illuminated.

   v. No sign shall be placed on or above the roof of any building.

   vi. Balloons and pennants shall be tethered and shall not exceed the maximum building height for the zoning district.

   vii. Displays shall not be placed in required parking spaces, or drive aisles, or on City-owned property or rights-of-way.

10. Construction Impacted Development

a. Additional temporary signs may be permitted for multi-family and commercial uses when active construction is occurring within 500 feet of said uses.

b. A maximum of one (1) sign per street frontage shall be permitted.

c. The maximum sign copy area shall be thirty-two (32) square feet.

d. The maximum wall sign height shall be eight (8) feet.

e. Signage facing single-family residential shall not be placed higher than 10 feet from the ground.

f. Signs may be installed after issuance of the first building permit.

g. Signs shall be removed at the earliest of the following:

i. Twelve (12) months after the construction has commenced on a property within 500 feet of the property;

ii. Within 30 days of the Certificate of Occupancy (C of O) being issued for the site under construction.

11. Property Under Construction (non-residential subdivision)



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.

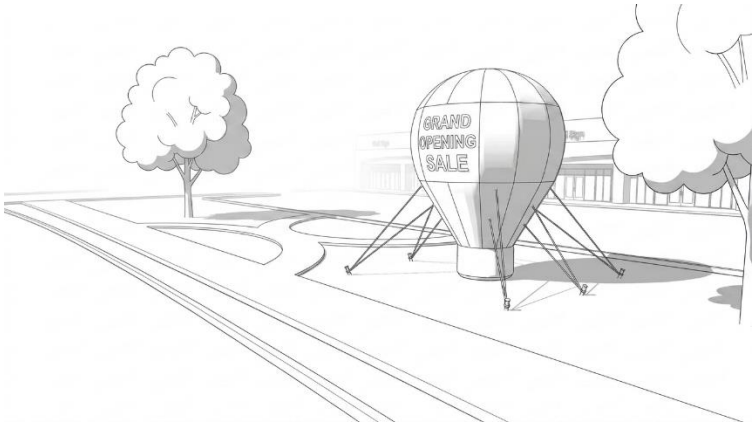
b. A maximum of one (1) construction sign shall be permitted per street frontage.

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.

~~5.~~12. Inflatable Devices



a. Inflatable devices shall comply with the following:

i. Inflatable devices shall be limited to a maximum of two (2) events per calendar year per business.

ii. Each event shall not exceed seven (7) consecutive days.

iii. Inflatable devices shall be included in the total allowable temporary signage area.

iv. Inflatables shall be securely anchored at all times.

v. Inflatables shall not exceed the maximum building height permitted for the zoning district.

vi. Inflatables shall not be located within the public right-of-way or within any sight visibility triangle.

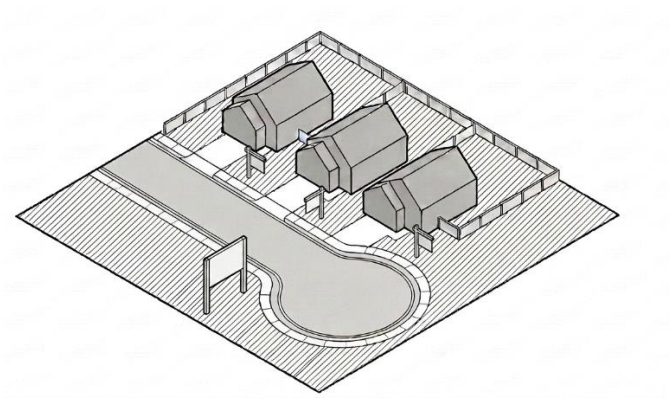
vii. Inflatables shall not be placed on, attached to, or supported from any roof, parapet, or rooftop equipment.

viii. Inflatables shall not emit sound or utilize flashing or strobe lighting.

ix. Animated inflatable devices are prohibited.

x. Inflatable devices are prohibited except as expressly permitted in this subsection.

13. Model Home Complex (Residential Subdivisions)



a. One (1) temporary sign shall be permitted per model home, and one (1) additional temporary sign shall be permitted per model home complex entrance.

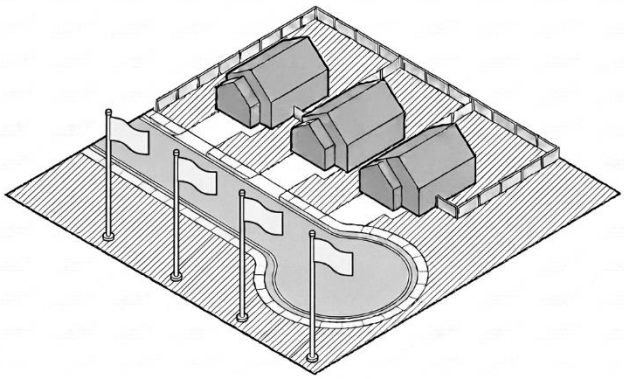
b. The maximum sign copy area shall be six (6) square feet.

c. The maximum sign height shall be six (6) feet.

d. Signs shall be located within the complex associated with the applicable model home(s) and outside of any sight visibility triangle.

e. Signs shall not be illuminated.

14. Model Home Flags



a. Model home flags that include commercial speech shall be permitted only at:

i. Model home complexes; or

ii. Residential subdivision sales offices.

b. A maximum of:

i. Four (4) model home flags per model home complex; and

ii. Eight (8) accessory model home flags per residential subdivision shall be permitted.

c. Model home flags shall:

i. Not exceed twelve (12) square feet in area per flag; and

ii. Not exceed twenty-five (25) feet in height.

d. Flags shall be mounted on permanently installed flagpoles or integrated architectural supports.

e. Feather flags, flutter flags, blade flags, pennants, streamers, and similar flexible wind-driven signage are prohibited.

f. Model home flags shall be maintained in good condition and free from fading, tearing, or fraying.

g. Model home 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.

15. Multi-Family Development Flags

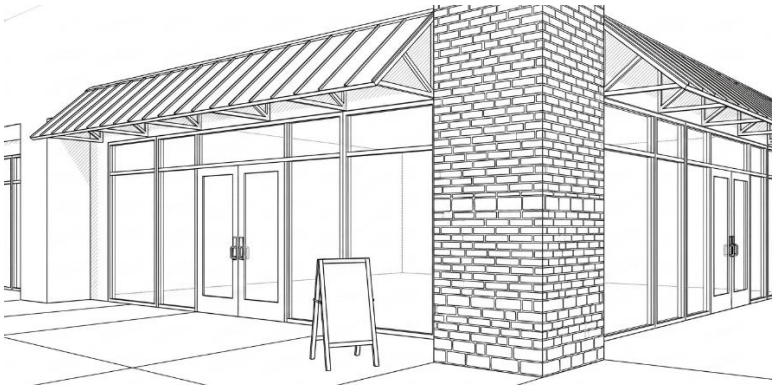


a. Multi-family development flags that include commercial speech shall be limited to a maximum of eight (8).

b. Multi-family development flags shall have a maximum area of twelve (12) square feet per flag and a maximum height of twenty-five (25) feet.

c. Multi-family development flags shall be removed no later than one (1) year from the issuance of the first Certificate of Occupancy for the development.

~~6.~~16. Portable Signs (A-Frame)



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.

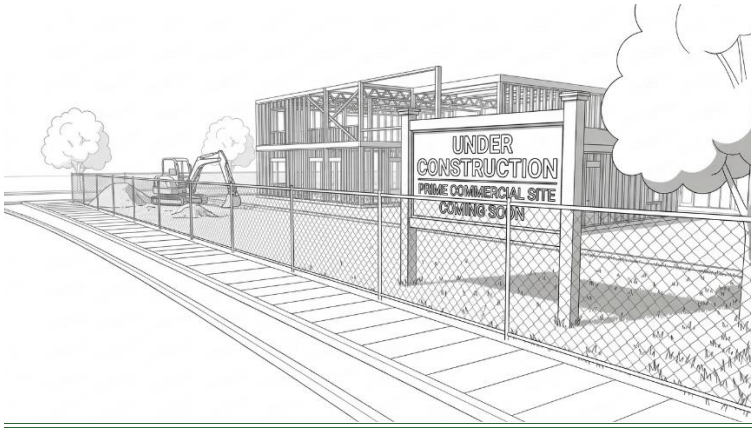
g. Portable signs shall be located within three (3) feet of the building and within ten (10) feet of the primary building entrance.

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 tethered or 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.

17. Property Under Construction (residential subdivision)



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;

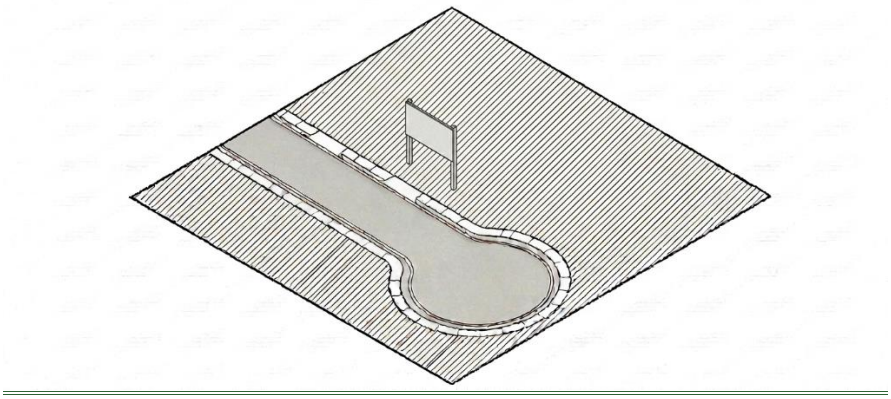
ii. Eight (8) feet in height.

d. Construction activity signs shall be removed within thirty (30) days following:

i. Completion of subdivision infrastructure improvements; or

Issuance of the final Certificate of Occupancy for the subdivision phase served by the sign

18. 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 copy area shall be thirty-two (32) square feet, and the maximum sign height shall be eight (8) feet.

c. Recorded subdivisions having more than forty (40) lots shall have a maximum area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

d. Signs may be installed following approval of the subdivision final plat or issuance of a grading permit.

e. Residential development signs shall not be located within one hundred (100) feet of any property line of an existing residence.

f. Residential development signs shall not be illuminated.

g. 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.

