Planning & Zoning Commission
Goodyear City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395

Wednesday, June 10, 2026 6:00 p.m. Meeting Agenda

Physical access to the meeting location will be available 15 minutes prior to the meeting.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PUBLIC COMMENTS

Non-Agenda items: This is the time for members of the public who would like to address the Planning & Zoning Commission on any non-agenda item within the jurisdiction of the Goodyear Planning & Zoning Commission. Please complete a speaker card and give it to the Secretary. Each speaker is limited to three (3) minutes. Before you begin to speak, identify yourself by clearly stating for the record your name and whether you are a Goodyear resident. The Commission will listen to comments and may take any one 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: The Chair will call for public comments as each agenda item is up for discussion. Please complete a speaker card for the Secretary, listing the agenda item on which you would like to speak. Each speaker is limited to three (3) minutes. Before you begin to speak, identify yourself by clearly stating for the record your name and whether you are a Goodyear resident.

CONSENT

1. **APPROVAL OF MINUTES**
   Approve the draft minutes of the Planning and Zoning Commission Meeting on May 6, 2026.

DISCLOSURE OF EX PARTE COMMUNICATIONS

This is an opportunity for Commission members to disclose any ex-parte communications they may have had prior to this meeting on any item scheduled for discussion on this agenda.

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

2. **REZONE APPROXIMATELY 156 ACRES LOCATED ON THE SOUTHEAST CORNER OF WEST YUMA ROAD AND SOUTH ESTRELLA PARKWAY, KNOWN AS FULTON HOMES AT BALLPARK VILLAGE, FROM PLANNED AREA DEVELOPMENT TO PLANNED AREA DEVELOPMENT AMENDMENT**

    1. Conduct a public hearing to consider a request to rezone approximately 156 acres (the "Property") from Fulton Homes at Ballpark Village 1st Amended Planned Area Development to Fulton Homes at Ballpark Village 2nd Amended Planned Area Development.
    2. Recommend approval of the request to rezone approximately 156 acres from Fulton Homes at Ballpark Village 1st Amended Planned Area Development to Fulton Homes at Ballpark Village 2nd Amended Planned Area Development (March 2026), as set forth in the draft of Ordinance No. 2026-XXXX (Justin Gabrielson, Senior Planner).

BUSINESS

3. **ZONING ORDINANCE COMPREHENSIVE UPDATE**

    Provide staff direction on proposed standards for BESS (Battery Energy Storage Systems), data centers, noticing requirements and additional ordinance modernization items. (Christian M. Williams, Planning Manager and Guadalupe Ortiz Cortez, Principal Planner)

INFORMATION ITEMS

Comments, Commendations, Report on Current Events and Presentations by Board, Commission or Committee Members, or staff. The members may not propose, discuss, deliberate or take any legal action on the information presented pursuant to A.R.S. § 38-431.02.

FUTURE MEETINGS

Future meetings are tentatively scheduled as follows:
July 1, 2026 at 6:00 p.m.

ADJOURNMENT

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning and Zoning Commission and to the general public that the Planning and Zoning Commission 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 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 June 5, 2026 at 4:21 p.m. by CLR.

AGENDA ITEM #: 1.
DATE: June 10, 2026

Planning & Zoning Commission

SUBJECT:
APPROVAL OF MINUTES

RECOMMENDATION:
Approve the draft minutes of the Planning and Zoning Commission Meeting on May 6, 2026.

Attachments

5.6.26 Draft P&Z Minutes

Planning & Zoning Commission
Goodyear City Hall - Council Chambers
1900 N. Civic Square
Goodyear, AZ 85395

Wednesday, May 6, 2026	6:00 p.m.	Meeting Minutes

CALL TO ORDER

Chairman Clymer called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Chairman Gregg Clymer; Vice Chair Kent Hegedus; Commissioner Marlon Booth; Commissioner Anthony Wang; Commissioner Teri Roberts; Commissioner Justin McLendon; Commissioner Monica Lee

Commissioner McLendon attended the meeting telephonically.

PUBLIC COMMENTS

No comments were received from the public.

CONSENT

1. **APPROVAL OF MINUTES**
   Approve the draft minutes of the Planning and Zoning Commission Meeting on April 15, 2026.

MOTION BY Commissioner Monica Lee, **SECONDED BY** Vice Chair Kent Hegedus to APPROVE the Consent Agenda. The motion carried by the following vote:

AYE: Chairman Gregg Clymer, Vice Chair Kent Hegedus, Commissioner Marlon Booth, Commissioner Anthony Wang, Commissioner Teri Roberts, Commissioner Justin McLendon, Commissioner Monica Lee

Passed - Unanimously

DISCLOSURE OF EX PARTE COMMUNICATIONS

No disclosures were needed.

PUBLIC HEARINGS

2. **REZONE APPROXIMATELY 35.053 ACRES FROM PAD PALM VALLEY PROMENADE 1ST AMENDED TO PAD PALM VALLEY PROMENADE 2ND AMENDED**

Chairman Clymer opened the public hearing at 6:02 p.m.

Senior Planner Kyle Abbott presented the request to rezone approximately 35.053 acres located at the northeast corner of West McDowell Road and North Bullard Avenue to facilitate the development of a future hotel building of up to four stories within the undeveloped West Parcel located adjacent to Lifetime Fitness.

The applicant is requesting approval of a rezone (PAD amendment) to modify the maximum building height allowed on the 16-acre West Parcel within the Palm Valley Promenade. The current zoning is PAD Palm Valley Promenade 1st Amended, which allows a maximum building height of three stories up to 50 feet. The proposed zoning is PAD Palm Valley Promenade 2nd Amended, which would allow development consistent with the C-2 (General Commercial) maximum building height standard of 56 feet and remove the three-story limitation for the West Parcel.

Notices of application were mailed to all property owners within 500 feet of the rezone area for which max building height modifications have been proposed and review material was made available on the city website. Three signs visible from the public rights-of-way were posted on the property and a legal notice published on April 17, 2026, in the Arizona Business Gazette - Republic Edition. Staff received no inquiries about the project.

The Commission discussed compatibility with surrounding uses and asked about proposed height for the hotel project. Brennan Ray with Ray Law Firm, representing the applicant, informed the Commission that specific design plans had not yet been completed but that the proposed hotels would be four-story buildings in keeping with the allowable design standards of the area.

Commission asked for clarification as to the acreage of the proposed rezone area and which specific parcels would be affected. Staff informed the Commission that the three-story limitation would only be removed for the 16.57-acre West Parcel, per a proposed stipulation, but in order to update the existing PAD the amendment would apply to the entire 35.053 acres of the Palm Valley Promenade PAD.

There being no further public input, Chairman Clymer closed the public hearing at 6:11 p.m.

MOTION BY Commissioner Marlon Booth, **SECONDED BY** Commissioner Anthony Wang to RECOMMEND APPROVAL of the request to rezone approximately 35.053 acres from PAD Palm Valley Promenade 1st Amended to PAD Palm Valley Promenade 2nd Amended. The motion carried by the following vote:

AYE: Chairman Gregg Clymer, Vice Chair Kent Hegedus, Commissioner Marlon Booth, Commissioner Anthony Wang, Commissioner Teri Roberts, Commissioner Justin McLendon, Commissioner Monica Lee

Passed - Unanimously

INFORMATION ITEMS

Planning Manager Christian Williams reported on a Use Permit application for a drive-through oil change facility heard by the Commission on March 11, 2026. The application was approved by Council as recommended by the Commission.

FUTURE MEETINGS

The next Planning and Zoning Commission meeting will be held on June 10, 2026 at 6 pm at the Goodyear City Hall Council Chambers.

ADJOURNMENT

There being no further business to discuss, Chairman Clymer adjourned the meeting at 6:15 p.m.

Respectfully Submitted by:

_____

Alissa Magley, Commission Secretary

Date:_____

Approved at Planning & Zoning Commission Meeting held on _____, 2026.

AGENDA ITEM #: 2.
DATE: June 10, 2026
CAR #: 3325
CASE #: P25-00273

Planning & Zoning Commission ACTION REPORT

SUBJECT: **REZONE APPROXIMATELY 156 ACRES LOCATED ON THE SOUTHEAST CORNER OF WEST YUMA ROAD AND SOUTH ESTRELLA PARKWAY, KNOWN AS FULTON HOMES AT BALLPARK VILLAGE, FROM PLANNED AREA DEVELOPMENT TO PLANNED AREA DEVELOPMENT AMENDMENT**

STAFF PRESENTER(S): Justin Gabrielson, Senior Planner

SUMMARY:

This is a Public Hearing for consideration of the rezoning of approximately 156 acres generally located at the Southeast Corner of West Yuma Road and South Estrella Parkway from Fulton Homes at Ballpark Village 1st Amended Planned Area Development to Fulton Homes at Ballpark Village 2nd Amended Planned Area Development.

RECOMMENDATION:

1. Conduct a public hearing to consider a request to rezone approximately 156 acres (the "Property") from Fulton Homes at Ballpark Village 1st Amended Planned Area Development to Fulton Homes at Ballpark Village 2nd Amended Planned Area Development.
2. Recommend approval of the request to rezone approximately 156 acres from Fulton Homes at Ballpark Village 1st Amended Planned Area Development to Fulton Homes at Ballpark Village 2nd Amended Planned Area Development (March 2026), as set forth in the draft of Ordinance No. 2026-XXXX (Justin Gabrielson, Senior Planner).

STIPULATIONS:

See Draft Ordinance No. 2026-XXXX (Attachment A).

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:

The Property is located at the southeast corner of West Yuma Road and South Estrella Parkway (Attachment B).

The Goodyear General Plan 2035 designates the subject property as Neighborhoods.

The property was originally rezoned to Planned Area Development (PAD) on December 4, 2006, through Ordinance No. 2006-1054 for a development known as City Center Airpark.

The property was subsequently rezoned from PAD to PAD through Ordinance No. 2022-1535, modifying the development to Fulton Homes at Ballpark Village and establishing development standards for a single-family residential community.

On January 23, 2023, the City Council approved Ordinance No. 2023-1567, representing the first amendment to the Fulton Homes at Ballpark Village PAD. This amendment modified rear yard setbacks for the R45 land use district, added enhanced amenity requirements, and established minimum size standards for certain planned amenities.

STAFF ANALYSIS

Current Policy:
A rezoning request requires public review and recommendation by the Planning and Zoning Commission and review and approval by the City Council. The proposed rezoning must be in conformance with the General Plan and should not adversely impact the surrounding area.

Summary of the Rezoning Request:
The applicant request (Attachment C) proposes additional amendments to the approved PAD. Specifically, the applicant proposes to eliminate the R35 alley-loaded product. The request proposes replacing the R-52 district with the R-60 district, thereby increasing minimum lot dimensions from 52 feet by 100 feet to 60 feet by 125 feet. This change does not introduce a new product type but instead establishes larger minimum lot sizes and results in reduced residential density.

Additionally, the proposal includes increasing minimum lot depths within the R45 land use district to accommodate a wider variety of home products.

Finally, the amendment revises the amenity framework by replacing three large amenity areas with six distributed amenity areas of varying sizes, increasing the variety and accessibility of recreational opportunities for residents.

Additional information on the request can be found within the Details of the Request (Attachment D), and additional details on the city evaluation criteria can be found within the Detailed Evaluation Criteria (Attachment E).

Attachments

Attachment A - Ordinance 2026-XXXX

Attachment B - Aerial Exhibit

Attachment C - Narrative

Attachment D - Details of Request

Attachment E - Evaluation Criteria

ORDINANCE NO. XXXX-XXXX

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, 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.

WHEREAS, the property subject to this Ordinance consists of approximately 156 acres and is located at the southeast corner of Estrella Parkway and Yuma Road (the "Property");

WHEREAS, approximately 121 acres of the Property was zoned Planned Area Development (PAD) with an underlying land use of commercial and industrial pursuant to Ordinance No. 06-1054 adopting the City Center Airpark Planned Area Development (PAD);

WHEREAS, approximately 35 acres of the Property was zoned Planned Area Development with an underlying land use of Business Park and Retail pursuant to Ordinance No.08-1119 adopting the Goodyear City Center Southeast District Final PAD;

WHEREAS, Resolution No. 2021-2198 amended the land use designation for the 35-acre portion of the Property in the Goodyear 2025 General Plan to Neighborhoods;

WHEREAS, Resolution 2022-2228 amended the land use designation in the Goodyear 2025 General Plan for the 121-acre portion of the Property from Business and Commerce to Neighborhoods;

WHEREAS, the land use designation for the Property within the City of Goodyear General Plan 2035 is Neighborhoods;

WHEREAS, the Property was conditionally rezoned from PAD to PAD on April 18, 2022, through Ordinance No.2022-1535, which conditionally approved the Fulton Homes at Ballpark Village PAD to allow for a 156-acre master planned single-family residential planned community;

WHEREAS, the Property was subsequently conditionally rezoned from PAD to PAD on January 23, 2023, through Ordinance No. 2023-1567, which conditionally approved the Fulton Homes at Ballpark Village First Amended PAD;

WHEREAS, this request is to rezone the Property to the PAD Zoning District and adopt the "Fulton Homes at Ballpark Village 2nd Amended Planned Area Development (March 2026)";

WHEREAS, city staff finds that the proposed rezoning will not adversely impact the surrounding area as the proposed land uses will allow for the orderly growth and development of a single-family master planned community;

WHEREAS, an in-person Neighborhood Meeting was conducted for this proposal and Notice of the Neighborhood Meeting was provided to 99 property owners within 500 feet of the property on Mach 23, 2026 and signs advertising the Neighborhood Meeting were posted to the site on March 20, 2026;

WHEREAS, the neighborhood meeting took place, in-person, on April 7, 2026;

WHEREAS, public notice that this rezoning was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on June 10, 2026 and City Council on June 22, 2026, appeared in the Arizona Business Gazette - Republic Edition on May 21, 2026; postcards were mailed to 99 adjoining owners on May 13, 2026 and signs on the site were updated on May 15, 2026 to notify residents of the scheduled public hearings;

WHEREAS, a public hearing was held before the Planning and Zoning Commission on June 10, 2026, and at that meeting the Commission voted (X-X) to recommend approval of the proposed rezoning;

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the City Council on April 18, 2022 appeared in the Arizona Republic Southwest Valley Edition March 18, 2022 and again on April 1, 2022; postcards were mailed to 99 adjoining owners on March 15, 2022 and again on March 23, 2022; and signs on the site were updated on March 21, 2022 to notify residents of the scheduled public hearing;

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 public interest, 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. ADOPTION OF FINDINGS

The above recitals set forth above are true and correct and incorporated herein by this reference as if fully set forth herein.

SECTION 2. DECLARATION OF PUBLIC RECORDS

That certain document titled “Official Supplementary Zoning Map No. 26-XX”, a copy of which is attached hereto as Exhibit A, is hereby declared a public record and incorporated herein by this reference.

That certain document titled “Legal Description”, a copy of which is attached hereto as Exhibit B, is hereby declared a public record and incorporated herein by this reference.

That certain document titled “Fulton Homes at Ballpark Village 2nd Amended Planned Area Development” (dated March 2026), a copy of which is attached hereto as Exhibit C, is hereby declared a public record and incorporated herein by this reference.

Either three paper copies or one paper copy and one electronic copy maintained in compliance with section A.R.S. 44-7041 of each of the aforementioned documents being declared public records herein are ordered to remain on file with the City Clerk and to be available for public use and inspection during regular business hours.

SECTION 3. DESCRIPTION OF PROPERTY BEING REZONED

This Ordinance No. 2026-XXXX applies to approximately 156 acres located at the southeast corner of Estrella Parkway and Yuma and legally described in that certain document titled "Legal Description,", attached hereto as Exhibit B (the "Property") which is declared a public record herein by Section 2 of this Ordinance.

SECTION 4. REZONING

The Property is conditionally rezoned from Planned Area Development (PAD) (Fulton Homes at Ballpark Village 1st Amended) to PAD (Fulton Homes at Ballpark Village 2nd Amended Planned Area Development) attached hereto as Exhibit C, which is declared a public record herein by Section 2 of this Ordinance.

Section 5. STIPULATIONS

The rezoning of the Property is subject to the following stipulations and conditions:

1. Except as modified by the following stipulations and conditions of approval set forth herein, development of the Property shall be in compliance with the Fulton Homes at Ballpark Village 2nd Amended PAD; and

2. Alternatives to the various requirements in Section V (Additional Design Requirements) of the Fulton Homes at Ballpark Village 2nd Amended PAD (the required Amenity Elements, the Connectivity Elements, and the Streetscape Elements collectively referred to as the "Additional Design Elements") may be provided upon the approval of the Development Services Director or designee upon his/her determination that such alternative provides an equal or greater level of quality and functionality as the Design Element being modified; and

3. All Public Sales Reports for the Property, all final plats and minor land divisions subdividing all or part of the Property, and all rental agreements for the rental of any unit within the Property shall include the following disclosures:
   a. The Property is in close proximity to agricultural uses and may therefore be subject to noise, dust, and odors associated with such uses; and
   b. The Property is subject to attendant noise, vibrations, dust, and all other effects that may be caused by overflight and by the operation of aircraft landing at or taking off from Luke Air Force Base and or the Phoenix-Goodyear Airport; and
   c. The Property is subject to noise, cheering, paddles or bats making contact with balls, bouncing balls, splashes, fireworks and other loud noises commonly associated with recreation centers, parks, ballpark/sports complexes and the like; and

d. The Property is subject to loud noises commonly associated with water campuses, well sites and other Public Facilities Districts and the like; and
e. Public roadways adjacent to the Property are subject to road closures and community events on adjacent public rights-of-way and open spaces.
f. The Property is within close proximity of land intended for multi-story and high-density buildings which may include a variety of office, retail, commercial, hotel, multi-family and parking uses.

All final plats and minor land divisions subdividing all or part of the Property shall include notes setting forth the foregoing requirements including the requirements that such disclosures be included within all rental agreements for the rental of any residential units within the Property; and

4. Signage shall be posted within all sales and rental offices identifying the location of the Luke Air Force Base: Accident Potential Zones (APZs), 65 Ldn and higher noise contours, departure corridors, and vicinity boundary. This display shall include a 24-inch x 36-inch map at the main entrance of such sales and rental offices and shall include the approximate locations of the Luke Air Force Base: Accident Potential Zones (APZs), 65 Ldn and higher noise contours, departure corridors, and vicinity boundary and all of the buildings on the Property; and

5. Except as otherwise provided in a development agreement approved by the City Council in its sole discretion, the portion of the Property where the 1.2-acre Park B1 (Neighborhood Park B1) is to be located shall be included in the first recorded final plat subdividing all or part of the Property and no Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for any residential structures within the Property, except for model homes, until Neighborhood Park B1 including the resident and recreational amenities set forth in the Planned Area Development have been substantially completed as determined by the City of Goodyear Building Official or his designee or are under construction and bonded for completion as approved by the City of Goodyear Zoning Administrator; and

6. Except as otherwise provided in a development agreement approved by the City Council in its sole discretion, the portion of the Property where the approximately 4.5-acre Main Park A1 (Main Amenity A1) is to be located, shall be included in the Second recorded final plat. No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for more than 250 residential structures within the Property, except for model homes, until Main Amenity A1 including the resident and recreational amenities set

forth in the Planned Area Development have been substantially completed as determined by the City of Goodyear Building Official or his designee or are under construction and bonded for completion as approved by the City of Goodyear Zoning Administrator; and

7. Except as otherwise provided in a development agreement approved by the City Council in its sole discretion, the portion of the Property where the approximately 1.8-acre Park B2 (Neighborhood Park B2) is to be located, shall be included in the Second recorded final plat. No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for more than 350 residential structures within the Property, except for model homes, until Neighborhood Park B2 including the resident and recreational amenities set forth in the Planned Area Development have been substantially completed as determined by the City of Goodyear Building Official or his designee or are under construction and bonded for completion as approved by the City of Goodyear Zoning Administrator; and

8. Except as otherwise provided in a development agreement approved by the City Council in its sole discretion, the portion of the Property where the approximately .5-acre Park C2 (Neighborhood Park C2) is to be located, shall be included in the Second recorded final plat. No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for more than 457 residential structures within the Property, except for model homes, until Neighborhood Park C2 including the resident and recreational amenities set forth in the Planned Area Development have been substantially completed as determined by the City of Goodyear Building Official or his designee or are under construction and bonded for completion as approved by the City of Goodyear Zoning Administrator; and

9. Except as otherwise provided in a development agreement approved by the City Council in its sole discretion, the portion of the Property where the approximately 2.3-acre Park B3 (Neighborhood Park B3) is to be located, shall be included in the Third recorded final plat. No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for more than 570 residential structures within the Property, except for model homes, until Neighborhood Park B3 including the resident and recreational amenities set forth in the Planned Area Development have been substantially completed as determined by the City of Goodyear Building Official or his designee or are under construction and bonded for completion as approved by the City of Goodyear Zoning Administrator; and

10. Except as otherwise provided in a development agreement approved by the City Council in its sole discretion, the portion of the Property where the approximately 2.5-acre Park C1 (Neighborhood Park C1) is to be located, shall be included in the Third recorded final plat. No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for more than 683 residential structures within the Property, except for model homes, until Neighborhood Park C1 including the resident and recreational amenities set forth in the Planned Area Development have been substantially completed as determined by the City of Goodyear Building Official or his designee or are under construction and bonded for completion as approved by the City of Goodyear Zoning Administrator; and

11. The Ballpark Village Gateway primary monument/mural and adjacent landscaping at the southeast corner of Estrella Parkway and Yuma Road is encouraged to incorporate the theme "Rock and Vegetation" as was envisioned in the original Goodyear City Center Southeast; and

12. The Ballpark Village Gateway monument/mural and adjacent landscaping at the southeast corner of Estrella Parkway and Yuma Road shall be included in the First Recorded Plat and No Temporary Certificates of Occupancy, Certificates of Occupancy or Certificates of Completion shall be issued for any residential structures within the Property, except for model homes, until the sign is completed; and

13. Prior to the recordation of the first final plat subdividing all or part of the Property, Owner shall form a Homeowners' Association ("HOA") for the Property, with said HOA owning and maintaining all private open space areas; common areas, and all amenities and enhancements described above and in the Fulton Homes at Ballpark Village PAD, except that the HOA shall not own, any of the enhancements or amenities located within right-of-way conveyed to the City of Goodyear in fee, but shall be responsible for maintaining such amenities and enhancements. With respect to the paths and trails the HOA is responsible for maintaining, the HOA shall ensure that they are cleared, visible, and safely accessible to all users. The HOA shall also be responsible for maintaining all landscaping within street right-of-way within or abutting the Property except for landscaping within medians located within any arterial street. A note shall be placed on each final plat indicating HOA ownership and/or maintenance responsibilities of these private tracts and public rights-of-way landscaping; and

14. Mid-block pedestrian connections, between two residential lots, are permitted within the development. The minimum width of a mid-block pedestrian connection shall be 15 feet and shall be

completely landscaped. The minimum width of the paved path, within this mid-block pedestrian connection, shall be 5 feet and shall have a minimum of 3 feet of landscaping between the path and any residential structure or privacy yard wall. The 15-foot-wide minimum width of for the mid-block pedestrian connection may be formed through a combination of Tract(s), Common Space Easement(s) (CSE), and/or similar means as shall be determined by the Zoning Administrator and or his/her designee. The mid-block pedestrian connection, including the 15-foot-wide landscaped area, shall be maintained by the HOA; and

15. Any modifications to existing private irrigation facilities as a result of this development shall be coordinated with the appropriate Irrigation District/private owner; and

16. Owner shall submit to the City for review and approval and subsequently to FEMA for review and approval, a Conditional Letter of Map Revision (CLOMR) study prior to issuance of the first construction permit for the development of any part of the Property within the Flood Plain. A CLOMR shall be submitted to and approved by the City Engineer or his/her designee prior to issuance of any construction permits within the floodplain, unless a CLOMR is not required as determined by the City Engineer or his/her designee; and

17. Owner shall, at no cost to the city, design and construct full half-street improvements for south-half of the section of W. Yuma Road along or adjacent to the frontage of the Property required for a Scenic Arterial as set forth in the Engineering Design Standards in effect when the improvements are constructed, except for the construction of ½ the median and ½ median landscaping, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Yuma Road Improvements"). If the Yuma Road Improvements have been completed or are being completed by the others when development occurs on the Property, Owner shall, remit a reimbursement payment for the costs incurred in the design and construction of the Yuma Road Improvements or the City Engineer's estimated costs of the Yuma Road Improvements if not completed (the "Yuma Road Cost Recovery Payment"). If owed, the Yuma Road Cost Recovery Payment shall be paid prior to or concurrent with the recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permits for any work on the Property, whichever is earlier. Otherwise, the Yuma Road Improvements shall be completed prior to the issuance of any Certificate of Completion, Temporary Certificate of Completion or Certificate of Completion for any structure within the Property unless modified by a written phasing plan approved by the City

Engineer or his/her designee or by a development agreement approved by the City Council; and

18. Upon the request of the City Engineer or his/her designee, Owner shall construct a full median with full median landscaping within the section of W. Yuma Road along or adjacent to the frontage of the Property subject to the City's agreement to reimburse Owner for 50% of the cost of constructing the full median with full median landscaping. The reimbursements provided for herein are subject to compliance with the requirements of title 34 of the Arizona Revised Statutes governing the use of public funds for the construction or payment of public infrastructure. Unless Owner constructs the full median with full median landscaping as provided herein, Owner shall remit to the city an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of W. Yuma Road along or adjacent to the frontage of the Property. The in-lieu payment for the median and landscaping shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or designee. The in-lieu payments referred to herein shall be made prior to or concurrent with recordation of the first final plat subdividing all or part of the Property or prior to the issuance of any permits for construction work within the Property, whichever is earlier; and

19. Owner shall, at no cost to the city, design and construct full half-street improvements for north-half of the section of W. Lower Buckeye Parkway along or adjacent to the frontage of the Property required for a Minor Arterial as set forth in the Engineering Design Standards in effect when the improvements are constructed, except for the construction of ½ the median and ½ median landscaping, including, but not limited to, pavement, curb and gutter, sidewalks, street frontage landscape and landscape irrigation, and street lighting (the "Lower Buckeye Improvements"). If the Lower Buckeye Improvements have been completed or are being completed by others when development occurs on the Property, Owner shall, remit a cost recovery reimbursement payment for the costs incurred in the design and construction of the Lower Buckeye Improvements or the City Engineer's estimated costs of the Lower Buckeye Improvements if not completed (the "Lower Buckeye Cost Recovery Payment"). If owed, the Lower Buckeye Cost Recovery Payment shall be paid prior to or concurrent with the recordation of the first final plat subdividing all or part of the Property or the issuance of any construction permits for any work on the Property, whichever is earlier. Otherwise, the Lower Buckeye Improvements shall be completed prior to the issuance of any Certificate of Completion,

Temporary Certificate of Completion or Certificate of Completion for any structure within the Property unless modified by a written phasing plan approved by the City Engineer or his/her designee or by a development agreement approved by the City Council; and

20. Upon the request of the City Engineer or his/her designee, Owner shall construct a full median with full median landscaping within the section of W. Lower Buckeye Road along or adjacent to the frontage of the Property subject to the City's agreement to reimburse Owner for 50% of the cost of constructing the full median with full median landscaping. The reimbursements provided for herein are subject to compliance with the requirements of title 34 of the Arizona Revised Statutes governing the use of public funds for the construction or payment of public infrastructure. Unless Owner constructs the full median with full median landscaping as provided herein, Owner shall remit to the city an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of W. Lower Buckeye Parkway along or adjacent to the frontage of the Property. The in-lieu payment for the median and landscaping shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or designee. The in-lieu payments referred to herein shall be made prior to or concurrent with recordation of the first final plat subdividing all or part of the Property or prior to the issuance of any permits for construction work within the Property, whichever is earlier; and

21. Owner shall design and construct full half-street improvements required for a modified Major Arterial Road for the west half of S. Bullard Avenue within the existing S. Bullard Avenue alignment along the frontage of the Property as determined by the City Engineer or his/her designee and which may include but are not limited to: paving consisting of a minimum 5.5-foot bike lane and two 12-foot travel lanes; curb and gutter;, sidewalks, which may vary in size if a transition from a bike lane is required, street frontage landscape and landscape irrigation; and street lighting (the "Bullard Avenue Improvements"); and

22. Owner shall remit to the city an in-lieu payment for one-half the cost of a full median and one-half the cost of full-median landscaping for the median that is to be installed within the section of S. Bullard Avenue along or adjacent to the frontage of the Property. The in-lieu payment for the median and landscaping shall be based on the actual cost of the improvements if previously completed by others or based on the estimated cost of the improvements as determined by the City Engineer or

designee. The in-lieu payments referred to herein shall be made prior to or concurrent with recordation of the first final plat subdividing all or part of the Property or prior to the issuance of any permits for construction work within the Property, whichever is earlier; and

23. Owner shall design and construct sidewalk improvements along the west half of S. Bullard Avenue along the frontage of the Property and within the existing S. Bullard Avenue right-of-way to the north of the Property (approximately 60 feet) to connect to the existing sidewalk; and

24. Except as otherwise provided in these stipulations or pursuant to the terms of a development agreement with the City, Owner is responsible for a proportionate share of the costs of full traffic signals at the intersections identified below. Owner shall make an in-lieu payment for the cost of traffic signal infrastructure at intersections adjacent to the Property. The in-lieu payment shall be made prior to the recordation of the first final plat subdividing all or part of the Property or prior to the issuance of any construction permits for work within the Property, whichever is earlier, unless modified by a written phasing plan approved by the City Engineer or his/her designee or by a development agreement approved by the City Council. The in-lieu payment shall be based on the actual cost of the traffic signal if it has been constructed or if the payment is required before the signal is constructed it shall be based on the estimated cost of the traffic signal as determined by the City Engineer or designee. The Property Owner's traffic signal obligations include, but may not be limited to:

    a. One third (1/3) of the cost of the full traffic signal (three legs) at W. Lower Buckeye Parkway and S. Bullard Avenue.
    b. 50% of the cost of the full traffic signal (four legs) at W. Yuma Road and S. Goodyear Boulevard East.
    c. 25% of a full traffic signal (four legs) at W. Lower Buckeye Parkway and S. Wood Boulevard.

25. If any of the traffic signals identified above are identified in a Traffic Impact Analysis approved by the City Engineer as being warranted by the development of the Property, then upon the request of the City Engineer or his/her designee, Owner shall construct such full traffic signal(s) subject to reimbursement by the city for the proportionate share of the cost of the signal for which others are responsible (i.e. 2/3 the cost of the signal at W. Lower Buckeye Parkway and S. Bullard Avenue; and 3/4 of the cost of the full traffic signals at the intersection of W. Lower Buckeye Parkway and S. Wood Boulevard and 1/2 of the cost of the intersection of W. Yuma Road and S. Goodyear Boulevard East). The reimbursements provided for herein are subject to compliance with the requirements of title 34 of the Arizona

Revised Statutes governing the use of public funds for the construction or payment of public infrastructure; and

26. The Traffic Impact Analysis submitted with the application for rezoning is not approved. An updated Traffic Impact Analysis that complies with all of the requirements in the Engineering Design Standards and Policies Manual shall be submitted with the first preliminary plat and/or site plan submitted for the development of the Property and approved by the City Engineer or his/her designee. The Traffic Impact Analysis shall identify all infrastructure required to accommodate the additional trips generated by the development of Property as rezoned, and the location of all access points from the public right-of-way to the Property, all of which shall comply with all applicable regulations including the requirements in the Engineering Design Standards and Policies Manual; and

27. In addition to being responsible for a proportionate share of the cost of the full traffic signal at the intersection(s) identified above, Owner is also responsible for a proportionate share of the costs of additional traffic signals identified in an approved Traffic Impact Analysis/Study as being needed. If an updated Traffic Impact Analysis/Study reflects the need for any additional traffic signal at any intersection adjacent to the Property, Owner shall, at no cost to the City, convey, in fee, lien free, and free of any easements or encumbrances unless specifically agreed to by the City, any additional right-of-way needed for the construction of the portion of the traffic signal that will be located on the Property. In addition, Owner shall make an in-lieu payment to the City towards the cost of the signal. Except as provided herein, the in-lieu payment will be 25% of the cost of a full traffic signal for each corner of the intersection adjacent to the Property. For example, if a traffic signal is required at an intersection were two of the four corners of the intersection are adjacent to the Property, Owner would be responsible for 50% of the cost of a full traffic signal. The in-lieu payment shall be calculated based on the actual cost of the traffic signal if it has been constructed or, if the payment is made before the traffic signal has been completed, upon an engineer's estimate of the probable cost of the signal approved by the City Engineer or his designee traffic signal. The dedication(s) and in-lieu payment(s) required herein shall be made at the earlier of the following: (i) before the issuance of any engineering permit for any of the work reflected in a site plan, Minor Land Division ("MLD"), or final plat that includes, is adjacent to, or requires connection to the intersection where the traffic signal is needed; or (ii) before the recordation of any final plat or MLD that includes, is adjacent, or requires connection to the intersection where the traffic signal is needed; and

28. Owner shall relocate or replace existing traffic signal

improvements (the existing pole and mast arm) to their ultimate locations at the southeast corner of the intersection of S. Estrella Parkway and W. Yuma Road and any necessary modifications to mast arm, pedestrian push button poles, ADA ramps, or other improvements impacted by widening of W. Yuma Road and S. Estrella Parkway to their ultimate configurations.

29. Unless Owner constructs a bridge or culvert over Bullard Wash on W. Yuma Road pursuant to the terms of a development agreement with the City, Owner shall pay an in-lieu payment representing 25% of the full cost of the Yuma Road Bridge. The in-lieu payment required herein shall be paid prior to the issuance of the first civil construction permit for any work within the Property. The in-lieu payment shall be based on the actual cost of the Yuma Road Bridge if it has been constructed by others, or if the payment is required before the Yuma Road Bridge has been constructed, it shall be based on the estimated cost of the Yuma Road Bridge as determined by the City Engineer or designee. Yuma Road Bridge is defined as a bridge or a culvert crossing over Bullard Wash on Yuma Road that can convey up to the 100-year peak flow under Yuma Road, that is designed to meet the minimum City standards applicable to such structures and the drainage standards in effect at the time of development; and

30. In addition to compliance with the stipulations and conditions of approval set forth herein, the development of the Property shall comply with the Goodyear Zoning Ordinance, the City of Goodyear subdivision regulations, the City of Goodyear's Engineering Design Standards and Policies, except as modified by the City Engineer, the Maricopa County Association of Governments standards for public works construction, all Building Codes and Regulations adopted by the City of Goodyear, and all other federal, state and locals laws, ordinances, rules, regulations, standards, and policies applicable to the development of the Property; and

31. Owner shall dedicate, at no cost to the city, all rights-of-way and/or easements within the boundaries of the Property that are: (i) needed for the construction of infrastructure improvements required for the City to provide water and wastewater services to the Property; (ii) required to be dedicated under any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies; (iii) required for the construction of improvements for which Owner is responsible for making in-lieu payments; (iv) required to be dedicated pursuant to any development agreement with the City regarding the development of the Property; (v) required for the construction of the

infrastructure improvements to be constructed pursuant to the stipulations herein, and/or (vi) required public infrastructure improvements Owner is required to construct pursuant to any applicable law, code, ordinance, rule, regulations, standards, guidelines governing the development of the Property including, but not limited to the City of Goodyear subdivision regulations, Building Codes and Regulations, and the City of Goodyear's Engineering Design Standards and Policies. The rights-of-way to be dedicated shall be dedicated in fee and all rights-of-ways and easements shall be dedicated lien free and, unless otherwise agreed to by the City, free of all other easements or other encumbrances. Unless the timing of the required dedications is modified by any stipulation in this ordinance, the terms of a written development agreement approved by the Council or a written phasing plan approved by the City Engineer or his designee, all dedications shall be made prior to or concurrent with recordation of a final plat or approval of a site plan that includes the area in which the dedicated property is located or when requested by the City Engineer or his/her designee, whichever is earlier; and

32. If any of the infrastructure improvements Owner is required to design and construct pursuant to the terms of this Ordinance have been constructed or is to be constructed by others, Owner shall remit a payment to the city in the amount of the actual costs incurred in the design and construction such infrastructure improvements if completed or, if not completed, the payment shall be in the amount of an engineer's estimate of the costs as approved by the Goodyear City Engineer or his/her designee. The payment requirement herein shall be paid prior to or concurrent with the recordation of a final plat triggering Owner's obligation to design and construct the infrastructure improvements.

Section 6. AMENDMENT OF ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the rezoning set forth in Section 4 of this Ordinance by the adoption of that certain document titled, "Official Supplementary Zoning Map No. 26-XX, attached hereto as Exhibit A, which is declared a public record herein by Section 2 of this Ordinance; and such amendment to the Zoning Map shall be filed with the City Clerk in the same manner as the Zoning Map of the city of Goodyear.

Section 7. ABRIDGMENT OF OTHER LAWS

Except where expressly provided, nothing contained herein shall be construed to be an abridgement of any other ordinance, regulation, or requirement of the city of Goodyear.

Section 8. CORRECTIONS

The Zoning Administrator, 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 9. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

Section 10. EFFECTIVE DATE

This Ordinance shall become effective as prescribed by law. The provisions of the city of Goodyear Zoning Ordinance being amended by this Ordinance shall remain in full force and effect until the effective date of this Ordinance.

Section 11. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the city of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.

B. 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 (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.

C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.

D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

1. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or

Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the city of Goodyear Municipal Court for violations hereunder.

Section 12. RECORDATION

This Ordinance shall be recorded with the Maricopa County Recorder's Office

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Maricopa County, Arizona, by a _____ vote, this _____ day of _____, 20_____.

_____
Joe Pizzillo, Mayor

Date: _____

ATTEST:

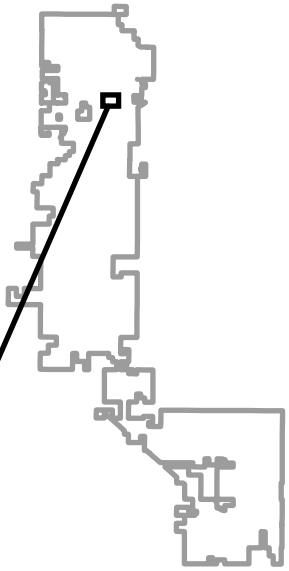
_____
Jasmine Pernicano, City Clerk

APPROVED AS TO FORM:

_____
Roric Massey, City Attorney

OFFICIAL SUPPLEMENTARY ZONING MAP NO. 26-XX

AMENDING ARTICLE 1, SECTION 1-1-4 OF THE ZONING ORDINANCE OF THE CITY OF GOODYEAR. AMENDED BY ORDINANCE NO._____, PASSED BY THE CITY COUNCIL OF THE CITY OF GOODYEAR, ARIZONA, THIS _____ DAY OF _____, 2026.

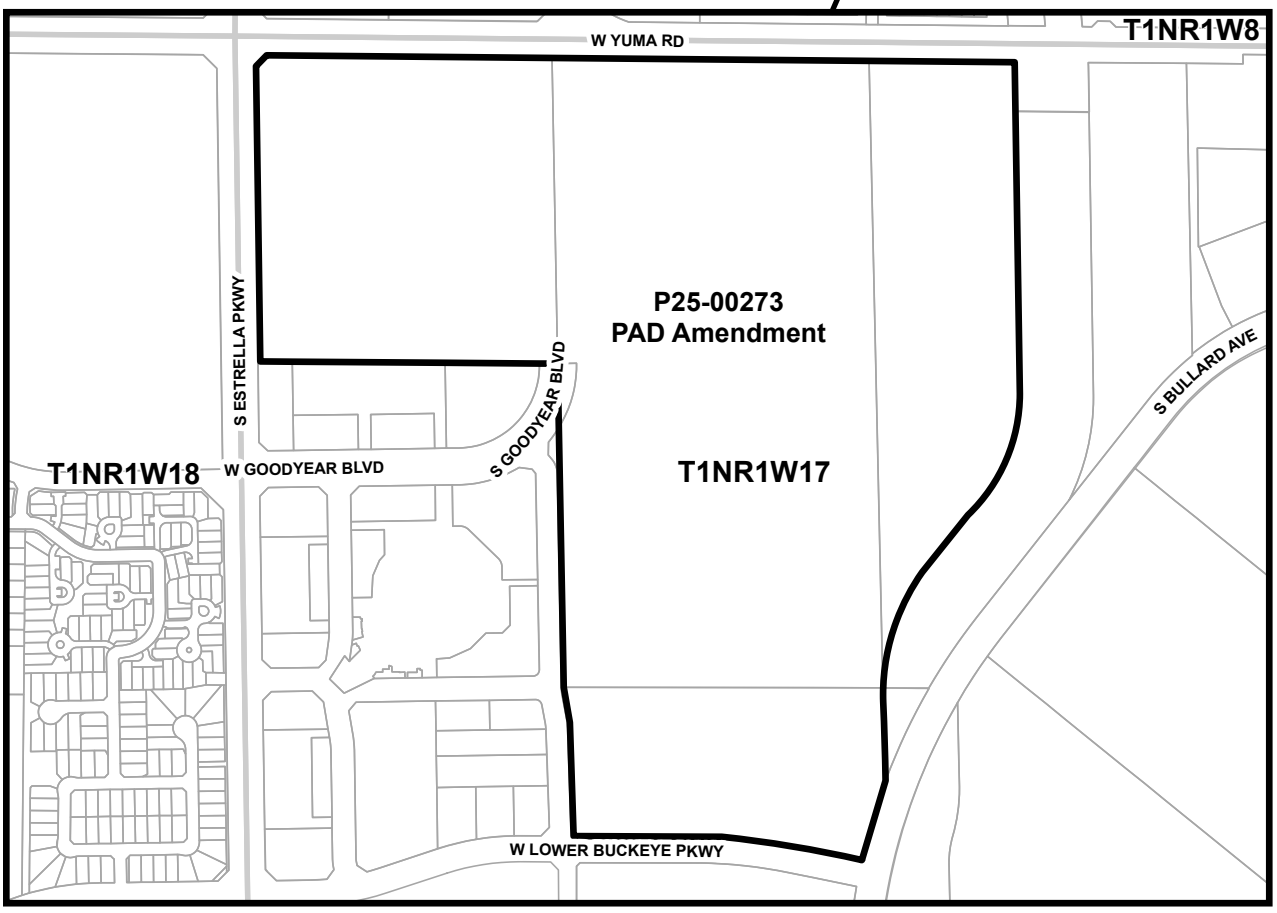


_____
MAYOR

_____
CITY CLERK

SUBJECT PROPERTY:

A Portion Of Section 17 Township 1 North Range 1 West Of The Gila And Salt River Meridian Maricopa County Arizona



SOURCE: CITY OF GOODYEAR G.I.S.

CITY OF GOODYEAR, AZ - REZONE CASE

EXHIBIT		DATE:
A	REZONE FROM PAD TO PAD Amendment P25-00273	MARCH 2026

LEGAL DESCRIPTION
FULTON HOMES BALLPARK VILLAGE
ZONING

JOB NO. 25-0188 DECEMBER 2, 2025

A PORTION OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP IN A HAND HOLE AT THE WEST QUARTER CORNER OF SAID SECTION 17, FROM WHICH A BRASS CAP IN A HAND HOLE AT THE NORTHWEST CORNER OF SAID SECTION 17, BEARS NORTH 0 DEGREES 50 MINUTES 40 SECONDS WEST, 2649.74 FEET (BASIS OF BEARING);

THENCE ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, NORTH 0 DEGREES 50 MINUTES 40 SECONDS WEST, 1323.01 FEET;

THENCE DEPARTING FROM SAID WEST LINE, NORTH 89 DEGREES 09 MINUTES 20 SECONDS EAST, 85.00 FEET TO THE **POINT OF BEGINNING**;

THENCE ALONG THE EAST LINE OF THE WEST 85.00 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 17, NORTH 0 DEGREES 50 MINUTES 40 SECONDS WEST, 1204.63 FEET;

THENCE DEPARTING FROM SAID EAST LINE, NORTH 44 DEGREES 51 MINUTES 23 SECONDS EAST, 62.86 FEET;

THENCE ALONG THE SOUTH LINE OF THE NORTH 75.00 FEET OF SAID NORTHWEST QUARTER, SOUTH 89 DEGREES 26 MINUTES 33 SECONDS EAST, 2457.84 FEET;

THENCE ALONG THE SOUTH LINE OF THE NORTH 75.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 17, SOUTH 89 DEGREES 26 MINUTES 27 SECONDS EAST, 593.65 FEET;

THENCE DEPARTING FROM SAID SOUTH LINE, SOUTH 00 DEGREES 56 MINUTES 01 SECONDS EAST, 1361.87 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, 629.22 FEET;

THENCE SOUTHWESTERLY 428.93 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 39 DEGREES 03 MINUTES 27 SECONDS;

THENCE ON A NON-TANGENT LINE SOUTH 39 DEGREES 03 MINUTES 21 SECONDS WEST, 347.98 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 50 DEGREES 59 MINUTES 30 SECONDS EAST, 883.02 FEET;

THENCE SOUTHWESTERLY 629.69 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 40 DEGREES 51 MINUTES 29 SECONDS;

THENCE ON A NON-TANGENT LINE SOUTH 01 DEGREES 18 MINUTES 08 SECONDS EAST, 316.14 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEAST, FROM WHICH THE RADIUS POINT BEARS SOUTH 69 DEGREES 41 MINUTES 24 SECONDS EAST, 2609.79 FEET;

THENCE SOUTHWESTERLY 341.93 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 7 DEGREES 30 MINUTES 24 SECONDS;

THENCE ON A NON-TANGENT LINE NORTH 78 DEGREES 26 MINUTES 45 SECONDS WEST, 284.69 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWEST, HAVING A RADIUS OF 2055.00 FEET;

THENCE NORTHWESTERLY 405.42 FEET ALONG THE ARC OF SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 11 DEGREES 18 MINUTES 12 SECONDS;

THENCE ON A NON-TANGENT LINE NORTH 89 DEGREES 44 MINUTES 53 SECONDS WEST, 488.21 FEET;

THENCE NORTH 02 DEGREES 14 MINUTES 37 SECONDS WEST, 464.05 FEET;

THENCE NORTH 10 DEGREES 48 MINUTES 28 SECONDS WEST, 144.95 FEET;

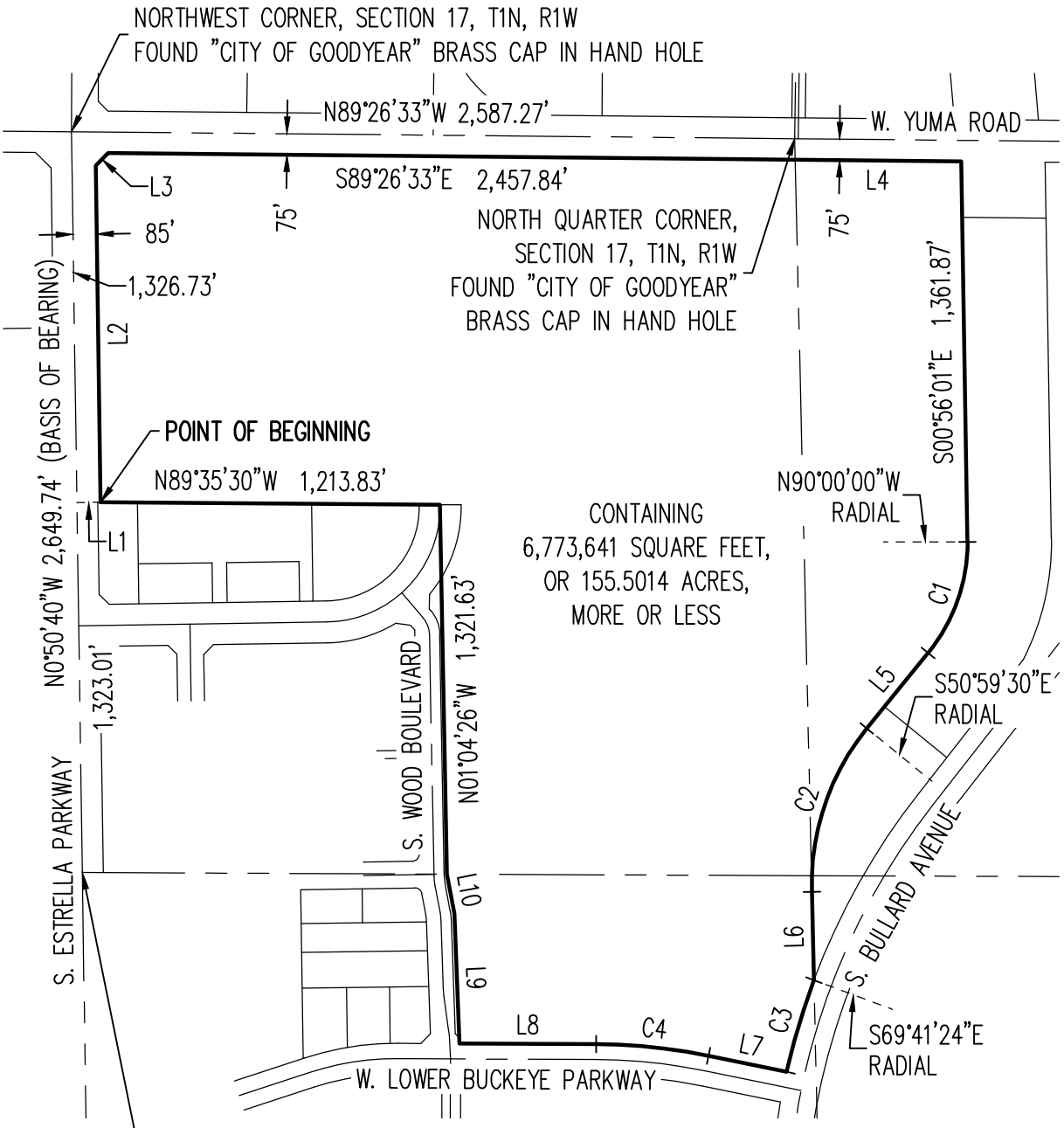
THENCE NORTH 01 DEGREES 04 MINUTES 26 SECONDS WEST, 1321.63 FEET;

THENCE NORTH 89 DEGREES 35 MINUTES 30 SECONDS WEST, 1213.83 FEET TO THE **POINT OF BEGINNING**.

SAID PORTION OF LAND CONTAINING **6,773,641** SQUARE FEET, OR **155.5014** ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.

THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY, OR ANY OTHER LAND DIVISION RESTRICTIONS.





REGISTERED LAND SURVEYOR
CERTIFICATE NO.
37495
ROBERT A.
JOHNSTON
Date Signed 12/2/25
ARIZONA, U.S.A.

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agrass

25-0188	Drawn by: A.G.	Reviewed by: R.J.	Sheet Scale: 1" = 600'	Sheet No: 1 of 2

Fulton Homes Ballpark Village
Zoning

Exhibit "A"

EPS GROUP
1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°09'20"E	85.00'
L2	N00°50'40"W	1204.63'
L3	N44°51'23"E	62.86'
L4	S89°26'27"E	593.65'
L5	S39°03'21"W	347.98'

LINE TABLE		
LINE	BEARING	LENGTH
L6	S01°18'08"E	316.14'
L7	N78°26'45"W	284.69'
L8	N89°44'53"W	488.21'
L9	N02°14'37"W	464.05'
L10	N10°48'28"W	144.95'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	CHORD BRG
C1	428.93'	629.22'	39°03'27"	420.67'	S19°31'44"W
C2	629.69'	883.02'	40°51'29"	616.43'	S18°34'45"W
C3	341.93'	2609.79'	7°30'24"	341.68'	S16°33'24"W
C4	405.42'	2055.00'	11°18'12"	404.76'	N84°05'51"W

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agrass

25-0188

Drawn by: A.G. | Reviewed by: R.J. | Sheet Scale: N.T.S. | Sheet No: 2 of 2

Fulton Homes Ballpark Village
Zoning

Exhibit "A"

EPS GROUP
1130 N. Alma School Rd.
Ste. 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Exhibit C
Fulton Homes at Ballpark
Village 2nd Amended
Planned Area Development
March 2026

I. Introduction

This 2nd Amendment to the Fulton Homes at Ballpark Village Planned Area Development (March 2026) ("PAD") sets forth the allowable land uses, development standards, and regulatory zoning provisions for the development of the real property generally located at the southeast corner of Estrella Parkway and Yuma Road as more particularly described in that certain document titled Legal Description, which document was declared a public record by Resolution 2023-2283 and which is referred to, adopted and made a part hereof as if fully set forth herein (the "Property").

II. Permitted Uses

The Property will be developed with three different underlying land use districts (see **Exhibit 1 – Illustrative Master Plan**). Except as expressly modified in this PAD, the permitted uses in these land use districts shall be those uses allowed in the City's R1-6, R1-6 Reduced and R1-4 Reduced Single Family Residential Zoning Districts as set forth in **Table 1** below and in accordance with Article 3-2 of the Zoning Ordinance. Unless explicitly modified within this PAD, then the Zoning Ordinance prevails.

Table 1 – Permitted Uses

Land Use Districts	Permitted Uses
R60	R1-6
R50	R1-6 Reduced
R45	R1-4 Reduced

III. Development Standards

Development of the Property shall comply with all of the following:

1. Article 1, Article 2, and Article 4 of the City of Goodyear Zoning Ordinance (the "Zoning Ordinance") and other applicable city, state, and federal requirements shall apply to the development of the Property.

2. The following development standards outlined in **Table 2** below, which are based upon those of the City's R1-6, R1-6 Reduced and R1-4 Reduced Single Family Residential Zoning Districts, shall apply to the development within each land use district:

Table 2 – Lot Development Standards by Land Use District

Land Use Districts[4]	R60	R50	R45
Underlying Zoning Districts	**R1-6**	**R1-6 Reduced**	**R1-4 Reduced**
Minimum Lot Area (sf)	7,500	6,000	4,500
Minimum Lot Width (ft.)	60	50	45

Minimum Lot Depth (ft)	125	120	100
Maximum Building Height (ft)	30	30	30
Maximum Building Coverage	60%	60%	60%
Minimum Setbacks			
Front (ft)[1]	10	10	10
Garage (ft)[2]	20	20	20
Side (ft)	5	5	5
Total Sides (ft)	15	10	10
Street Side (ft)[3]	10	10	10
Rear (ft)	20	20	15

[1] Front setback shall be measured from back of sidewalk to covered porches, livable space, and side entry garages.

[2] Front setback shall be measured from the back of sidewalk to face of front facing garage door.

[3] Where a minimum 10-foot-wide landscape tract between the side lot line and back of sidewalk is provided, the typical side setbacks, rather than the Street Side setback applies.

[4] All contiguous single-family residential units shall be developed with the same land use district development standards set forth in Table 2 and each such set of contiguous single-family residential units shall constitute a land use district.

3. A minimum of 10% of the platted lots within the Property shall be R60, a minimum of 30% of the platted lots within the Property shall be R50, and a minimum of 50% of the platted lots within the Property shall be R45.

4. Walls, fencing, and landscaping shall adhere to Article 5 of the Zoning Ordinance, except as expressly modified by this PAD.

5. Parking shall adhere to Article 6 of the Zoning Ordinance except as expressly modified by this PAD.

6. Signs shall adhere to Article 7 of the Zoning Ordinance, except as expressly modified by this PAD.

7. Article 8 (General Provisions) of the Zoning Ordinance shall apply, except as expressly modified by this PAD.

8. Lighting shall adhere to Article 10 of the Zoning Ordinance, except as expressly modified by this PAD.

9. In the event of a conflict between the provisions of this PAD and the Zoning Ordinance, the provisions of this PAD shall prevail.

IV. Open Space

One (1) main park amenity area and five (5) neighborhood parks areas shall be developed within the Property as generally depicted on **Exhibit 1 – Illustrative Master Plan** attached hereto and as more fully described below.

- “Main Park A1” (Main Amenity Area) shall be a minimum of 4.5 acres in size and shall be located near the center of the community in the general location reflected on **Exhibit 1 – Illustrative Mater Plan**. The Main Central Amenity Area shall include an aquatic center, clubhouse facility, sports complex, and an active recreation park. The aquatic center shall feature lap lanes, a kid’s pool area with aquatic play toys, restrooms, and shaded tables/lounge chair seating. The clubhouse facility shall feature a fitness center, indoor kitchen and reception hall, restrooms, and an outdoor kitchen and shaded gathering area. The sports complex shall feature pickle ball courts with shaded seating areas, a full basketball court, a multi-use turf play area, and a gathering ramada. The active recreation park shall feature a shaded tot lot, a gathering ramada (with picnic areas, game tables, ping pong table, BBQ grills, plaza area, etc.), a cornhole area, and a multi-use turf area and shall be generally consistent with **Exhibit 2 – Main Amenity Area** attached hereto.

- ”Neighborhood Park B1” shall be a minimum of 1.2 acres in size and shall be located just southeast of the main entry into the community from Yuma Road in the general location reflected on **Exhibit 1 – Illustrative Master Plan**. Neighborhood Park B1 shall include a half basketball court, an event lawn turf area, a cornhole area, a gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a shaded tot lot and shall be generally consistent with **Exhibit 3 – Neighborhood Park B1** attached hereto.

- “Neighborhood Park B2” shall be a minimum of 1.8 acres in size and shall be located just southwest of the main entry into the community from Yuma Road in the general location reflected on **Exhibit 1 – Illustrative Mater Plan**. Neighborhood Park B2 shall include a shaded tot lot, half basketball court, gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a multi-use turf area and shall be generally consistent with **Exhibit 4 – Neighborhood Park B2**).

- ”Neighborhood Park B3” shall be a minimum of 2.3 acres in size and shall be located just east of the Main Amenity Area in the general location reflected on **Exhibit 1 – Illustrative Master Plan**. Neighborhood Park B3 shall include a full basketball court, a multi-use turf area, a gathering ramada (with picnic areas, benches, etc.), a cornhole area, and a shaded tot lot and shall be generally consistent with **Exhibit 5 – Neighborhood Park B3** attached hereto.

- ”Neighborhood Park C1” shall be a minimum of 2.5 acres in size and shall be located southeast of the Main Amenity Area in the general location reflected on **Exhibit 1 – Illustrative Master Plan**. Neighborhood Park C1 shall include a multi-use turf area, a gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a shaded tot lot and shall be generally consistent with **Exhibit 6 – Neighborhood Park C1** attached hereto.

- ”Neighborhood Park C2” shall be a minimum of 0.5 acres in size and shall be located south of the Main Amenity Area in the general location reflected on **Exhibit 1 – Illustrative Master Plan**. Neighborhood Park C2 shall include a multi-use turf area, a gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a cornhole area and shall be generally consistent with **Exhibit 7 – Neighborhood Park C2** attached hereto.

- Additionally, several passive open space areas shall be located throughout the community and along the perimeter, including larger areas adjacent to the community’s south entrance from Lower Buckeye Parkway and adjacent to the Bullard Wash in order to facilitate access and enjoyment of the wash corridor amenity.

V. Additional Design Requirements

In order to meet the "Reduced" comparable zoning designation and associated development standards for the R50 and R45 Land Use Districts outlined above, the following minimum additional design elements shall be provided. As set forth below, certain of the Streetscape Elements described below will be considered an additional Streetscape Element for each of these Land Use Districts.

Amenity Elements

- Adjacent to Community Amenity – Pedestrian connections to the Bullard Wash shall be provided and shall be in general conformance with the connections depicted on **Exhibit 8 – Pedestrian Connectivity Plan**.

- Additional Amenities – Two (2) structurally covered/shaded seating nodes, with associated trail signage, shall be provided along the Bullard Wash trail adjacent to the Property in general conformance with the locations and details depicted on **Exhibit 8 – Pedestrian Connectivity Plan**.

- Additional Internal Park Elements – The following Additional Internal Park Amenities shall be provided in the six (6) parks that are to be developed within the Property:

    - "Main Park A1" (Main Amenity Area):

        - Aquatic center with lap lanes, and a kid's pool area with aquatic play toys (minimum pool water surface area of 4,500 SF and minimum pool deck area of 10,000 SF)
        - Restrooms
        - Shaded tables/lounge chair seating
        - Clubhouse facility with fitness center
        - Shaded tot lot
        - Gathering ramadas (with picnic areas, game tables, ping pong table, BBQ grills, plaza area, etc.)
        - Pickle ball courts
        - Cornhole area
        - Full basketball court
        - Multi-use turf area

    - "Neighborhood Park B1":

        - Half basketball court
        - Event lawn turf area
        - Cornhole area
        - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
        - Shaded tot lot

    - "Neighborhood Park B2":

        - Shaded tot lot
        - Half basketball court
        - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
        - Multi-use turf area

- "Neighborhood Park B3":
    - Full basketball court
    - Multi-use turf area
    - Gathering ramada (with picnic areas, benches, etc.)
    - Cornhole area
    - Shaded tot lot
- "Neighborhood Park C1":
    - Multi-use turf area
    - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
    - Shaded tot lot
- "Neighborhood Park C2":
    - Multi-use turf area
    - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
    - Cornhole area

Connectivity Elements

- Limited Subdivision Perimeter Wall – Except as may be modified to comply with applicable development standards and final platting, the design of the walls and fencing installed around the perimeter of the Property shall be consistent with the walls and fencing reflected in **Exhibit 9 - Conceptual Wall Plan** which provides that approximately 55% of the total project perimeter is comprised of partial view wall or full view/drainage fencing:
    - Ballpark Frontage:
        - The lots adjacent to the north and east sides of the existing ballpark shall be developed such that the majority of such lots either front or side to the ballpark and a partial view wall shall be installed along approximately 80% of the perimeter of the Property adjacent to the ballpark.
    - Bullard Wash:
        - The perimeter wall adjacent to the approximately 79% of the perimeter of the Property adjacent to Bullard Wash shall be either partial view wall or full view/drainage fencing.
    - Estrella Parkway:
        - Approximately 25% of the lots adjacent to Estrella Parkway shall be developed so the lots side to this arterial street. Further, a partial view wall shall be constructed along approximately 50% of the frontage along Estrella Parkway.
    - Yuma Road:
        - A partial view wall shall be constructed along a minimum of 22% of the frontage along Yuma Road.

- Trail System Connections – The Property will be developed to provide pedestrian connections to the Bullard Wash and the associated trail system (to be constructed by the City) in general conformance with **Exhibit 8 – Pedestrian Connectivity Plan**.

- Infill Development – The Property is located within the City's "Ballpark Village" Growth Area as identified in the City's General Plan, and its location and numerous pedestrian connections to the exterior/perimeter of the community provide easy and quick access to nearby amenities such as schools, trails (Bullard Wash), and parks.

- Additional Connectivity Elements – A minimum of 11 pedestrian connections to the exterior/perimeter of the community shall be provided as described below and as generally depicted in **Exhibit 8 – Pedestrian Connectivity Plan.** The pedestrian connections required herein may be gated to prohibit "pass-thru" pedestrian traffic from the surrounding property. Pedestrian gates built in tandem with vehicular entries shall count as one (1) pedestrian connection:

    - Arterial Street (Estrella Parkway, Yuma Road, Lower Buckeye Parkway):

        - A minimum of five (5) pedestrian connections from the interior of the community out to the sidewalks along the adjacent arterial streets shall be provided.

    - Bullard Wash:

        - A minimum of four (4) pedestrian connections from the interior of the community out to the wash corridor and associated trail (to be constructed by the City) shall be provided.

    - Wood Boulevard:

        - A minimum of two (2) pedestrian connections from the interior of the community out to Wood Boulevard, including connections to the existing sidewalks stubbed out to the Property, shall be provided.

Streetscape Elements

The specific additional Streetscape Elements required to support the reduced development standards for the R50 and R45 Land Use Districts included within the PAD shall be determined during the development of the Preliminary Plat for the Property. At least two (2) of the following Streetscape Elements shall be incorporated into all areas of the Property developed as the R50 Land Use District and at least four (4) of the following Streetscape Elements shall be incorporated into all areas of the Property developed as the R45 Land Use District. The following Streetscape elements will count as one Streetscape Element for each of these Land Use Districts: (i) the construction of the entry roads and entry monument signs in conformance with the "Additional Streetscape Elements (Enhanced Entry Roads)"; (ii) the construction of the project entry monumentation and the regional Ballpark Village Entry Monumentation as described in "Additional Streetscape Elements (Ballpark Village and Regional Monumentation)"; and (iii) the development of all six (6) internal parks in conformance with the "Additional Streetscape Elements (Amenity Parks lined with Streets)".

- Paving Material – All driveways and sidewalks connecting the driveways to the front entrances of the homes on the R60, R50, and R45 platted lots will be constructed with decorative pavers.

- Additional Streetscape Elements (Ballpark Village and Regional Monumentation) - The project name is "*Fulton Homes at Ballpark Village*" which shall be reflected on all project entry monumentation in general conformance with **Exhibit 10 – Conceptual Entry Monumentation**. Entry monuments shall be installed at both main entrances into the Property (the entrance from Yuma Road and the entrance from Lower Buckeye Parkway). In addition, regional "Ballpark Village" monumentation in general conformance with **Exhibit 11 – Conceptual Regional Monumentation** shall be installed at the southeast corner of Estrella Parkway and Yuma Road and the northwest corner of Lower Buckeye Parkway and Bullard Avenue.

- Additional Streetscape Elements (Amenity Parks Lined with Streets) - The Main Amenity Area ("Main Park A1") and at least 3 of the 5 Neighborhood Parks shall be lined with streets on at least 3 of the 4 sides, thereby creating an enhanced open feel and streetscape around these park areas, as depicted in **Exhibit 1 – Illustrative Master Plan**.

- Additional Streetscape Elements (Enhanced Entry Roads) – The two entrances into the Property (one off of Yuma Road and the other off of Lower Buckeye Parkway) shall include enhanced entry roads with center medians and detached sidewalk parkways, featuring resort-like landscaping as depicted in **Exhibit 10 – Conceptual Entry Monumentation**.

- Additional Streetscape Elements (Pre-Plotted Home Elevations) - Fulton Homes will pre-plot/pre-determine the home elevation on every lot in the community to ensure the same elevations are never adjacent to, or across the street from one another.

- 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.

VI. Design Guidelines

The required design guidelines for *Fulton Homes at Ballpark Village* shall be in conformance with the requirements of Section 3.1 (General Guidelines for Single-Family Residential) and Section 3.2.A (Specific Single-Family Use Type Guidelines, Single-Family Detached) of the City of Goodyear Design Guidelines Manual, except as modified by the following:

<u>Section 3.1.A.1.b – Site Design: Site Layout</u>

- The development of lots at the end of T-intersections is discouraged. If lots are located at the end of T-intersections, driveways/garages shall be positioned on the side of the lots closest to the T-intersection.

<u>Section 3.1.A.1.g – Site Design: Site Layout</u>

- All corner lots shall be located adjacent to a minimum 10-foot-wide landscape tract.

<u>Section 3.1.A.3.b – Site Design: Access & Circulation</u>

- The main collector road within the Property shall be exempt from the guideline discouraging long, straight local streets, with no traffic calming or stop devices, in excess of 1,320 feet. All local streets within will comply with this guideline. It should be noted however that one (1) traffic

calming “table” will be provided on the main collector road across from Main Park A1, which represents the approximate mid-point of this main collector road through the Property.

Section 3.1.A.3.c – Site Design: Access & Circulation

- The main collector road within the Property shall be exempt from the guideline encouraging traffic calming devices such as roundabouts, landscape islands or medians to reduce the potential speed of traffic where a signal or stop sign is not provided, with the exception of one (1) traffic calming “table” located across from Main Park A1.The Property is gated at both ends of the main collector road, thereby eliminating pass-through traffic that would introduce the potential for speeding.

Section 3.1.A.3.d.v – Site Design: Access & Circulation

- The Property will provide the trail/pathway crossings required by this guideline, but such crossings will not include pavers, colored concrete or stamped concrete. In the event it is determined necessary for safety purposes, such crossings will be striped instead.

Section 3.1.A.5.f – Site Design: Landscaping

- The local streets within the Property will not provide a planter strip with detached sidewalks. However, the main collector road within the Property will provide this in conformance with this guideline.

Sections 3.1.A.6.b & 3.1.A.6.c – Site Design: Perimeter Walls & Fences

- Perimeter walls and fencing shall be installed adjacent to the perimeter of the Property in general conformance with **Exhibit 9 – Conceptual Wall Plan**.

Section 3.1.B.1.d – Architectural & Building Design: Massing & Articulation

- The requirement that two-story single-family residential units have single-story elements closest to the front of the house and/or next to the street does not apply to the development of the Property.

Section 3.2.A.1.a.iv – Single-Family Detached: Standard Plan Guidelines for Multi-Lot Development

- The housing product for the Property will provide three (3) roof material options, but all will be concrete tile in either a smooth flat, textured flat, or barrel/mission style.

Section 3.2.A.3.a. – Single-Family Detached: Massing & Articulation

- All R60, R50 and R45 platted lots shall contain homes with a usable, covered outdoor patio on the rear side of each home. The minimum dimensions will be 100 square feet, with a minimum interior dimension of eight feet (8’).

VII. Walls, Monuments & Signage

The main entrances to the community (one off of Yuma Road and one off of Lower Buckeye Parkway) shall feature large lushly landscaped medians with tree-lined streets and adjacent turf areas and shall

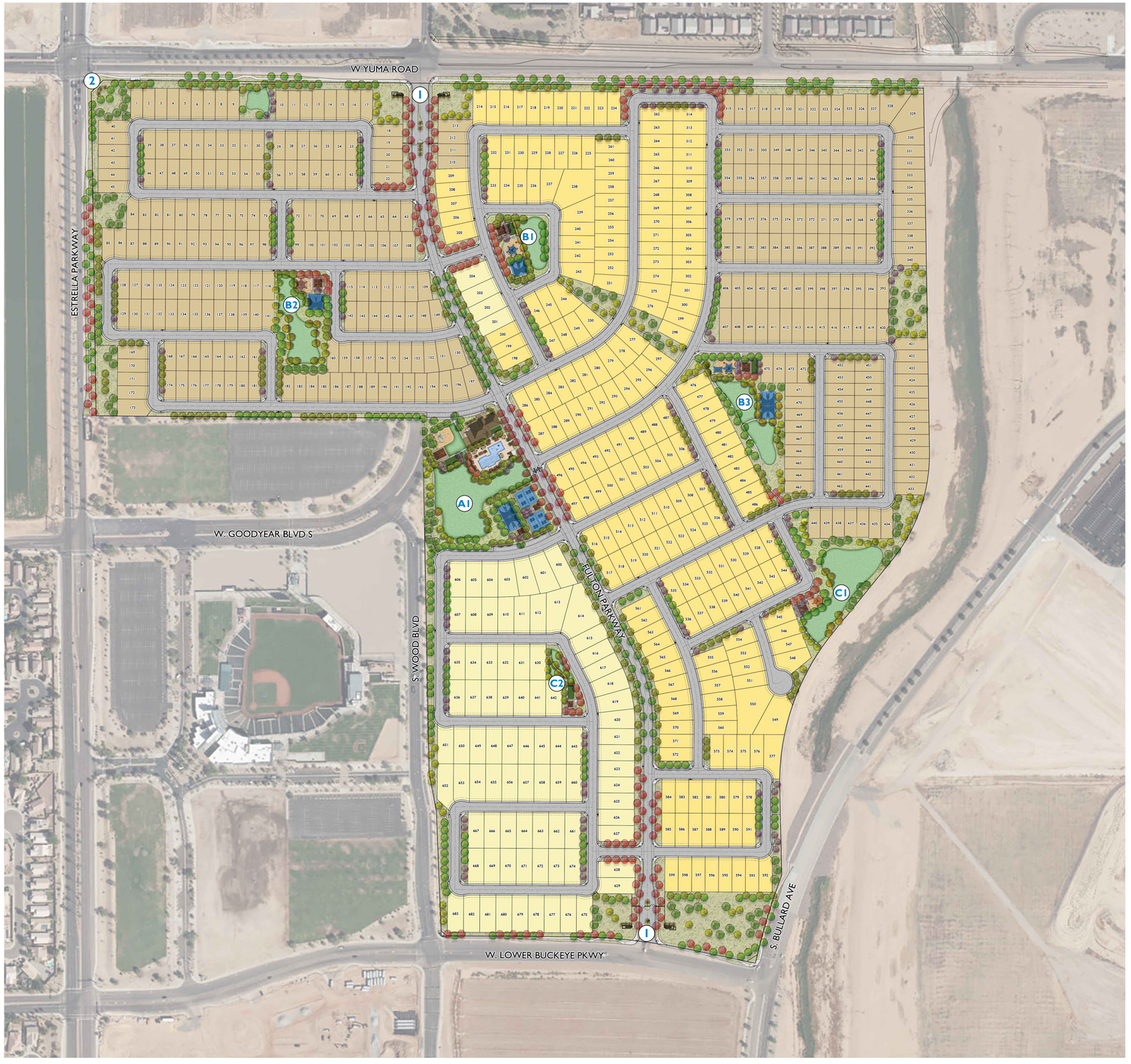
include a primary entry monument with surrounding planters and a complimentary decorative wall (with surrounding planters) on each side of the entrance. If there is a gated entrance, a sign wall may be incorporated into the gated entrance, set further back from the street. The entry monument structures shall not exceed 10' in height and will be comprised of a combination of honed and founders finish CMU block, with brushed nickel metal banding and pre-cast concrete caps. The associated sign walls will feature porcelain tile sign faces with mounted, metal halo-illuminated lettering. All entry monumentation shall be substantially in conformance with the design and location shown on **Exhibit 10 – Conceptual Entry Monumentation**.

Additionally, regional "Ballpark Village" monumentation shall be installed at the southeast corner of Estrella Parkway and Yuma Road and at the northwest corner of Lower Buckeye Parkway and Bullard Avenue. This regional "Ballpark Village" monumentation shall be substantially in conformance with the design and locations shown on **Exhibit 11 – Conceptual Regional Monumentation**).

All additional signage installed within the Property shall be in conformance with the requirements of the Zoning Ordinance.

EXHIBIT 1

Illustrative Master Plan



PROJECT DATA

A.P.N.	500-07-010D, 500-07-011B, 500-07-007G, 500-07-015J
EXISTING GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	PAD
GROSS AREA:	± 164.92 ACRES
NET AREA:	± 155.50 ACRES
NET DENSITY:	4.4 DU/AC
NO. OF LOTS:	
45' x 105'	362 53%
50' x 120'	233 34%
60' x 130'	88 13%
TOTAL	683 100%
MIN. LOT AREA:	5,055 SQ FT
MAX. LOT AREA:	18,697 SQ FT
OPEN SPACE:	± 35.36 ACRES (22.7% OF NET)

AMENITY LEGEND

MAIN AMENITY

A1 AQUATIC CENTER
- KID'S POOL PLAY AREA
- LAP LANES
- POOL LOUNGE AREA
- RESTROOMS
- SHADED LOUNGE SEATING
- SHADED TABLES AND CHAIRS

CLUBHOUSE
- FITNESS CENTER
- KITCHEN AND RECEPTION HALL
- RESTROOMS
- OUTDOOR KITCHEN
- OUTDOOR SHADED SEATING
- EXPANDED PLAZA

ACTIVE RECREATION
- EVENT LAWN/ACTIVE TURF AREA
- LARGE SHADED TOT LOT WITH SWINGS AND BENCHES
- 30 x 40 GATHERING RAMADA WITH PICNIC TABLES, CHESS TABLE, PING PONG TABLE, AND EXTENDED PLAZA
- CORNHOLE PLAZA

SPORT COMPLEX
- 4 PICKLEBALL COURTS
- 20 x 20 PICKLEBALL RAMADA WITH SEATING
- FULL BASKETBALL COURT
- 20 x 20 GATHERING RAMADA WITH PICNIC TABLES, AND BENCHES WITH EXPANDED PLAZA
- MULTI-USE/ACTIVE TURF AREA

NEIGHBORHOOD PARKS

B1 ACTIVE RECREATION
- 30 x 30 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- MEDIUM SHADED TOT LOT
- HALF BASKETBALL COURT
- CORNHOLE PLAZA
- EVENT LAWN/ACTIVE TURF AREA

B2 ACTIVE RECREATION
- 30 x 30 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- MEDIUM SHADED TOT LOT
- HALF BASKETBALL COURT
- MULTI-USE ACTIVE TURF AREA

B3 ACTIVE RECREATION
- 30 x 30 GATHERING RAMADA WITH PICNIC TABLES, EXPANDED PLAZA, AND BENCHES
- MEDIUM SHADED TOT LOT WITH SWINGS
- FULL BASKETBALL COURT
- MULTI-USE ACTIVE TURF AREA
- CORNHOLE PLAZA

C1 ACTIVE RECREATION
- 20 x 20 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- SMALL SHADED TOT LOT
- MULTI-USE ACTIVE TURF AREA

C2 ACTIVE RECREATION
- 20 x 20 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- CORNHOLE AREA
- ACTIVE TURF AREA

KEYNOTES

1. GATED ENTRY & MONUMENT SIGNAGE
2. PRIMARY REGIONAL MONUMENT
3. SECONDARY REGIONAL MONUMENT

NORTH

0' 100' 200' 400'

SCALE: 1" = 200'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Preliminary Illustrative Master Plan

L-1.01

03.12.2026

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 45568 ALIZA E. SABIN Date Signed 03-12-26 ARIZONA, U.S.A.