~~7.~~19. Signs on Property Offered for Sale or Lease



a. Non-illuminated 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. Maximum sign quantity, area, and height shall be determined by parcel size as follows:

i. 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 copy area of thirty-two (32) square feet and a maximum height of eight (8) feet.

ii. 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 copy area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

iii. For undeveloped commercial or industrial property greater than one hundred (100) acres and adjacent to a

freeway, one (1) sign with a maximum sign copy area of five hundred (500) square feet and a maximum height of twelve (12) feet may be permitted.

iv. 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 copy area shall be thirty-two (32) square feet, and the maximum height shall be eight (8) feet.

v. Real estate signs shall be removed within ten (10) days following the sale or lease of the property.

4.6.12. 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 (as identified on the approved site plan, final plat or other approved city document).~~.~~

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, or his or her designee, 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 copy 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.

4.6.13. Violations

A. Enforcement. Violations of this Section shall be prosecuted pursuant to Section 7.2 of the City of Goodyear Zoning ~~Code~~Ordinance, 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.

4.6.14. Appeals

A. Decisions By the Zoning Administrator, or his or her designee.

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 5.6(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 withstanding~~with standing~~ who is aggrieved by the decision of the Zoning Administrator, or his or her designee, 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, or his or her designee, on a form(s) provided by the Development Services Department and shall be processed in accordance with the procedures generally described in Section 5.6(C).

5. The Board of Adjustment may affirm, reverse, or modify the decision of the Zoning Administrator, or his or her designee, 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 5.6(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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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.

4.6.15. 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

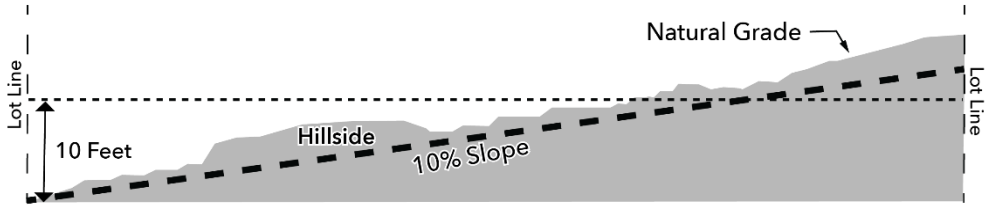
A. Hillside Development Area Identification

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 4.7~~11~~.2A below).

Because of the unique conditions inherent in the development of subdivisions within hillside areas, special standards and conditions that deviate from the regulations for hillside development areas in this section may be considered. When approved by the City Engineer or his/her designee and the Zoning Administrator, or his or her designee, special considerations associated with subdivision hillside development may be applied.

Figure 4.7~~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.

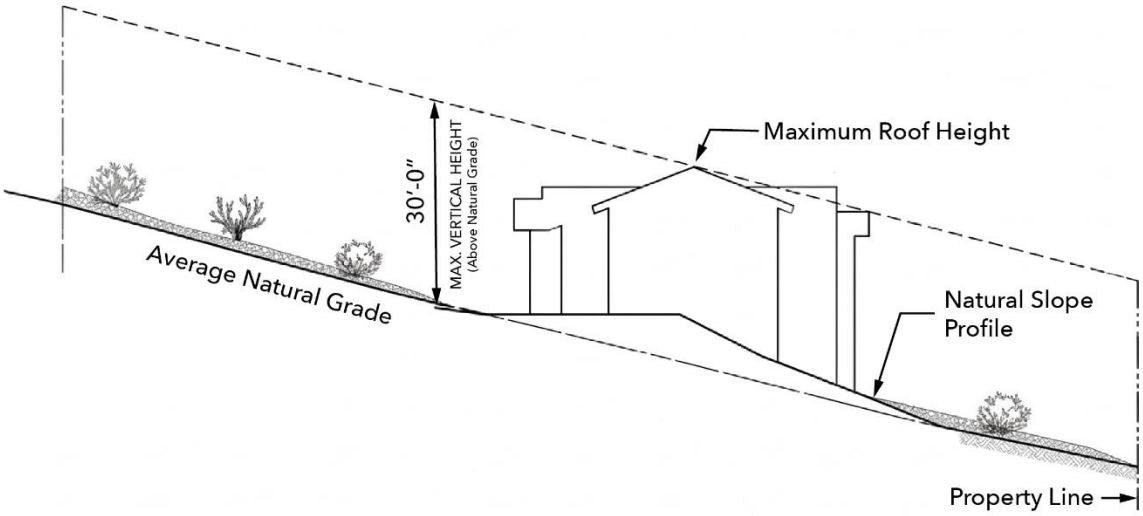
4.7.3. General Development Standards

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 not be located within the required setbacks, except that disturbance related to the driveway and utility connections may encroach into the required 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 4.7~~11~~.3A)

Figure 4.7~~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. ~~Alternative Compliance.~~ The Zoning Administrator may approve alternative design solutions or modifications to specific development standards of this Ordinance in conjunction with Site Plan approval, provided that the alternative achieves equal or greater compliance with the purpose and intent of the applicable provision and does not result in an increase in permitted density, intensity, height, or a change in permitted use. This authority shall not authorize a variance as defined by state law, nor waive any requirement expressly reserved to the Board of Adjustment or City Council.

5. Where property zoned for residential use is substantially encumbered by existing or planned public roadways, access limitations, or other physical constraints such that it cannot reasonably develop for residential purposes in compliance with this Ordinance, the Zoning Administrator may grant an administrative exemption from specific development standards or buffering requirements, provided that:

   A. The exemption is the minimum necessary to address the encumbrance;

   B. The exemption does not authorize a use not otherwise permitted in the zoning district;

   C. The exemption does not increase permitted density or intensity; and

D. The Zoning Administrator makes written findings that the property cannot reasonably develop for residential purposes due to the identified constraints.

6. 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 his or her designee 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 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.

5.4. Planning and Zoning Commission

5.4.1. 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.

5.4.2. 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 affect 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.

A. 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.

1. The Commission shall elect a Chairman and Vice Chairman from among its own members.

2. 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.

3. The Commission shall adopt rules of procedure not inconsistent with the provisions of this Ordinance for the conduct of its business and procedure.

4. 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.

5. The Zoning Administrator, or his or her~~their~~ designee, shall serve ex-officio as Secretary of the Commission, but shall have no vote.

6. The Commission may hold closed executive sessions or like sessions for the purposes and the manner provided by law.

7. 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.

5.4.3. 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.

5.5. Development Review Committee

5.5.1. 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, or his or her designee.

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 his or her designee, or on an as-needed basis.

D. The Zoning Administrator, or his or her designee, or his or her designee shall be responsible for coordinating and directing the meetings of the Committee and issuing all written decisions.

5.5.2. 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, or his or her designee, 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.

5.5.3. Powers, Duties, Jurisdiction.

A. The Committee shall advise the Zoning Administrator, or his or her designee, 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, or his or her designee, reasonable conditions to carry out the intent of this Ordinance.

C. The Committee shall also provide technical review and recommendations to the Zoning Administrator, or his or her designee, for transmittal to the Planning and Zoning Commission and City Council on zoning amendments, Use Permits, Special Use Permits, General Plan amendments, and all other land use and

development applications that require Planning and Zoning Commission and/or City Council review and action.

5.6. Board of Adjustment

5.6.1. 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, or his or her designee.

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, or his or her designee, the City shall appoint outside counsel to represent the Board in such appeals.

5.6.2. 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, or his or her designee 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, or his or her designee 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, or his or her designee 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.

5.6.3. Appeals of Decision of Zoning Administrator.

Unless otherwise provided in this Ordinance or the Goodyear City Code, any person who is directly affected by or aggrieved by a decision of the Zoning Administrator, or his or her, designee may 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, or his or her designee, and shall be processed in accordance with the procedures set forth in this Ordinance.

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, or his or her designee, 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, or his or her designee's~~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, or his or her designee, of the Ordinance and/or provisions of the Goodyear Code of Ordinances bears the burden of proving that the Zoning Administrator, or his or her designee's~~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, or his or her designee, 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, or his or her designee, certifies in writing to the Board that in the Zoning Administrator, or his or her designee's~~Administrator's~~ opinion, based on the facts presented in the Zoning Administrator, or his or her designee's~~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 application and notice to the Zoning Administrator, or his or her designee.

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, or his or her designee.

~~5.6.4.~~5.6.1. 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 of 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	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)	R/Rec	Rec		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.

6.3.2. 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, or his or her designee, 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, or his or her designee, shall be considered a violation of this Ordinance, and shall render any permit null and void.

6.3.3. 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.

6.3.4. 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, or his or her designee, which is needed to ensure 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.

6.3.5. 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.

6.3.6. 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.

6.3.7. 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.

6.3.8. 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 has 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, or his or her designee, a temporary extension 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.

6.3.9. 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, or his or her designee.

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, or his or her designee.

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, or his or her designee, 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.

6.3.10. Appeal Procedure.

A. An applicant may appeal the decision of the Zoning Administrator, or his or her designee, 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 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.

D. 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, or his or her designee, 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).

E. The Zoning Administrator, or his or her designee, 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 2.3.3 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 ensure 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 the 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 2.3.3 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 2.3.3 of this Ordinance; and any other data that may be required by the Zoning Administrator, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 the 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 any subsequently granted extension), the Zoning Administrator, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 which 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 of 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, or his or her designee, 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 6.13 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 a 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 Overlay) 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 Overlay (PAD 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 set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator, or his or her designee, that is needed for the review of the application. Applications for a PAD Overlay 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 Conceptual development 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 is required by the Zoning Administrator, or his or her designee, 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 one thousand two hundred (1,200) 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. 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 conceptual development 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 conceptual 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, or his or her designee, 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, or his or her designee, 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 as "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 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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, or his or her designee, 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 cause a Recession of Zoning and 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.

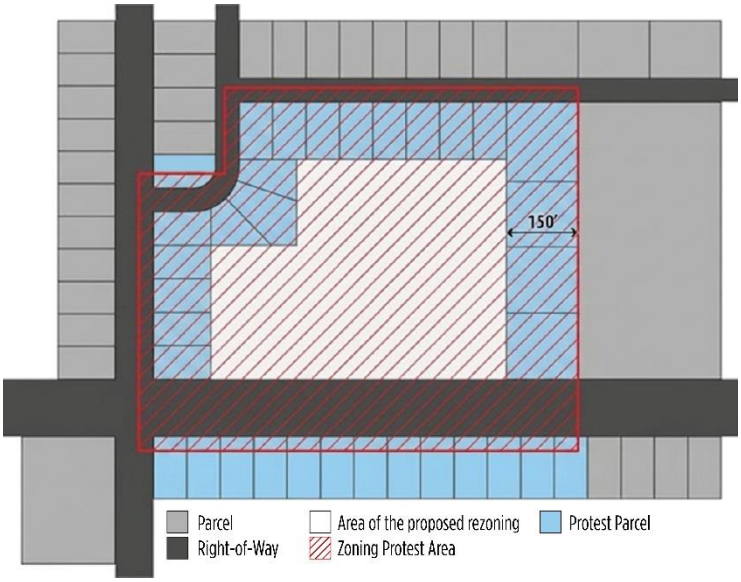
G. If the owners of twenty (20) percent or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths (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:

1. The area within one hundred fifty (150) feet, including all rights-of-way, of the affected property subject to the proposed amendment or change.
2. 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.