EPS GROUP

EXHIBIT 2

Main Amenity Area



KEYNOTES

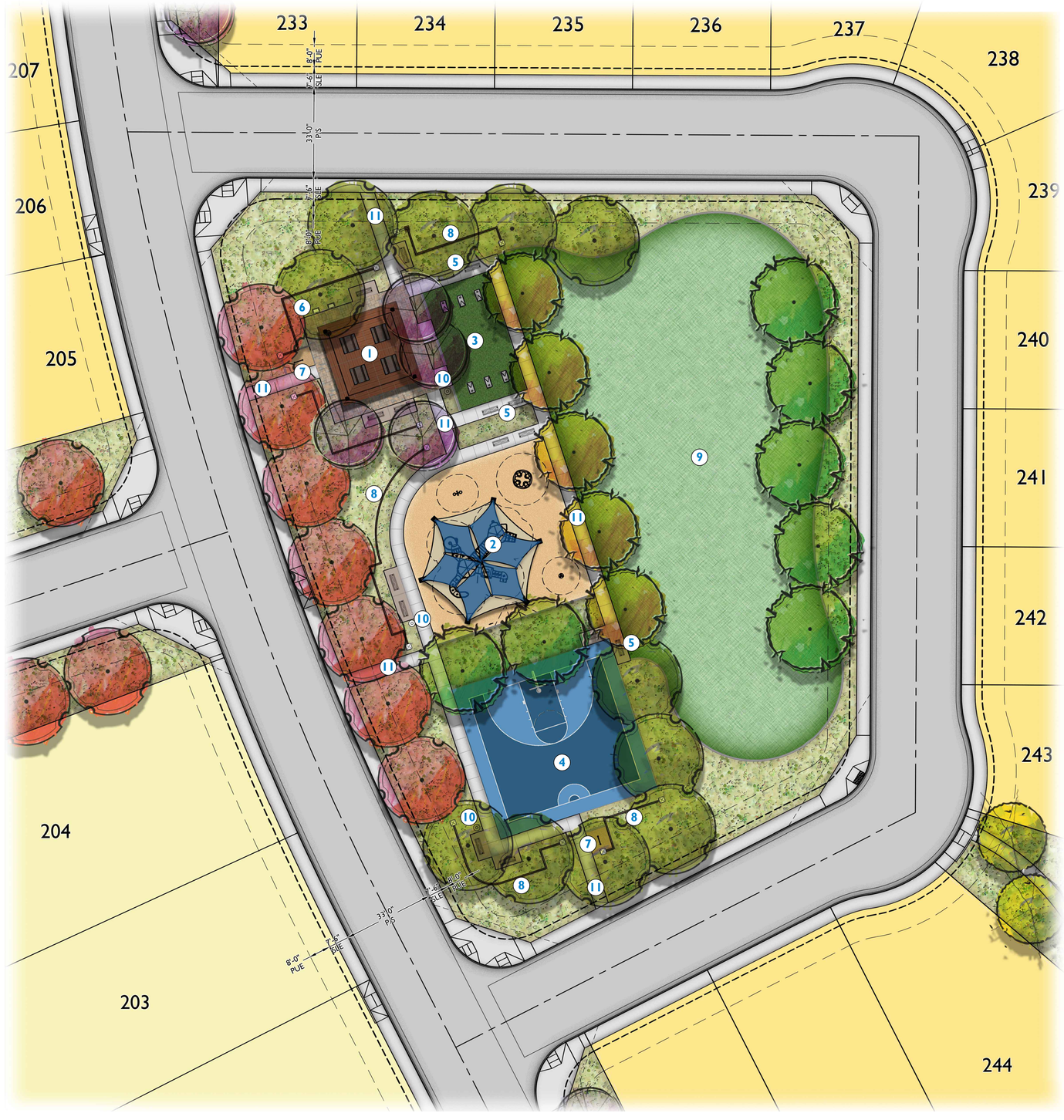
1. POOL
2. CLUBHOUSE WITH FITNESS CENTER
3. PEDESTRIAN GATE
4. RESTROOM & POOL EQUIPMENT ENCLOSURE
5. AQUATIC CENTER MONUMENT SIGN
6. AQUATIC PLAY TOYS
7. LAP LANES
8. POOL SHADE UMBRELLA
9. 30' X 40' RAMADA (WITH PICNIC TABLES, CHESS TABLE AND PING PONG TABLE)
10. 20' X 20' RAMADA (WITH PICNIC TABLES)
11. SHADED PLAYGROUND AREA
12. CORNHOLE
13. PICKEBALL COURTS
14. BASKETBALL COURT (FULL SIZE)
15. LANDSCAPE BENCH
16. BBQ GRILL
17. BIKE RACK
18. GARDEN WALL
19. ACTIVE TURF
20. TRASH RECEPTACLE
21. CONCRETE SIDEWALK
22. TRAFFIC CALMING TABLE PEDESTRIAN CROSSING

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA, U.S.A.

EPS GROUP

EXHIBIT 3

Neighborhood Park B1



KEYNOTES

1. 30' X 30' RAMADA (WITH PICNIC TABLES)
2. SHADED PLAYGROUND AREA
3. CORNHOLE
4. BASKETBALL COURT (HALF SIZE)
5. LANDSCAPE BENCH
6. BBQ GRILL
7. BIKE RACK
8. GARDEN WALL
9. ACTIVE TURF
10. TRASH RECEPTACLE
11. SIDEWALK

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA U.S.A.

EPS GROUP

EXHIBIT 4

Neighborhood Park B2



KEYNOTES

1. 30' X 30' RAMADA (WITH PICNIC TABLES)
2. SHADED PLAYGROUND AREA
3. LANDSCAPE BENCH
4. BBQ GRILL
5. BIKE RACK
6. GARDEN WALL
7. ACTIVE TURF
8. TRASH RECEPTACLE
9. SIDEWALK
10. BASKETBALL COURT (HALF SIZE)

NORTH

0' 10' 20' 40'

SCALE: 1" = 20'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Neighborhood Park B2

L-3.04

03.12.2026

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA, U.S.A.

EPS GROUP

EXHIBIT 5

Neighborhood Park B3



KEYNOTES

1. 30' X 30' RAMADA (WITH PICNIC TABLES)
2. SHADED PLAYGROUND AREA (WITH SWING SET)
3. CORNHOLE
4. BASKETBALL COURT (FULL SIZE)
5. LANDSCAPE BENCH
6. BBQ GRILL
7. BIKE RACK
8. GARDEN WALL
9. ACTIVE TURF
10. TRASH RECEPTACLE
11. SIDEWALK

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E.
SABIN
Date Signed 03-12-26
ARIZONA U.S.A.

EPS GROUP

EXHIBIT 6

Neighborhood Park C1



KEYNOTES

1. 20' X 20' RAMADA (WITH PICNIC TABLE)
2. SHADED PLAYGROUND AREA (WITH SWING SET)
3. LANDSCAPE BENCH
4. BBQ GRILL
5. BIKE RACK
6. GARDEN WALL
7. ACTIVE TURF
8. TRASH RECEPTACLE
9. SIDEWALK

NORTH

0' 10' 20' 40'

SCALE: 1" = 20'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Neighborhood Park C1

L-3.05

03.12.2026

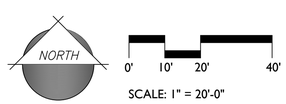
REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA U.S.A.

EPS GROUP

EXHIBIT 7

Neighborhood Park C2





KEYNOTES

1. 20' X 20' RAMADA (WITH PICNIC TABLE)
2. CORNHOLE
3. LANDSCAPE BENCH
4. BBQ GRILL
5. BIKE RACK
6. GARDEN WALL
7. ACTIVE TURF
8. TRASH RECEPTACLE
9. SIDEWALK

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Neighborhood Park C2

L-3.06

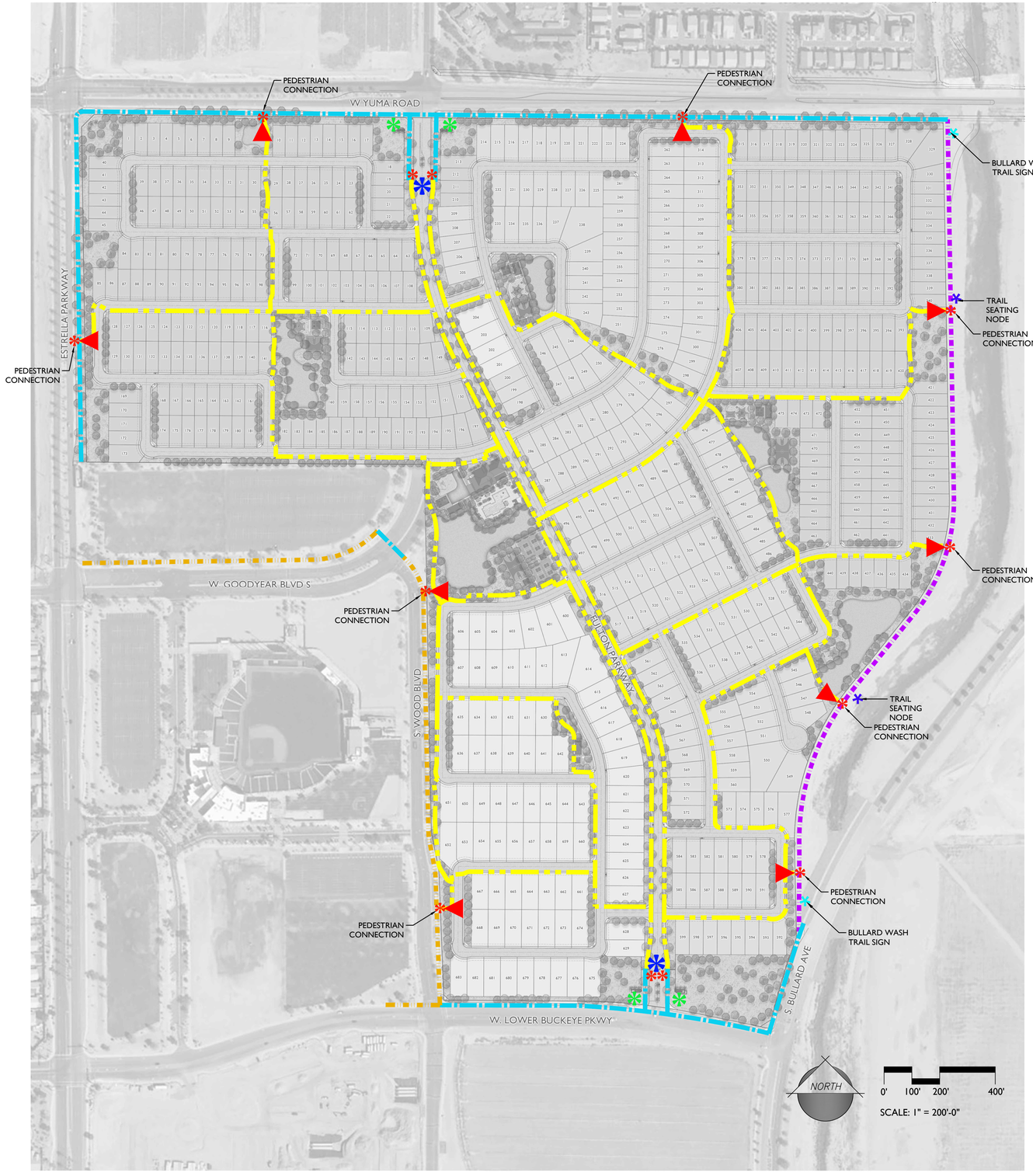
03.12.2026

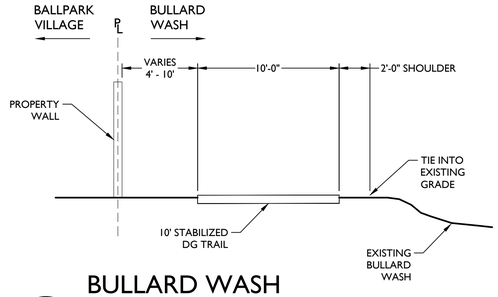
REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA U.S.A.

EPS GROUP

EXHIBIT 8

Pedestrian Connectivity Plan



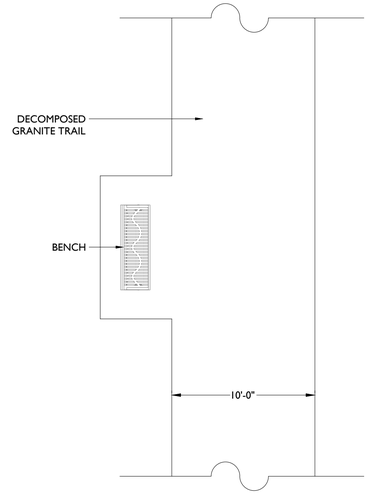


1 BULLARD WASH TRAIL SECTION DETAIL

NTS

LEGEND

- CONNECTIVITY - PEDESTRIAN ACCESS
- CONNECTIVITY - PROPOSED OFFSITE PEDESTRIAN
- CONNECTIVITY - EXISTING OFFSITE PEDESTRIAN
- CONNECTIVITY - BULLARD WASH TRAIL (BY CITY)
- CONNECTIVITY - INTERNAL
- VEHICULAR GATE
- ENTRY MONUMENT
- PEDESTRIAN GATE
- PEDESTRIAN NODE
- BULLARD WASH TRAIL SIGN

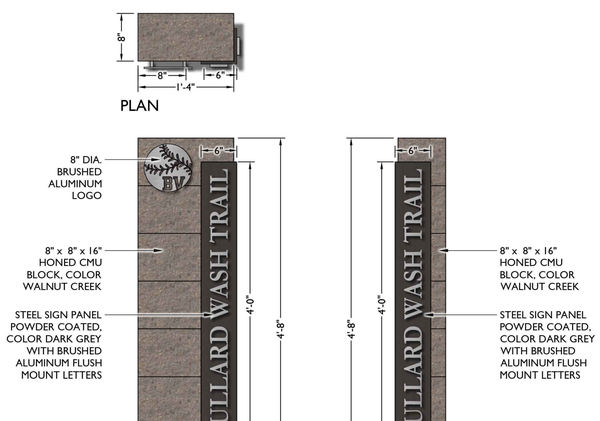






2 BULLARD WASH TRAIL PEDESTRIAN SEATING NODE

NTS

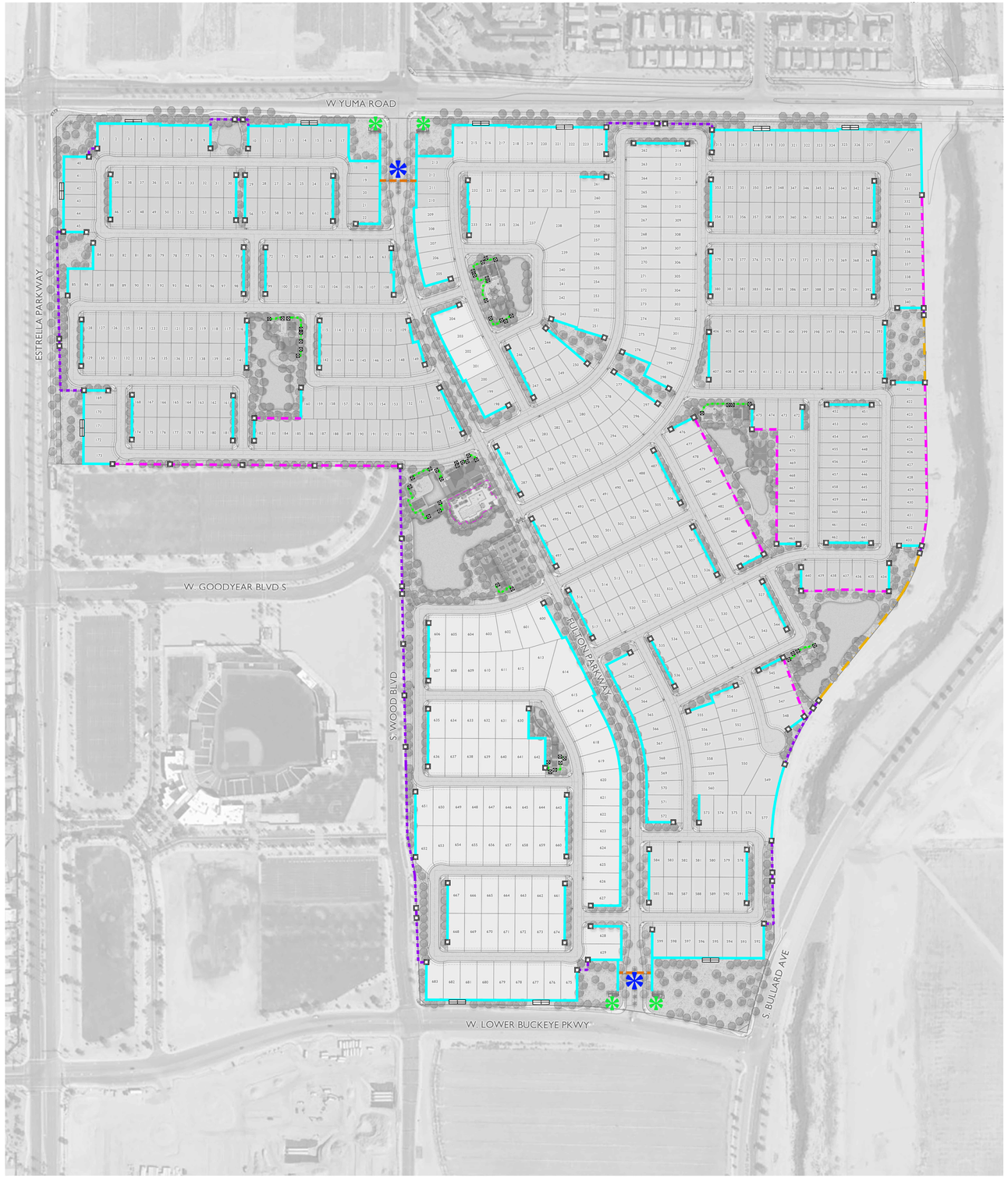


3 BULLARD WASH TRAIL SIGN

NTS

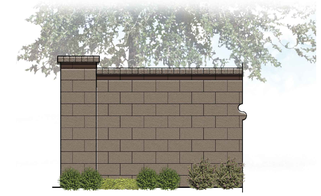
EXHIBIT 9

Conceptual Wall Plan



LEGEND

- THEME WALL
- PARTIAL VIEW WALL TYPE 1
- PARTIAL VIEW WALL TYPE 2
- GARDEN WALL
- POOL FENCE
- DRAINAGE FENCE
- ENTRY MONUMENT / GATE WALL
- GATED ENTRY
- ENTRY MONUMENT
- DECORATIVE COLUMN
- GARDEN WALL COLUMN
- MID-WALL ACCENT



THEME WALL



PARTIAL VIEW WALL TYPE 1



PARTIAL VIEW WALL TYPE 2

GARDEN WALL



POOL / FULL VIEW FENCE



DRAINAGE FENCE



MID-WALL ACCENT

NORTH

0' 100' 200' 400'

SCALE: 1" = 200'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

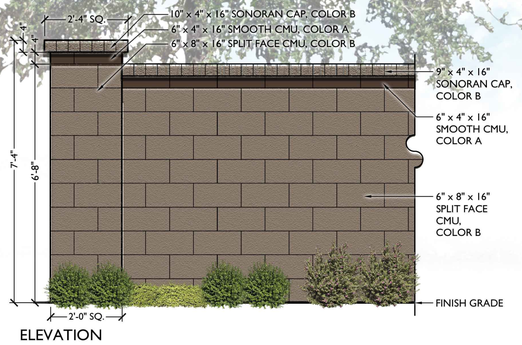
Conceptual Wall Plan

L-4.01

03.12.2026

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E.
SABIN
Date Signed 03-12-26
ARIZONA, U.S.A.

EPS GROUP



ELEVATION

1 THEME WALL

Scale: 1/2" = 1'-0"



ELEVATION

2 PARTIAL VIEW WALL - TYPE 1

Scale: 1/2" = 1'-0"



ELEVATION

3 PARTIAL VIEW WALL - TYPE 2

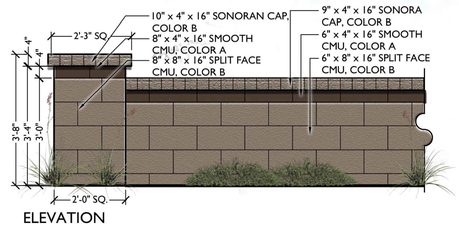
Scale: 1/2" = 1'-0"



ELEVATION

4 MID ACCENT PANEL AT THEME WALL

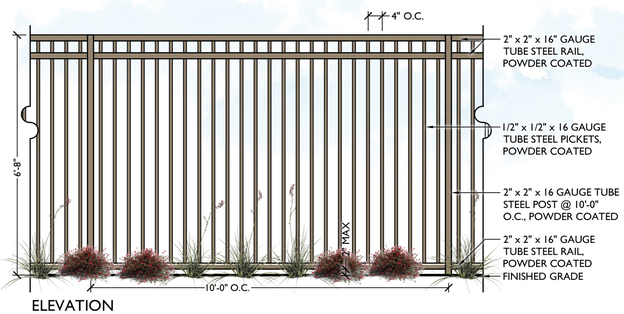
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ELEVATION

5 GARDEN WALL

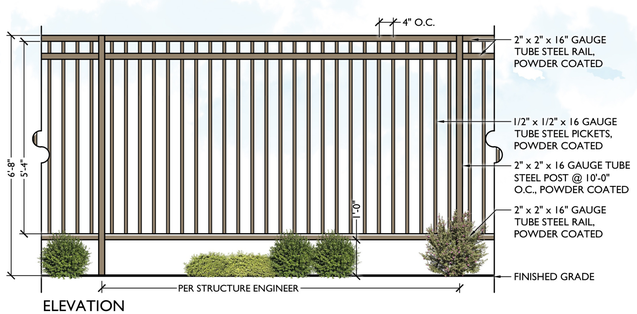
Scale: 1/2" = 1'-0"



ELEVATION

6 POOL / FULL VIEW FENCE

Scale: 1/2" = 1'-0"



ELEVATION

7 DRAINAGE FULL VIEW FENCE

Scale: 1/2" = 1'-0"



ELEVATION

8 PEDESTRIAN GATE

Scale: 1/2" = 1'-0"



METAL POWDERCOATED
Grey Beige RAL 1019 OAE



SMOOTH CMU BLOCK
COLOR A: SW 9183 Dark Clove
by Sherwin Williams, OAE



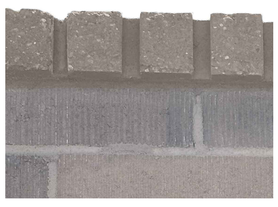
SPLIT FACE CMU BLOCK
COLOR B: SW 7039 Virtual Taupe
by Sherwin Williams, OAE



SONORAN CMU CAP
COLOR B: SW 7039 Virtual Taupe
by Superlite OAE



FOUNDERS FINISH CMU BLOCK
INTEGRAL COLOR C: Desert Blend
by Superlite OAE



SONORAN CMU CAP
INTEGRAL COLOR C: Desert Blend
by Superlite OAE

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Conceptual Wall Details

L-5.01

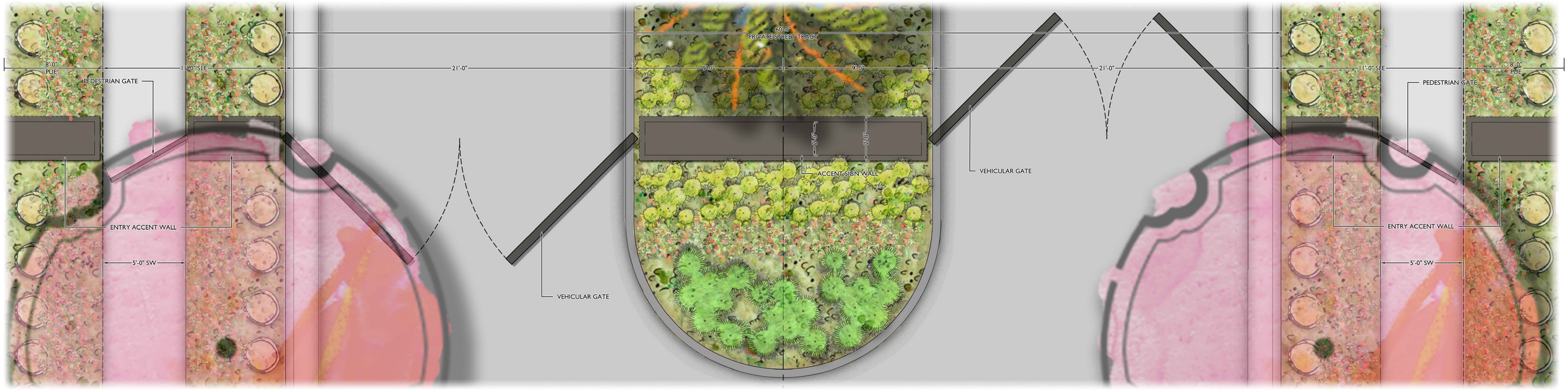
03.12.2026

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA, U.S.A.

EPS GROUP

EXHIBIT 10

Conceptual Entry Monumentation



1 SOUTH ENTRY GATE PLAN

Scale: 3/8" = 1'-0"

NOTE:

1. ALL GATES INSTALLED ACROSS A FIRE APPARATUS ACCESS ROAD WILL REQUIRE A SEPARATE SUBMITTAL AND PERMIT.
2. ALL GATES WILL REQUIRE A TRAFFIC PRE-EMPTION DEVICE AND A KNOX KEY SWITCH.



2 SOUTH ENTRY GATE ELEVATION

Scale: 3/8" = 1'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

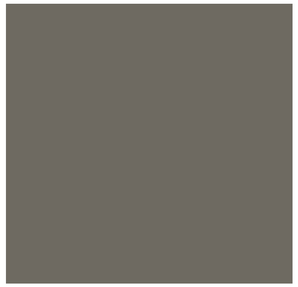
Conceptual Entry Gate

L-2.01

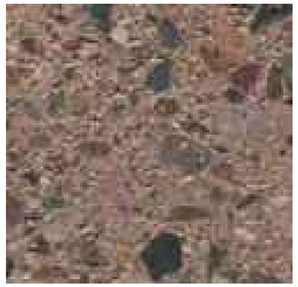
03.12.2026

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
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ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA U.S.A.

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GATE METAL
Color: RAI 7039 Quartz Grey OAE



HONED CMU
Color: Walnut Creek by Superlite OAE



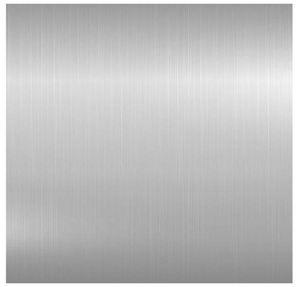
TILE (12" x 24")
Color: Modern Text White MT 50 by Daltile OAE



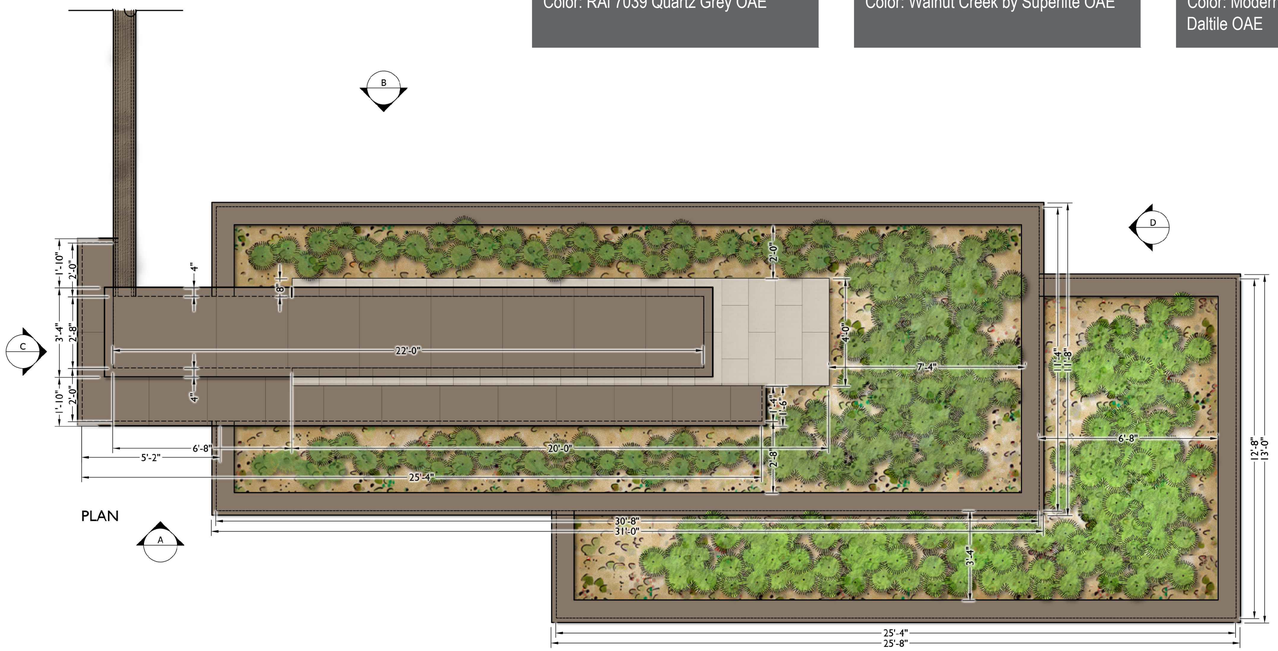
CONCRETE CAP
Color: Cocoa Milk by Mesa Precast OAE

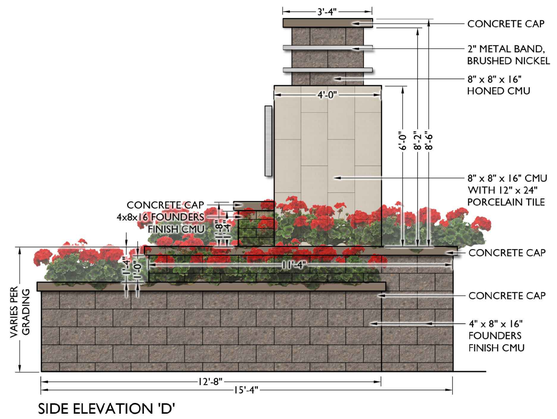


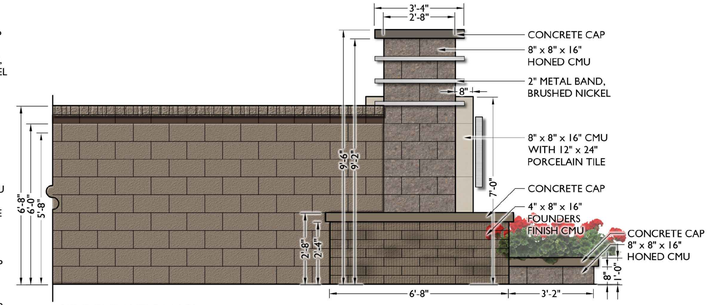
FOUNDERS FINISH
Color: Desert Blend by Superlite OAE

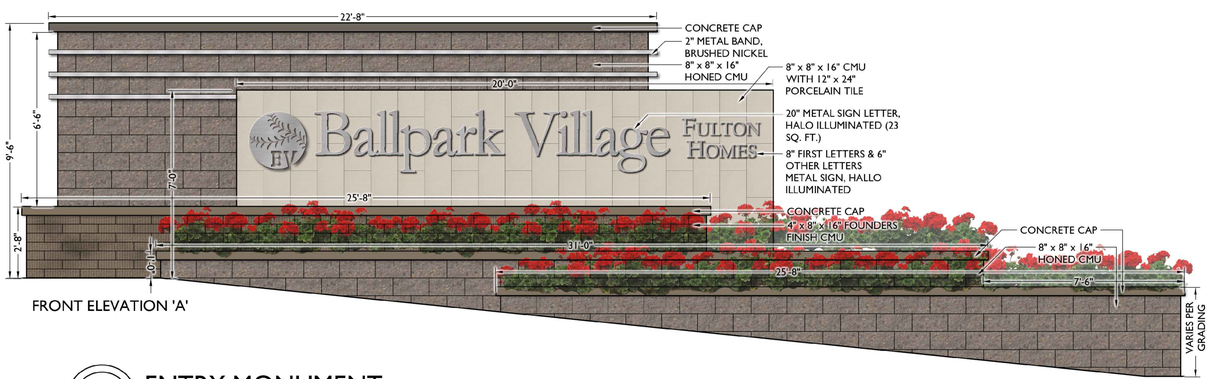


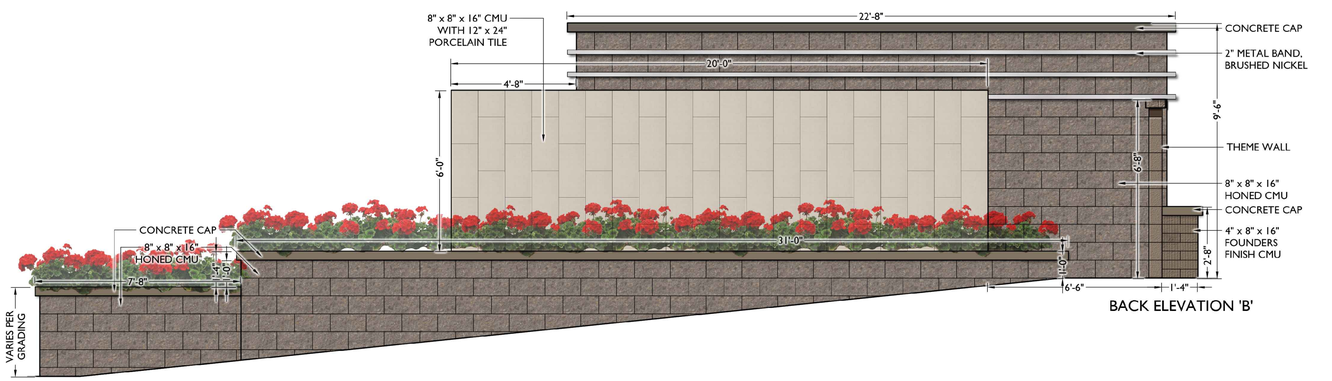
BRUSHED ALUMINUM











1 ENTRY MONUMENT

Scale: 3/8" = 1'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

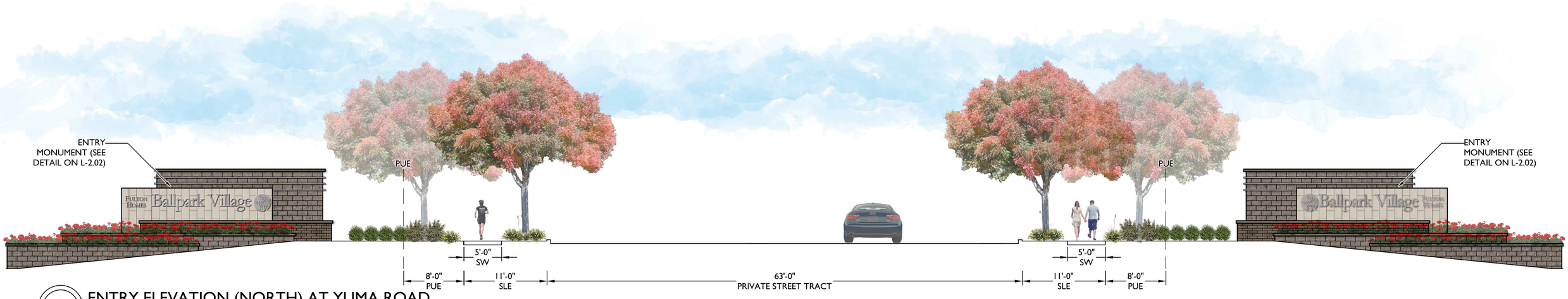
Goodyear, Arizona

Conceptual Entry Monument

L-2.02
03.12.2026

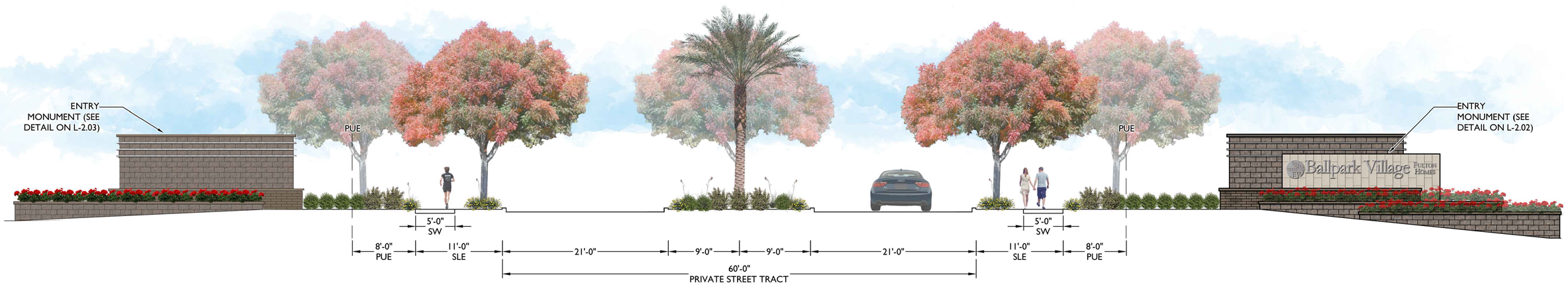
REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA U.S.A.

EPS GROUP



1 ENTRY ELEVATION (NORTH) AT YUMA ROAD

NTS



2 ENTRY ELEVATION (SOUTH) AT LOWER BUCKEYE PARKWAY

NTS

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Entry Elevations

L-2.05

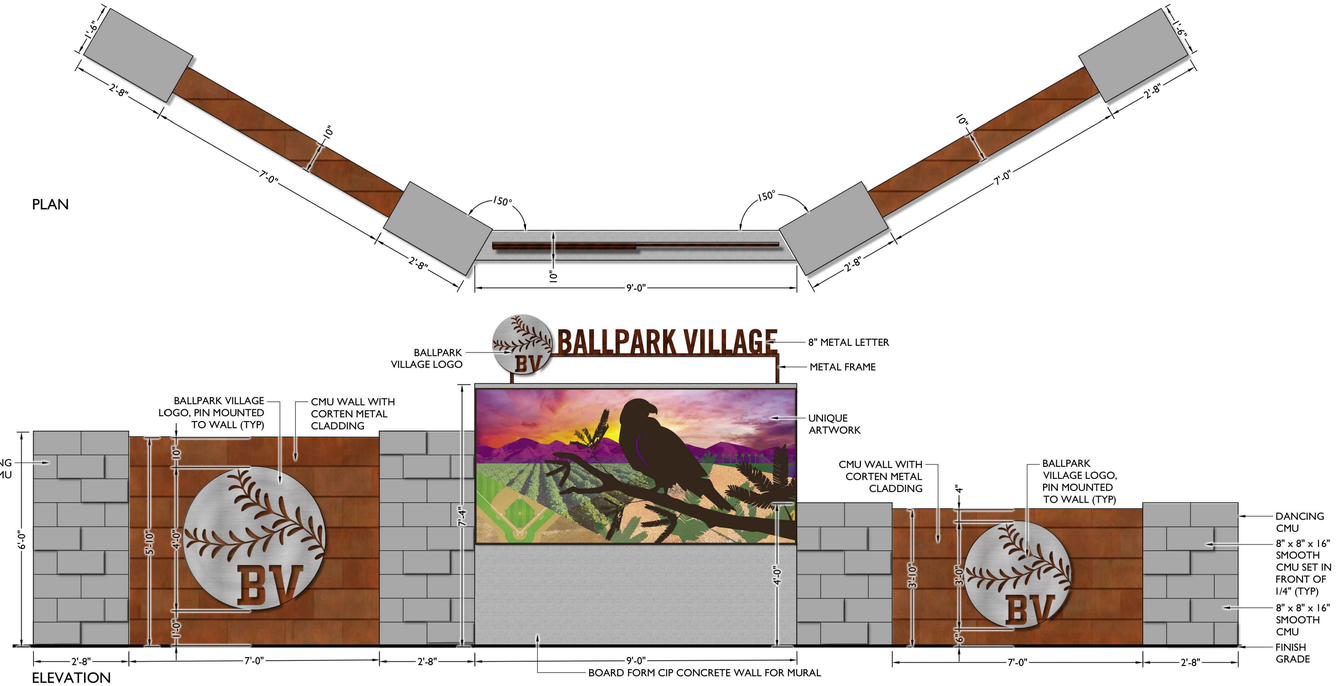
03.12.2026

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 45568 ALIZA E. SABIN ARIZONA, U.S.A.

EPS GROUP

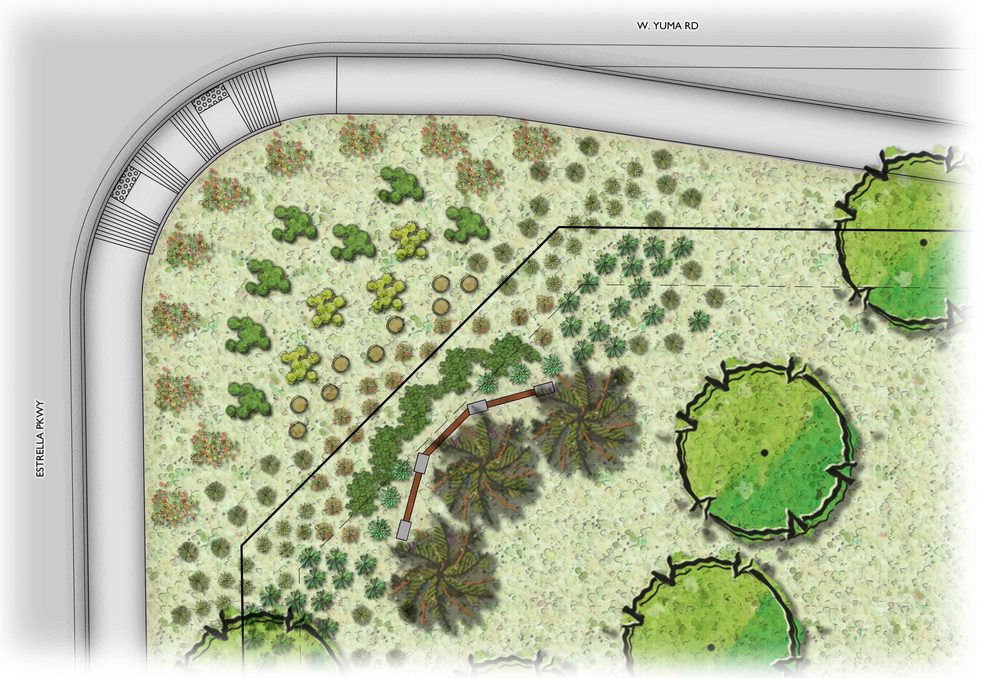
EXHIBIT 11

Conceptual Regional Monumentation



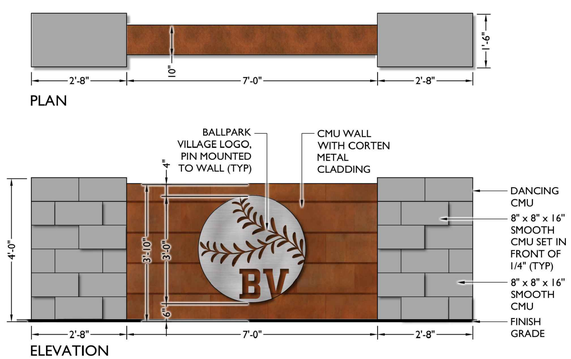
1 PRIMARY REGIONAL MONUMENT ELEVATION

Scale: 1/2" = 1'-0"



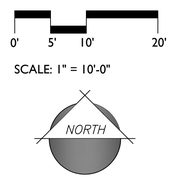
2 PRIMARY REGIONAL MONUMENT PLAN

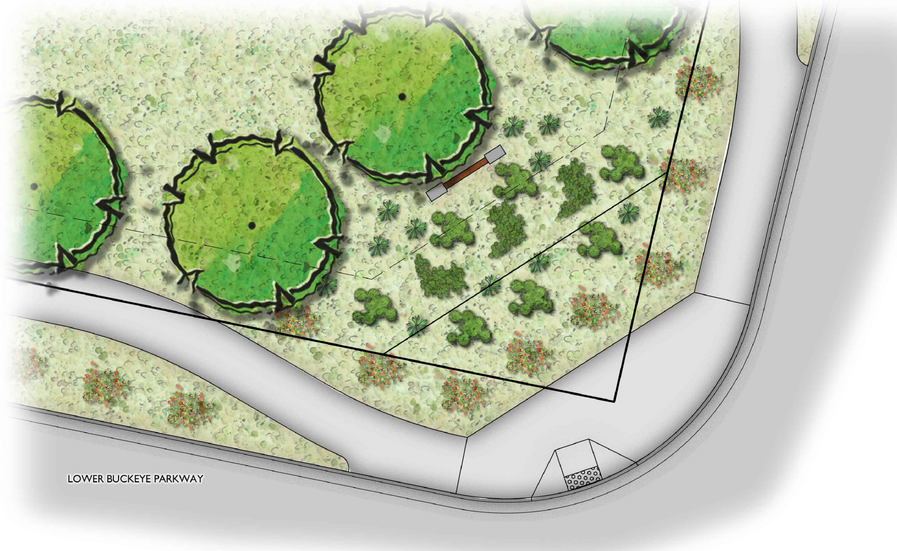
Scale: 1/2" = 1'-0"



3 SECONDARY REGIONAL MONUMENT ELEVATION

Scale: 1/2" = 1'-0"





4 SECONDARY REGIONAL MONUMENT PLAN

Scale: 1" = 10'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Conceptual Regional Monument

L-2.06

03.12.2026

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 45568 ALIZA E. SABIN Date Signed 03-12-26 ARIZONA U.S.A.

EPS GROUP

Fulton Homes at Ballpark Village 2nd Amended

Southeast Corner of
South Estrella Parkway and West Yuma Road

Attachment B - Aerial Exhibit



P25-00273: Fulton Homes at Ballpark Village 2nd Amended

City of Goodyear, Bureau of Land Management, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA, City of Goodyear

PLANNED AREA DEVELOPMENT
2nd AMENDMENT

Attachment C - Narrative

Fulton Homes at Ballpark Village

Goodyear, Arizona

December 1, 2025
Revised March 26, 2026

FULTON HOMES

9140 S. Kyrene Road, Suite 202
Tempe, AZ 85284

Case No. P25-00273

Development Team

FULTON HOMES

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Tempe, AZ 85284
(480) 753-6789

Norman L. Nicholls
Developer & Homebuilder

ROSE LAW GROUP pc
RICH ▪ CARTER ▪ FISHER

7144 E. Stetson Drive, Suite 300
Scottsdale, AZ 85251
(480) 240-5648

Chris Webb
Development Consultant / Owner's Rep.

EPS GROUP

1130 N. Alma School Road, Suite 120
Mesa, AZ 85201
(480) 355-1537

Brian Nicholls
Engineering & Design

I. Background

""Fulton Homes at Ballpark Village" is a proposed single-family, detached residential community on an approximately 156-acre vacant parcel of relatively unimproved agricultural land located at the SEC of Estrella Parkway and Yuma Road in the City of Goodyear (the "City") (see **Exhibit 1 – Context Map** attached hereto). The *Fulton Homes at Ballpark Village* Planned Area Development ("PAD") was originally approved by the City in 2022 via Ordinance No. 2022-1535 (Case No. 21-200-00013) which gave the subject property its current "PAD" zoning. The PAD was subsequently amended in 2023 via Ordinance No. 2023-1567 (Case No. 22-200-00017) (the "1st Amended PAD").

Fulton Homes ("Fulton") is the owner of *Fulton Homes at Ballpark Village*, which also has an approved Preliminary Plat (Case No. 21-500-00012) in conformance with the 1st Amended PAD. Fulton has also recently entered into an Amended & Restated Development Agreement with the City to facilitate the improvement of Yuma Road (the "Development Agreement"). Fulton has years of experience building new home communities throughout the Phoenix metro area and is excited to bring this new, high-quality residential community to the City.

II. Purpose of Request

The 1st Amended PAD contemplates four (4) underlying Land Use Districts, corresponding lot sizes, and corresponding housing product options for *Fulton Homes at Ballpark Village*, including the R35 Land Use District which provided an alley-loaded housing product. During the past 3 years since the original approval of the PAD, the housing market in the Phoenix metro area has seen some dramatic changes. Not only changes in home prices and mortgage interest rates, but changes in architectural styles, colors, and homebuyer preferences as well. *Fulton Homes at Ballpark Village* is not immune from the impacts of these changes in the market.

One significant impact has been homebuyers' interest and ability to afford the proposed alley-loaded housing product. In 2024 Fulton introduced this same alley-loaded product in its "Prasada" community in the City of Surprise. Over the last 12 months Fulton has only sold a total of four such alley-loaded homes in that community. The young families that historically wanted this type of alley-loaded product can no longer afford it, and the single adults and empty nesters than can afford it don't want two-story homes. Instead, they prefer a more traditional and similarly priced single-story home. This trend has caused Fulton great concern as it looks toward the introduction of this same alley-loaded product at *Fulton Homes at Ballpark Village*. Consequently, Fulton commissioned a market study from John Burns Research & Consulting to evaluate whether or not the current housing product mix contemplated for *Fulton Homes at Ballpark Village*, including the alley-loaded product, would be successful and viable under the new realities of today's housing market (pricing, buyer preferences, etc.). Unfortunately, that market study emphatically concluded that it would not.

Consequently, in order to ensure the success of *Fulton Homes at Ballpark Village* for both Fulton and the City, Fulton needs to make certain changes to the currently approved Land Use Districts and the associated housing product mix (including the elimination of the alley-loaded product), which in turn results in certain changes to the lot layout, etc. Fulton is also proposing to upgrade the amenity package. However, the overall design approach and quality of *Fulton Homes at Ballpark Village* will remain unchanged and Fulton will deliver on its commitment to develop an exceptional community for the City.

The purpose of this application (as further outlined in the Sections below) is therefore to request a 2nd Amendment of the *Fulton Homes at Ballpark Village* PAD to modify the approved Land Use Districts, lot layout and certain related design elements (the "2nd Amended PAD").

It should be noted that Fulton will concurrently submit a new Preliminary Plat for *Fulton Homes at Ballpark Village*.

III. Land Use Districts & Permitted Uses

Elimination of the R35 Land Use District

As noted above, the 1st Amended PAD contemplates four (4) underlying Land Use Districts, corresponding lot sizes, and corresponding housing product options for *Fulton Homes at Ballpark Village.* Fulton is now proposing to eliminate the R35 Land Use District and the associated alley-loaded lots and homes for the reasons cited in Section II above. The 2nd Amended PAD would therefore propose the development of *Fulton Homes at Ballpark Village* with three (3) total Land Use Districts.

Replacement of the R52 Land Use District with a new R60 Land Use District

Fulton is also proposing to replace the R52 Land Use District (52' x 100' minimum lots) with a new R60 Land Use District (60' x 125' minimum lots). This change will serve to better diversify the housing product mix for *Fulton Homes at Ballpark Village* in response to the elimination of the R35 Land Use District, introduces a larger "executive" lot option, and represents an overall lot size and housing product mix that Fulton believes will be successful at this location.

Notes on the R45 and R50 Land Use Districts

It should be noted that Fulton is increasing the minimum depth of the lots in the R45 Land Use District by 10 feet in order to add a 4 bedroom single-story home to accommodate the young families that used to gravitate towards alley-loaded two-story homes and still keep the single adults and empty nesters who typically gravitate to the R45 Land Use District housing product. Other young families will move up to the smaller R50 Land Use District floorplans that are more typical to the mature buyers.

Permitted Uses

These proposed modifications of the Land Use Districts will result in an overall reduction in the lot count and density for *Fulton Homes at Ballpark Village* from 796 total lots and 5.12 U/Acre to 683 total lots and 4.39 DU/Acre (see **Exhibit 2 – Illustrative Master Plan**).

Except as expressly modified in the 2nd Amended PAD, the permitted uses in the three (3) resulting Land Use Districts will be those uses allowed in the City's R1-6, R1-6 Reduced and R1-4 Reduced Single Family Residential Zoning Districts as set forth in **Table 1** on the following page and in accordance with Article 3-2 of the Zoning Ordinance. Unless explicitly modified within the 2nd Amended PAD, then the Zoning Ordinance prevails.

Table 1 – *Fulton Homes at Ballpark Village* Permitted Uses

Land Use Districts	Permitted Uses
R60	R1-6
R50	R1-6 Reduced
R45	R1-4 Reduced

IV. Development Standards

The proposed development standards for the 2nd PAD Amendment are based upon those of the City's R1-6, R1-6 Reduced and R1-4 Reduced Single Family Residential Zoning Districts. No reductions are proposed to the City's R1-6 development standards for the new R60 Land Use District (proposed development standards have actually been increased), no changes are proposed to the approved R1-6 Reduced development standards for the R50 Land Use District, and only minor changes are proposed to the approved R1-4 Reduced development standards for the R45 Land Use District (proposed development standards have actually been increased). A comparison between the approved development standards for *Fulton Homes at Ballpark Village* and those proposed with the 2nd Amended PAD are outlined in **Table 2** below (proposed changes are noted in **bold**).

Table 2 – *Fulton Homes at Ballpark Village* Development Standards Comparison Table

Land Use Districts[4]	City's R1-6	R60 (Proposed)	R50 (Existing & Proposed)	R45 (Existing)	R45 (Proposed)
Underlying Zoning Districts	**R1-6**	**R1-6**	**R1-6 Reduced**	**R1-4 Reduced**	**R1-4 Reduced**
Minimum Lot Area (sf)	5,500	**7,500**	6,000	4,050	**4,500**
Minimum Lot Width (ft.)	55	**60**	50	45	45
Minimum Lot Depth (ft)	100	**125**	120	90	**100**
Maximum Building Height (ft)	30	30	30	30	30
Maximum Building Coverage	60%	60%	60%	60%	60%
Minimum Setbacks					
Front (ft)[1]	10	10	10	10	10
Garage (ft)[2]	20	20	20	20	20
Side (ft)	5	5	5	5	5
Total Sides (ft)	15	15	10	10	10
Street Side (ft)[3]	10	10	10	10	10
Rear (ft)	20	20	20	**20/10**	**15**

[1] Front setback shall be measured from back of sidewalk to covered porches, livable space, and side entry garages.

[2] Front setback shall be measured from the back of sidewalk to face of front facing garage door.

[3] Where a minimum 10-foot-wide landscape tract between the side lot line and back of sidewalk is provided, the typical side setbacks, rather than the Street Side setback applies.

[4] All contiguous single-family residential units shall be developed with the same land use district development standards set forth in Table 2 and each such set of contiguous single-family residential units shall constitute a land use district.

The development of *Fulton Homes at Ballpark Village* will comply with all of the following:

1. Article 1, Article 2, and Article 4 of the City of Goodyear Zoning Ordinance (the "Zoning Ordinance") and other applicable city, state, and federal requirements shall apply to the development of *Fulton Homes at Ballpark Village*.

2. The development standards outlined in **Table 2** above, which are based upon those of the City's R1-6, R1-6 Reduced and R1-4 Reduced Single Family Residential Zoning Districts, shall apply to the development within each Land Use District.

3. A minimum of 10% of the platted lots within *Fulton Homes at Ballpark Village* shall be R60, a minimum of 30% of the platted lots within *Fulton Homes at Ballpark Village* shall be R50, and a minimum of 50% of the platted lots within *Fulton Homes at Ballpark Village* shall be R45.

4. Walls, fencing, and landscaping shall adhere to Article 5 of the Zoning Ordinance, except as expressly modified by the 2nd Amended PAD.

5. Parking shall adhere to Article 6 of the Zoning Ordinance except as expressly modified by the 2nd Amended PAD.

6. Signs shall adhere to Article 7 of the Zoning Ordinance, except as expressly modified by the 2nd Amended PAD.

7. Article 8 (General Provisions) of the Zoning Ordinance shall apply, except as expressly modified by the 2nd Amended PAD.

8. Lighting shall adhere to Article 10 of the Zoning Ordinance, except as expressly modified by the 2nd Amended PAD.

9. In the event of a conflict between the provisions of the PAD and the Zoning Ordinance, the provisions of the 2nd Amended PAD shall prevail.

V. Open Space

The 1st Amended PAD contemplates three (3) large park amenity areas to be developed within *Fulton Homes at Ballpark Village* comprising 7.75 minimum total acres. In order to both increase the overall amount of open space provided (from approximately 17% to 22%) and better distribute the park amenity areas throughout *Fulton Homes at Ballpark Village*, the 2nd Amended PAD instead proposes one (1) main park amenity area with upgraded amenity offerings and five (5) neighborhood park areas (comprising 13.0 minimum total acres) as generally depicted on **Exhibit 2 – Illustrative Master Plan** attached hereto and as more fully described below.

- “Main Park A1” (Main Amenity Area) shall be a minimum of 4.5 acres in size and shall be located near the center of the community in the general location reflected on **Exhibit 2 – Illustrative Mater Plan**. The Main Central Amenity Area shall include an aquatic center, clubhouse facility, sports complex, and an active recreation park. The aquatic center shall feature lap lanes, a kid’s pool area with aquatic play toys, restrooms, and shaded tables/lounge chair seating. The clubhouse facility shall feature a fitness center, indoor kitchen and reception hall, restrooms, and an outdoor kitchen and shaded gathering area. The sports complex shall feature pickle ball courts with shaded seating areas, a full basketball court, a multi-use turf play area, and a gathering ramada. The active recreation park shall feature a shaded tot lot, a gathering ramada (with picnic areas, game tables, ping pong table, BBQ grills, plaza area, etc.), a cornhole area, and a multi-use turf area and shall be generally consistent with **Exhibit 3 – Main Amenity Area** attached hereto.

- ”Neighborhood Park B1” shall be a minimum of 1.2 acres in size and shall be located just southeast of the main entry into the community from Yuma Road in the general location reflected on **Exhibit 2 – Illustrative Master Plan**. Neighborhood Park B1 shall include a half basketball court, an event lawn turf area, a cornhole area, a gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a shaded tot lot and shall be generally consistent with **Exhibit 4 – Neighborhood Park B1** attached hereto.

- “Neighborhood Park B2” shall be a minimum of 1.8 acres in size and shall be located just southwest of the main entry into the community from Yuma Road in the general location reflected on **Exhibit 2 – Illustrative Mater Plan**. Neighborhood Park B2 shall include a shaded tot lot, half basketball court, gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a multi-use turf area and shall be generally consistent with **Exhibit 5 – Neighborhood Park B2**).

- ”Neighborhood Park B3” shall be a minimum of 2.3 acres in size and shall be located just east of the Main Amenity Area in the general location reflected on **Exhibit 2 – Illustrative Master Plan**. Neighborhood Park B3 shall include a full basketball court, a multi-use turf area, a gathering ramada (with picnic areas, benches, etc.), a cornhole area, and a shaded tot lot and shall be generally consistent with **Exhibit 6 – Neighborhood Park B3** attached hereto.

- ”Neighborhood Park C1” shall be a minimum of 2.5 acres in size and shall be located southeast of the Main Amenity Area in the general location reflected on **Exhibit 2 – Illustrative Master Plan**. Neighborhood Park C1 shall include a multi-use turf area, a gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a shaded tot lot and shall be generally consistent with **Exhibit 7 – Neighborhood Park C1** attached hereto.

- ”Neighborhood Park C2” shall be a minimum of 0.5 acres in size and shall be located south of the Main Amenity Area in the general location reflected on **Exhibit 2 – Illustrative Master Plan**. Neighborhood Park C2 shall include a multi-use turf area, a gathering ramada (with picnic areas, BBQ grills, benches, etc.), and a cornhole area and shall be generally consistent with **Exhibit 8 – Neighborhood Park C2** attached hereto.

Additionally, several passive open space areas shall be located throughout the community and along the perimeter, including larger areas adjacent to the community’s south entrance from Lower Buckeye Parkway and adjacent to the Bullard Wash in order to facilitate access and enjoyment of the wash corridor amenity.

VI. Additional Design Elements

In order to meet the "Reduced" comparable zoning designation and associated development standards for the Land Use Districts currently approved for *Fulton Homes at Ballpark Village*, the 1st Amended PAD identifies certain minimum additional Design Elements that would be provided as required by Section 3-2-3-D-4 of the Zoning Ordinance. Due to the changes to *Fulton Homes at Ballpark Village* proposed by the 2nd Amended PAD, some minor modifications to the provided additional Design Elements are necessary, though the required number of additional Design Elements in each category will still be provided as noted in **Table 3** on the following page.

Table 3 – *Fulton Homes at Ballpark Village* Additional Design Elements Table

Land Use District	Underlying Zoning District	Amenity Elements	Connectivity Elements	Streetscape Elements
R60	R1-6	0	0	0
R50	R1-6 Reduced	1	2	2
R45	R1-4 Reduced	2	4	4

Therefore, for the R50 and R45 Land Use Districts the 2nd Amended PAD proposes that the following minimum additional Design Elements be provided. As set forth below, certain of the Streetscape Elements described below will be considered an additional Streetscape Element for each of these Land Use Districts.

Amenity Elements

1. Adjacent to Community Amenity – Pedestrian connections to the Bullard Wash (associated trail to be constructed by the City) shall be provided and shall be in general conformance with the connections depicted on **Exhibit 9 – Pedestrian Connectivity Plan** (1 additional pedestrian connection added from 1st Amended PAD).

2. Additional Amenities – Two (2) structurally covered/shaded seating nodes, with associated trail signage, shall be provided along the Bullard Wash trail (to be constructed by the City) adjacent to *Fulton Homes at Ballpark Village* in general conformance with the locations and details depicted on **Exhibit 9 – Pedestrian Connectivity Plan** (no change from 1st Amended PAD).

3. Additional Internal Park Elements – The following Additional Internal Park Amenities shall be provided in the six (6) parks that are to be developed within *Fulton Homes at Ballpark Village*:

    - "Main Park A1" (Main Amenity Area):

        - Aquatic center with lap lanes, and a kid's pool area with aquatic play toys (minimum pool water surface area of 4,500 SF and minimum pool deck area of 10,000 SF)
        - Restrooms
        - Shaded tables/lounge chair seating
        - Clubhouse facility with fitness center
        - Shaded tot lot
        - Gathering ramadas (with picnic areas, game tables, ping pong table, BBQ grills, plaza area, etc.)
        - Pickle ball courts
        - Cornhole area
        - Full basketball court

        - Multi-use turf area

    - "Neighborhood Park B1":

        - Half basketball court
        - Event lawn turf area
        - Cornhole area
        - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
        - Shaded tot lot

    - "Neighborhood Park B2":

        - Shaded tot lot
        - Half basketball court
        - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
        - Multi-use turf area

    - "Neighborhood Park B3":

        - Full basketball court
        - Multi-use turf area
        - Gathering ramada (with picnic areas benches, etc.)
        - Cornhole area
        - Shaded tot lot

    - "Neighborhood Park C1":

        - Multi-use turf area
        - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
        - Shaded tot lot

    - "Neighborhood Park C2":

        - Multi-use turf area
        - Gathering ramada (with picnic areas, BBQ grills, benches, etc.)
        - Cornhole area

Connectivity Elements

1. Limited Subdivision Perimeter Wall – Except as may be modified to comply with applicable development standards and final platting, the design of the walls and fencing installed around the perimeter of *Fulton Homes at Ballpark Village* shall be consistent with the walls and fencing reflected in **Exhibit 10 - Conceptual Wall Plan** which provides that approximately 55% of the total project perimeter is comprised of partial view wall or full view/drainage fencing (a significant increase over the 1st Amended PAD):

    - Ballpark Frontage:

        - The lots adjacent to the north and east sides of the existing ballpark shall be developed such that the majority of such lots either front or side to the ballpark and a partial view wall shall be installed along approximately 80% of the perimeter of *Fulton*

Homes at Ballpark Village adjacent to the ballpark (this is a significant increase over the 1st Amended PAD).

- Bullard Wash:
  - Approximately 79% of the perimeter of *Fulton Homes at Ballpark Village* adjacent to the Bullard Wash shall be either partial view wall or full view/drainage fencing.
- Estrella Parkway:
  - Approximately 25% of the lots adjacent to Estrella Parkway shall be developed so the lots side to this arterial street. Further, a partial view wall shall be constructed along approximately 50% of the frontage along Estrella Parkway.
- Yuma Road:
  - A partial view wall shall be constructed along approximately 22% of the frontage along Yuma Road.

2. Trail System Connections – *Fulton Homes at Ballpark Village* will be developed to provide pedestrian connections to the Bullard Wash and the associated trail system (to be constructed by the City) in general conformance with **Exhibit 9 – Pedestrian Connectivity Plan** (1 additional pedestrian connection added from 1st Amended PAD).

3. Infill Development – *Fulton Homes at Ballpark Village* is located within the City's "Ballpark Village" Growth Area as identified in the City's General Plan, and its location and numerous pedestrian connections to the exterior/perimeter of the community provide easy and quick access to nearby amenities such as schools, trails (Bullard Wash), and parks.

4. Additional Connectivity Elements – A minimum of 11 pedestrian connections to the exterior/perimeter of the community shall be provided as described below and as generally depicted in **Exhibit 9 – Pedestrian Connectivity Plan.** The pedestrian connections required herein may be gated to prohibit "pass-thru" pedestrian traffic from the surrounding property. Pedestrian gates built in tandem with vehicular entries shall count as one (1) pedestrian connection (1 additional pedestrian connection added from 1st Amended PAD):
   - Arterial Street (Estrella Parkway, Yuma Road, Lower Buckeye Parkway):
     - A minimum of five (5) pedestrian connections from the interior of the community out to the sidewalks along the adjacent arterial streets shall be provided.
   - Bullard Wash:
     - A minimum of four (4) pedestrian connections from the interior of the community out to the wash corridor and associated trail (to be constructed by City) shall be provided.
   - Wood Boulevard:
     - A minimum of two (2) pedestrian connections from the interior of the community out to Wood Boulevard, including connections to the existing sidewalks stubbed out to *Fulton Homes at Ballpark Village*, shall be provided.

Streetscape Elements

The specific additional Streetscape Elements required to support the reduced development standards for the R50 and R45 Land Use Districts shall be determined during the development of the subsequent new Preliminary Plat for *Fulton Homes at Ballpark Village*. At least two (2) of the following Streetscape Elements shall be incorporated into all areas of the community developed as the R50 Land Use District and at least four (4) of the following Streetscape Elements shall be incorporated into all areas of the community developed as the R45 Land Use District. The following Streetscape Elements will count as one (1) Streetscape Element for each of these Land Use Districts: (i) the construction of the entry roads and entry monument signs in conformance with the "Additional Streetscape Elements (Enhanced Entry Roads)"; (ii) the construction of the project entry monumentation and the regional Ballpark Village Entry Monumentation as described in "Additional Streetscape Elements (Ballpark Village and Regional Monumentation)"; and (iii) the development of all six (6) internal parks in conformance with the "Additional Streetscape Elements (Amenity Parks lined with Streets)".

1. Paving Material – All driveways and sidewalks connecting the driveways to the front entrances of the homes on the R60, R50, and R45 platted lots will be constructed with decorative pavers (no change from 1st Amended PAD).

2. Additional Streetscape Elements (Ballpark Village and Regional Monumentation) - The project name is "*Fulton Homes at Ballpark Village*" which shall be reflected on all project entry monumentation in general conformance with **Exhibit 11 – Conceptual Entry Monumentation**. Entry monuments shall be installed at both main entrances into the community (the entrance from Yuma Road and the entrance from Lower Buckeye Parkway). In addition, regional "Ballpark Village" monumentation in general conformance with **Exhibit 12 – Conceptual Regional Monumentation** shall be installed at the southeast corner of Estrella Parkway and Yuma Road and the northwest corner of Lower Buckeye Parkway and Bullard Avenue (no change from 1st Amended PAD).

3. Additional Streetscape Elements (Amenity Parks Lined with Streets) - The Main Amenity Area ("Main Park A1") and at least 3 of the 5 Neighborhood Parks shall be lined with streets on at least 3 of the 4 sides, thereby creating an enhanced open feel and streetscape around these park areas, as depicted in **Exhibit 2 – Illustrative Master Plan**.

4. Additional Streetscape Elements (Enhanced Entry Roads) – The two entrances into the community (one off of Yuma Road and the other off of Lower Buckeye Parkway) shall include enhanced entry roads with center medians and detached sidewalk parkways, featuring resort-like landscaping as depicted in **Exhibit 11 – Conceptual Entry Monumentation** (no change from 1st Amended PAD).

5. Additional Streetscape Elements (Pre-Plotted Home Elevations) - Fulton Homes will pre-plot/pre-determine the home elevation on every lot in the community to ensure the same elevations are never adjacent to, or across the street from one another (no change from 1st Amended PAD).

6. 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 (no change from 1st Amended PAD).

VII. Design Guidelines

The required design guidelines for *Fulton Homes at Ballpark Village* shall be in conformance with the requirements of Section 3.1 (General Guidelines for Single-Family Residential) and Section 3.2.A (Specific Single-Family Use Type Guidelines, Single-Family Detached) of the City of Goodyear Design Guidelines Manual, except as modified by the following:

Section 3.1.A.1.b – Site Design: Site Layout

- If lots are located at the end of T-intersections, driveways/garages shall be positioned on the side of the lots closest to the T-intersection. (no change from 1st Amended PAD).

Section 3.1.A.1.g – Site Design: Site Layout

- All corner lots shall be located adjacent to a minimum 10-foot-wide landscape tract (no change from 1st Amended PAD).

Section 3.1.A.3.b – Site Design: Access & Circulation

- The main collector road within *Fulton Homes at Ballpark Village* shall be exempt from the guideline discouraging long, straight local streets, with no traffic calming or stop devices, in excess of 1,320 feet. All local streets within will comply with this guideline. It should be noted however that 1 (one) traffic calming "table" will be provided on the main collector road across from Main Park A1, which represents the approximate mid-point of this main collector road through the community.

Section 3.1.A.3.c – Site Design: Access & Circulation

- The main collector road within *Fulton Homes at Ballpark Village* shall be exempt from the guideline encouraging traffic calming devices such as roundabouts, landscape islands or medians to reduce the potential speed of traffic where a signal or stop sign is not provided, with the exception of 1 (one) traffic calming "table" location across from Main Park A1. *Fulton Homes at Ballpark Village* is gated at both ends of the main collector road, thereby eliminating pass-through traffic that would increase the potential for speeding.

Section 3.1.A.3.d.v – Site Design: Access & Circulation

- *Fulton Homes at Ballpark Village* will provide the trail/pathway crossings required by this guideline, but such crossings will not include pavers, colored concrete or stamped concrete. In the event it is determined necessary for safety purposes, such crossings will be striped instead.

Section 3.1.A.5.f – Site Design: Landscaping

- The local streets within *Fulton Homes at Ballpark Village* will not provide a planter strip with detached sidewalks. However, the main collector road within *Fulton Homes at Ballpark Village* will provide this in conformance with this guideline.

Sections 3.1.A.6.b & 3.1.A.6.c – Site Design: Perimeter Walls & Fences

- Perimeter walls and fencing shall be installed adjacent to the perimeter of *Fulton Homes at Ballpark Village* in general conformance with **Exhibit 10 – Conceptual Wall Plan** (no change from 1st Amended PAD).

Section 3.1.B.1.d – Architectural & Building Design: Massing & Articulation

- The requirement that two-story single-family residential units have single-story elements closest to the front of the house and/or next to the street does not apply to the development of *Fulton Homes at Ballpark Village* (no change from 1st Amended PAD).

Section 3.2.A.1.a.iv – Single-Family Detached: Standard Plan Guidelines for Multi-Lot Development

- The housing product for *Fulton Homes at Ballpark Village* will provide three (3) roof material options, but all will be concrete tile in either a smooth flat, textured flat, or barrel/mission style.

Section 3.2.A.3.a. – Single-Family Detached: Massing & Articulation

- The housing product for *Fulton Homes at Ballpark Village* will provide usable, covered outdoor patios on the rear side of each home. The minimum dimensions will be 100 square feet, with a minimum interior dimension of eight feet (8').

VIII. Impact on Infrastructure Improvements & Permitting

With respect to the permitting and construction of *Fulton Homes at Ballpark Village*, Fulton has already secured mass grading permits from the City for the currently approved 1st Amended PAD and Preliminary Plat, supporting the substantial material import needed to elevate portions of the community. This grading complies with the Conditional Letter of Map Revision ("CLOMR") requirements, addressing modeled flood flows from Bullard Wash crossing Lower Buckeye Parkway. The proposed 2nd Amended PAD (and subsequent new Preliminary Plat) will fully utilize the imported material.

Fulton has also secured City approval of improvement plans for offsite infrastructure improvements to Estrella Parkway, Goodyear Boulevard, Yuma Road (Phases 1 and 2), Lower Buckeye Parkway, and Bullard Avenue, which remain unaffected by the proposed 2nd Amended PAD (and subsequent new Preliminary Plat). Stand-alone improvement plans for Yuma Road Phase 2, encompassing road widening, sidewalk enhancements, and utility installations, are supported by the Development Agreement. Fulton is already mobilizing a construction team to initiate these Yuma Road Phase 2 improvements.

In order to expedite construction phasing and align with desired development schedules, and as approved by the City during the Pre-Application process for this 2nd Amended PAD, the previously approved off-site improvement plans for Estrella Parkway, Yuma Road Phase 1, Goodyear Boulevard, Lower Buckeye Parkway, and Bullard Avenue will be separated from the revised Final Plats, onsite improvement plans and associated improvements that will follow this 2nd Amended PAD. Additionally, Fulton will submit a Map of Dedication ("MOD") to formalize minor right-of-way and utility easements for these off-site improvements, as generally depicted in the Phasing Plan including with this request (see **Exhibit 13 – Phasing Plan** attached hereto). The City has agreed that these separated plans and the

MOD will be reviewed and permitted concurrently with the 2nd PAD Amendment and subsequent new Preliminary Plat applications to expedite project delivery and minimize delays.

Finally, it should be noted that Fulton is proposing to name the main collector road through *Fulton Homes at Ballpark Village* (between the two gated access points) "Fulton Parkway".

IX. Rezoning Evaluation Criteria

The 2nd Amended PAD request for *Fulton Homes at Ballpark Village* responds to the rezoning evaluation criteria outlined in Section 1-3-1.D.3 of the City's Zoning Ordinance:

a. *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;*

   This request is still consistent with the goals, objectives, policies, and development standards of the General Plan, as well as *Fulton Homes at Ballpark Village*'s existing "Neighborhood" General Plan land use designation. The 2nd PAD Amendment will not change the existing approved single-family residential use, only modifies two of the approved Land Use Districts within the community and provides an upgraded amenity package.

b. *Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district;*

   Fulton Homes at Ballpark Village is zoned PAD and already approved for single-family residential development. The 2nd PAD Amendment does not make any changes to the approved use, for which the subject property has been deemed suitable by the City. The 2nd PAD Amendment will not change the existing approved single-family residential use, only modifies two of the approved Land Use Districts within the community and provides an upgraded amenity package.

c. *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;*

   As previously indicated, *Fulton Homes at Ballpark Village* is zoned PAD and already approved for single-family residential development. The 2nd PAD Amendment does not make any changes to the approved use, which the City has already deemed to be compatible with the surrounding uses and zoning.

d. *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;*

   As previously indicated, the 2nd PAD Amendment does not change the subject property's existing PAD zoning or the approved single-family residential land use. This use is consistent and compatible with the other uses in the surrounding area.

e. *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;*

As previously indicated, this request does not change the subject property's existing PAD zoning or the approved single-family residential land use. There is a very high demand in the market currently for this use and not enough supply to satisfy that demand. The modifications to the Land Use Districts proposed with this request, including the upgraded amenity package, will make *Fulton Homes at Ballpark Village* even more attractive to today's homebuyers and provide additional housing option diversity for the City.

f. *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;*

This request is not changing the approved single-family land use, but it is reducing the approved density. Therefore, the 2nd PAD Amendment serves to reduce the project's impact on public infrastructure, water and wastewater facilities, schools, police, fire, or other emergency services.

g. *Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided;*

Much of the infrastructure and utilities required for the development of *Fulton Homes at Ballpark Village* are already in place and the City is already providing the required public services in the surrounding area. Again, this request will not change the approved single-family land use but will reduce the approved density. It is not changing the new infrastructure required to serve the project (which will be constructed by Fulton).

h. *General public's concerns;*

As of the submittal of this application, Fulton is not aware of any public concerns. It is however understood that the City will route this application to various stakeholders and the adjacent property owners will be notified. Fulton will therefore work to resolve any concerns that may arise.

i. *Whether the amendment promotes orderly growth and development; and*

This request will help promote orderly growth and development by allowing Fulton to offer housing product options that are in high demand by today's homebuyers and respond to the current housing market. As noted previously, this amendment has no impact at all on the infrastructure that Fulton will be constructing to support the project.

j. *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.*

This request will have no adverse impact on the health, safety, or welfare of the citizens of the City or the general public.