J. Approval of a rezoning, Planned Area Development (PAD), Planned Area Overlay, or other land use entitlement shall not constitute a guarantee of the availability or adequacy of public infrastructure, including but not limited to water, wastewater, storm drainage, transportation, or utility services. All development remains subject to the availability of public facilities and services necessary to support the proposed use, and to compliance with all applicable City codes, standards, and infrastructure requirements in effect at the time of development.

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, or his or her designee, 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 6.13.

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 promote implementation of goals and objectives 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, or his or her designee, 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 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, or his or her designee, 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, or his or her designee, that is needed for the review of the application.

B. Applications will be processed and reviewed by the Zoning Administrator, or his or her designee, 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 one hundred eighty (180) calendar days from the date of 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, or his or her designee, may authorize, in writing, no more than one extension of one hundred eighty (180) 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, or his or her designee, 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, Planned Area Development Overlay, 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 application; and to such other persons as the Zoning Administrator, or his or her designee, reasonably determines to be potentially affected citizens. In determining the number of potentially affected citizens, the Zoning Administrator, or his or her designee, 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 his or her designee; 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, or his or her designee, 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, or his or her designee, shall

attend the meeting but is not required to conduct the meeting. The Zoning Administrator, or his or her designee, 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, or his or her designee, 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 6.13, 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 6.13.2. Application Notification Requirements

Request	Public Hearing Required	Mailed Notice	Site Posting	Newspaper Notice	Notification Radius	Timing Notice
Neighborhood Meeting	N/A	Yes	Yes	No	Property owners within 600 feet or 1200 feet for PAD	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 Overlay (PAD Overlay)	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

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 6.13.2 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.

6.14. Design Guidelines Manual and Design Review Process

6.14.1. Establishment and Purpose of Design Guidelines Manual

The Mayor and City Council hereby authorize the establishment of a Design Guidelines Manual (the "Guidelines")that is intended to provide design criteria for site layout, building elevations, landscape plans, and parking arrangement in order to provide environmentally-focused designs, create a sense of place, bring city streets to life and apply proper transitions. Basic concepts that will aid in assessing a design proposal are outlined within the Guidelines Manual. The Guidelines are not intended to restrict creativity, variety, innovation or imagination, but rather to assist the designer in achieving a quality design which will enhance the proposed development and the City, and be compatible with adjacent land uses. Development applications will be reviewed by the Development Review Committee and the Development Services Department in accordance with the City Council adopted Design Guidelines Manual, and all other applicable requirements of this Ordinance, as amended from time to time.

6.14.2. Administration of Manual

A. Design Guidelines.

1. Design review shall consider the design of a project in relation to its urban context, and shall focus on the application of the City of Goodyear Design Guidelines Manual referred to in this Ordinance and formally adopted by the City Council, as amended from time to time and any interpretations of the Design Guidelines made by the Zoning Administrator, or his or her designee, that are published as Addendums to the Design Guidelines Manual.

2. The Development Review Committee shall use the Design Guidelines Manual adopted by the City Council and any interpretations of the Design Guidelines made by the Zoning Administrator, or his or her designee, that are published as Addendums to the Design Guidelines Manual as its official policy in the design review process.

B. Consistency. All applications for Design Review approval required under these Guidelines and the review of such applications shall be consistent with the requirements of this Ordinance and the Goodyear City Code, as amended from time to time.

C. Applicability. The requirements of the Guidelines apply to the development identified below, and Design Review approval is required prior to undertaking such development.

1. New Development. Except as otherwise expressly provided by ordinance(s) adopted by City Council, all new residential and non-residential development shall comply with the standards and requirements as set forth in the Guidelines and this Zoning Ordinance.

2. Additions, Alterations and Restoration of Non-Residential Buildings. 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 the Guidelines and this Zoning Ordinance.

    a. Additions or alterations to existing non-residential buildings and/or to individual suites/stores that will increase gross floor area of the building and/or individual suite/store by more than one thousand (1,000) square feet of gross floor area of the building and/or individual suite/store.

    b. Any alterations to the exterior façade of an existing non-residential building and/or to an individual suite/store, including changes in the

color or materials of the façade. Changes to a sign cabinet or panel shall not constitute alterations under these provisions.

c. Any non-residential building that is destroyed to the extent of more than fifty (50) percent of the assessed value.

3. Additions, Alterations and Restorations of Residential and Accessory Structures. 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 the Guidelines and this Ordinance.

a. Additions of detached accessory buildings in excess of one hundred twenty (120) square feet shall comply with the standards and requirements set forth in the Guidelines and this Ordinance and shall be designed to be compatible with the existing residential dwelling in terms of building materials, including roof materials, and colors.

b. Additions or alterations to existing residential buildings that will increase the gross floor area of the building by more than one hundred (100) square feet.

c. Any residential building that is destroyed to the extent of more than fifty (50) percent of the assessed value.

4. Non-Conforming Uses. All non-conforming uses and buildings shall be subject to Article 7 of this Zoning Ordinance. If under those provisions a nonconforming building or use is altered or restored, said building or use shall be subject to review and approval by the Zoning Administrator, or his or her designee, for conformance with all applicable Design Guidelines.

5. Other Regulations. Compliance with additional codes and/or regulations as adopted by the Goodyear City Council shall be adhered to, and where differences occur, the more restrictive requirement shall prevail. Where any inconsistency exists between additional codes and/or regulations, the Zoning Administrator, or his or her designee shall make a determination on their applicability.

6. Existing And Approved Design Guidelines. In cases where separate Design Guidelines have been approved by the City Council in conjunction with a Planned Area Development or other zoning application, those guidelines shall govern except to the extent that the specific P.A.D. or zoning guidelines have not addressed issues within the Council adopted Design Guidelines Manual and/or any interpretations by the Zoning Administrator, or his or her designee, of the Design Guidelines that are published as Addendums to the Design Guidelines Manual.

D. Application Review and Approval Process.

1. Applications for Design Review approval shall be processed and reviewed in accordance with the procedures generally described herein and more fully described in the Guidelines.

a. Prior to submitting an application for Design Review Approval, the applicant shall attend a pre-application conference with a representative of the Development Services Department.

b. Applications for Design Review approval 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), in the Guidelines, and any other data that may be required by the Zoning Administrator, or his or her designee, that is needed for review of the application.

c. 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 applicable Guidelines and this Ordinance and, following the completion of the Committee's review, the Zoning Administrator, or his or her designee, shall approve, approve with conditions or deny the Design Review application. In the event of a denial, no development activities shall be authorized until a new application for Design Review approval has been submitted and approved.

3. The approval date of the Design Review approval shall be the date on which the application was approved by the Zoning Administrator, or his or her designee. Design Review approvals are tied to other development approvals, which will be identified in the notification of Design Review approval; and the Design Review approval expires if such related development approval expires.

E. Compliance.

1. Development shall conform to the development and design reflected in the Design Review application submittal as approved by the Zoning Administrator, or his or her designee, as a condition for receiving a Certificate of Occupancy. To ensure such conformance, City staff may conduct site inspections during the construction and upon completion of the construction.

a. If in the opinion of the Zoning Administrator, or his or her designee, development within a subdivision or other residential development project does not conform to the development and design reflected in the Design Review Application submittal as approved by the Zoning Administrator, the Zoning Administrator, or his or her designee, shall be entitled to have a hold placed on the release of future building permits until the lack of conformance has been remedied.

b. If in the opinion of the Zoning Administrator, or his or her designee, the completed construction of improvements does not conform to the development and design reflected in the Design Review Application submittal as approved by the Zoning Administrator, the Zoning Administrator, or his or her designee, shall be entitled to have a hold placed on the release of a Certificate of Occupancy until the lack of conformance has been remedied.

2. Non-Compliance. The failure to comply with the requirements of the Guidelines, or the terms of a design review approval, shall constitute a violation of this Ordinance.

6.14.3. Appeal Process

A. Any recommendation or requirement imposed by the Zoning Administrator, or his or her designee, on any design review application may be appealed to the Planning and Zoning Commission by the applicant. The appeal shall be filed in writing to the Development Services Department Director within fifteen (15)

working days of the date that the decision of the Zoning Administrator, or his or her designee, is transmitted to the applicant. The appeal shall give reasons for the appeal and the relief requested. The Planning and Zoning Commission may approve, approve with modifications, conditionally approve, or deny the appeal. All decisions of the Planning and Zoning Commission shall be in writing and shall be binding, unless such decision is appealed to the City Council.

B. Any decision made by the Planning and Zoning Commission may be appealed to the City Council by the applicant. The appeal, along with the 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. 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. Appeals from a City Council decision shall be heard by an Arizona court of competent jurisdiction.

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~~Zoning Ordinance, ensure compliance, and remedy violations. This Article also identifies the remedies and penalties applicable to violations of this ~~Code~~Zoning Ordinance, 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, or his or her designee, 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 (hereafter "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 thereto 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 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.

7.2.6. 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 that is discontinued for a period of six (6) months shall be presumed abandoned, and any future use of said building or land shall be in conformity with this Ordinance.

B. 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.

C. An existing building or land devoted to a use not permitted under this Ordinance for the district in which it is located shall not be enlarged, extended, reconstructed, or structurally altered unless the use conforms with this Ordinance. Reasonable repairs or alterations 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 that does not conform to the district in which it is located and that is destroyed to the extent of fifty (50) percent of its replacement cost value (as determined by three [3] competent appraisers) shall, without further action by the Council, be subject to this Ordinance from the date of destruction.

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 the 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.