X. Conclusion

In summary, the requested 2nd Amended PAD is not changing the approved single-family residential land use, though it will reduce the approved density, thereby reducing the impacts on City infrastructure and services. It will simply modify the approved Land Use Districts, thereby allowing Fulton to provide additional housing product offerings that are in high demand and respond better to the current housing market. In consideration of this request, Fulton is enhancing the amenity package at *Fulton Homes at Ballpark Village* with upgraded amenities, additional open space and more neighborhood parks, distributed more thoughtfully throughout the community.

The 2nd Amended PAD proposed with this request is compatible and appropriate for this location and is consistent with the subject property's existing "Neighborhood" General Plan land use designation, as well as the overall goals, policies, and development standards of the General Plan.

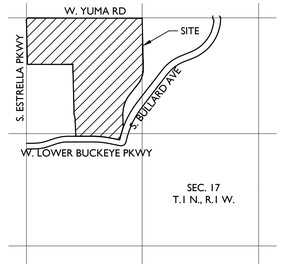
Exhibit 1 – Context Map

CONTEXT MAP EXHIBIT
FOR
FULTON HOMES AT BALLPARK VILLAGE

A PORTION OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

VICINITY MAP

N.T.S.



PROJECT TEAM

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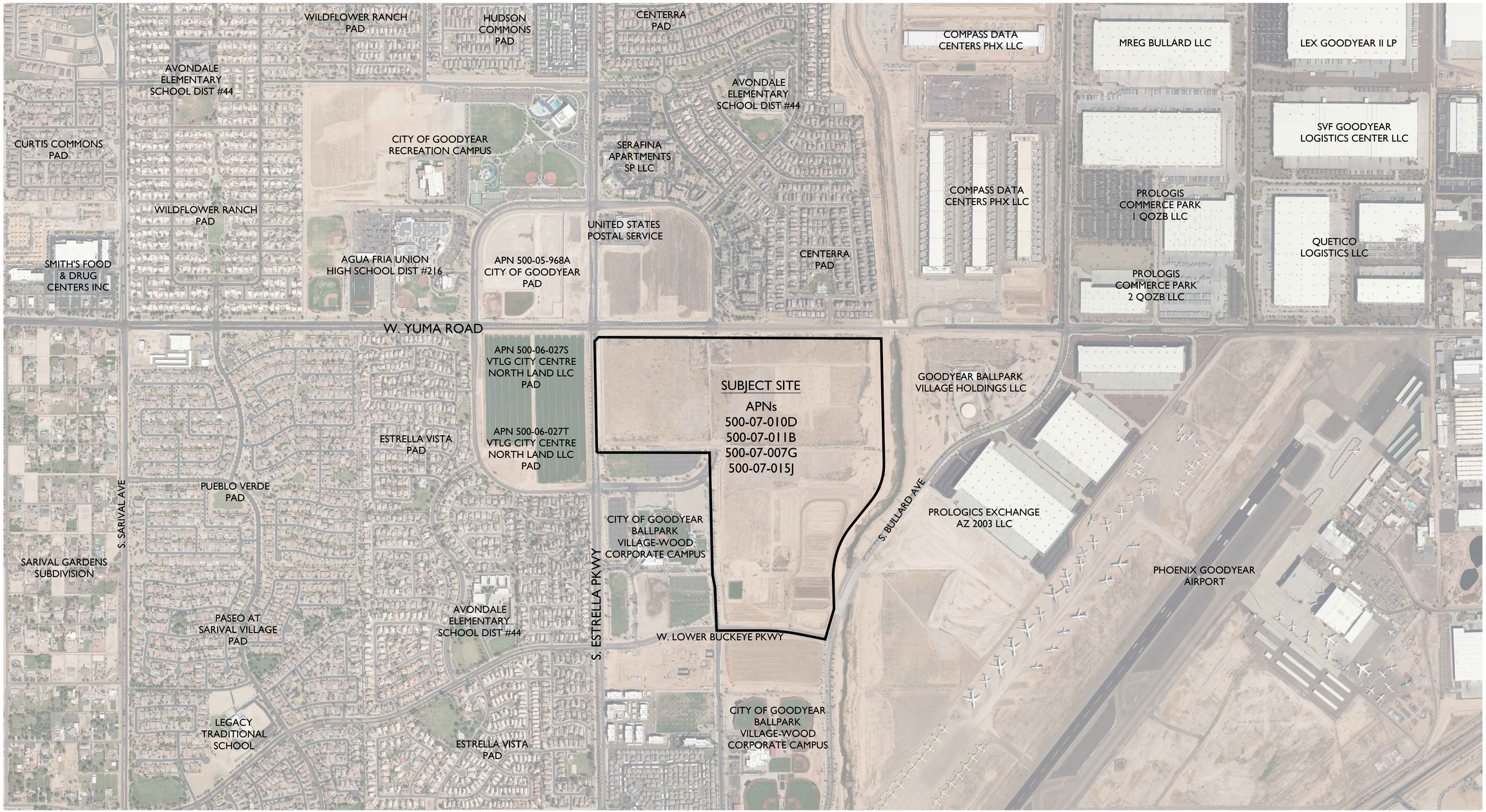
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Aliza.Sabin@epsgroupinc.com

PROJECT DATA

A.P.N.	500-07-010D, 500-07-011B, 500-07-007G, 500-07-015J
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	PAD
GROSS AREA:	± 156 ACRES

NORTH

500 0 500 1000
scale feet



EPS GROUP
1130 N. Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m

Fulton Homes at Ballpark Village
Goodyear, AZ

Context Map

Project:

Revisions:

AUGUST 26, 2025 - PRE-APPLICATION SUB.

Call at least two full working days before you begin excavation.
ARIZONA811
Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602)263-1100

Designer: JH
Drawn by: JAJ

Preliminary
Not For
Construction
Or
Recording

Job No.
25-1088

CONTEXT

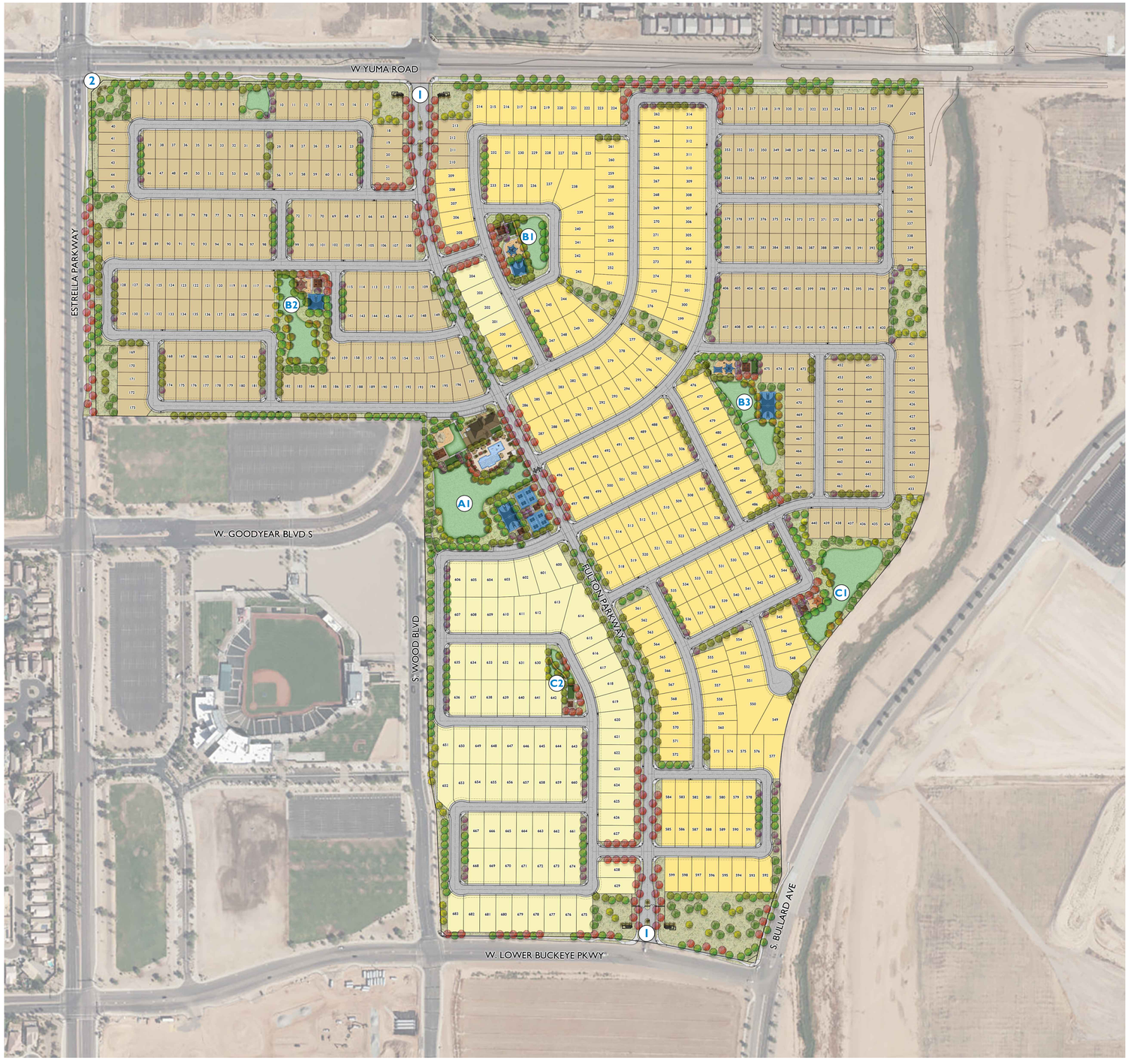
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25-1088 - Fulton Homes at Ballpark Village

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jjuarez

Exhibit 2 – Illustrative Master Plan



PROJECT DATA

A.P.N.	500-07-010D, 500-07-011B, 500-07-007G, 500-07-015J
EXISTING GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	PAD
GROSS AREA:	± 164.92 ACRES
NET AREA:	± 155.50 ACRES
NET DENSITY:	4.4 DU/AC
NO. OF LOTS:	
45' x 105'	362 53%
50' x 120'	233 34%
60' x 130'	88 13%
TOTAL	683 100%
MIN. LOT AREA:	5,055 SQ FT
MAX. LOT AREA:	18,697 SQ FT
OPEN SPACE:	± 35.36 ACRES (22.7% OF NET)

AMENITY LEGEND

MAIN AMENITY

A1 AQUATIC CENTER
- KID'S POOL PLAY AREA
- LAP LANES
- POOL LOUNGE AREA
- RESTROOMS
- SHADED LOUNGE SEATING
- SHADED TABLES AND CHAIRS

CLUBHOUSE
- FITNESS CENTER
- KITCHEN AND RECEPTION HALL
- RESTROOMS
- OUTDOOR KITCHEN
- OUTDOOR SHADED SEATING
- EXPANDED PLAZA

ACTIVE RECREATION
- EVENT LAWN/ACTIVE TURF AREA
- LARGE SHADED TOT LOT WITH SWINGS AND BENCHES
- 30 x 40 GATHERING RAMADA WITH PICNIC TABLES, CHESS TABLE, PING PONG TABLE, AND EXTENDED PLAZA
- CORNHOLE PLAZA

SPORT COMPLEX
- 4 PICKLEBALL COURTS
- 20 x 20 PICKLEBALL RAMADA WITH SEATING
- FULL BASKETBALL COURT
- 20 x 20 GATHERING RAMADA WITH PICNIC TABLES, AND BENCHES WITH EXPANDED PLAZA
- MULTI-USE/ACTIVE TURF AREA

NEIGHBORHOOD PARKS

B1 ACTIVE RECREATION
- 30 x 30 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- MEDIUM SHADED TOT LOT
- HALF BASKETBALL COURT
- CORNHOLE PLAZA
- EVENT LAWN/ACTIVE TURF AREA

B2 ACTIVE RECREATION
- 30 x 30 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- MEDIUM SHADED TOT LOT
- HALF BASKETBALL COURT
- MULTI-USE ACTIVE TURF AREA

B3 ACTIVE RECREATION
- 30 x 30 GATHERING RAMADA WITH PICNIC TABLES, EXPANDED PLAZA, AND BENCHES
- MEDIUM SHADED TOT LOT WITH SWINGS
- FULL BASKETBALL COURT
- MULTI-USE ACTIVE TURF AREA
- CORNHOLE PLAZA

C1 ACTIVE RECREATION
- 20 x 20 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- SMALL SHADED TOT LOT
- MULTI-USE ACTIVE TURF AREA

C2 ACTIVE RECREATION
- 20 x 20 GATHERING RAMADA WITH PICNIC TABLES, BBQ GRILLS, AND BENCHES
- CORNHOLE AREA
- ACTIVE TURF AREA

KEYNOTES

1. GATED ENTRY & MONUMENT SIGNAGE
2. PRIMARY REGIONAL MONUMENT
3. SECONDARY REGIONAL MONUMENT

NORTH

0' 100' 200' 400'

SCALE: 1" = 200'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Preliminary Illustrative Master Plan

L-1.01

03.12.2026

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 45568 ALIZA E. SABIN Date Signed 03-12-26 ARIZONA, U.S.A.

EPS GROUP

Exhibit 3 – Main Amenity Area



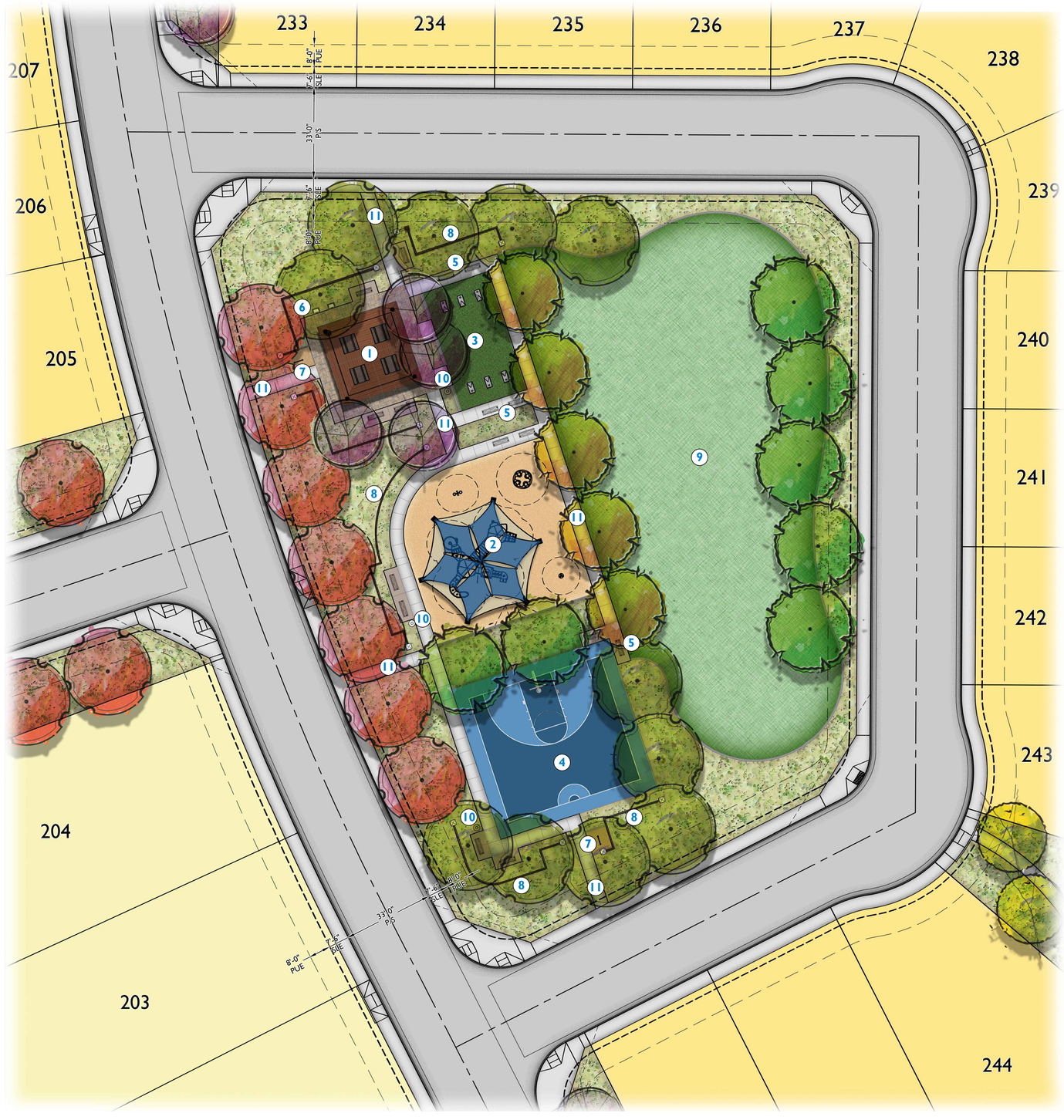
KEYNOTES

1. POOL
2. CLUBHOUSE WITH FITNESS CENTER
3. PEDESTRIAN GATE
4. RESTROOM & POOL EQUIPMENT ENCLOSURE
5. AQUATIC CENTER MONUMENT SIGN
6. AQUATIC PLAY TOYS
7. LAP LANES
8. POOL SHADE UMBRELLA
9. 30' X 40' RAMADA (WITH PICNIC TABLES, CHESS TABLE AND PING PONG TABLE)
10. 20' X 20' RAMADA (WITH PICNIC TABLES)
11. SHADED PLAYGROUND AREA
12. CORNHOLE
13. PICKEBALL COURTS
14. BASKETBALL COURT (FULL SIZE)
15. LANDSCAPE BENCH
16. BBQ GRILL
17. BIKE RACK
18. GARDEN WALL
19. ACTIVE TURF
20. TRASH RECEPTACLE
21. CONCRETE SIDEWALK
22. TRAFFIC CALMING TABLE PEDESTRIAN CROSSING

REGISTERED LANDSCAPE ARCHITECT
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Exhibit 4 – Neighborhood Park B1



KEYNOTES

1. 30' X 30' RAMADA (WITH PICNIC TABLES)
2. SHADED PLAYGROUND AREA
3. CORNHOLE
4. BASKETBALL COURT (HALF SIZE)
5. LANDSCAPE BENCH
6. BBQ GRILL
7. BIKE RACK
8. GARDEN WALL
9. ACTIVE TURF
10. TRASH RECEPTACLE
11. SIDEWALK

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Exhibit 5 – Neighborhood Park B2



KEYNOTES

1. 30' X 30' RAMADA (WITH PICNIC TABLES)
2. SHADED PLAYGROUND AREA (WITH SWING SET)
3. CORNHOLE
4. BASKETBALL COURT (FULL SIZE)
5. LANDSCAPE BENCH
6. BBQ GRILL
7. BIKE RACK
8. GARDEN WALL
9. ACTIVE TURF
10. TRASH RECEPTACLE
11. SIDEWALK

NORTH

0' 10' 20' 40'

SCALE: 1" = 20'-0"

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FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Neighborhood Park B2

L-3.03

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Exhibit 6 – Neighborhood Park B3



KEYNOTES

1. 30' X 30' RAMADA (WITH PICNIC TABLES)
2. SHADED PLAYGROUND AREA
3. LANDSCAPE BENCH
4. BBQ GRILL
5. BIKE RACK
6. GARDEN WALL
7. ACTIVE TURF
8. TRASH RECEPTACLE
9. SIDEWALK
10. BASKETBALL COURT (HALF SIZE)

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Neighborhood Park B3

L-3.04

03.12.2026

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Exhibit 7 – Neighborhood Park C1



KEYNOTES

1. 20' X 20' RAMADA (WITH PICNIC TABLE)
2. SHADED PLAYGROUND AREA (WITH SWING SET)
3. LANDSCAPE BENCH
4. BBQ GRILL
5. BIKE RACK
6. GARDEN WALL
7. ACTIVE TURF
8. TRASH RECEPTACLE
9. SIDEWALK

NORTH

0' 10' 20' 40'

SCALE: 1" = 20'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Neighborhood Park C1

L-3.05

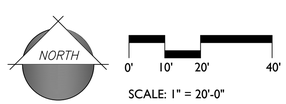
03.12.2026

REGISTERED LANDSCAPE ARCHITECT
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Exhibit 8 – Neighborhood Park C2





KEYNOTES

1. 20' X 20' RAMADA (WITH PICNIC TABLE)
2. CORNHOLE
3. LANDSCAPE BENCH
4. BBQ GRILL
5. BIKE RACK
6. GARDEN WALL
7. ACTIVE TURF
8. TRASH RECEPTACLE
9. SIDEWALK

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Neighborhood Park C2

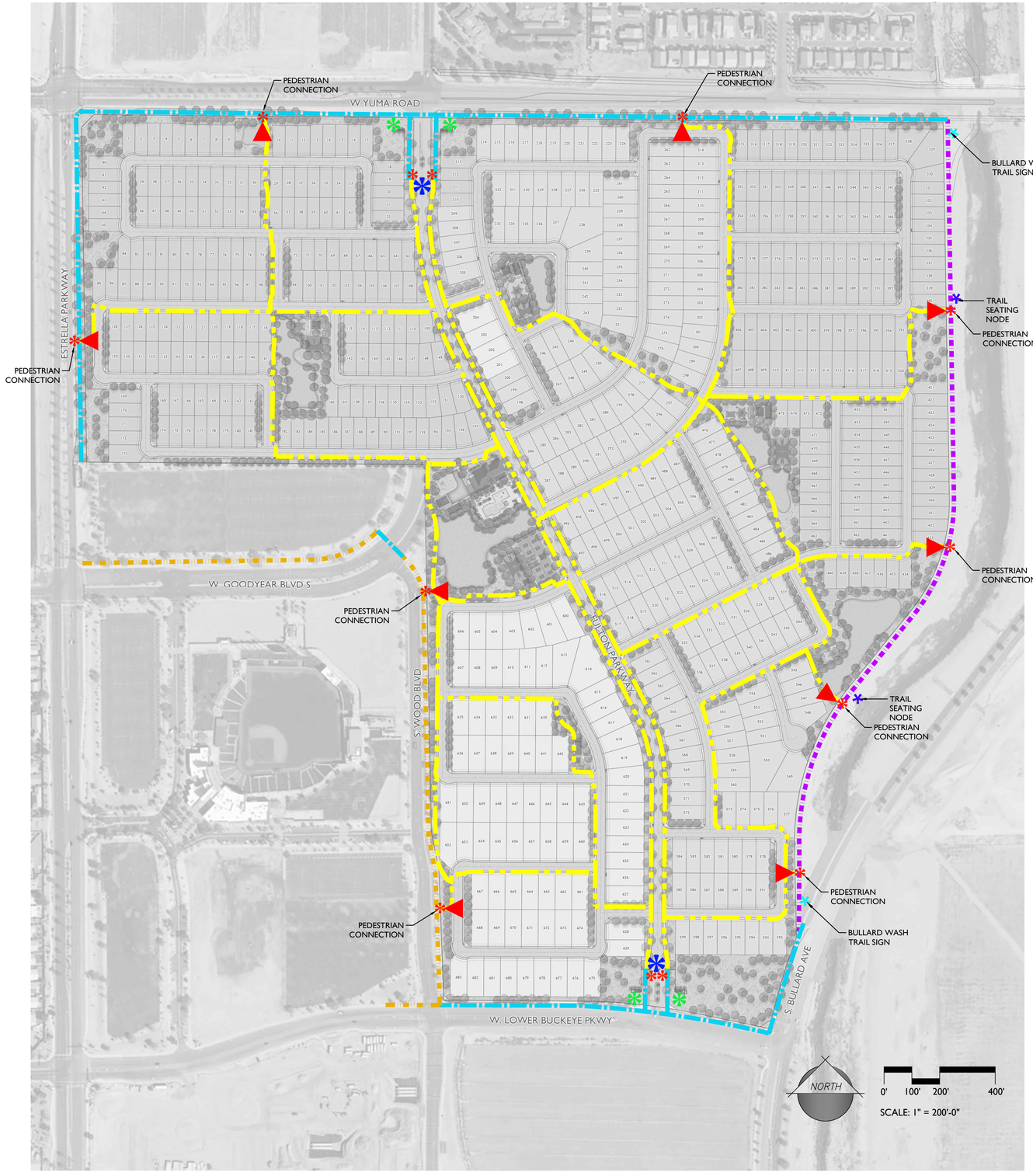
L-3.06

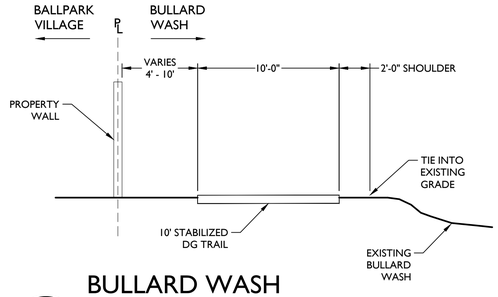
03.12.2026

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Exhibit 9 – Pedestrian Connectivity Plan



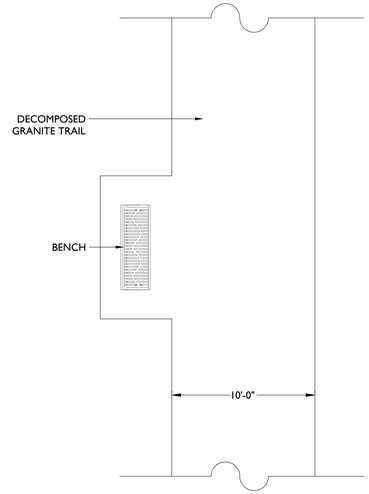


1 BULLARD WASH TRAIL SECTION DETAIL

NTS

LEGEND

- CONNECTIVITY - PEDESTRIAN ACCESS
- CONNECTIVITY - PROPOSED OFFSITE PEDESTRIAN
- CONNECTIVITY - EXISTING OFFSITE PEDESTRIAN
- CONNECTIVITY - BULLARD WASH TRAIL (BY CITY)
- CONNECTIVITY - INTERNAL
- VEHICULAR GATE
- ENTRY MONUMENT
- PEDESTRIAN GATE
- PEDESTRIAN NODE
- BULLARD WASH TRAIL SIGN

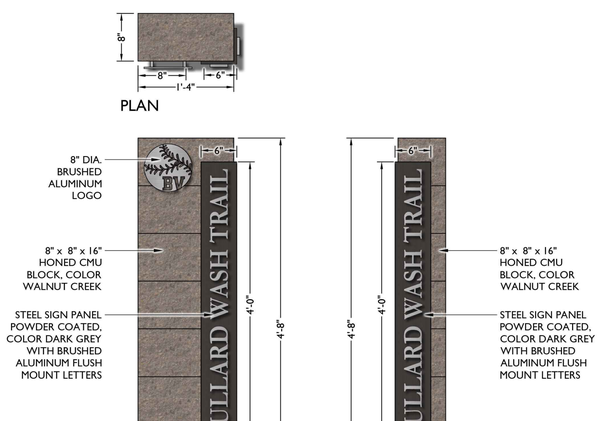






2 BULLARD WASH TRAIL PEDESTRIAN SEATING NODE

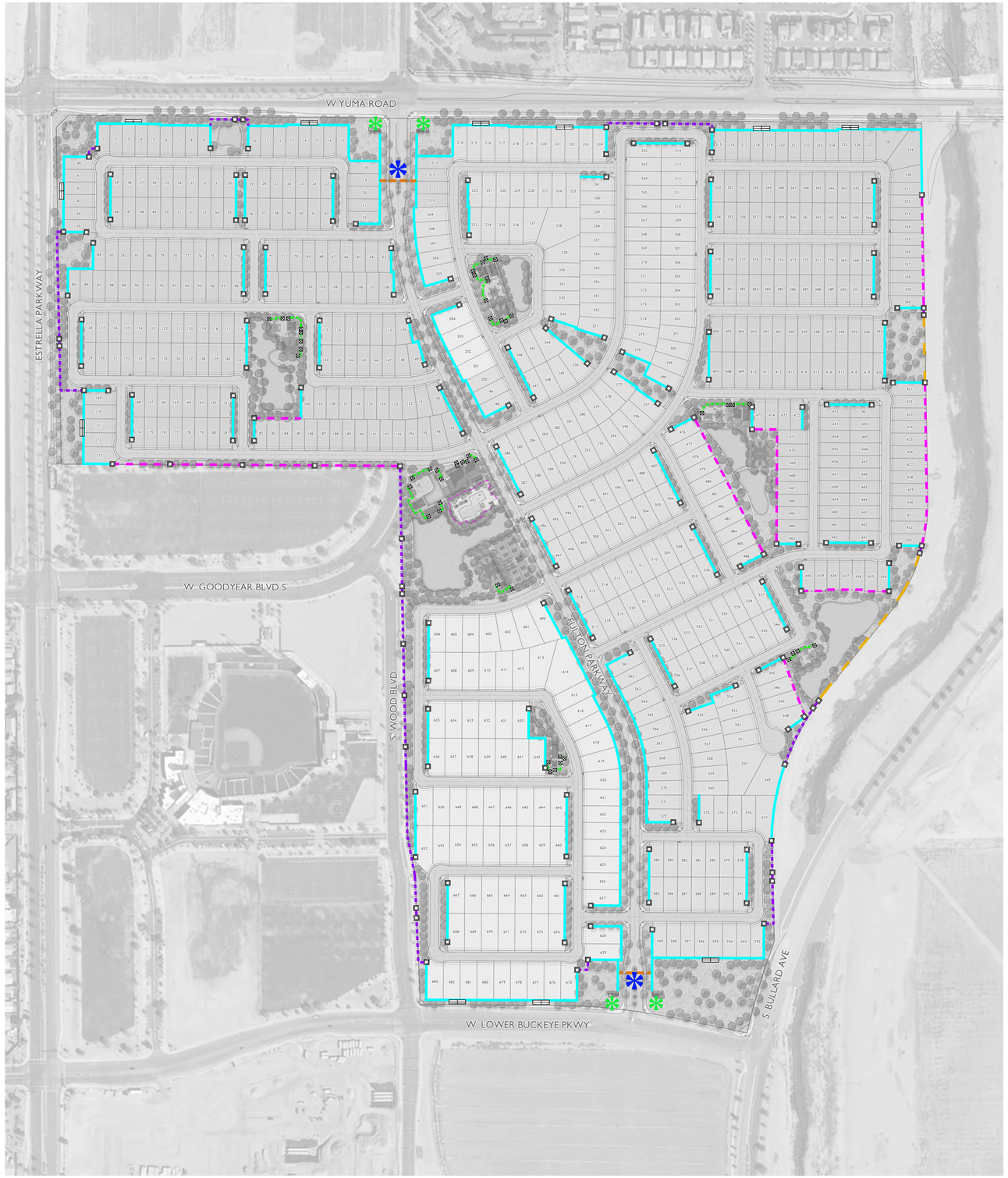
NTS



3 BULLARD WASH TRAIL SIGN

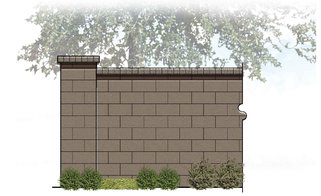
NTS

Exhibit 10 – Conceptual Wall Plan



LEGEND

- THEME WALL
- PARTIAL VIEW WALL TYPE 1
- PARTIAL VIEW WALL TYPE 2
- GARDEN WALL
- POOL FENCE
- DRAINAGE FENCE
- ENTRY MONUMENT / GATE WALL
- GATED ENTRY
- ENTRY MONUMENT
- DECORATIVE COLUMN
- GARDEN WALL COLUMN
- MID-WALL ACCENT



THEME WALL



PARTIAL VIEW WALL TYPE 1



PARTIAL VIEW WALL TYPE 2

GARDEN WALL



POOL / FULL VIEW FENCE



DRAINAGE FENCE



MID-WALL ACCENT

NORTH

0' 100' 200' 400'

SCALE: 1" = 200'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

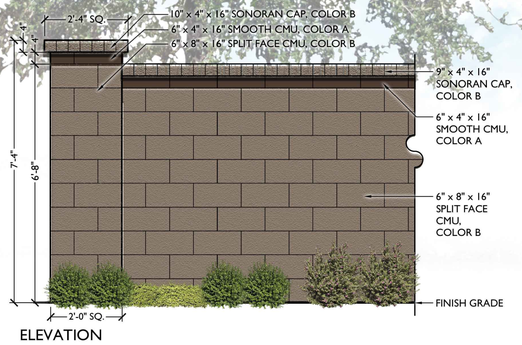
Conceptual Wall Plan

L-4.01

03.12.2026

REGISTERED LANDSCAPE ARCHITECT
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ELEVATION

1 THEME WALL

Scale: 1/2" = 1'-0"



ELEVATION

2 PARTIAL VIEW WALL - TYPE 1

Scale: 1/2" = 1'-0"



ELEVATION

3 PARTIAL VIEW WALL - TYPE 2

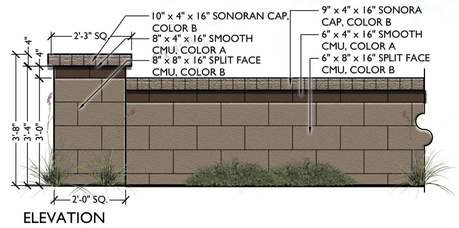
Scale: 1/2" = 1'-0"



ELEVATION

4 MID ACCENT PANEL AT THEME WALL

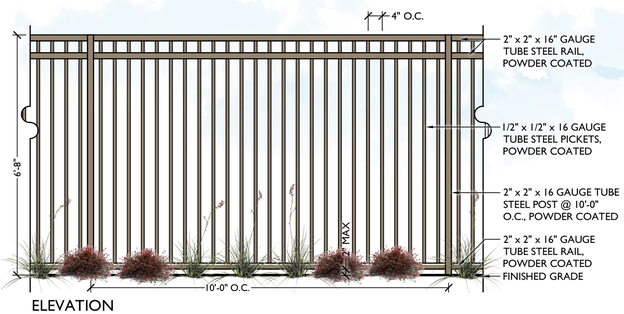
Scale: 1/2" = 1'-0"



ELEVATION

5 GARDEN WALL

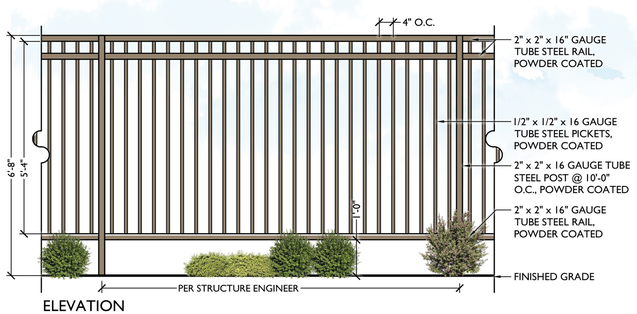
Scale: 1/2" = 1'-0"



ELEVATION

6 POOL / FULL VIEW FENCE

Scale: 1/2" = 1'-0"



ELEVATION

7 DRAINAGE FULL VIEW FENCE

Scale: 1/2" = 1'-0"



ELEVATION

8 PEDESTRIAN GATE

Scale: 1/2" = 1'-0"



METAL POWDERCOATED
Grey Beige RAL 1019 OAE



SMOOTH CMU BLOCK
COLOR A: SW 9183 Dark Clove
by Sherwin Williams, OAE



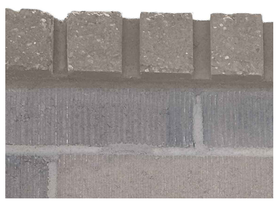
SPLIT FACE CMU BLOCK
COLOR B: SW 7039 Virtual Taupe
by Sherwin Williams, OAE



SONORAN CMU CAP
COLOR B: SW 7039 Virtual Taupe
by Superlite OAE



FOUNDERS FINISH CMU BLOCK
INTEGRAL COLOR C: Desert Blend
by Superlite OAE



SONORAN CMU CAP
INTEGRAL COLOR C: Desert Blend
by Superlite OAE

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Conceptual Wall Details

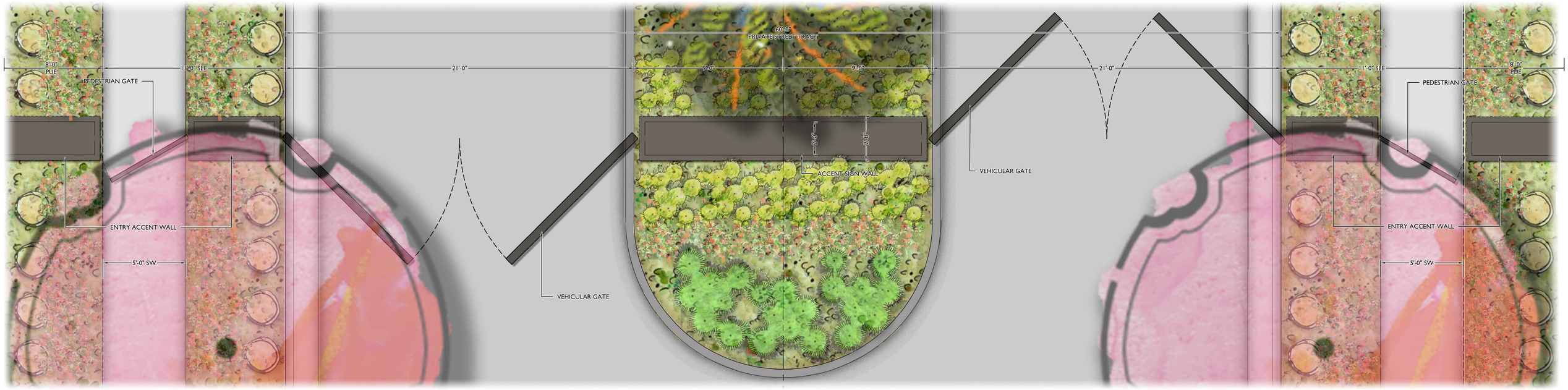
L-5.01

03.12.2026

REGISTERED LANDSCAPE ARCHITECT
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ARIZONA, U.S.A.

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Exhibit 11 – Conceptual Entry Monumentation



1 SOUTH ENTRY GATE PLAN

Scale: 3/8" = 1'-0"

NOTE:

1. ALL GATES INSTALLED ACROSS A FIRE APPARATUS ACCESS ROAD WILL REQUIRE A SEPARATE SUBMITTAL AND PERMIT.
2. ALL GATES WILL REQUIRE A TRAFFIC PRE-EMPTION DEVICE AND A KNOX KEY SWITCH.



2 SOUTH ENTRY GATE ELEVATION

Scale: 3/8" = 1'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

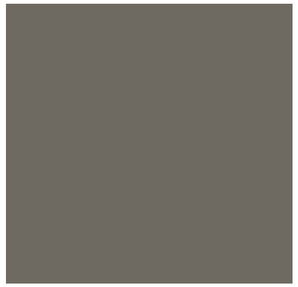
Conceptual Entry Gate

L-2.01

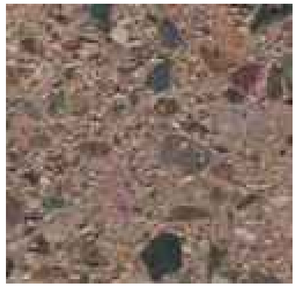
03.12.2026

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ARIZONA U.S.A.

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GATE METAL
Color: RAI 7039 Quartz Grey OAE



HONED CMU
Color: Walnut Creek by Superlite OAE



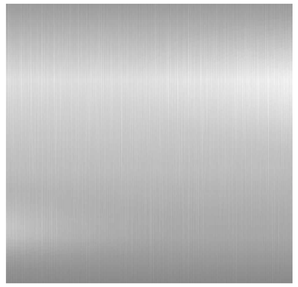
TILE (12" x 24")
Color: Modern Text White MT 50 by Daltile OAE



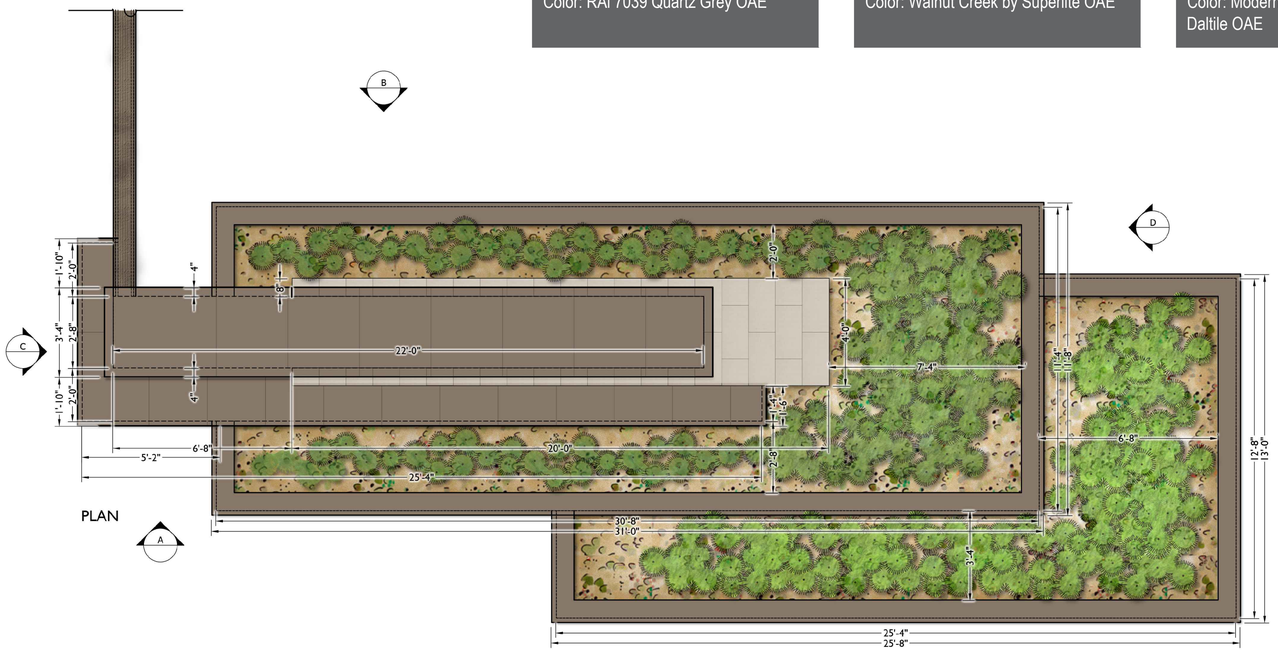
CONCRETE CAP
Color: Cocoa Milk by Mesa Precast OAE

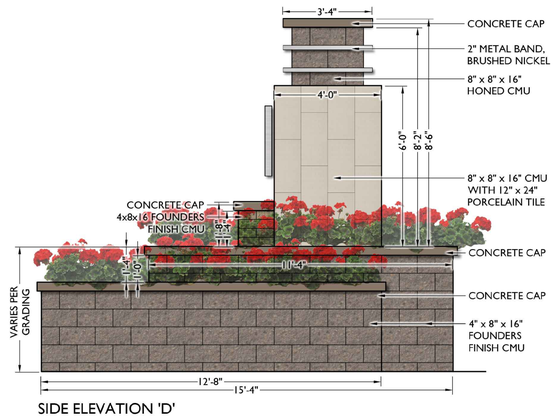


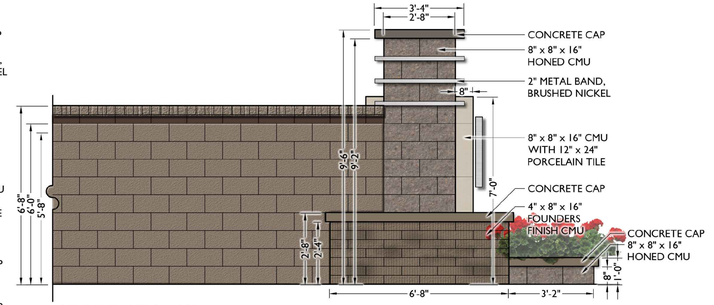
FOUNDERS FINISH
Color: Desert Blend by Superlite OAE

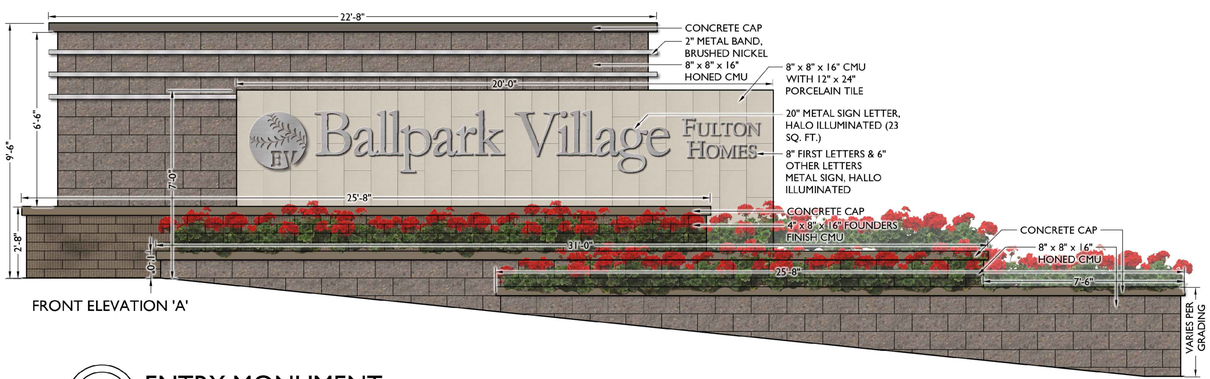


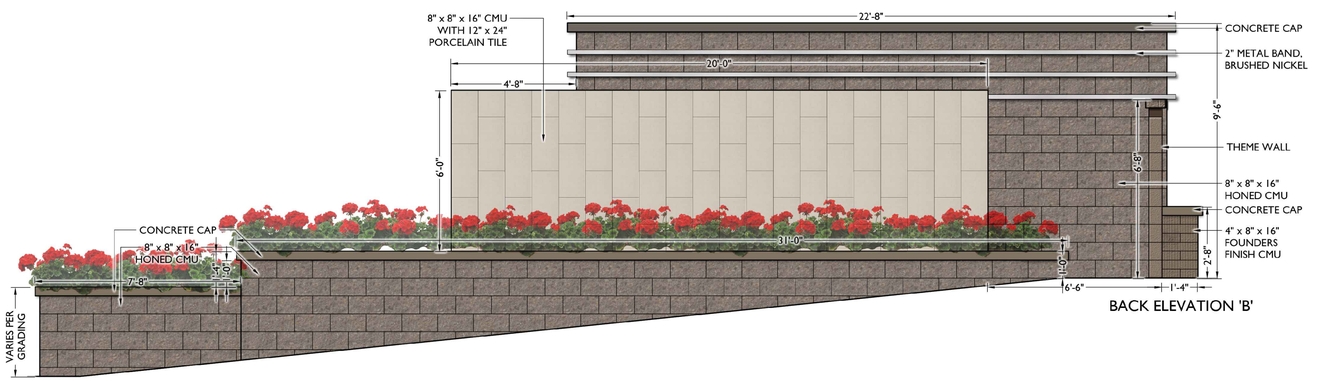
BRUSHED ALUMINUM











1 ENTRY MONUMENT

Scale: 3/8" = 1'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

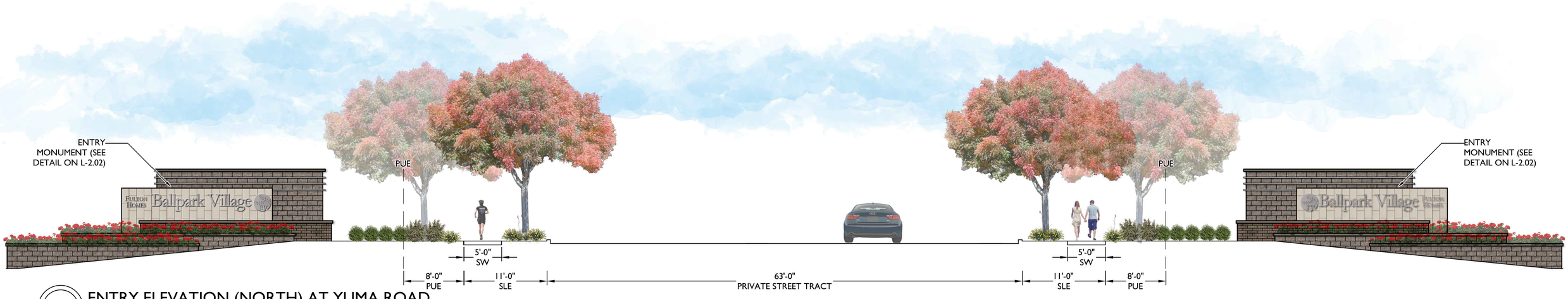
Goodyear, Arizona

Conceptual Entry Monument

L-2.02
03.12.2026

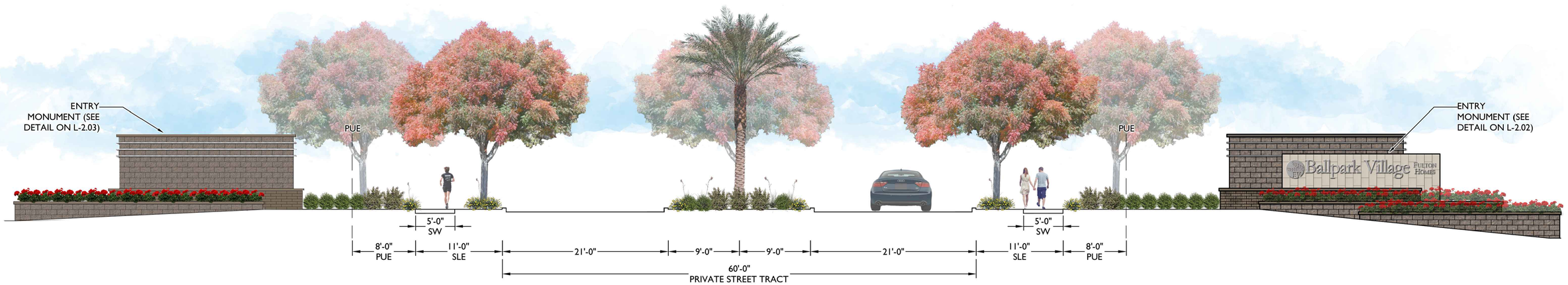
REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALIZA E. SABIN
Date Signed 03-12-26
ARIZONA U.S.A.

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1 ENTRY ELEVATION (NORTH) AT YUMA ROAD

NTS



2 ENTRY ELEVATION (SOUTH) AT LOWER BUCKEYE PARKWAY

NTS

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Entry Elevations

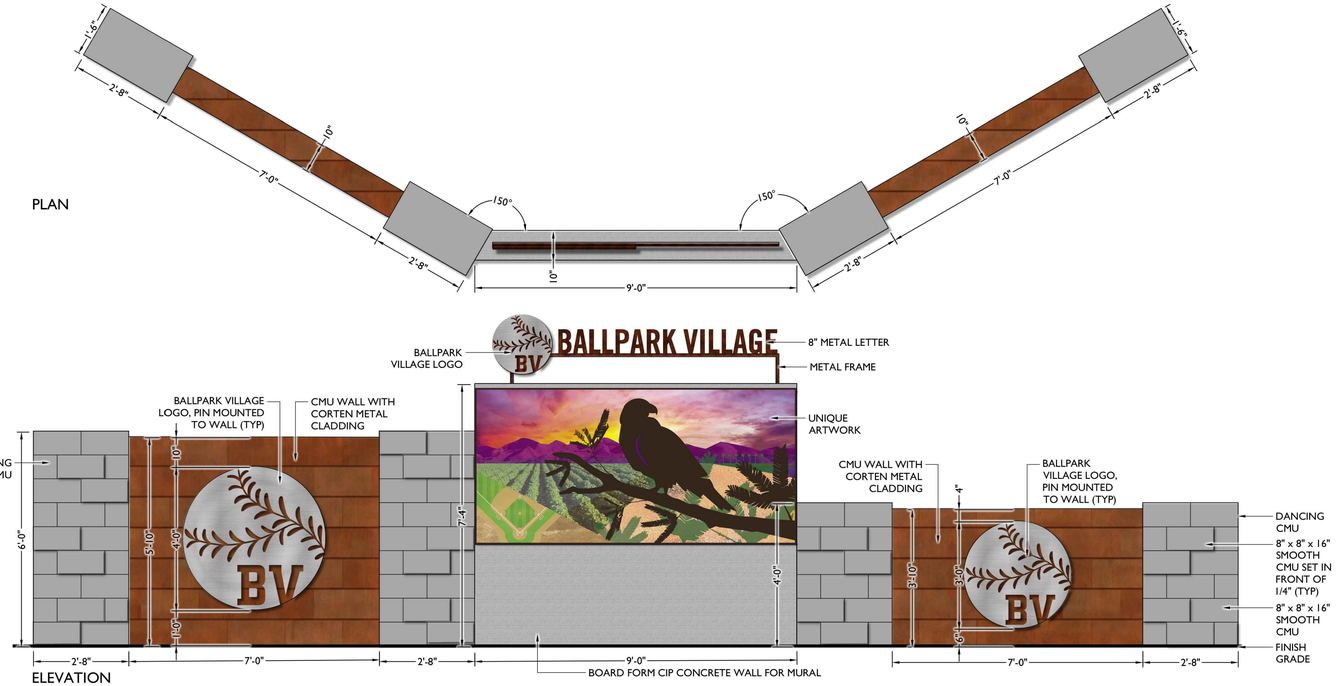
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03.12.2026

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 45568 ALIZA E. SABIN ARIZONA, U.S.A.

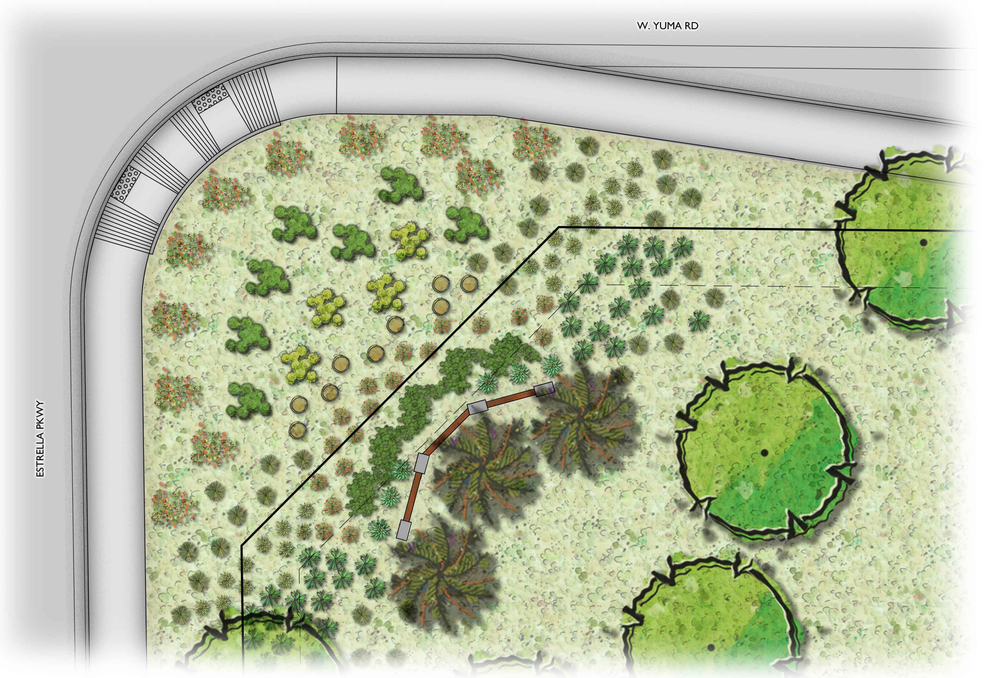
EPS GROUP

Exhibit 12 – Conceptual Regional Monumentation



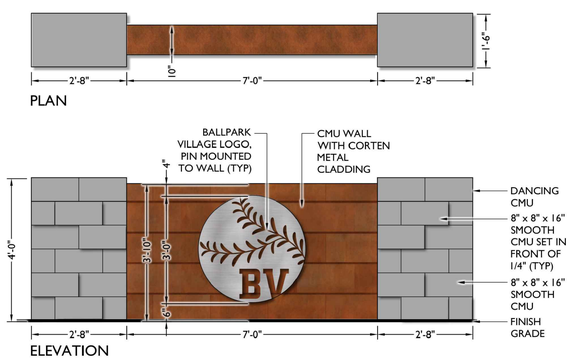
1 PRIMARY REGIONAL MONUMENT ELEVATION

Scale: 1/2" = 1'-0"



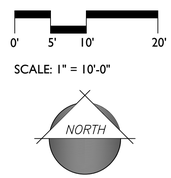
2 PRIMARY REGIONAL MONUMENT PLAN

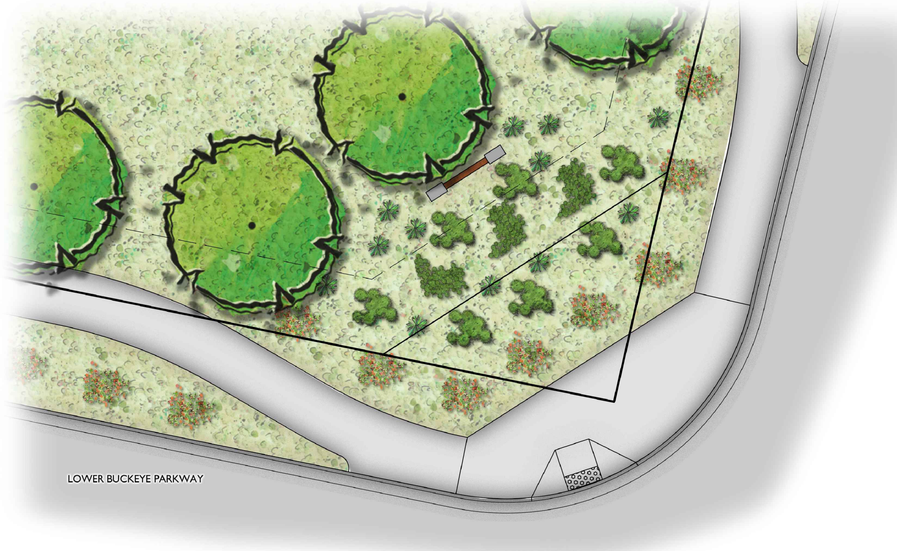
Scale: 1/2" = 1'-0"



3 SECONDARY REGIONAL MONUMENT ELEVATION

Scale: 1/2" = 1'-0"





4 SECONDARY REGIONAL MONUMENT PLAN

Scale: 1" = 10'-0"

25-0188

FULTON HOMES

Fulton Homes at Ballpark Village

Goodyear, Arizona

Conceptual Regional Monument

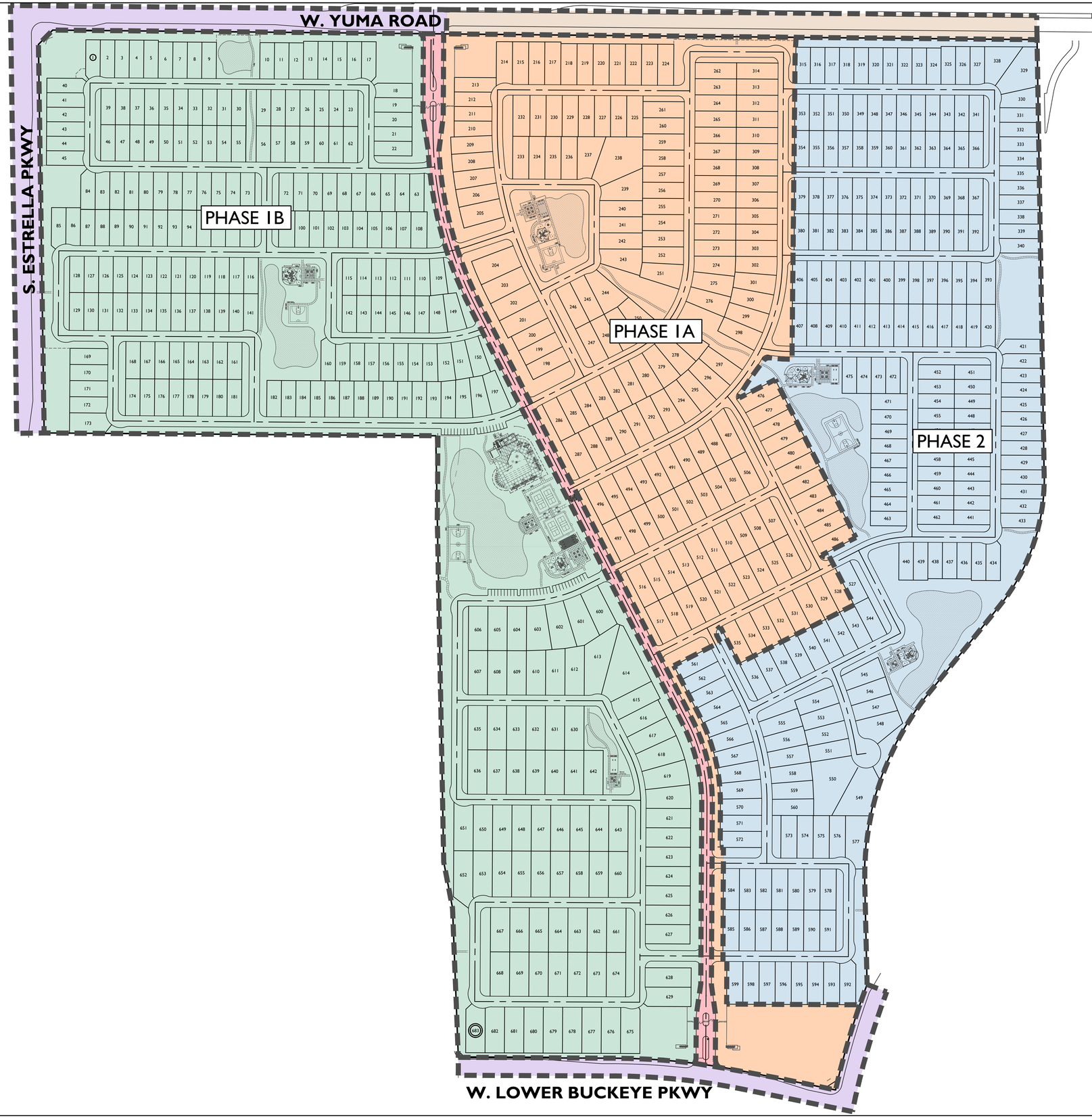
L-2.06

03.12.2026

REGISTERED LANDSCAPE ARCHITECT CERTIFICATE NO. 45568 ALIZA E. SABIN Date Signed 03-12-26 ARIZONA U.S.A.

EPS GROUP

Exhibit 13 – Phasing Plan

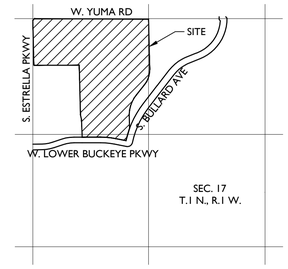


PHASING PLAN
FOR
FULTON HOMES AT BALLPARK VILLAGE

A PORTION OF SECTION 17, TOWNSHIP 1 NORTH, RANGE 1 WEST, OF GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

VICINITY MAP

N.T.S.



OVERALL			PHASE 1A		PHASE 1B		PHASE 2	
45'x105'	362	53%	4	2%	197	70%	161	72%
50'x120'	233	34%	168	96%	0	0%	65	28%
60'x130'	88	13%	4	2%	84	30%	0	0%
TOTAL	683		176		281		226	

INFRASTRUCTURE PHASE 1
(ESTRELLA PKWY / LOWER BUCKEYE PKWY)

INFRASTRUCTURE PHASE 2
(YUMA ROAD)

INFRASTRUCTURE PHASE 3
(GOODYEAR BOULEVARD)

NORTH

150 0 150 300
scale feet

1130 N. Alma School Road
Suite 120
Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
w w w . e p s g r o u p i n c . c o m
EPS GROUP

Fulton Homes at Ballpark Village
Goodyear, AZ

Project:

Revisions:
SEPTEMBER 8, 2025 - 1ST PRE-APPLICATION SUB.

Call at least two full working days before you begin excavation.
ARIZONA 811 Arizona Blue Stake, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
In Maricopa County: (602)263-1100

Designer: JH
Drawn by: JAJ

Preliminary
Not For
Construction
Or
Recording

Job No.
25-0188

PHASING

Sheet No.
1
of 1

Phasing Plan

25-1088 - Fulton Homes at Ballpark Village

bnicholls Dec 03, 2025 9:59am S:\Projects\2025\25-0188\Planning\Drawings\Exhibits\25-0188 - Phasing Plan.dwg

Details of the Request:

The Property (Attachment B) is currently zoned Planned Area Development (PAD) under the Fulton Homes at Ballpark Village 1st Amended PAD, approved by the City in 2023 with ordinance 2023-1567. The applicant requests an amendment to the PAD (Attachment A, Exhibit C) to modify the existing four (4) Land Use Districts, associated lot sizes, and housing product options.

1. Elimination of R35 Alley Loaded Product

The applicant proposes to remove the R35 Land Use District and the alley-loaded lot and home product. With this removal, the 2nd Amended PAD would include three (3) total Land Use Districts.

Applicant Justification for Land Use District Elimination

In 2024, Fulton introduced an identical alley-loaded product in its Prasada community in Surprise. Over the last 12 months, only four such homes have sold. The intended buyer profile—young families—can no longer afford this product. Meanwhile, buyers who can afford these homes, such as single adults and empty nesters, prefer -singlestory, traditional homes rather
than -twostory -alleyloaded- designs.

2. Replacement of the R52 Land Use District

The applicant proposes replacing the existing R52 District (52’ x 100’ minimum lots) with a new R60 District (60’ x 125’ minimum lots).

Applicant Justification for Land Use District Replacement

This change compensates for the loss of the R35 product and introduces a larger “executive” lot option. The revised lot mix provides a broader range of lot sizes and product types that Fulton believes are better aligned with market demand at this location.

3. R45 and R50 Lot Dimensions

Fulton proposes increasing the minimum lot depth in the R45 District by 10 feet.

Applicant Justification for Increased Lot Dimensions

The additional depth allows Fulton to introduce a 4-bedroom single-story home that appeals to young families who previously might have selected the alley-loaded product. The change also preserves options for single adults and empty nesters who typically prefer the R45 product. Other young families are expected to migrate toward the smaller floorplans in the R50 District, which traditionally attract more mature buyers.

Evaluation Criteria:
Per the city of Goodyear Zoning Ordinance, the city's review and recommendation on a zoning amendment is to be guided by the following criteria:

1. *Consistency with the General Plan.*

The 2035 Goodyear General Plan designates the land use for this property as Neighborhoods. The property is currently zoned PAD and approved for residential development. This request to rezone to Fulton Homes at Ballpark Village 2nd Amended PAD does not make any changes to the previously approved uses; as such this rezone request is still compatible with the General Plan.

2. *Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district.*

The property is currently zoned PAD and permits residential uses. This request does not make any changes to the previously approved use. No significant changes have occurred to the existing conditions of the subject property since the original PAD approval.

3. *Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning.*

The property is zoned PAD and permits residential uses. This request does not make any changes to the previously approved residential uses, which the City has already deemed to be compatible with the surrounding uses and zoning.

Current and future uses and development of the properties surrounding the subject property include:
North – Ballpark Village North (mixed use);
South – Ballpark Village (mixed use);
East – Flats at Ballpark Village (multi-family residential);
West – VLUX at Ballpark Village (multi-family residential);

4. *Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under the proposed zoning district would be better suited to the subject property than the uses allowed under the current zoning*.

Luke Air Force Base:
The property does not fall within the Luke Air Force Base Accident Potential Zone or the DNL. However, the subject property is located within the vicinity of a military airport. Given the location of the property and its distance from Luke Airforce Base, base operations will not be adversely impacted by this development. A stipulation has been added related to the disclosure of Luke Air Force Base operations.

Phoenix-Goodyear Airport:
The property is adjacent to the Phoenix-Goodyear Airport. A stipulation has been added

related to the disclosure of Phoenix Goodyear Airport operations.

5. *Demand for the types of uses permitted in the proposed zoning district in relation to the amount of land currently zoned and available to accommodate the demand.*

The applicant has indicated there is demand in Goodyear for a master planned residential community at this location, such as the proposed blend of housing types and amenity areas, with close access to the Ballpark and other Ballpark Village commercial centers.

6. *Demands for public services that will be generated by the uses permitted in the proposed zoning district.*

School Districts:
The subject property is located within the Avondale Elementary School District and the Agua Fria Union High School District. Both school districts have been notified of the rezoning request.

Fire Response:
Emergency response times and distances are provided below:

Nearest Goodyear Fire Station	Shortest path		2nd Nearest Goodyear Fire Station	Shortest path	
	Mins	Miles		Mins	Miles
Fire Station #184	2.82	1.41	Fire Station #181	6.05	2.82

Police Response:
The proposed development is located within an existing police patrol beat and the current level of service within the beat can accommodate the development of the property.

Streets/Transportation:
The property will be accessed via private streets/driveways within the development that will gain access to Yuma Road and Lower Buckeye Parkway. The Engineering Department has created stipulations to address traffic requirements applicable to this development; specifically, Yuma Road will be widened and improved, Estrella Parkway will be widened and improved and a bridge or culvert will be built over Bullard Wash.

Water/Wastewater:
The City of Goodyear will provide water and wastewater services to the subject property.

7. *Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided.*

The Property abuts existing public services. It is located along major arterial roadways with the necessary capacity. As indicated in the Water and Sewer Reports submitted with the rezoning, there is adequate water and sewer infrastructure to serve the development. The city has been in close coordination with Maricopa County related to ensuring adequate capacity is available.

8. *General public concerns.*

Public Participation and Planning and Zoning Commission Meeting:
An in-person Neighborhood Meeting was conducted for this proposal and Notice of the Neighborhood Meeting was provided to 99 property owners within 500 feet of the property on March 23, 2026; signs advertising the Neighborhood Meeting were placed on the site on March 20, 2026. The neighborhood meeting took place on April 7, 2026. No residents spoke in opposition to the proposed rezone.

A public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on June 22, 2026 appeared in the Arizona Business Gazette - Republic Edition May 21, 2026; 99 postcards were mailed to adjoining owners on May 13, 2026; and signs were updated on the site to advertise the public hearing on May 15, 2026.

9. *Whether the amendment promotes orderly growth and development*.

This property is currently zoned and entitled for residential uses; those uses promote orderly growth and development.

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*.

The proposed development on the property will have a positive impact to the general health, safety, and welfare of the citizens of the City by providing a safe and well-designed community.

AGENDA ITEM #: 3.
DATE: June 10, 2026
CAR #: 2969
CASE #: N/A

Planning & Zoning Commission ACTION REPORT

SUBJECT: **ZONING ORDINANCE COMPREHENSIVE UPDATE**

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:

Receive an update on proposed standards for BESS (Battery Energy Storage Systems), data centers, noticing requirements and additional ordinance modernization items.

RECOMMENDATION:

Provide staff direction on proposed standards for BESS (Battery Energy Storage Systems), data centers, noticing requirements and additional ordinance modernization items. (Christian M. Williams, Planning Manager and Guadalupe Ortiz Cortez, Principal Planner)

FISCAL IMPACT:

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

BACKGROUND AND PREVIOUS ACTIONS:

Arizona state law provides municipalities with the ability to enact zoning regulations for the development of the municipalities and to conserve and promote public health, safety, and general welfare (ARS 9-462.01). The city's last comprehensive Zoning Ordinance update occurred in 1999. Since then, text amendments have been completed to modify portions of the Ordinance to respond to changes in development and to comply with new state legislation.

The comprehensive update process kicked-off January 2025. A community workshop was held on April 23, 2025, at the Goodyear Recreational Center. Ten residents attended the workshop and were engaged with the consultant and city staff throughout the workshop. A final community workshop was held on May 5, 2026, at City Hall's Canyon Trails meeting room. The workshop was attended by five developer representatives interested in learning about the proposed regulations.

The first work session with the Planning and Zoning Commission and City Council occurred in October and November of 2025, respectively. Topics discussed at the first work session included expanding allowances for temporary signage in multi-family zoning districts, increasing noticing requirements, reviewing permitted and use permit uses, and creating middle housing opportunities in single-family zoning districts. A second work session was held in March of 2026. At the March work session, staff presented proposed regulations for BESS (Battery Energy Storage Systems) and data centers. Other topics were also included in the work session staff report such as an arts district overlay, and

drive-through and parking regulations. Based on the feedback received at these work sessions, staff and the consultant modified proposed regulation language. The revised proposed regulations are being presented in this final work session to the Planning and Zoning Commission and City Council for additional feedback.

STAFF ANALYSIS

The complete draft ordinance is available in Attachment A. Highlights of the major changes include the following:

- BESS (Battery Energy Storage Systems)
    - Special Use Permit in Light Industrial Park (I-1) and General Industrial Park (I-2) zoning districts
    - Minimum 330-foot separation from residential uses
        - Can be reduced to 150 feet when supported by a plumes study through the Special Use Permit review and approval process
    - Minimum 150-foot separation from commercial zoning districts
    - Minimum 100-foot separation from Business Park District and other I-1 or I-2 zoning districts
    - Worked with Fire Marshall to refer to NFPA for life safety items and maintain additional protections as necessary
    - Considerations for emergency response and decommissioning
    - See Attachment B, BESS Handout, for a list of recommended regulations and a comparison with regulations in other jurisdictions
- Data centers
    - Permitted in Light Industrial Park (I-1) and General Industrial Park (I-2) zoning districts with conditions
    - Minimum 300-foot separation distance from residential uses
    - Considerations of water, electric power and noise
    - See Attachment C, Data Centers Handout, for a list of recommended regulations and a comparison with regulations in other jurisdictions
- Noticing Requirements
    - Increasing the notification area from 500 feet to 600 feet for Use Permit, Special Use Permit and standard Rezone applications
    - Further increasing the notification area from 500 feet to 1,200 feet for Planned Area Development applications
- Other modernizations
    - Housing
        - Permitting manufactured homes in the Agricultural (AG) and Agricultural Urban (AU) zoning districts
        - Permitting attached product in the R2, R1-6, and R1-4 zoning districts
    - Temporary signage
        - Additional duration of temporary signs for more events such as construction, grand opening, new ownership, and special promotions for commercial, industrial, and mixed-used uses.
    - Off-Street Parking
        - Permit the reduction of required parking up to 25% for mixed-use walkable areas with support of a parking study
        - Permit the reduction of required parking up to 25% for age restricted communities and affordable housing with support of a parking study and parking management plan
        - Reduce medical office parking requirements from 1 space per 150 square feet of floor area to 1 space per 200 square feet of floor area
    - Convenience uses
        - Additional regulations provided for drive-through uses to prevent queuing and circulation issues
    - Industrial height
        - Industrial height increased from 50 feet to 70 feet to meet today’s industrial

development while providing buffers from residential zoning districts

- Multi-family height
  - Multi-family height may be increased from 30 feet to 40 feet, not to exceed three stories, in MF-28 zoning districts and from 40 feet to 60 feet, not to exceed four stories, in MF-24 zoning districts for developments that provide pitched roofs and lower building height adjacent to single-family residential and arterial roads

Please note Attachment A is the public draft of the Ordinance published in April 2026. The Attachment will be updated no later than 24 hours before the meeting with the most recent draft reflecting public feedback and scrivener's errors.

CONCLUSION

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

With the Planning and Zoning Commission and City Council feedback, staff and consultants will finalize the draft of the Zoning Ordinance. The comprehensive update is expected to be presented to the Planning Commission on July 1, 2026, for a recommendation and to the City Council on July 6, 2026, for approval.

Attachments

Attachment A - Zoning Ordinance April 2026 public draft

Attachment B - BESS Handout

Attachment C - Data Center Handout

Attachment A

CITY OF GOODYEAR

ZONING ORDINANCE

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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 of the City of Goodyear, Maricopa County, Arizona, (hereafter "City") is hereby adopted for the following purposes:

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

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

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

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

1.4. Consistency with the General Plan

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

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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. Any change to an existing building, structure, use of land, or site condition, including changes that increase parking demand, modify occupancy, alter drainage or landscaping, or involve additions or physical modifications made after the effective date of this Code, shall comply with all applicable requirements of this Code.