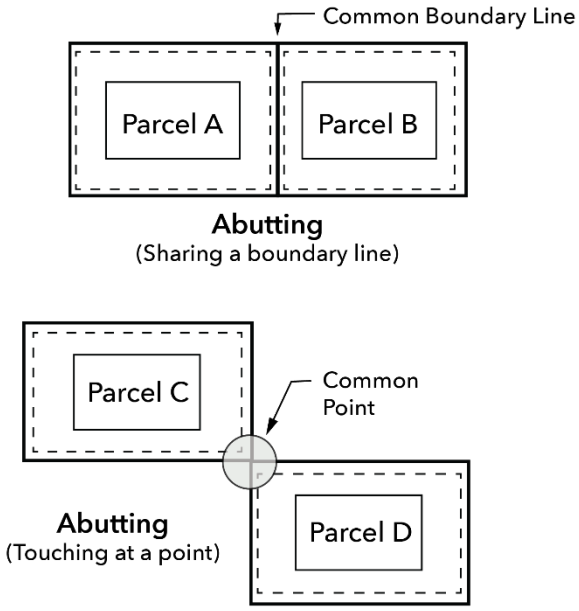
1. Present tense shall include future tense; singular number shall include plural, and plural shall include singular; "shall" is mandatory, "should" is generally required though alternatives may be considered, and "may" is permissive; "persons" include individuals, partnerships, corporations, clubs or 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, or his or her designee, 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.

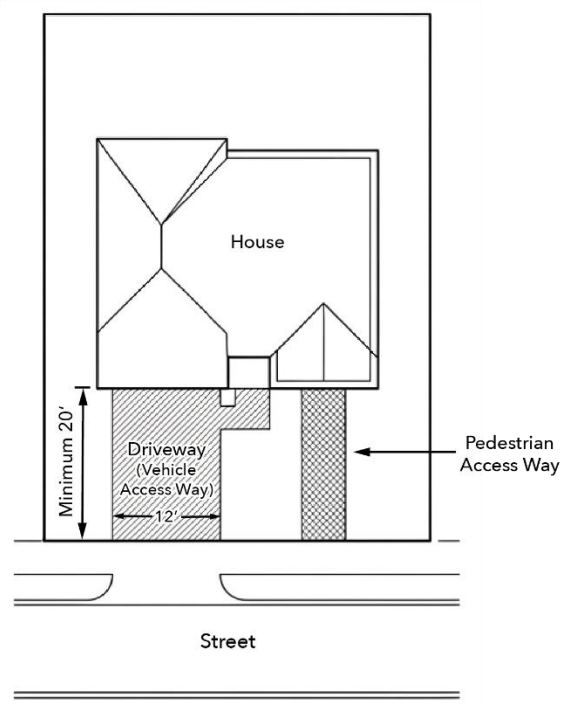
Abutting. Two adjoining properties sharing a common property line; also where two or more adjoin only at a corner, but not including cases where adjoining lots are separated by right-of-way.

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.

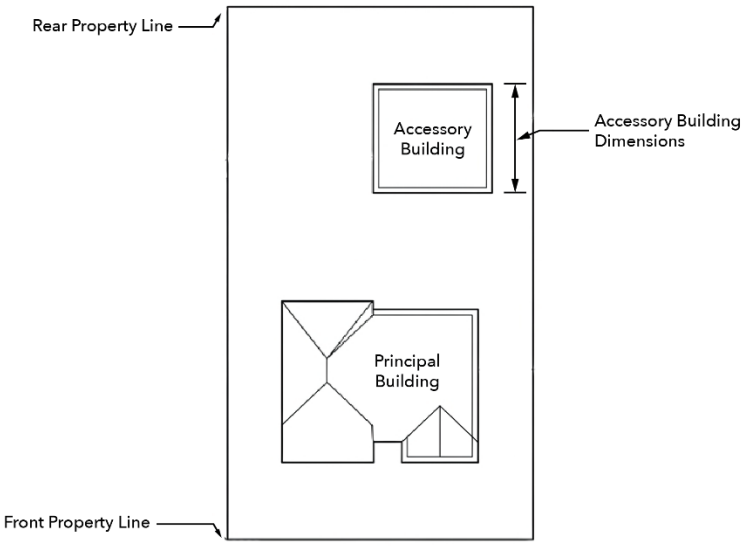
Figure 8.2B - Access/Access Way



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 permanent, roofed, and largely enclosed structure whose use is customarily incidental and subordinate to the principal building. This includes, but is not limited to, detached garages and pool houses. Any Accessory Building designed or used as livable space (including offices, game rooms, or sleeping quarters) shall be subject to the principal building setbacks required.

Figure 8.2C - Accessory Building



Accessory Structure: A subordinate structure that is customarily incidental to the principal building and is not designed or utilized for human habitation or used as livable space. Examples include gazebos, pergolas, and sheds. While an Accessory Structure may be served by utilities, the addition of insulation, climate control, or plumbing for the purpose of creating livable space shall cause the structure to be reclassified as an Accessory Building.

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. 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.

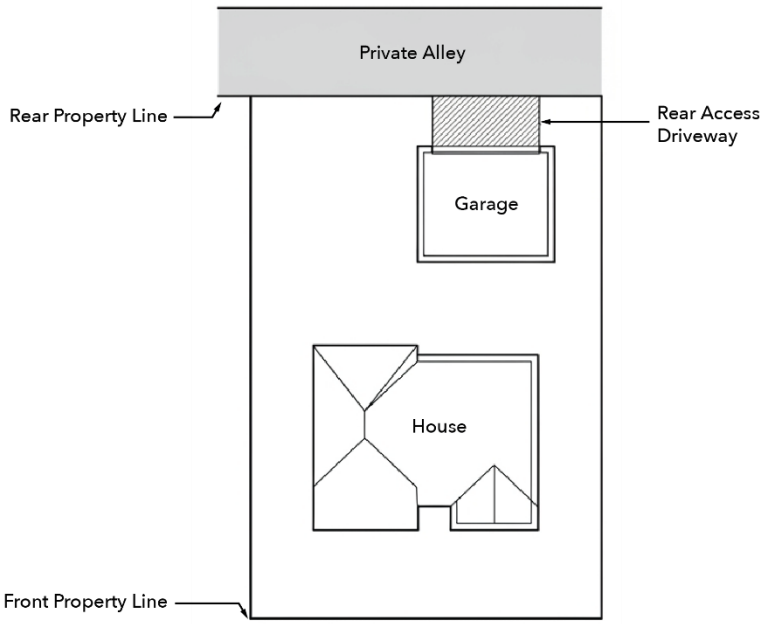
Agricultural Stand. A structure for the display and commercial sale of agricultural and horticultural products raised on the premises.

Airport/Heliport/Helistop. Property used or intended primarily for taking off and landing of aircraft or helicopters, and appurtenant areas used or intended for support~~airport~~ buildings or facilities (e.g., open spaces, taxiways and tie down areas, terminals, 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, or his or her designee.

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 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.

Architectural Feature. A decorative or ornamental element incorporated into the design of a building that enhances its visual character and is not intended for human occupancy. Architectural features may include, but are not limited to, towers, spires, cupolas, decorative screens, façade projections, trim elements, and similar design components. Architectural features shall not include mechanical equipment or appurtenances unless specifically integrated into the architectural design of the building.

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 Fueling Station (gas station).~~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 primarily selling used motor vehicles not in conjunction with or on same site as new auto sales 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.

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 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.

Block. Property abutting one side of the street and lying between two nearest intersecting streets or railroad 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 shall 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.

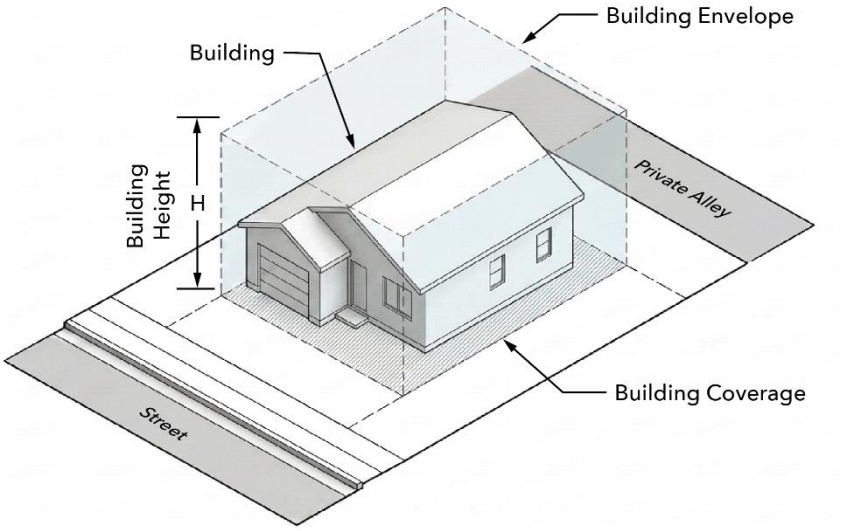
Building, Height of. Vertical distance measured from point of reference elevation (fourteen inches above average elevation at top of crown of roadway, if no curb) to

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.

A. Point of Reference Elevation: The point of reference elevation is the top of the curb at the midpoint of the front property line; however, if no curb exists, the reference elevation shall be fourteen (14) inches above the average elevation at the top of the crown of the adjacent roadway.

B. Administrative Authority: The Zoning Administrator, or his or her designee, is authorized to determine or approve an alternative point of reference elevation if unique topography, drainage considerations, or specific site conditions make the standard measurement impractical.

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.

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. Usable open space, other than private open space or required setbacks, may include recreation-oriented areas.

Common Area(s). Areas in a Development that are held in common by the owners or by an owners' association and are not reserved for the exclusive use or benefit or an individual owner or tenant, such as open space, parks, trails, courtyards, community aquatic areas, sports courts, play areas, and parking lots

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 fuelingrefueling station. This use excludes supermarkets or other large-scale retail establishments.

Convenience UsesUse. Convenience uses include those commercial uses in which:

A. Retail gasoline is sold.

B. Convenience storeStores 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, and drive through laundry/dry cleaners, and drive through video stores.

D. The Zoning Administrator, or his or her designee,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.

Cornice. A horizontal projecting molding or decorative band located at the top of a wall or façade, typically where the wall meets the roofline, designed to provide architectural detail and visual termination of the building elevation.

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 daytime care and supervision 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), automobile fueling~~refueling~~ stations or other uses, which are separately defined.

Dust Free. Treatment of native soil with covering of asphalt, concrete, or masonry.