1.5.2. Previously Approved Planned Area Developments

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

1.5.3. Prohibited Uses

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

1.6. Transition Procedures

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

1. The provisions of this Ordinance and any amendments shall not apply to those developments for which a building permit has been issued prior to the adoption of this Ordinance, provided said building permit remains in full force and effect. In the event the building permit expires, said permit may not be extended or renewed unless all provisions of this Ordinance are met.
2. A parcel of land subject to a plan of development standards or stipulations adopted prior to the effective date of this Ordinance shall be developed in accordance with that approved plan of development standards or stipulations 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 plan of development standards or stipulations, the approved plan of development standards or stipulations shall prevail.
3. Development agreements or design themes 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

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

1.7.2. Construction And Building Permits.

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

B. For buildings under construction with a valid building or Use Permit issued by Maricopa County prior to the effective date of an annexation ordinance, a City building permit shall not be required, but the Chief Building Official, or his designee, shall require that buildings constructed under such County building or 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 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 may be extended with subsequent City 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

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lot or parcel is situated, shall be deemed to be a lot and may be used as a building site, provided that all other applicable provisions within this Zoning Ordinance shall apply.

1.7.4. Land Use Map to Be Prepared.

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

1.8. Conflicting Provisions

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

1.9. Rules for Interpretation

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

1.10. Exceptions and Modifications

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

1.10.1. Extension of Time.

Under special conditions, the City Council may grant extensions of time unless otherwise set forth in this Ordinance.

1.10.2. Use of Existing Lots of Record.

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

1.10.3. Structures Permitted Above the Height Limit.

Building height limitations of this Ordinance may be modified as follows: Public, semi-public or public service buildings, sanitariums, schools, churches, and temples, when permitted in a district, may have the applicable height limit waived by City Council, provided that each setback is increased one foot for each foot of additional building height above the height limit otherwise provided in that district.

1.10.4. Area Requirements.

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

1.10.5. Other Exceptions to Yard Requirements.

Every part of a required yard shall be open to the sky, unobstructed by any structure, except for permitted accessory buildings, and except for ordinary projections of sills,

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bay windows, cornices and other features permitted elsewhere in this Ordinance (Section 4.3: Screening, Walls & Fences). Such projection shall not exceed twenty-four (24) inches, except for portals as noted in Section 3.1.9.

1.10.6. Mixed-Use Yard Requirements.

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

1.11. Repeal & Severability

1.11.1. Repeal

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

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

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

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

1.11.2. Severability

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

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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 (Court Home)
R2	Two-Family Residential
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
CBD	Central Business District
PFD	Public Facilities District
Industrial Districts	
I-1	Light Industrial Park
I-2	General Industrial Park
Planned Area Development Districts	
PAD-O	Planned Area Development Overlay
PAD-D	Planned Area Development District

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

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map and all amendments hereafter adopted, is by reference made a part of this Code.

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 6.2 of this Code.

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

2.1.3. 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. In no case, however, is the Zoning Map intended to be used as a precise, legal narrative of any zoning district boundary.

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

2.2. Residential Districts

2.2.1. Purpose

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

1. Provide high quality, complete neighborhoods to meet the varying lifestyles of 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 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 it acts as a "holding district" for annexed lands that have been used for agricultural purposes until a suitable rezoning occurs. The AU district specifically provides

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a low-density, estate-type residential use that allows for non-commercial agricultural uses and Large Animal and Small Animal privileges.

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)

   R1-4 (Single-Family Detached)

   R1-A (Single-Family Attached)

   R1-C (Court Home)

   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

   MF-18

   MF-24

   MH/RVP – Manufactured Home or Recreational Vehicle Park (MH/RVP)

2.2.2. Residential Permitted Uses

Table 2.2.2 below identifies uses that are permitted, uses that are permitted if certain conditions are met, and uses that may be permitted by a Use Permit within each Agricultural, Single Family Residential and Multi-Family Residential District. The various types of permitted uses are designated below:

A. **Principal Permitted Use** – "P" within a cell indicates that use is permitted by right within that zoning district.
B. **Conditional Use** – "C" within a cell indicates a use that is permitted if certain conditions are met
C. **Special Use Permit Use** – "S" within a cell indicates a use that requires the approval of a Special Use Permit in accordance with Section 6.5.

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

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

F. Blank cells indicate a use is not permitted

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.

Table 2.2.2: Residential Districts Use Classifications

P - Principal Permitted Use C - Conditional Use S - Special Use Permit Use U - Use Permit Use AC - Accessory Use	**Single Family**							**Multi-Family**				**Additional Use Definitions and Regulations ***
	AG	**AU**	**R1-10, R1-7**	**R1-6, R1-4**	**R1-C**	**R1-A**	**MHS**	**R2**	**MF-12**	**MF-18/24**	**MH/RVP**	
Household Living												
Dwelling, one single family detached	P	P	P	P	P				P			
Dwelling, one single family attached												
Limited to 2 units attached				P		P		P	P			
Limited to 3 units attached						P		P	P			
4 or more units attached						P		P	P			
Dwelling, two-family (duplex)								P	P			
Dwelling, multi-family									P	P		
Detached accessory building	AC	AC	AC	AC	AC	AC	AC	AC	AC			3.12.2
Guest ranch and resort	U	U										
Manufactured home	P	P					P				P	3.6
Recreational vehicle											P	3.6
Group Living												
Assisted Living Facility								C		C		3.11.3

Table 2.2.2: Residential Districts Use Classifications												
P - Principal Permitted Use C - Conditional Use S - Special Use Permit Use U - Use Permit Use AC - Accessory Use	Single Family							Multi-Family				Additional Use Definitions and Regulations *
	AG	AU	R1-10, R1-7	R1-6, R1-4	R1-C	R1-A	MHS	R2	MF-12	MF-18/24	MH/RVP	
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	S	S	S	S	S	S	S	S	S	
Home business	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	AC	3.4.4
Hospital										C		
Inert Material Landfill (Public Project Borrow Pit)	S	S	S	S	S	S	S	S	S	S	S	
Model Home Complex	P	P	P	P	P	P	P	P	P	P	P	
Places of Worship	P	P	P	P	P	P	P	P	P	P	P	3.11.27
Schools, Private	S	S	S	S	S	S	S	S	S	S	S	

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

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2.2.3. Development Standards for Agricultural and Single-Family Districts

A. Table 2.2.3A prescribes development standards for each agricultural district and single-family residential district. Additional development and design standards and regulations for agricultural districts and single-family residential districts can be found elsewhere in the Zoning Ordinance.

Table 2.2.3: Development Standards – Single Family Districts

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

1 For single-family attached uses each unit shall be on its own lot.
2 Front setback shall be measured to patios, livable space, and side entry garages
3 Setback shown only applies when the project complies with the adopted Single-Family Design Guidelines otherwise projects shall observe a minimum ten (10) foot setback.
4 Where a minimum 10 foot wide landscape tract is provided, the typical side setbacks, rather than Street Side setback applies
5 Maximum Building Coverage 80% when utilizing Reduced R1-A Development Standards.
6 If homes face toward a collector street, front porches may face out towards the street so long as a minimum distance of 10 feet is provided between the sidewalk and the porch and no vehicular access shall be allowed from/to the collector street to individual lots. Walls within the front setback shall be no greater than 4 feet in height and parallel walls shall be located no closer than 14 feet face to face. Patios shall be a minimum of 6 feet deep and a minimum of 66 square feet.
7 Setback from a public or private street that is not providing direct vehicular access to homes shall be 10 feet
8 For Single-Family Attached uses, side yard setbacks with common wall may be zero (0) feet
9 For principal residential uses, attached side setbacks shall be 0 feet, whereas building separation shall be a minimum of 5feet

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10 Total of both sides setback may be reduced to 10 feet subject to the requirements as provided in Section 3..5.1
11 If a porch/patio is located on the side of an attached townhome (facing the street), such patios/porches may encroach the street side setback up to 4 feet with a maximum wall height of 40 inches.
12 Where a rear facing garage is provided with access via a private alley tract, the rear setback for the entire building shall be reduced to 0 feet, provided fire separation requirements can be met.

Figure 2.2.3A – Single Family District Standards (Detached)

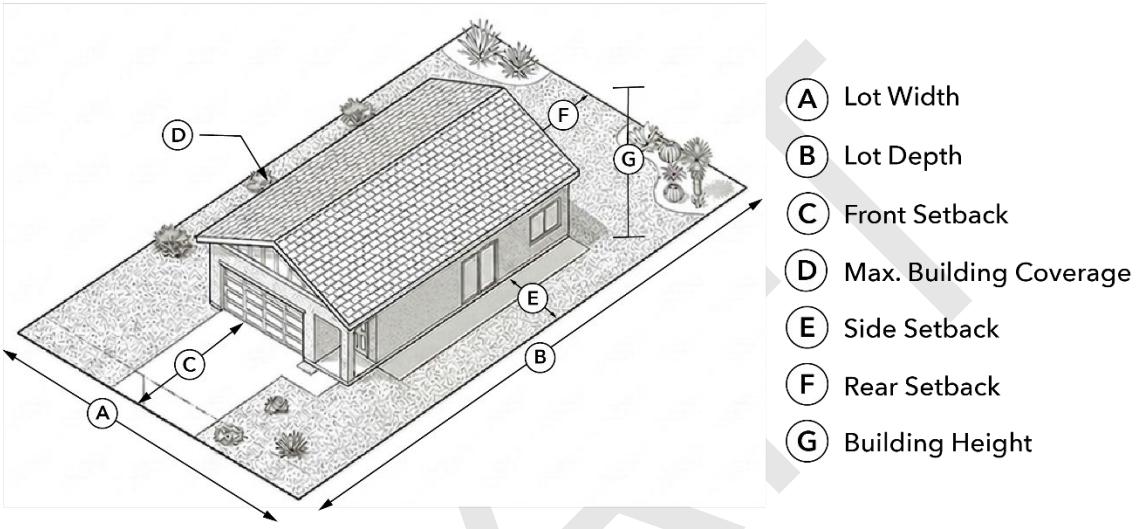
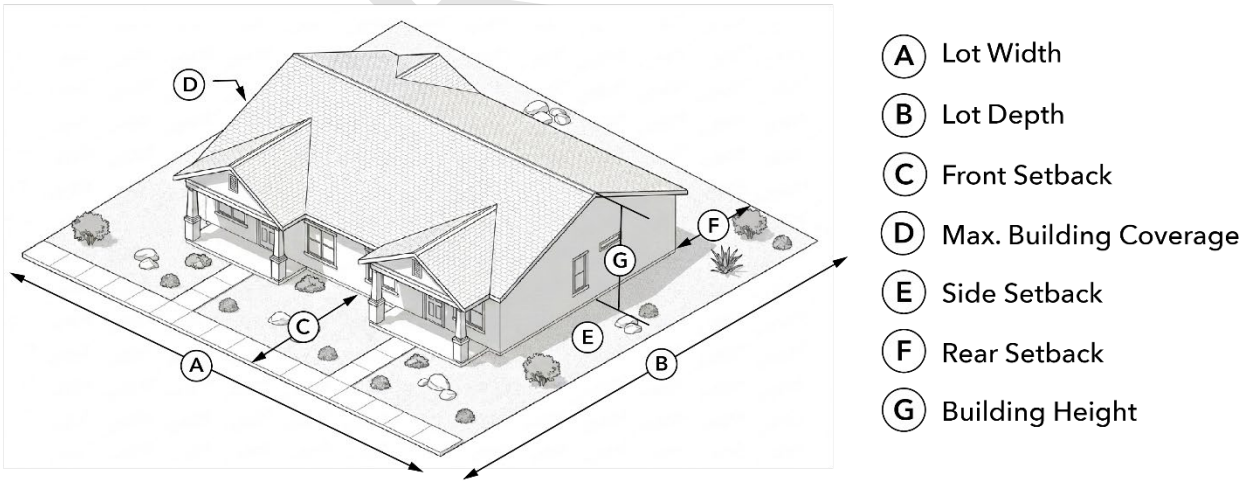


Figure 2.2.3B – Single Family District Standards (Attached)



B. Additional Development Standards & Regulations

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

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

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

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

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

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

- The additional height shall only be permitted when the development complies with the adopted Multi-Family Design Guidelines, as determined during Site Plan and Design Review.
- 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.

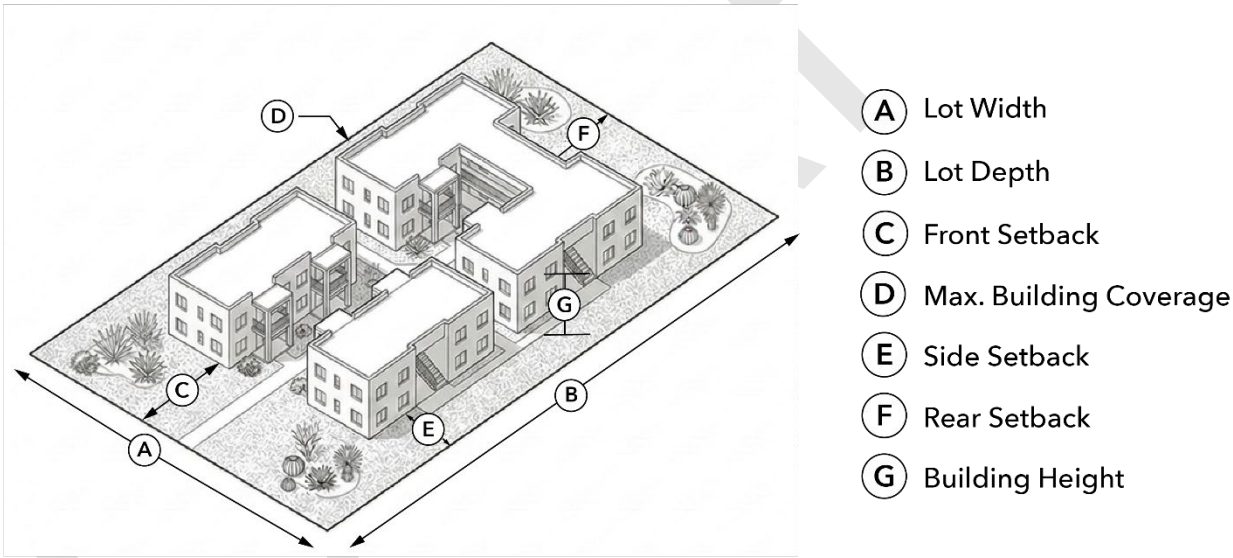
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- Where a residential building is oriented toward single-family residential, the stacked end units of the building closest to the single-family property line shall be limited to two (2) stories and shall not include a third story. The remainder of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

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

- 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 one hundred (100) feet from any single family residential zoning district.
- The additional height shall only be permitted when the development complies with the adopted Multi Family Design Guidelines, as determined during Site Plan and Design Review.
- Developments that do not meet the above conditions shall be limited to the base maximum height of forty (40) feet.

Figure 2.2.4 – Multi-Family Residential Setbacks



B. Additional Development Standards & Regulations

1. Supplemental Standards Applicable to All Residential Districts - See Section 3.5 for additional standards applicable to all residential districts
2. Accessory Uses, Buildings and Structures – See Section 3.11 Accessory Uses, Buildings, And Structures for additional development and design regulations.
3. Landscaping, Walls and Screening requirements – See Section 4.2 and Section 4.3 Landscaping and Walls, Fences and Screening for additional development and design regulations.
4. Pool & Spa requirements – See Section 4.4 Pools & Spas for additional development and design regulations.
5. Parking and loading requirements – See Section 4.5 Off-Street Parking and Loading for additional development and design regulations.

6. Exterior Lighting requirements – See Section 4.6 Outdoor Lighting for additional development and design regulations
7. Signage requirements – See Section 4.7 Signage for additional development and design regulations.

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2.3. Commercial & Industrial Districts

2.3.1. Commercial Districts

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

A. Purpose Statements

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

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other higher intensity uses and activities occurring within internalized courts visible and accessible only from the interior of the development.

2.3.2. Industrial Districts

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

A. Purpose Statements

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

2.3.3. Commercial & Industrial Permitted Uses

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

A. **Principal Permitted Use** – "P" within a cell indicates that use is permitted by right within that zoning district.
B. **Conditional Use** – "C" within a cell indicates a use that is permitted if certain conditions are met
C. **Special Use Permit Use** – "S" within a cell indicates a use that requires the approval of a Special Use Permit in accordance with 6.5.
D. **Use Permit Use** – "U" within a cell indicates a use permitted in a particular zoning district only upon showing that such use will comply with all the conditions and standards for the location and/or operations of such use as specified in this Ordinance and authorized by the City Council
E. **Accessory Use** – "AC" in a cell indicates a use that is permitted so long as it is customarily incidental, related, appropriate and clearly subordinate to the main use of a lot or building, which does not alter the principal use of subject lot or building, or adversely affect other properties in the district
F. Blank cells indicate a use is not permitted

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

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to specific use classification referenced in Article 3 or refers to regulations located elsewhere in this Zoning Ordinance.

Table 2.3.2: Commercial & Industrial Districts Use Classifications

P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	CO	C-1	C-2	CMX	PFD	BPD	I-1	I-2	Additional Use Definitions and Regulations*
Adult-Oriented Uses									
Adult bookstore, adult novelty store and adult theater			C				C	C	3.11.1
Adult live entertainment, erotic dance or performance studio			S				S	S	3.11.1
Marijuana Dual Facility							C	C	3.11.21
Medical Marijuana Cultivation Location							C	C	3.11.22
Medical Marijuana Dispensary							C	C	3.11.24
Tattoo Studio and/or Body Piercing Studio			C						3.11.31
Automotive & Transportation Related									
Automobile repair, major			C				P	P	3.11.5
Automobile repair, minor			C			C	P	P	3.11.6
Automobile rental		C	P			P			XXX
Automobile sales, new or used		C	P			P			XXX
Automotive service stations		U	U				AC	AC	3.11.4
Car wash (Hand or Automatic)			U				AC	AC	3.11.10
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	3.11.32
Truck Stop/Travel Plaza									
Commercial Office, Retail & Services									
Animal Kennel/Shelter							C	P	3.11.2
Animal Pet Day Care Facility		P	P				P		
Convenience store		U	U						3.11.12
Crematories or Funeral Home			P				P	P	
Drive-in restaurant		U	U						3.11.16

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Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Drive-through		C	C	U					3.11.16
Financial Institution	P	P	P	P					
Fine Art Sales & Studio	P	P	P	P		P			
Food Bank							U	P	
Heavy Equipment Rental & Sales			U				P	P	
Limited outdoor display		C	C	C			C	C	3.12.7
Manufactured Home Sales							P	P	
Massage and Spa Establishments	P	P	P						
Non-Chartered Financial Institution			C						3.11.25
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	3.11.19
Retail, Shopping Center		P	P						
Secondhand stores		P	P				P		
Seed and feed, retail and sales office			P						
Swap Meets/Auctions							S	S	
Veterinary Clinic		C	P				P	P	3.11.34
Veterinary Hospital			C				C	P	3.11.35
Entertainment, Recreation & Cultural									
Amusement park			S				S	S	
Cultural facility or Museum			P	P		P			
Drive-In Theaters							S	S	
Entertainment establishments, general			P	P		P			
Entertainment Venue, Indoor			U	U		U	U	U	3.11.17
Entertainment Venue, Outdoor			U	U		U	U	U	3.11.18
Event Venue			U	U		P	U	U	
Health club/Gym			P				P		

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Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Hotels and motels			P	P					
Food & Beverage Establishments									
Bar/cocktail lounge			C			C			3.11.29
Brewery			C			C	P	P	3.11.8
Brewpub			C			C			3.11.9
Microbrewery/Distillery									3.11.20
producing ≤ 15,000 barrels/year			C			C	P	P	
producing ≥ 15,000 barrels/year			S				P	P	
Outdoor seating		C	C	C		C			3.12.8
Restaurant		P	P	P		P			3.11.29
Institutional & Public Facilities									
Cemeteries/mausoleums (incl. pets)							S	S	3.11.11
Crematory							U		
Day Care Facility	C	P	P	C			U		3.11.14
Exhibition hall and convention facilities				P					
Funeral Home	P	P	P						
Governmental or quasi-governmental Facilities				P	P	P			
Places of worship	P	P	P	P	P	P	P	P	3.11.20
Professional Business, Trade or Vocational Schools	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						
Zoos							S	S	
Industrial – Heavy / Extractive / Waste									
High-impact processing & refining								U	
Resource Extraction & Processing							S	S	
Sand blasting								P	

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Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Waste Facility, Landfills or Transfer Stations/Recycling Facilities							S	S	
Industrial - Manufacturing & Storage									
Advanced Manufacturing						P	P	P	
Building Material Sales							C	C	XXX
Data centers							C	C	3.11.13
Foundry/casting (low impact)								P	
Inert material landfill (borrow pit)	S	S	S	S	S	S	S	S	
Manufacturing & assembling, Major							C	P	
Manufacturing & assembling, Minor						P	P	P	
Product Processing							C	P	3.11.28
Research and Development Laboratories						P	P	P	
Self-service storage facilities		C	C				C	C	3.11.30
Sign shop			P			P	P	P	
Warehouse, wholesale, or distribution facility						C	C	C	3.11.36
Infrastructure / Utilities									
Airport/heliport/helistop		S	S			S	S	S	
Battery Energy Storage System (BESS)							S	S	3.11.7
Broadcast Tower								P	
Energy generation facility	S	S	S	S	S	S	S	S	
Highway maintenance facilities								P	
Public utility facilities, major			U	P		P	P	P	
Public utility facilities, minor	U	U	P				P	P	
Public works facilities			U				U	P	
Sewage disposal & treatment plant							S	P	
Transmitting stations								U	
Wireless communications facilities	S	S	S	S	S	S	C	P	3.11.37
Medical / Health Care									
Assisted Living Facility		C	C						3.11.3
Hospital		U	U			U			

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Table 2.3.2: Commercial & Industrial Districts Use Classifications									
P - Principal Permitted Use C - Conditional Use S - Special Use Permit U - Use Permit Use AC - Accessory Use	**CO**	**C-1**	**C-2**	**CMX**	**PFD**	**BPD**	**I-1**	**I-2**	**Additional Use Definitions and Regulations***
Medical Office/Clinics	P					P			
Medical Laboratories	P								
Residential & Accessory									
Accessory uses	AC	AC	AC	AC	AC	AC	AC	AC	3.12.1
Dwelling for a watchman or caretaker							C	C	3.12.1
Dwelling, one single family attached									
Limited to 2 units attached				P					
Limited to 3 units attached				P					
4 or more units attached				P					
Dwelling, multi-family				P					
Facilities and storage areas incidental to a construction process	AC	AC	AC	AC	AC	AC	AC	AC	3.12.1
Outdoor storage	C	C	C	C	C	C	C	C	3.11.26
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	

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

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

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

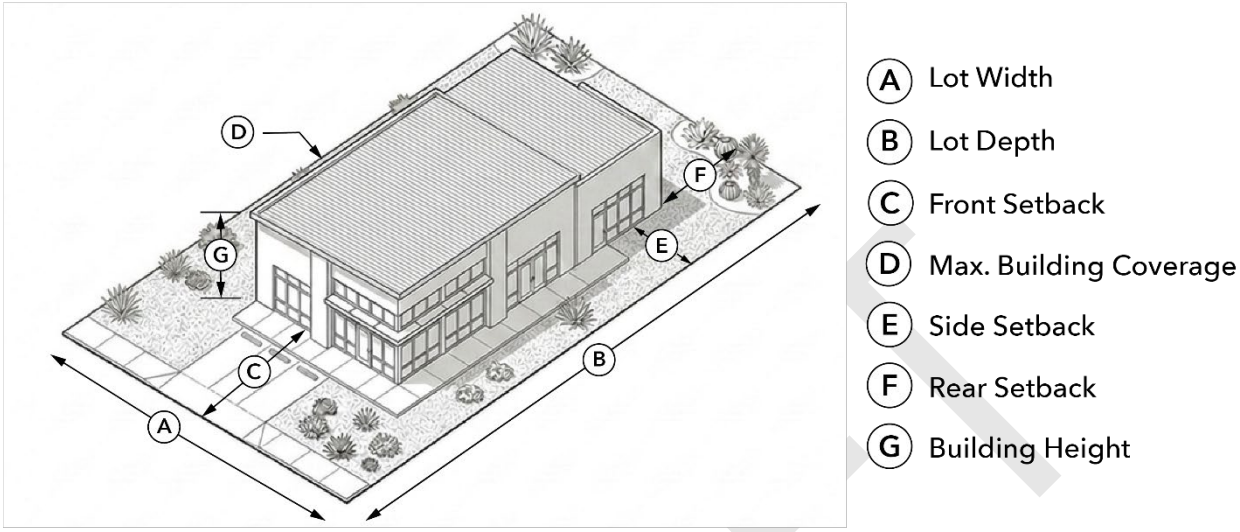
3 Except as provided herein, minimum net site area and lot width requirements do not apply for lots within a unified commercial development, which is a development intended for three or more businesses, so long as the development has permanent cross-access, shared parking and access easements, in a form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

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

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

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Figure 2.3.4 – Commercial Standards



B. Additional Development Standards & Regulations

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

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2.3.5. Industrial Development Standards

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

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

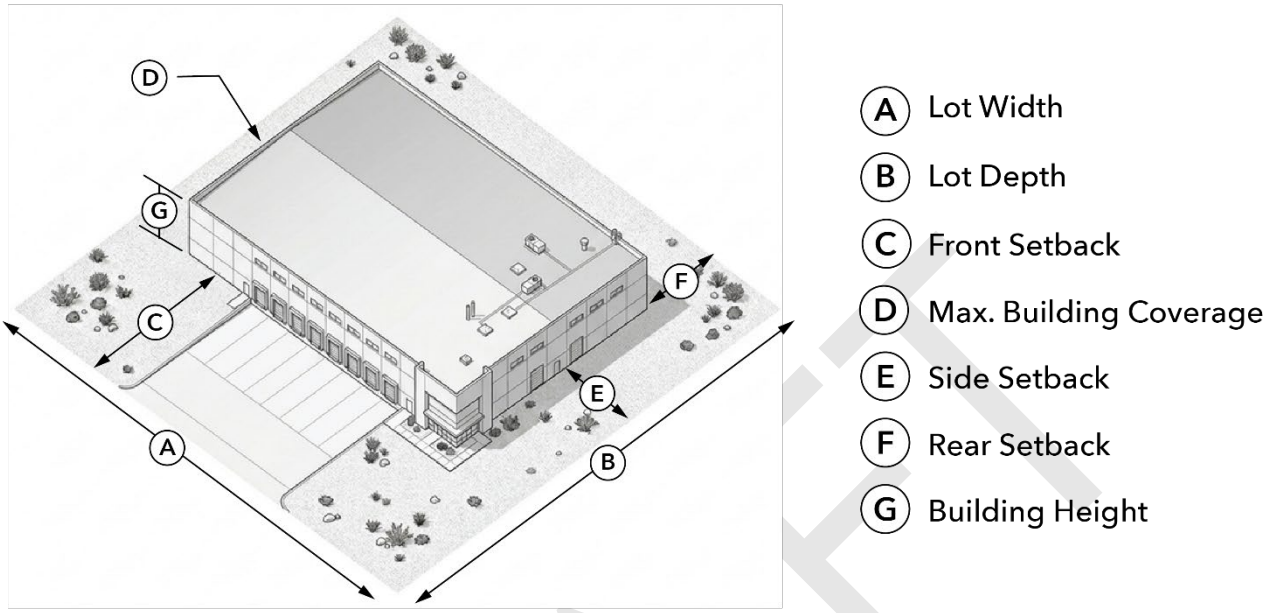
1 Thirty (30) feet per side; provided further that a ten (10) foot area adjacent to the property line be landscaped and maintained.

2 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.

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

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Figure 2.3.5 – Industrial District Standards



B. Additional Development Standards & Regulations

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

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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:

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

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

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

A. **Planned Area Development District (PAD-D)** – 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-O)** – 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-D and PAD-O documents, and any additional or supplemental information that is deemed necessary by the Zoning Administrator, or their designee, to meet the following objectives:

A. Accommodate variations in building design, lot arrangements and land uses for a maximum choice in the types of environments for residential, commercial, industrial uses and facilities

B. Provide for a coordinated and compatibly arranged variety of land uses with efficient and safe traffic circulation, including the separation of pedestrians from vehicular traffic

C. Promote innovative site planning; to maintain high-quality living environments with usable open space

D. Minimize adverse environmental impact on surrounding areas; and

E. Fulfill the goals, objectives and policies of the City of Goodyear General Plan and amendments thereto

2.4.2. PAD Permitted Uses

A. Planned Area Development District (PAD-D)
Uses permitted within a PAD-D shall be those specifically identified in the approved Development Plan. Residential neighborhoods are encouraged to 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

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with surrounding land uses and shall conform to the City of Goodyear General Plan.

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

C. Density and Intensity
Densities and intensities permitted within a PAD-D or PAD-O 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 the otherwise applicable 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 multi-family units with attention to shelter affordability;
2. Additional useable open space being provided;
3. Compact residential lots are proximate to employment or freeway interchange or create a desirable housing market, such as attracting active retirees;
4. Lots with areas less than 5,500 square feet are internal to the development or are adjacent to non- residential uses; and/or
5. Illustrations of proposed street scene where garages are not dominating, porches are provided, or the like.

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

E. **Parking**. Joint use parking facilities, including appropriately-buffered and screened recreational vehicle, automotive maintenance and washing areas, may be proposed in accord with Section 4.5, Off-Street Parking and Loading.

F. Parking spaces shall be designated for parks and recreation areas.

G. Separate, designated spaces shall be provided for temporary model home sales or rental offices.

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H. **Signage**. Comprehensive signage packages shall be proposed to identify and provide 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.

I. **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 master-planned in compliance with City engineering specifications or with attenuation methods and materials approved by the Public Works Director, or his designee.

J. **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
5,500-7,000 sq.ft.	15%
7,001-10,000 sq. ft.	12%
10,001-15,000 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 R1-7 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.

K. 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 may be abutted by lots with two-story dwellings

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

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

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

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

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

2.5. Special Districts

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

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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 within the specified distance from the Freeway right-of-way boundaries.
2. All residential development and other noise sensitive uses within five hundred (500) feet of Freeway right-of-way boundaries shall submit a sound attenuation plan prior to rezoning, use permit, or site plan approval.
3. Any property or lot completely or partially located within five hundred (500) feet of the exterior edge of Freeway alignments shall comply with the provisions of this Overlay District.

C. Sound Attenuation Plan

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

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barrier wall of a minimum of eight (8) feet in height, or an acceptable equivalent, and install landscape treatments, subject to the approval of the Zoning Administrator, or his or her designee.

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

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

D. Interior Noise Standards.

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

E. Sound Attenuation Improvements

Sound attenuation improvements shall include all reasonable and feasible measures necessary to meet the required standard including the construction of Freeway walls and earthen berms. If there are special characteristics within a Freeway corridor, such as the topography of the area, drainage, maintenance requirements, or safety considerations, as determined by the City Engineer, or his or her designee, then the construction of a noise barrier of greater than 20 feet in height should be avoided. Reasonable and feasible measures may include, without limitation, achieving a noise reduction of at least 5 dBA, barrier height, aesthetic issues relating to a proposed barrier, or such other measures as consistent with the ADOT (Arizona Department of Transportation) Noise Abatement Requirements (May 2017, as may be amended) and approved by the City Engineer, or his or her designee. The

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sound attenuation measures shall utilize designs that minimize the visual impact on the site with appropriate use of colors and materials. Any landscape plan proposed for any site subject to the Freeway development standards whereby a wall or berm is required shall include, where appropriate, visual mitigation measures, such as colors, materials, styles, designs, or additional landscape treatments to minimize the visual impacts of walls or berms.

2.5.2. Middle Housing Overlay District

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

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

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

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

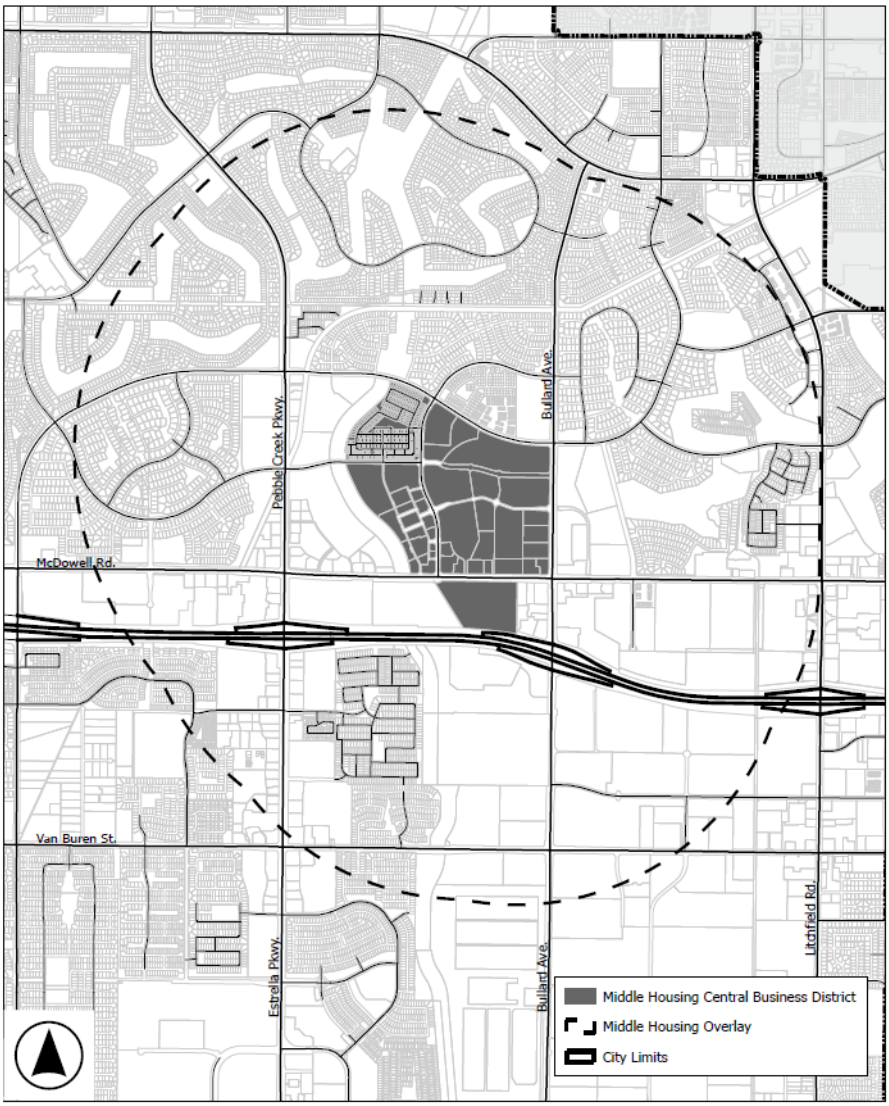
D. Development Standards.
The development standards applicable to the underlying single-family zoning district or planned area development (PAD) shall apply to middle housing

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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. 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.
6. 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 yard not more than five (5) feet except in the case of a side yard where it shall not come nearer than three (3) feet to the side lot line.
7. 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.
8. There shall be an unobstructed opening or gate not less than three (3) feet wide into the rear yard from one (1) side of the house for emergency ingress.
9. 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.
10. 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.

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

12. 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).

13. 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.

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

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. Setbacks for all buildings in all districts shall be measured from property lines.

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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:

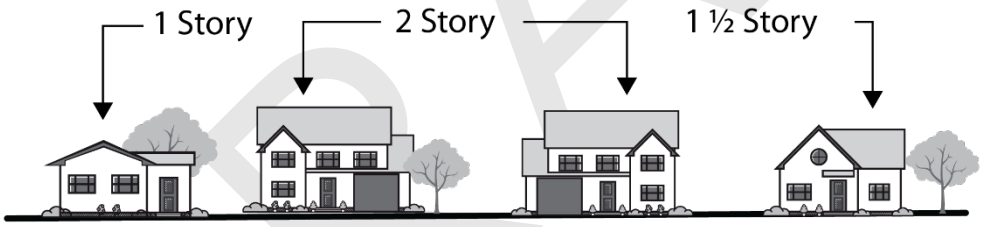
3.2.1. Residential Design Standards.

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.

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

Figure 3.2.1A – Residential Elevation Variety



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

D. Residential streets. Designs discourage through traffic, reduced street paving widths may be considered where off-street guest parking bays are installed.

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.

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

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

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

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

1. 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.
2. 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.
3. 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.
4. 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.
5. Parking Regulations, Standards and Requirements in Article 4 of the Zoning Ordinance.
6. Landscaping, Walls, Screening, Pools and Property Improvement Regulations, Standards, and Requirements in Article 4 of the Zoning Ordinance.
7. Sign Regulations, Standards and Requirements in Article 4 of the Zoning Ordinance.
8. Regulations, Standards, and Requirements contained within this Article.
9. 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.
10. Landscaping is required to be installed in accordance with City standards within collector and/or arterial rights-of-way.
11. Each subdivision shall establish a Property Owner's Association and a Board of Directors to administer and enforce required covenants, conditions, and restrictions and to oversee the operation of common facilities.
12. Compliance with all applicable laws, codes, ordinances, rules, regulations, standards, guidelines, conditions of approval, which includes by way of example but not limitation: the Building Codes and Regulations (currently

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Chapter 9 of the Goodyear City Code), the Subdivision Regulations adopted by the City of Goodyear (currently Chapter 15 of the Goodyear City Code), the City's Zoning Ordinance, the City of Goodyear's Design Guidelines Standards, the City of Goodyear Engineering Design Standards and Policies as they all may be adopted and amended from time to time ("Development Regulations"). If there are any inconsistencies between the Development Regulations, the more restrictive requirements apply. For instance, if a standard in the City of Goodyear's Design Standards is more restrictive than a provision in the Zoning Ordinance the on the same subject, the Design Standard would apply.

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

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

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

16. Mechanical work on vehicles that may take more than seventy two (72) hours to complete must be done inside a garage, carport or rear yard in residential areas. Such work shall be restricted to vehicles licensed to the resident of the property upon which the work is being done.

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

3.4.1. Animal Keeping

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

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

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

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

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D. Any egg laying fowl maintained in the AU district shall be located 200 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:

F. Corrals, structures, pens, stables, shade structures and like enclosures for the keeping of animals shall be located in the rear yard and such facilities shall not be located any closer than one fifty (50) feet from any dwelling or lot line.

G. A stable or shade structure shall be provided for horses equal to a minimum of one hundred (100) square feet of cover per horse.

H. 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.

I. 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.

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

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

3.4.2. Agriculture, Intensive Operation

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

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

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

3.4.3. Group Homes

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

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

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

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

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

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

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

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

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

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

F. Activity shall be limited to the hours between 7:00 A.M. and 10:00 P.M.

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

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

3.5. Supplemental Standards Applicable to Single-Family Residential Districts

The following requirements apply in all Single-Family districts:

3.5.1. Community Requirements for Subdivisions in Residential Districts (R1-6, R1-4, R1-A, R1-C)

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

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

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

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

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

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

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

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REDUCED R1-A	20	1,600	N/A	2 (1)	2	2 (2)
R1-C	40	3,200	N/A	1	2	1

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

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

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

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

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

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

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

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

        iii. Restroom facilities.