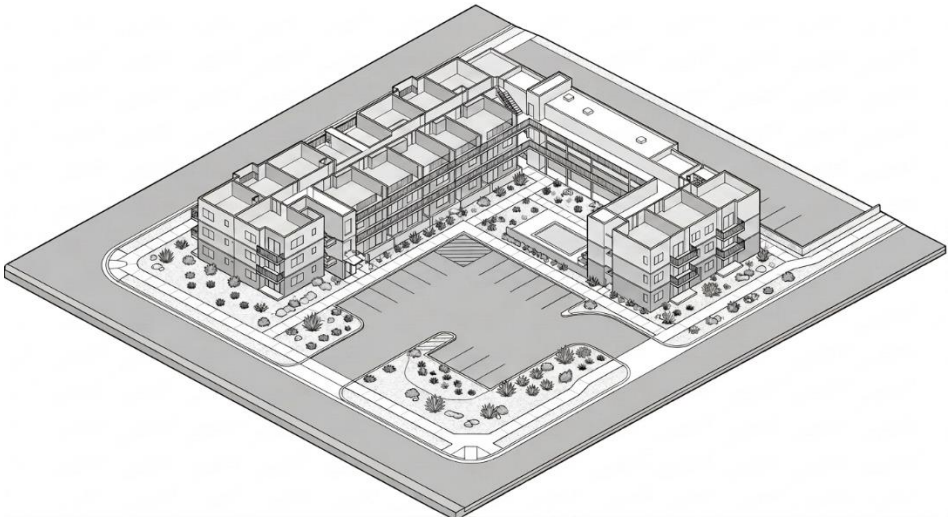
Dwelling for a Watchman or Caretaker. A dwelling unit located on the same site as a permitted non-residential use, provided exclusively for an individual employed as a watchman or caretaker responsible for security, maintenance, or oversight of the property. This use is accessory to the principal use 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.

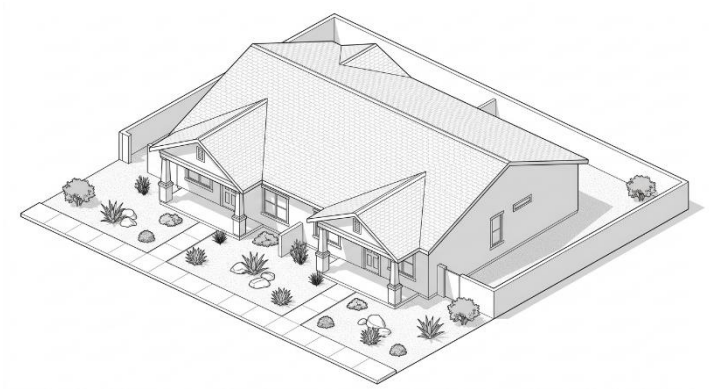
Dwelling, Multi-family. A single building or buildings containing three or more dwelling units on an individual lot for occupancy by a housekeeping unit living independently of each other. Within apartments, the building and land are under single ownership and dwelling units are rented or leased. Within 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



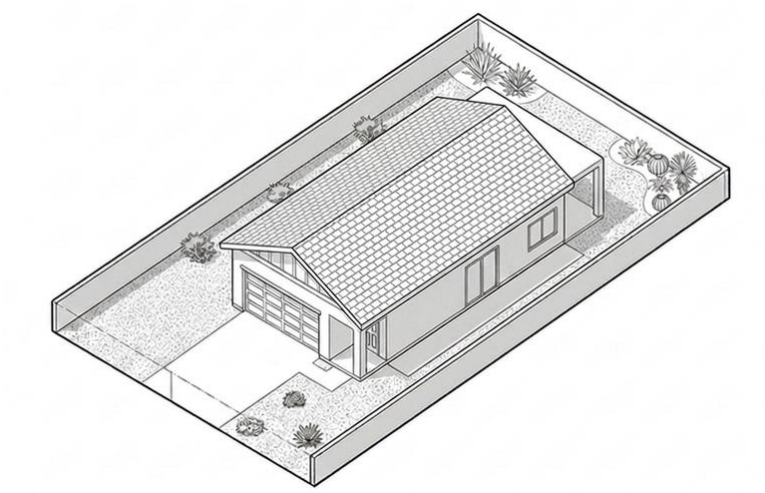
Dwelling, One Single-Family Attached. A dwelling unit designed for or used by one housekeeping unit, located on an individual lot, and having any portion of one or more walls in common with adjoining dwelling units. Each dwelling unit has its own external entrance.

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.

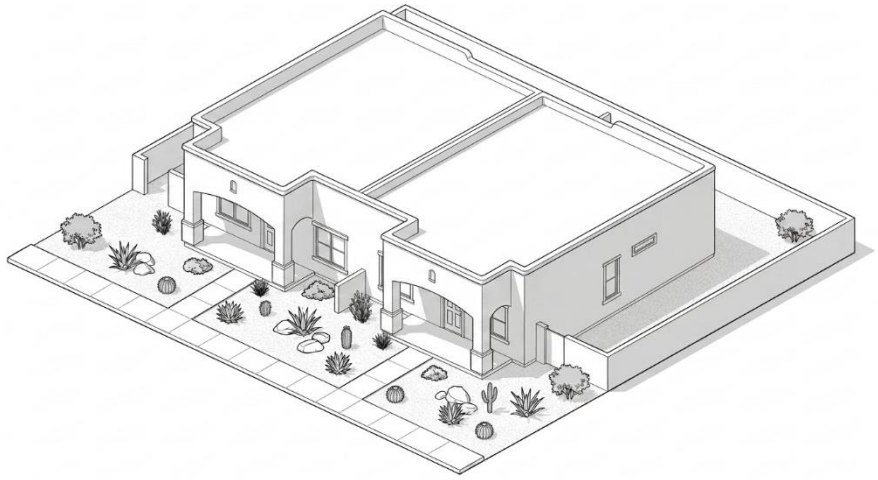
Figure 8.2H - Single-Family Detached Dwelling



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).

Efficient Irrigation System. a system that delivers water in sufficient supply to meet the plants' seasonal water consumption requirements, directly to the plant material without causing loss of water due to surface runoff, while taking into account soil type, soil chemistry, and the need for leaching.

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.

Evaporative Cooling. Any device, equipment, or process that utilizes water in a non-closed loop system in the process of cooling. (e.g., cooling towers, evaporative condensers, swamp coolers)

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; or

C. 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

D. No more than six persons not related, living together as a single housekeeping unit within a dwelling unit; or

E. 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 openair 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.

Flag. A piece 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.

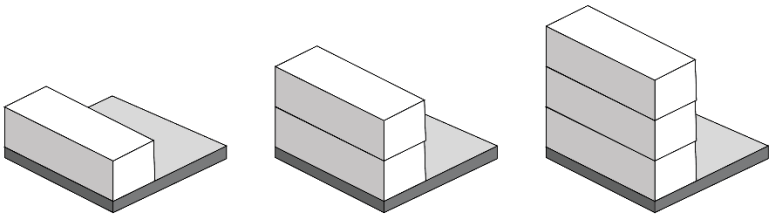
Flood Prevention Regulations. Chapter 16 of the Goodyear City Code as adopted and amended from time to time by the City Council.

Floor Area. For determining parking requirements, total floor area of a building measured from interior faces of load bearing walls (excluding air shafts, stairwells, 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.)

$$\text{Floor Area Ratio} = \frac{\text{Building Area}}{\text{Land Area}}$$



F.A.R = 0.5 F.A.R = 1.0 F.A.R = 1.5

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.

Functional Turf. Lawn/grass areas that used regularly for human recreational purposes or business operations (e.g., wedding / event facilities, golf courses, day care centers, pre-schools, schools, parks, cemeteries, sports fields, single-family homes).

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).

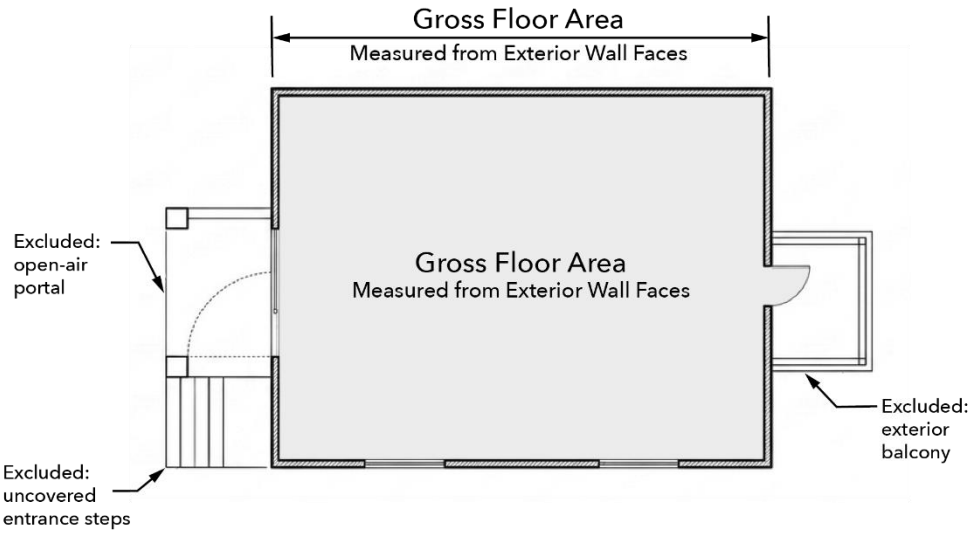
Governmental or Quasi-governmental Facilities. A facility owned, operated, or occupied by any level of government to provide a governmental service, but not

including offices for the provision of governmental services or facilities for any government operation separately defined in this ~~code~~Zoning Ordinance.

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 and Fences.

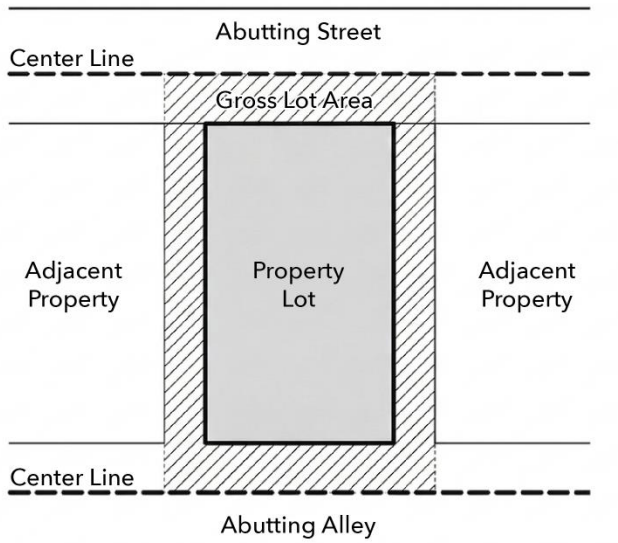
Gross Floor Area. Sum of gross areas of several floors of a building or buildings, measured from the exterior wall, or from a center line of a wall separating two buildings. Gross floor area shall not include: underground parking space; uncovered steps; portals; or exterior balconies.

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 and such uses are prohibited unless expressly permitted elsewhere in this Ordinance.

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 on-site retail transactions or direct sale or bartering of goods with visiting customers;

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 or industrial-scale production;

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.

Landscapable Area. Permeable areas in a New Development capable of being decoratively or functionally landscaped with living and nonliving ground cover.

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. The shortest distance between the midpoint of the front lot line and the midpoint of the rear lot line.

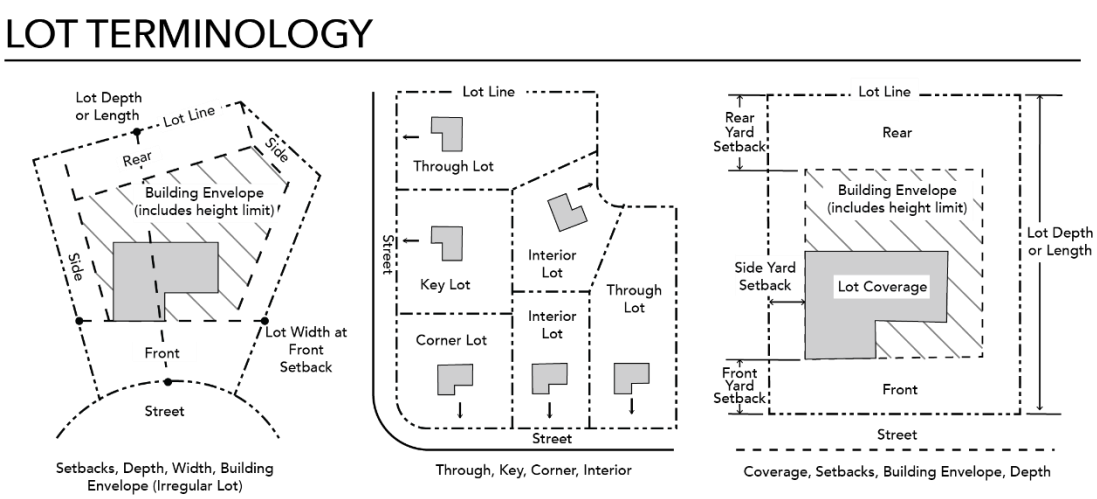
Lot, Flag. An interior lot in which the buildable area is located to the rear of a lot abutting a street, and which has access to the same street by means of a narrow driveway.

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 fronts 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.

Lot, Through lot, Double Frontage. Lot having frontage on two non-intersecting parallel (or approximately parallel) streets.

Lot Width. If the side property lines are parallel, the shortest distance between these side lines. If the side property lines are not parallel, the width of the lot shall be the width of the lot at its front setback line.

Low Water Use Landscaping. Plant materials that are desert adapted, low water use, and found in the then current Arizona Department of Water Resources Low Water Use Drought Tolerant Plant List or City of Goodyear Plant Matrix.

Lumen. The unit used to measure the actual amount of light which is produced by a lamp. Lumen output of lamps is listed on the product packaging.

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~~Zoning Ordinance. 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 3.11.27.

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 3.11.27.

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. One~~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.

Mural. A mural is an original piece of visual artwork, such as a painting, mosaic, graphic, or other applied technique, created directly onto or affixed onto a wall or fence. Murals shall not contain copy, advertising symbols, lettering, trademarks, or other references to the premises, products or services that are provided on the premises where the graphics are located or any other premises.

Net Site. See Lot Area.

Noise Sensitive Uses. Schools, places of worship, childcare facilities, hospitals, nursing homes, libraries, and similar facilities determined by the Zoning Administrator, or his or her designee.

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 presentment 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.

Non-functional Turf. Ornamental lawns/grassed areas that provide no recreational benefits. This includes aesthetic Turf in residential and commercial projects, street medians, street rights-of-way, and residential and commercial sign / monument areas.

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 4.4, 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.)

Open Space, Active. Open space areas designed and improved to accommodate organized or programmed recreational activities that require constructed facilities or equipment. Active open space may include, but is not limited to, playgrounds, sports courts, athletic fields, splash pads, swimming pools, dog parks, and similar recreational amenities.

Open Space, Passive. Open space areas intended primarily for informal recreation, aesthetic enjoyment, or environmental preservation, and that generally do not include structured recreational facilities. Passive open space may include, but is not limited to, landscaped areas, natural areas, trails, seating areas, courtyards, and similar spaces designed for unstructured use.

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.

Parapet. The portion of a wall that extends above the roofline of a building and is typically used to screen rooftop equipment, provide architectural articulation, or serve as a safety barrier along the edge of a roof.

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 Section 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).

Permitted Use. Use specifically permitted, or use analogous, as determined by the Zoning Administrator, or his or her designee, 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. The term does not include accessory buildings or structures, including storage sheds, that are constructed or installed in accordance with this ~~Code~~Zoning Ordinance.

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 Art. Works of art placed in areas accessible to the public. Examples of public art include, but are not limited to, murals, fountains, sculptures, and paintings. Public art is non-commercial, publicly accessible, and site-specific, designed to beautify shared spaces and reflect a community's culture.

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 or suite.

Racetracks/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.

Reclaimed Water. Water that has received treatment in a facility that is regulated pursuant to A.R.S., tit. 49, ch. 2, and has not legally acquired the characteristics of groundwater or surface water.

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 Assembly, Large: A residential dwelling or a portion of a residential dwelling used to gather for regularly scheduled events, programming and/or activities that is accessory to the primary residential use and involves at any one time more than ten (10) but less than twenty-five (25) people, exclusive of the residents of the dwelling and where the assemblage changes the normal flow of pedestrian traffic, vehicular traffic or residential atmosphere of the neighborhood or residential district.

Residential Assembly, Small: A residential dwelling or a portion of a residential dwelling located within a residential district that is used for people to gather for regularly scheduled events, programming and/or activities that is accessory to the primary residential use and involves at any one time ten (10) or fewer persons exclusive of the residents of the dwelling.

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. Structures meeting the fifty percent (50%) solid threshold shall be included in the calculation of Maximum Building Coverage for the applicable zoning district. 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."

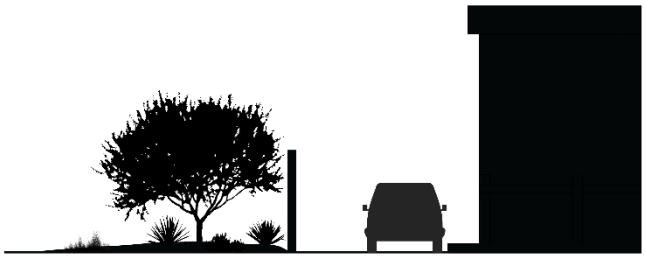
Sand Blasting. A process of cleaning, smoothing, or preparing a surface by forcibly propelling a stream of abrasive material, such as sand or similar substances, against the surface using air or water pressure.

School, Private. A private place of general instruction, including but not limited to parochial, religious, or charitable institutions, 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~~Zoning Ordinance.

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~~Zoning Ordinance.

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. Signs include 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, Banner. A sign made of fabric, plastic, or other pliable material without a rigid structural support or internal illumination on which advertising copy or graphics may be displayed. A banner sign can be composed of several different elements (including the sign face, balloons, pennants, 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, 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.

Sign, Business. For purposes of Section 4.7 (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.

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, 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 on-site 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, Drive-Through Menu Board. A permanent sign typically displaying items for sale at a drive-in or drive-through restaurant, with or without ordering capability.

Sign, Electronic Message Display. A permanent sign that displays copy, graphics, symbols, or images using electronic or digital technology, including but not limited to light-emitting diodes (LED), liquid crystal display (LCD), plasma display, or similar technology, and that is capable of being changed by electronic means.

Sign, Electronic Changeable Copy Display. A 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 Design. An application on a sign that advertises the occupant activity or business through the use of graphic or crafted symbols, such as shoes, keys, glasses, books, etc. Figurative designs 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 Devices. 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, by a business with a valid business license, which does not conform to the requirements of this Ordinance.

Sign, Maintenance. 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.

Sign, Monument. A freestanding, permanent self-supported identification sign that is not attached to the supportive elements of a building used to identify the development name and/or individual tenants.

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, 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.

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, also referred to as A-frame signs, 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, Property Offered for Sale or Lease. A temporary, on-premises sign associated with the sale, lease, or rental of the property on which the sign is located.

Sign, Property Under Construction. A temporary sign, limited to the period of construction, located on the premises of an existing construction project.

Sign, Residential Development. A temporary sign placed on an undeveloped property in a residential zoned district.

Sign, Roof. A permanent sign erected on, above or over the roof.

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, Short-Term Off-Premises. 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, 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.

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 of a window, 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 or posts 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. Status as a single housekeeping unit is determined by occupants sharing expenses for food, rent, or utilities under a unified arrangement, rather than through individual room-by-rent leases or partitioned rental agreements that would otherwise classify the use as a Boardinghouse. Furthermore, 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 Development Review Committee as described in Section 5.5.

Site Plan, Conceptual. A preliminary plan of development submitted in conjunction with a Rezoning, Use Permit, or Planned Area Development application that illustrates the proposed land use, building placement, and overall site configuration with sufficient detail to demonstrate consistency with the General Plan and compatibility with surrounding properties. Unlike a final Site Plan required for Site Plan approval, construction permits, a Conceptual Site Plan focuses on the overall development theme and intent, serving as the basis for legislative approval and any attached zoning conditions.

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:

A. Human genitals in a state of sexual stimulation or arousal;

B. Acts of human masturbation, sexual intercourse or sodomy; and

~~C.~~A. 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 topmost story shall be a portion of the building included between the upper surface of the topmost 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 (this term does not include 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.

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 and is generally related to a particular seasonal, cultural, traditional or community activity.

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.

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 uses~~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 and restaurant facilities. ~~. Other facilities may also be present, such as convenience markets and restaurants.~~

Turf. A surface layer of earth containing regularly mowed grass, with its roots. Turf includes but is not limited to annual and perennial Rye grass, Fescue, all types of Bermuda, and Azoya. Turf does not include synthetic / artificial grass.

Turf-related Facility. Any facility, including schools, parks, cemeteries, and golf courses, that applies water from any source, including Reclaimed Water, to ten (10) or more acres of Water-intensive Landscaped Area.

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 otherwise 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, and 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, and 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 sell 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.

Waste of Water. To permit water to escape from any private property onto a street, sidewalk, gutter, alley, public utility easement, tract, parking area, or another person's property. Water is not wasted if any of the following apply:

1. The flow of water results from water supply system failures or malfunctions that are fixed within seventy-two (72) hours of the date of notice of such failure or malfunction.
1. The flow results from firefighting, inspection of fire hydrants by the fire department or from fire training activities.
2. The flow is from water reasonably applied as a dust control measure as may be required by law.
3. The flow is from water applied to abate spills of flammable or otherwise hazardous materials, where water is the appropriate methodology.
4. The flow is from water applied to prevent or abate health, safety, or accident hazards when alternate methods are not available.
5. The flow results from the inspection, operation or maintenance of a water supply system.
6. The flow results from inspection or maintenance of irrigation systems.
7. The flow results from water used for construction or maintenance activities where the application of water is the appropriate methodology and where no other practical alternative exists.
8. The flow results from maintenance of a swimming pool.

Water Feature. Pools, ponds, fountains, streams, waterfalls, swimming pools, artificial lakes, and other artificial water structures. A Water Feature does not include a system that injects or drops water into the air solely for the purpose of cooling a confined air space.

Water-intensive Landscaping / Water Intensive Landscaped Area.

1. Any area landscaped with plants not defined as Low Water Use Landscaping; and
2. The total surface area of all Water Features that are an integral part of the landscaped area.

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.

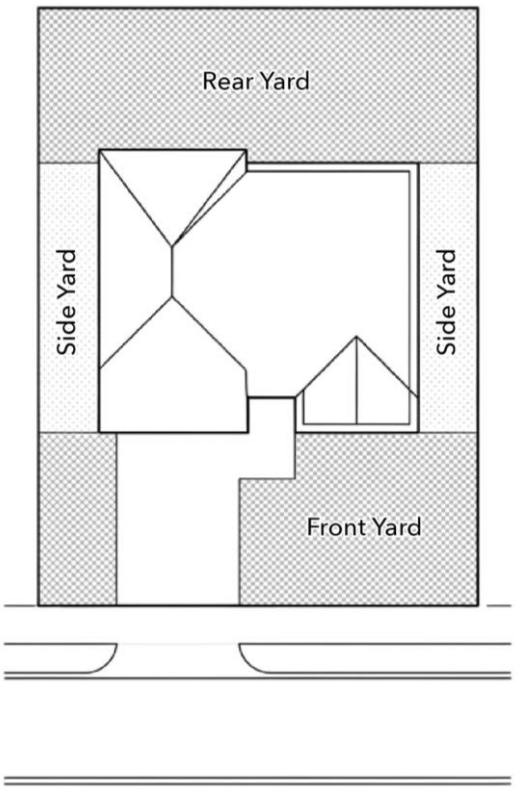
Yard. Open space at grade level between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward. Width of side yard, depth of front yard, or depth of rear yard measured as a minimum horizontal distance between lot lines and a main building.

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, or his or her designee.

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 his/her designee.

Zoning Clearance. Written authorization issued by the Zoning Administrator, or his or her 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~~Zoning Ordinance. 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.

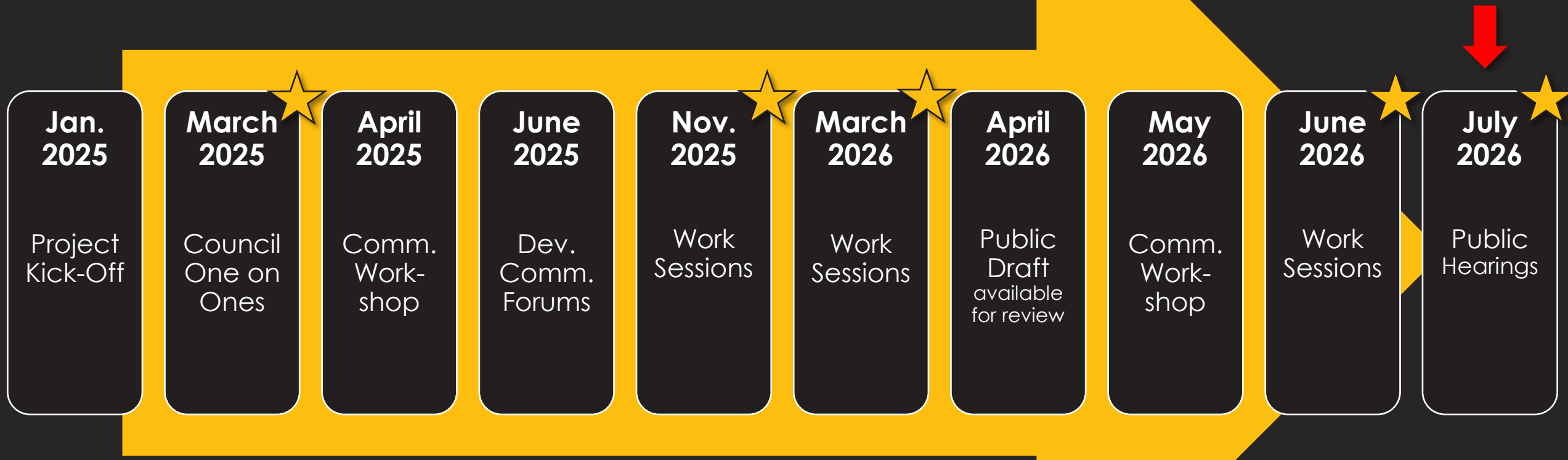
It's a Great time to be in Goodyear.

CITY OF GOODYEAR

Zoning Ordinance Update



Project Timeline



Final Zoning Ordinance

- Flexibility
- Clarity
- Reoganization
- Scrivener's Errors

Recommendation

Adopt the City of Goodyear Zoning Ordinance, dated July 2026.

Next Steps

Zoning Ordinance effective 30 days after adoption

Zoning Code Update

Thank you!

ITEM #: 14.
DATE: 07/06/2026
AI #:3337

CITY COUNCIL ACTION REPORT

SUBJECT: APPROVAL OF FISCAL YEAR (FY) 2026-2027 COMMUNITY GRANT FUNDING RECOMMENDATIONS

STAFF PRESENTER(S): Guylene Ozlanski, Parks and Recreation Deputy Director

SUMMARY

Nonprofit organizations that provide human and social services directly benefiting Goodyear residents are eligible to apply for funding through the City's Community Grant Funding program. For the Fiscal Year (FY) 2026-2027 funding cycle, the Community Grant Funding Subcommittee reviewed 67 grant applications and is recommending 32 organizations receive a combined total of $214,400 from the $214,400 grant funding available for competitive award.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Approve the recommended FY2026-2027 Community Grant Funding allocations as recommended by the Community Grant Funding Subcommittee. (Guylene Ozlanski, Parks and Recreation Deputy Director)

FISCAL IMPACT

For the FY2026-2027 Community Grant Funding cycle, the city received 67 applications requesting a combined total of over $1,900,000 in grant funding. The approved General Fund budget for the Community Grant Funding program is $214,400. The Community Grant Funding Subcommittee recommends allocating a total of $214,400 grant awards to support 32 community-based programs and services and are included in the FY27 budget.

BACKGROUND AND PREVIOUS ACTIONS

The City's Community Funding program was formalized through a 2001 Council resolution to support nonprofit organizations that provide services benefiting Goodyear residents. The program was established to assist organizations whose programs address identified community needs and enhance the quality of life within the community.

The following criteria were established by Council to guide funding recommendations:

- Benefit to the community (current and historic)
- Demonstrated community need
- Avoidance of duplication of existing services
- Geographic service area
- Methods for documenting community benefit
- Clarity of project goals and objectives
- Longevity and reputation of the organization within the community
- Completion of follow-up documentation for previous awards
- Ability to secure funding from other sources
- Verification of tax-exempt status

At the December 13, 2021 Work Session, Council expressed interest in prioritizing funding for programs that support the recommendations identified in the Community & Neighborhood Services Master Plan. Priority focus areas include expanded access to childcare during non-traditional hours, trauma-informed mental health and substance-use services, peer support programs, transportation access, tele-services and mobile service delivery, food and emergency assistance programs, community gardens, and transitional support services for individuals recovering from or fleeing abuse.

At the April 7, 2025 Regular Meeting, Council passed Resolution No. 2025-2460 and adopted a revised Community Funding Policy (No. CC-01-66) to establish a transparent, fair, and accountable framework for grant awards to nonprofit organizations while ensuring the effective and equitable distribution of available public resources. To qualify for community grant funding, nonprofit organizations must:

- Be a registered 501(c)(3) or equivalent nonprofit entity,
- Demonstrate a direct benefit to the Goodyear community and alignment with City Council priorities,
- Provide services without discrimination and in compliance with local, state, and federal laws,
- Submit a complete and timely grant application, including all requested documents, and
- Grant recipients must enter into a formal grant agreement with the city detailing terms, conditions, and reporting requirements.

City staff solicited proposals from nonprofit organizations, reviewed grant applications for eligibility and completeness, and prepared materials for review by the Community Grant Funding Subcommittee. The subcommittee met on June 9, 2026 to evaluate grant applications and develop grant funding recommendations for City Council consideration.

STAFF ANALYSIS

Applications for the FY2026-2027 grant funding cycle were made available on the city's website on April 1, 2026 and distributed electronically to previous applicants, members of the Goodyear Faith & Community Roundtable, and individuals who requested information regarding the grant funding opportunity. Information regarding the grant program was also shared with local media outlets to broaden awareness and outreach efforts.

To assist grant applicants, staff hosted a pre-application webinar on April 8, 2026 outlining program requirements, eligibility criteria, and the application process. A recording of the webinar remained available on the city's website throughout the application period to support accessibility and grant applicant participation.

The grant application deadline closed on April 30, 2026, resulting in 67 submitted applications requesting grant funding support for a wide range of community-based programs and services. On June 9, 2026, the Community Grant Funding Subcommittee met to review and discuss the grant applications and reached consensus on 32 grant funding recommendations totaling $214,400.

The recommended grant allocations support programs and services that align with Council priorities and address identified community needs, including food insecurity, housing stability, youth and family support services, workforce readiness, mental health resources, and other essential human services for Goodyear residents.

Organization	FY27 Recommendation
Adelante Healthcare - Mobile Integrated Vision Care Screening for Goodyear Youth	**$2,500**
Agua Fria Food and Clothing Bank - to be used for the increased costs of goods and services, including labor costs.	**$25,000**
Alice Cooper's Solid Rock - Hunger Relief for Underserved Youth	**$10,000**
A New Leaf - to support communications costs for the shelter program. This includes telephones, cell phones for staff, internet, and network connectivity.	**$7,500**
Angels on Patrol - Goodyear Police are Angels on Patrol	**$15,000**
Area Agency on Aging, Region One - Goodyear Senior Citizen Meals	**$21,400**
AZ Friends of Foster Children Foundation (AFFCF) - Childhood Activities for Children in Foster Care in Goodyear	**$2,500**
AZ Community Impact - Southwest Valley IHELP	**$10,000**
AZ Community Impact - AZCI Warehouse Expansion	**$15,000**
Big Brothers Big Sisters of Central Arizona - Goodyear Community-Based Mentoring Program	**$2,000**
Boys & Girls Clubs of the Valley (BGCAZ) - Out-of-School Time Programs for Goodyear Youth	**$8,000**
Catitude Arts - Neighborhood Art Project	**$5,000**
Central Arizona Shelter Services, Inc. - Shelter and Support Services for Goodyear Residents	**$7,500**
Chicanos Por La Causa - Community Health Workshops and Engagement	**$2,000**
Dress for Success - Career Services for Goodyear Residents	**$5,000**
Duet: Partners in Healthy Aging - Vital Services for Goodyear Family Caregivers	**$2,500**
Encircle Families - Mentoring and Support for Goodyear Families who have Children with Disabilities	**$2,000**
Friends of Southwest Family Advocacy Center - Friends of the Southwest Family Advocacy Center	**$3,500**
Gervonni Cares - Stuck in the Middle - Wraparound Support	**$5,000**
Mission of Mercy - Access to Healthcare for Uninsured Goodyear Residents	**3,000**
New Life Center - New Life Center Emergency Shelter	**$3,000**
Rock Steady Box - Rock with Us	**$1,500**
Sleep in Heavenly Peace Arizona - Sleep in Heavenly Peace Arizona	**$5,000**
Sounds Academy - Comprehensive Music Program for Underserved Goodyear Youth	**$2,000**
Sounds of Autism - Unified Responders Community	**$10,000**
Southwest Lending Closet - Keep the Lights On	**$20,000**

Teen Lifeline - Suicide Prevention & Crisis Services for Goodyear Teens	**$5,000**
Tumbleweed Club - Enrichment Program for Memory Care	**$1,500**
Valley of the Sun YMCA southwest valley branch - Senior Wellness and Independence Initiative	**$5,000**
West Valley Arts Council - The Art of Healthy Aging in Goodyear	**$2,500**
White Tank Mtns Conservancy - a[Live] & Wild	**$1,500**
Young Life - Agua Fria Young Life	**$3,000**
Total Funded	**$214,000**

Attachments

Staff Presentation

It's a Great time to be in Goodyear.

FY2026-2027

Goodyear Community Grant Funding





Goodyear Community Grant Funding

Funds nonprofit organizations that enhance health, human services, and quality of life for Goodyear residents.

Program Highlights

FY2025-2026

Grant-funded agencies delivered direct services to **more than 7,346 unduplicated Goodyear residents** within the first six months.



It's a Great time to be in Goodyear.

FY2026-2027
Community Grant Funding Process

- **Revised Policy**
  Adopted: April 7, 2025
- **Applications open**
  April 1 – April 30, 2026
- **Budget FY2026-2027**
  $214,400

- **Subcommittee Meeting**
  - June 9, 2026
- **67 Applications**
  - 39 First Time
  - Over $1,900,000 requested

It's a Great time to be in Goodyear.

FY2026-2027

Grant Funding Recommendations

Adelante Healthcare	$2,500	Catitude Gallery	$5,000	Sleep in Heavenly Peace	$5,000
Agua Fria Food Bank	$25,000	CASS	$7,500	Sounds Academy	$2,000
Alice Cooper Solid Rock	$10,000	CPLC	$2,000	Sounds of Autism	$10,000
A New Leaf	$7,500	Dress for Success	$5,000	Southwest Lending Closet	$20,000
Angels on Patrol	$15,000	Duet	$2,500	Teen Lifeline	$5,000
Area Agency on Aging	$21,400	Encircle Families	$2,000	Tumbleweed Club	$1,500
AFFCF	$2,500	Friends of the SWFAC	$3,500	VOS YMCA	$5,000
IHelp	$10,000	Gervonni Cares	$5,000	West Valley Arts Council	$2,500
AZ Community Impact	$15,000	Mission of Mercy	$3,000	White Tanks Mtns Conservancy	$1,500
Big Brothers & Sisters	$2,000	New Life Center	$3,000	Young Life	$3,000
Boys & Girls Club	$8,000	Rock Steady Box	$1,500		

It's a Great time to be in Goodyear.

Action Tonight

Approve the recommended FY2026-2027 Community Grant Funding allocations as recommended by the Community Grant Funding Subcommittee



ITEM #: 15.
DATE: 07/06/2026
AI #:3397

CITY COUNCIL ACTION REPORT

SUBJECT: 2026 POST-LEGISLATIVE SESSION OVERVIEW & GOVERNMENT RELATIONS UPDATE

STAFF PRESENTER(S): Edwin Hernández-Vargas, Chief Government Affairs Officer; Anthony Casselman, Government Affairs Officer

SUMMARY

The 2026 Post-Legislative Session Overview and Government Relations Update provides a concise recap of the recent state legislative session, highlighting major policy actions and funding decisions. The presentation summarizes key outcomes to ensure the council and the community have a clear understanding of how newly enacted legislation may affect city operations.

In addition to the state legislative session recap, the presentation includes brief informational updates on federal and regional government relations activities. The presentation will also provide insights into legislative proposals that are anticipated for the 2027 legislative session. This item is for informational purposes and is intended to keep council informed of emerging issues, and support ongoing planning as external policy environments evolve.

STRATEGIC PLAN ALIGNMENT



RECOMMENDATION

Council to receive an update on government relations activities at the regional, state, and federal levels and provide direction to staff. No action will be taken. (Edwin Hernandez-Vargas, Chief Government Affairs Officer)

FISCAL IMPACT

As approved by the annual legislative agenda, Government Relations works to explore available resources such as state and federal appropriations.

BACKGROUND AND PREVIOUS ACTIONS

Prior to each legislative session, Government Relations presents the annual State and Federal Legislative Agenda, along with an overview of the city's elected representation, relevant political dynamics, and anticipated policy topics for the upcoming year. On January 26, 2026, council approved the 2026 Legislative Agenda by resolution, which defines the city's legislative priorities and guides the city's government relations activities.

This year, government relations will also present a post-session overview to Mayor and Council. The proposed 2027 Legislative Agenda will still be brought before Mayor and Council in late 2026 or early 2027.

STAFF ANALYSIS

The second regular session of Arizona's 57th Legislature convened on January 12, 2026, and adjourned sine die on June 13, 2026, concluding on the 153rd day of the session. The 119th United States Congress convened on January 3, 2025, and will continue through January 3, 2027.

This legislative session saw the introduction of a variety of bills that sought to undermine local authority in several ways. Despite a record number of bills introduced, Government Relations staff worked with all departments and colleagues to ensure that the impacts of those bills were understood and Goodyear's nuances vocalized.

Throughout the year, Government Relations staff provided regular updates on activities related to the city's adopted legislative agenda, as well as other legislative developments with potential impacts on Goodyear and other municipalities. As staff transitions into preparations for the 2027 legislative session, Government Relations will continue to closely monitor emerging priorities and policy discussions to ensure Goodyear's interests remain well represented.

Attachments

Staff Presentation

It's a Great time to be in Goodyear.

2026 Post-Legislative Session Overview & Government Relations Update

Edwin Hernandez-Vargas, Chief Government Affairs Officer &
Anthony Casselman, Government Affairs Officer



It's a Great time to be in Goodyear.

Agenda

1. State Affairs
2. Regional Affairs
3. Federal Affairs
4. Closing

2026 Legislative Session Overview: By the Numbers

- 2,190 Bills, Resolutions, & Memorials Introduced
- 534 Bills Tracked that Impacted Cities
- 264 Bills Signed and 151 Vetoed to Date
- 7 New Ballot Referrals
- 153 Days in Session



2026 Legislative Session Overview: Goodyear Key Issues



Policy Wins

- Preserving Local Authority
  - Fiscal Management
  - Design Standards
  - Water Resources

Budget Wins

- Protected State Shared Revenues
- I-10 Widening Funds
- 9-1-1 - Short Term Solution



2026 Legislative Session Overview: Other Themes

- Affordability
- Tax Conformity
- Data Centers
- Public Safety Tools
- Ballot Referrals

Looking Ahead to 2027

We expect several proposals to come back next year, including:

- Starter Home Act 3.0
- Development Impact Fees
- 9-1-1 Long Term Solution
- Water Bills
- League Resolutions



AZ League of Cities & Towns

League Policy Proposal

Budget, Finance, and Economic Development (BFED) #2 – PSPRS Stakeholder Engagement

- Provided clarity that the League intends to engage in stakeholder conversations.

Resolutions Committee

Will meet during the League Conference in August.



Regional Affairs

Maricopa Association of Governments (MAG)

Regional Council: Mayor Pizzillo | **Transportation Policy Committee:** CM Terry

Valley Metro

Board of Directors: CM Campbell

Arizona Municipal Water Users Association (AMWUA)

Board of Directors: CM Kaino

West Valley Partners (Luke AFB)

West Valley Council: Mayor Pizzillo

Federal Affairs



Federal Affairs: Issues We're Tracking

Colorado River Water Negotiations

- Bureau of Reclamation to release direction later this month.

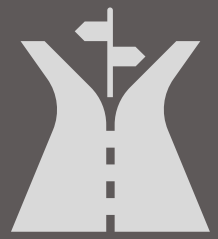


Surface Transportation Program

- Safe Streets & Roads for All (SS4A) continuation progressing in Congress.



Update on FY27 Earmark Requests



Bullard Ave Traffic Interchange – Not Sponsored

- Submitted for $3.39M with a 20% local cost share.



Computer Aided Dispatch (CAD) – Not Sponsored

- Submitted for $4.99M with a 25% local cost share.



Soil Aquifer Treatment (SAT) Site - Sponsored

- Submitted for $3.2M with a 20% local cost share.
- $746,869 in the House Appropriations Subcommittee Bill.

Thoughts for FY28?

Civic Engagement



- Mission to engage residents clearly and transparently
- Monthly legislative newsletter
- Action alerts connecting residents to legislators
- Government 101 for civic groups





Questions?