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

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

d. Integrated Commercial. A parcel zoned commercial is located within the development or directly adjacent that is integrated into the neighborhood and has the impact of serving as a gathering place and amenity to the community, subject to the following:

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

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

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

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

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

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

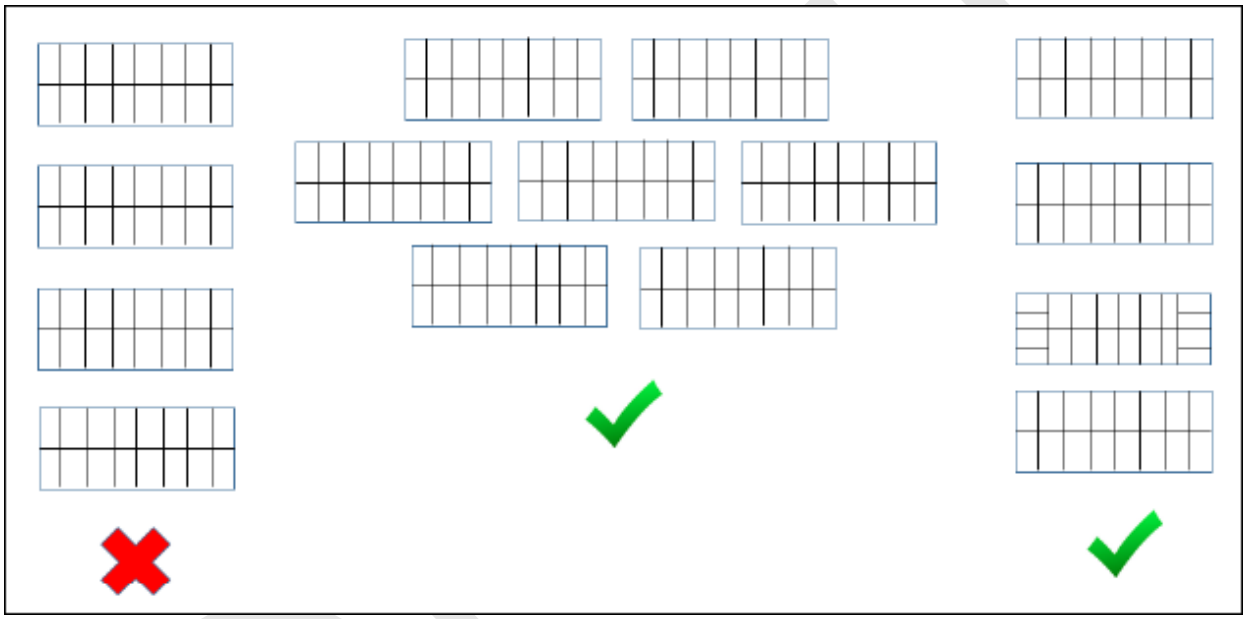
b. Trail System Connections. Publicly accessible trail connections are provided within the community and connect to larger trail systems outside of the subdivision or development or have the

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ability to connect to any such future external trail systems (i.e., trails that are not limited to use by only those who live within the subdivision or development).

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

Figure 3.5.1A - Smaller Blocks



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

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

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

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

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

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

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

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

      i. Private-Alleys serving Alley-Loaded Residential shall not exceed four hundred fifty (450) feet unless either (A) the fronts of the Alley-Loaded Residential being served by the Private Alley are fronting along a public street (or private street built to public street standards) OR (B) lots adjacent to the Private Alley's entrance provide street frontage to a public street (or private street built to public street standards) that intersects the Private Alley. Any portion of the Private Alley adjacent to common area open space tracts shall not count towards the maximum four hundred fifty (450) foot Private Alley length.

      ii. If the entry drive from a public or private street into a Private Alley at the T-intersection is less than two hundred (200) feet measured from the edge corner of the street to the T-intersection, it shall not be considered a separate Private Alley for the purposes of the measurement above.

      iii. Entries from a public or private street into a Private Alley that continues as a L-shaped or U-shaped Private Alley are not separate Private Alley's but shall be considered part of the L-shaped or U-shaped Private Alley.

      iv. The Private Alley shall include either carriage lights on either side of the garage door or private HOA maintained lights/bollards to provide security lighting to the Private Alley.

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e. There shall be a total parking ratio of no less than two and one-half (2.5), including one-half (0.5) guest parking spaces, per platted residential lot subject to the following:

i. Guest parking spaces may be provided by on-street parking or in a guest parking space located on private lot driveways, in HOA owned and maintained alleys or parking lots so long as guest spaces are located no more than two hundred twenty-five (225) feet away from any individually platted lot.

ii. The following applies if guest parking is to be provided within HOA owned and maintained alleys or parking lots:

iii. 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

iv. Guest parking spaces shall be labeled or numbered. The failure to comply with an ap- proved Parking Plan shall constitute a zoning violation; and

v. 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

vi. 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

vii. 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.

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

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

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

7. Porches and Courtyards. One hundred (100) percent of homes have a front porch or courtyard with at least fifty (50) percent of the homes having a covered front porch that is at least forty-eight (48) square feet. Covered porch can include a slatted roof or other roof design alternative, if it is an integrated, significant architectural feature with columns that are complimentary to the style of the home.

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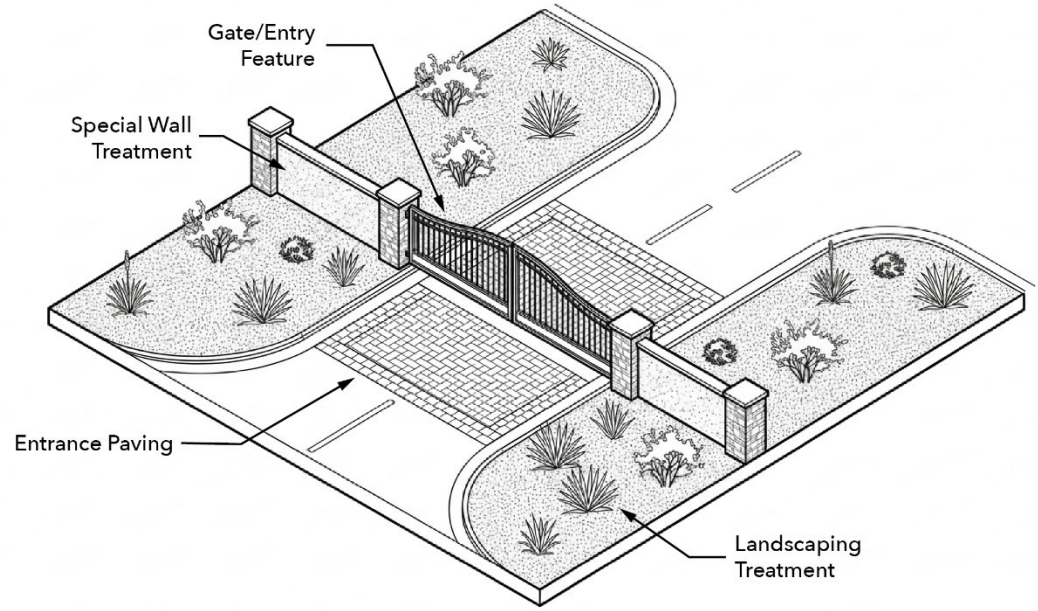
8. Additional Streetscape Elements. Other streetscape elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.

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

3.5.2. Entry Feature.

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

Figure 3.5.2A - Entry Features



3.5.3. Parks.

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

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

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

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

2. Two parks totaling at least 5 acres may be provided in lieu of a single 5-acre park if additional amenities are provided above and beyond

those listed in Section 3.4.4 and the parks are connected via a system of on or off-street connections. When two parks are provided it is highly encouraged to connect them via off-street trails.

3.5.4. Useable Open Space Design Standards.

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

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

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

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

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

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

3.6. Supplemental Standards Applicable to Multi-Family Residential Districts

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

3.6.1. Relationship of Project to Surrounding Land Uses.

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

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

A. Use of one (1) story buildings;

B. Additional landscaping to serve as buffer area;

C. Wider setbacks from property line;

D. Modify orientation of buildings;

E. Modify the orientation of windows and balconies;

F. Provide screen walls

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

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

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

3.6.2. Open Space Requirements.

Recreational open space is that portion of a project site not divided into individual lots and made available to individual residents for the purpose of outdoor living space and may include lawn 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, 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.

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 home shall be permitted on each approved manufactured home lot within the subdivision. No recreational vehicles or conventional construction units 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 administer and enforce required covenants, conditions and restrictions, and 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).

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

3.7.2. Development Regulations.

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

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

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

D. 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.

E. 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.

F. 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.

G. 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.

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

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

3.8. Supplemental Standards Applicable to MH/RVP Districts

3.8.1. Regulations.

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

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

3.8.2. Management Association.

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

D. 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.

E. 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.

F. 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.

G. 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.

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

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

J. 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

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required on all sides of the building. If there is no the wall the storage building shall be set back one foot from the lot line for every foot in height (to the peak of the building) above six feet.

3.9. Supplemental Standards Applicable to Commercial & Industrial Districts

3.9.1. Supplemental Development Regulations for All Commercial Districts.

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

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

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

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

D. Commercial uses are restricted to closed buildings, except as permitted with a Use Permit, including storage of materials and supplies, displays, and listings.

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

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

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

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

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

F. Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades, or other architectural treatments and

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

I. Electrical utility, cable TV and all other utility lines for buildings shall be placed underground. Overhead lines are permitted only for 69kV or greater electrical transmission facilities. 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.

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

K. 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.

3.9.2. Supplemental Development Regulations for the Business Park District

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

Intended Design Configuration

Figure 3.9.2A - Business Park District Design Configuration



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

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

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

E. Recreational open space shall include plazas, open turf areas, landscaping, and amenities, such as game areas, exercise stations, seating, benches, and tables.

F. Shade shall be provided through a combination of trees and structures to ensure fifty (50) percent shade coverage.

G. Recreational open space shall be visible to surrounding properties and streets adjacent to the development.

H. Pedestrian scale lighting and security lighting shall be provided to ensure visibility during low light and nighttime hours.

I. Sidewalks and pathways shall connect recreational open space areas to other open spaces, building entrances and all employee and customer/visitor gathering areas.

J. For multi-phased developments, the required recreational open space shall be completed with the first phase of development, or in accordance with a phasing plan approved by the Zoning Administrator or designee.

K. Recreational open space may not be used as a stormwater retention or detention basin.

L. Recreational open space is included in the minimum fifteen (15) percent landscaping area requirement of Section 4.2.

M. Artificial turf shall be used for all turf areas.

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

O. 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.

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

3.9.3. Supplemental Development Regulations for All Industrial Districts.

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

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

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

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

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

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.

C. Performance Standards. No use shall be established, maintained or conducted within any Industrial District which may cause any of the following:

D. Dissemination of smoke, gas, dust, noxious odor or any other atmosphere pollutant outside the building in which the use is conducted; or with respect to a use that is not conducted within a completely enclosed building, any dissemination whatsoever.

E. Noise perceptible beyond the property boundaries of the immediate site.

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

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

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

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

J. 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

K. 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.

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

M. 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.

N. 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.

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

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

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

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

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

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

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

P. Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades, or other architectural treatments and

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installation of landscaping to minimize the extent of metal surfaces visible from the street

Q. 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.

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

S. Electrical utility, cable TV and all other utility lines for buildings shall be placed underground. Overhead lines are permitted only for 69kV or greater electrical transmission facilities. 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.

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

U. 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.

V. 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.

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

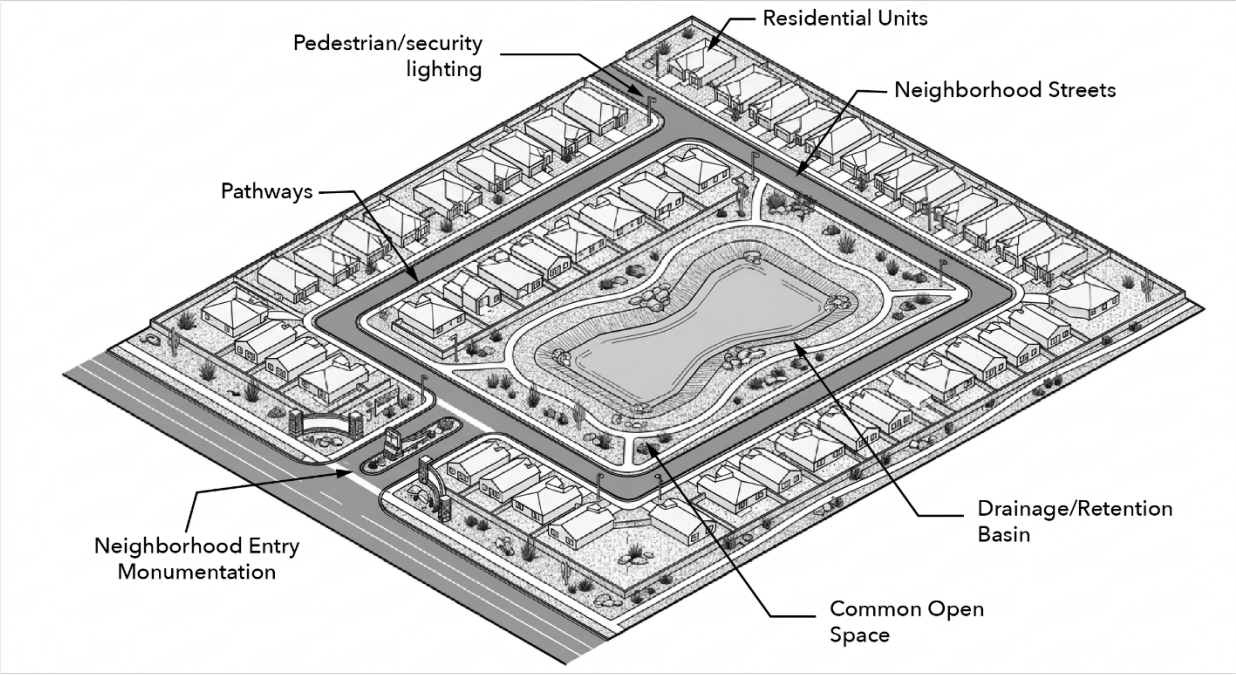
E. Community Integration. Neighborhood design contributes to City-wide enhancements as well as features which provide residential diversity and linkages among neighborhoods.

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

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

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

Figure 3.9.1A - Residential Neighborhoods



3.10.2. Commercial, Employment or Institutional Uses.

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

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

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

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

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

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

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

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

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

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

3.11. Additional Use Specific Regulations

3.11.1. Adult Businesses.

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

A. General Requirements.

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

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

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

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

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

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

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

6. None of the above-listed uses may be located within five hundred (500) feet of a preschool, kindergarten, elementary or secondary school, church or similar place of worship, park, playground or any of the following use district classifications: R1-10, R1-7, R1-6, R-2, MF-18, MHS, MH/RVP, C-1, or PAD with an underlying land use of similar nature. This distance shall be measured from the exterior walls of the building or portion thereof in which the adult business is conducted or proposed to be conducted to the property line of the above-listed use or use restriction.

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

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

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

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

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

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

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

3.11.3. Assisted Living

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.

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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.

3.11.4. Automobile Fueling Station (Gas Stations).

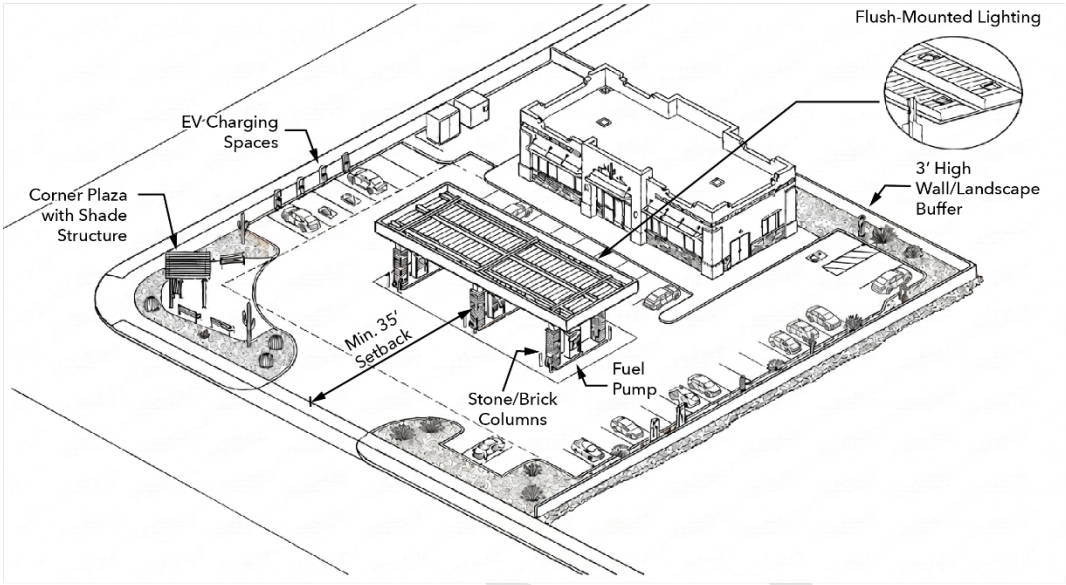
Automobile Service station (Gas Stations) uses require specified, additional conditions and design criteria.

A. Design Criteria.

1. The design of the service station building and site shall be compatible with the type of development surrounding the station.
2. All fuel pumps and/or pump islands shall be covered by a canopy that matches or complements the design of the principal building.
3. Service stations which are situated within a larger commercial development shall be separated from adjacent property by a three (3) foot high wall, landscaping, or curbing, except for necessary driveways, in order to control vehicular movements and circulation.
4. The width or depth of any service station site shall be a minimum of one hundred-fifty (150) feet.
5. Pump islands shall be located at least thirty-five (35) feet from the street right–of-way line.
6. Service stations shall be subject to all landscaping and design standards including screening of parking and maneuvering areas with walls and landscaping.
7. Facilities located on the same side of a street shall be no less than 500 feet from a similar facility.
8. If located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two arterials (including parkways) or within three hundred (300) feet of an existing or planned signalized intersection, the service station shall include a corner plaza with shade structure and seating or a design alternative approved by the Zoning Administrator.
9. Refueling pumps and associated equipment shall be no less than 150 feet from a single-family 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.

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1. Figure 3.12.3A - Automobile Fueling



Station

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

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

3.11.5. 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.

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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.

3.11.6. 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 twenty (20) foot landscaped setback or a solid wall.

3.11.7. Battery Energy Storage System (BESS) (RESERVED)

3.11.8. Brewery.

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

A. General Requirements.

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

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

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

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

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

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3.11.9. Brewpub.

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

A. General Requirements.

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

2. Live music or entertainment shall only be allowed as an accessory use if the facility is located a minimum of three hundred feet (300') from the property line of any residentially zoned or designated property. The area within the facility designated for music or entertainment activities, including patron dancing, shall not exceed 5,000 square feet. All noise generated by live music or entertainment activities shall be fully contained within the indoor space occupied by the brewpub.

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

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

3.11.10. 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 or structure shall be located within 50 feet of any residential Zoning District.

C. Drive-up Aisles.

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

D. Required Queuing Area.

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

E. Landscaping.

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

F. Noise.

Sound attenuating measures shall be incorporated into the building design and construction to absorb noise such that the sound level readings at the Street and at interior property lines are no more than 55 decibels. Mechanical

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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.

3.11.11. 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.

3.11.12. Convenience Store.

A. REQUIRED INFORMATION

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

1. Where free-standing convenience stores are part of a larger center (at least fifty thousand[50,000] square feet), such use should not be located on an arterial corner building pad site unless, in the judgment of the City

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Council the findings support the proposal and stipulations designed to mitigate potential problems are attached to the property.

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

    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. Convenience Use Evaluation Criteria.

Prior to a convenience store use permit being considered by the Planning and Zoning Commission, the Site Plan Review Committee will review and evaluate the proposed convenience use Site Plan and report to the Development Services Department. The Development Services Department's report to the Commission will include, but not be limited to, findings on the following:

1. Adequacy of the parcel size and configuration to provide for proper access and internal circulation.

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

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

        i. Additional right of way.

        ii. Off site traffic mitigation measures.

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

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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.

3.11.13. Data Centers (RESERVED)

3.11.14. 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.

G. Concentration of Uses.

No more than one day care facility shall be permitted within 500 feet of the lot line of another existing day care facility.

3.11.15. Day Care, Home

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

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

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

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

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

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

3.11.16. 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 and a minimum of five hundred (500) feet from a residential district.

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

C. The entry to each drive-through, within the same development or shopping center, shall be separated by a minimum of three hundred (300) feet and should be separated by a drive aisle so as to avoiding stacking conflicts.

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

E. 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).

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

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

H. 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.

I. Speakers shall not be audible from residentially zoned property. Sound shall be mitigated using sound attenuation walls, landscaping, or other measures acceptable to the Development Services Director or designee.

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J. 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. 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.

K. 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.

L. Drive-throughs within three hundred (300) feet of an existing or planned signalized intersection shall include a corner plaza with shade structure and seating or a design alternative approved by the Zoning Administrator

M. 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.

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

O. 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 or if a double lane 3 per lane
Retail	
Dry Cleaning	2 spaces per window
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	2 spaces per bay

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

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

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

R. In addition to the requirements in subsection 3.10.14, 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. One hundred twenty (120) feet between the entry point the ordering facility (i.e. restaurant menu board ordering window) for single lane facilities and sixty (60) feet per lane between the entry point and the ordering facility for double lane facilities (i.e. restaurant menu board ordering window).

b. One hundred (100) feet between pick-up/service window and ordering facility or entry point if no ordering facility is present.

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

S. In addition to the requirements in subsection 3.10.14, Drive-Through where a financial institution, automotive use or retail is the primary use shall adhere to the following:

1. A drive-through lane with a minimum of eighty (80) feet linear feet for queuing, measured from drive-through entrance to the point of service, shall be provided

3.11.17. 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.

3.11.18. Entertainment Venue, Outdoor

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

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

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

1. Outdoor areas, including patios and/or performance areas.
2. External speakers and/or televisions utilized to amplify or broadcast entertainment, recorded music, and/or events.
3. Entertainment hours.

3.11.19. 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.

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

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. General Requirements.

All properties developed with a Large Retail User, whether they are occupied or not, shall be regularly maintained by the property owner so that they are not allowed to fall into a state of disrepair or neglect; and they shall consistently present a neat and orderly appearance to the general public as well as adjacent tenants and property owners. Roofing materials shall be replaced and/or maintained in a manner to insure weather tight conditions. Building walls shall be repaired and/or maintained in a safe condition and clean from graffiti. The landscaping shall be kept in a weed free condition, the irrigation system maintained, and the plants watered to prevent the loss of vegetation. Outdoor lighting shall be kept in an operational state and utilized at night. The property owner is responsible to maintain fire protection systems in working order and provide hazardous materials closure mitigation and documentation for the site in compliance with the Fire Code. If a Large Retail User building is unoccupied or vacated for more than six (6) months, the property owner shall remove all signs from the building and sign panels from any freestanding monuments and replace with a color matched blank panel, the mounting holes patched, and the wall area behind the signs repainted.

F. Site Design Standards.

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

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

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

   a. The provision of one and one-quarter (1.25) percent of additional total landscape area above the minimum required

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for the site. Multiple increments of additional landscaping may be counted towards reducing the fifteen (15) percent requirement. The use of this additional landscaped area for stormwater retention purposes is prohibited.

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

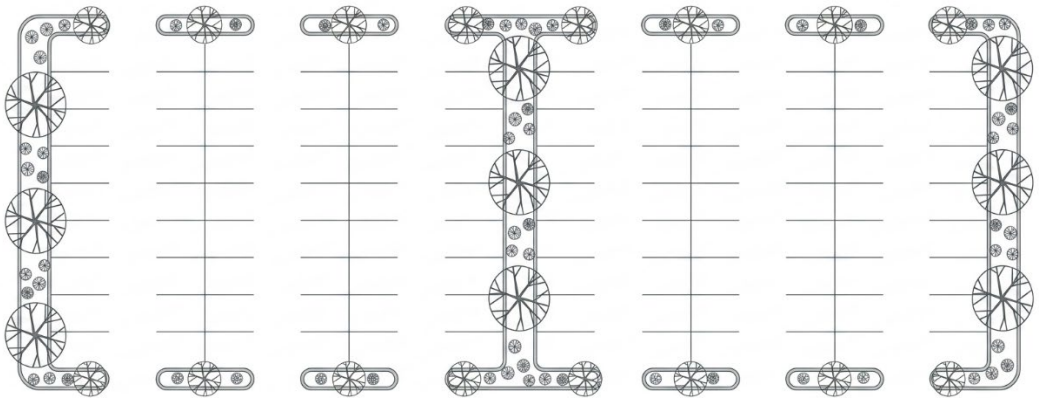
c. The provision of public art as an integral and significant feature of the site. Public art shall be dispersed throughout the site and deployed in concert with the projects pedestrian amenities and plazas.

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

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

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

Figure 3.12.16A: Large Retail User Parking Lots



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

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

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

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

G. Architectural Design Standards.

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

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

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

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

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

c. A building corner or projection.

d. Some other form of significant architectural enhancement.

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

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

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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.

3.11.20. Microbrewery & Craft Distillery.

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

A. General Requirements.

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

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

3. At the request of the Development Services Director the owner of the microbrewery or craft distillery shall provide documentation to the Development Services Director on the quantity of beer produced onsite and the amount of beer sold and delivered to other retailers for the calendar year. Documentation will be required to be submitted to the Department by January 31st of the following year.

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

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

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

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

3.11.21. Marijuana Dual Facility.

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

A. General Requirements.

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

The application shall include:

1. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a marijuana dual facility.
2. The address and legal name of the marijuana dual facility.
3. The name and address of each of principal officer and board member of the marijuana dual facility, including their contact information and the emergency contact information.
4. A floor plan showing the layout and dimensions of the marijuana dual facility to demonstrate compliance with the development standards contained herein.
5. Any other documents necessary to ensure conformance with applicable codes and regulations.

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

B. Separation Standards.

1. A marijuana dual facility shall not be located within five hundred (500) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of any property in a residential district (not including residentially-zoned public street right-of-way), as described in Section 2.2.
2. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.
3. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a licensed preschool, day care or childcare center.
4. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a public park, library or public community center.
5. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest

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exterior building wall of the marijuana dual facility to the closest property line of any church or place of worship.

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

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

C. Development Standards.

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

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

2. If the marijuana dual facility contains a medical marijuana cultivation location, the separation and development standards set forth in Section 3.10.20 also apply.

3. The marijuana dual facility must be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.

4. The maximum gross floor area of a marijuana dual facility shall not exceed five thousand five hundred (5,500) square feet.

5. The secure storage area for the marijuana stored at the marijuana dual facility shall not exceed twenty (20) percent of the maximum gross floor area of the marijuana dual facility.

6. The permitted hours of operation of a marijuana dual facility shall be limited to between 8:00 A.M. and 7:00 P.M.

7. The marijuana dual facility shall not have a drive-through service.

8. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any..

9. The marijuana dual facility shall not provide outdoor seating areas.

10. The operator of the marijuana dual facility shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.

11. Within the marijuana dual facility there shall be a secure storage area which has a single point of access and whose walls and roof are

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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.

3.11.22. Medical Marijuana Cultivation Location.

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

A. General Requirements:

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

The application shall include:

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

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

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

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

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

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

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

B. Separation Standards.

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

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

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

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

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cultivation location to the closest property line of a licensed preschool, day care or childcare center.

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

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

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

8. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of any adult businesses as defined in Article 8 of this ordinance.

C. Development Standards.

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

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

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

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

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

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

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

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

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

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

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

12. The medical marijuana cultivation location shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.

13. The medical marijuana cultivation location shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.

14. The medical marijuana cultivation location shall have adequate exterior security lighting which also complies with Section 4.5 of this ordinance.

15. Entry to the medical marijuana cultivation location shall be limited only to the principal officers, board members and designated agents of the medical marijuana dispensary associated with the medical marijuana cultivation location or persons who need access to perform their duties in enforcing local, state or federal laws or regulations.

16. The medical marijuana cultivation location shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.23. 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.

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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.

3.11.24. Medical Marijuana Dispensary.

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

A. General Requirements:

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

The application shall include:

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

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

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

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

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

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

B. Separation Standards.

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

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

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

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

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

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

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

8. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any adult businesses as defined in Article 8 of this ordinance.

C. Development Standards.

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

2. The maximum gross floor area of a medical marijuana dispensary shall not exceed two thousand five hundred (2,500) square feet.

3. The secure storage area for the medical marijuana stored at the medical marijuana dispensary shall not exceed five hundred (500) square feet of the total of the two thousand five hundred (2,500) square feet maximum gross floor area of the medical marijuana dispensary.

4. The medical marijuana dispensary shall have an interior customer waiting area equal to twenty-five percent (25%) of the gross floor area.

5. The permitted hours of operation of a medical marijuana dispensary shall be limited to between 8:00 a.m. and 7:00 p.m.

6. The medical marijuana dispensary shall not have a drive-through service.

7. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any.

8. The medical marijuana dispensary shall not provide outdoor seating areas.

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

10. The dispensary must comply with the security requirements of A.R.S. Title 36, Chapter 28.1

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

12. All marijuana shall be placed within the secure storage area at any time when the dispensary is not open for business.

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

14. The operator of the medical marijuana dispensary shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the dispensary.

15. The operator of the medical marijuana dispensary shall not allow on-site consumption of medical marijuana.

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

17. The medical marijuana dispensary shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.

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

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

20. The medical marijuana dispensary shall have adequate exterior security lighting which also complies with Section 4.5 of this ordinance.

21. Entry to the medical marijuana dispensary shall be limited only to those persons who either possess a valid registration card or need access to perform their duties in enforcing local, state or federal laws or regulations. No one under eighteen (18) years of age shall be permitted inside the dispensary, unless such person is a registered qualifying patient and is accompanied by a parent or legal guardian.

22. The operator of the medical marijuana dispensary shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.25. 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.

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1. An application for the establishment of a non-chartered financial institution must be submitted, reviewed and approved by the Development Services Director or his designee prior to the issuance of a Zoning Clearance by the City for the proposed establishment.
2. A proposed non-chartered financial institution shall not be located within 1,320 horizontal feet (one-quarter (1/4) mile) as measured in a straight line in any direction from the building in which any other non-chartered financial institution is located.

3.11.26. 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.

C. Outdoor storage of materials and use areas shall be screened from residential uses and any public right-of-way.

3.11.27. Places of Worship.

A. Places of Worship are a Principal Permitted Use in all districts, subject to the requirements of this Section.

B. A Traffic Impact Analysis Report shall be provided, and any warranted signals shall be installed at applicant's expense and shall meet the City's spacing standards.

C. If located within five hundred (500) feet of existing residences, the following shall apply:

D. All building, parking, and security lighting shall be directed down with full cut-off directional light fixtures.

E. All lighting shall be dimmed to fifty (50) percent between 10:00 P.M. and 6:00 A.M.

F. Lights mounted on any wall visible from a residence shall not be placed higher than eight (8) feet above the building foundation.

G. Under-canopy lights shall be screened by the canopy edge, so that the light source is not visible from the property line.

H. Programmed or scheduled outdoor events shall not occur within fifty (50) feet of any existing residence and shall not occur between the hours of 10:00 P.M. and 6:00 A.M.

I. Voices, music, and other sounds by one (1) or more individuals, orchestras, radios, phonographs, music boxes, or sound amplification systems shall not exceed fifty (50) dB(A) between 10:00 P.M. and 7:00 A.M. at the property line of the church.

3.11.28. Product Processing

A. Use shall be located on a property that is no closer than 500 feet from any residential use or 250 feet from any retail commercial use.

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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.

3.11.29. Restaurants, Bars/cocktail Lounges, Breweries, Brewpubs, Craft Distilleries and Microbreweries subject to Special Use Permit for Live Music or Entertainment Activities.

A. Required Information.

Restaurants, bars/cocktail lounges, breweries, brewpubs and microbreweries that are required to obtain a Special Use Permit for live music or entertainment activities shall submit a Special Use Permit application that specifically includes the following:

1. Noise study
2. Lighting plan
3. Floor plan (to identify the areas for the primary use and for ancillary functions)
4. Public safety plan, to be reviewed and approved by the Fire and Police Departments
5. Parking study
6. Traffic analysis (if access to the establishment is from a street other than one classified by the General Plan as minor collector or greater)

B. General Requirements.

The application shall demonstrate that:

1. All patron entrances will be well lit and clearly visible to patrons from the parking lot or a public street.
2. All sound resulting from business activities will be contained within the building, except where external speakers are permitted.
3. The level of service on all streets accessed by the use meets all standards set by the City.
4. All external doors shall be closed but not locked during business hours.

The activity shall be located a minimum of three hundred feet (300') from the property line of any residentially zoned or designated property.

All approved Special Use Permits for such a use are subject to annual review by the City Council.

3.11.30. 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.

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

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

F. Except for the main public entrance located on the first floor, the interior of the building (including without limitation interior contents, decorations, and storage unit doors, but not including those associated with the main office, staff offices, or lobby) shall not be visible from public roadways or residentially zoned properties.

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

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

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

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

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

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

M. All storage shall be within an enclosed building.

N. Land area dedicated to storage shall not exceed:

1. Fifty (50) percent of a commercial center or contiguous area of a commercial zoning district; and

2. Seven and one-half (7.5) acres.

3. If the land area dedicated to storage exceeds the provisions of Sections 3.10.28(N)(1) and 3.10.28(N)(2), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

O. Shall not be located within two thousand, six hundred and forty feet (2,640) feet of another self-service storage facility.

1. If a storage unit does not comply with the provisions of Section 3.10.28(N)(3), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.

P. A self-service storage facility shall not be located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two (2) arterials (including parkways).

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

3.11.31. Tattoo Studios and/or Body Piercing Studios.

Tattoo studios, and body piercing studios as defined in Article 8 of this Ordinance are subject to the following regulations:

A. General Requirements:

1. An application for the establishment of a tattoo studio or body piercing studio must be submitted, reviewed and approved by the Development Services Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.
2. All tattoo studio or body piercing studio shall adhere to all applicable state and county laws, codes, ordinances, rules, and regulations.
3. A proposed tattoo studio, or body piercing studio shall not be located within one thousand (1,000) feet measured in a straight line in any direction of the lot line from any other tattoo studio, or body piercing studio, or within one thousand (1,000) feet measured in a straight line in any direction of the lot line from any adult business, as defined in Article 8 of the Zoning Ordinance. The separation requirements specified herein shall not preclude a tattoo studio, or body piercing studio from locating within the same building.
4. A proposed tattoo studio, or body piercing studio shall not be located within one thousand (1,000) feet measured in a straight line in any direction of the lot line from a school as defined in Article 8 of the Zoning Ordinance.

3.11.32. Transfer Company/Trucking Terminal

A. Applicability.

This section applies to new facilities and to expansions or intensifications of existing facilities that:

1. Increase building area by more than ten percent (10%); or
2. Increase the number of trailer parking spaces or average daily truck trips by more than ten percent (10%).

B. Access.

C. Site Access.

1. Primary site access for trucks shall be from an arterial.
2. No truck access shall be taken from a local residential street.

D. Sight Visibility.

All driveways shall comply with the City's Sight Visibility Triangle (SVT) requirements and any additional sight distance criteria contained in the Engineering Design Standards & Policies Manual.

E. Residential Interface.

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When a site is adjacent to or across a street from a residential zoning district, truck access points shall be designed to minimize truck traffic through or adjacent to residential areas.

F. Setbacks.

Outdoor truck parking, loading, staging, and drive aisles shall be a minimum 50 feet from a residential district which may include the required landscape buffer.

G. Landscape, Walls & Screening.

1. A landscape buffer not less than 20 feet in width shall be provided along any property line abutting a residential zoning district. The buffer shall include a combination of canopy trees, understory, and screening shrubs designed to achieve year-round visual mitigation at maturity.
2. A solid masonry wall a minimum of eight (8) feet in height shall be provided along any property line abutting a residential zoning district.
3. Trailer parking and staging areas visible from the public right-of-way shall be screened

H. Additional Requirements.

1. Employee and visitor parking areas shall be signed and physically separated from truck circulation and staging areas.
2. Overnight idling is prohibited except for safety or temperature-controlled cargo compliance

3.11.33. 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.

3.11.34. 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

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adversely impact adjacent residential properties, or that any potential impacts can be adequately mitigated through appropriate design measures.

B. Noise attenuation walls shall be installed between suites to prevent noise transmission above 45dB.

C. The building construction methods shall incorporate soundproof barriers and be designed to properly eliminate odors, waste, and other contaminants to protect adjacent properties.

D. Activities shall be located within a fully enclosed soundproof building. No outdoor boarding shall be permitted, except in the case of animal hospital/clinics that service large agricultural animals.

E. Outdoor uses such as exercise areas shall be a minimum of one hundred (100) feet from any residential use.

F. Overnight boarding shall be incidental and limited to animals receiving medical treatment and shall be limited to no more than twenty-five (25) percent of the gross area of the clinic.

3.11.35. 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.

3.11.36. Warehouse, wholesale, or distribution facility

A. Loading docks on only one side of each building (cross-dock buildings are prohibited)

3.11.37. 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.

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The following wireless communications facilities may be approved administratively through by the Development Services Director or their designee after review by the Development Review Committee:

1. Panel antennae mounted on or attached to an existing structure that do not extend more than ten (10) feet above the highest point of the structure;
2. Antennae attached to a utility transmission tower or pole that do not increase the overall height by more than fifteen (15) feet;
3. Antennae attached to an existing conforming wireless communications tower that do not increase the height of such tower by more than fifteen (15) feet.
4. Modifications that qualify as an eligible facilities request as defined by federal law shall be reviewed administratively and shall not require a Special Use Permit.
5. A new freestanding wireless communications tower proposed within five hundred (500) feet of property zoned for residential use shall require approval of a Special Use Permit in accordance with Article 4-1.
6. New freestanding wireless communications towers located more than five hundred (500) feet from property zoned for residential use shall require Site Plan approval only.
7. The Special Use Permit requirement shall not apply to collocation on existing structures or towers, nor to Eligible Facilities Requests as defined by federal law.

B. Required Information.

Site Plan approval is required for all wireless communications facilities. For a wireless communication facility that requires approval as a Special Use as specified herein, the required Site Plan shall be the preliminary development plan for the Special Use as required by Section 6.6, and the review and approval of the Special Use and preliminary development plan shall constitute Site Plan approval. All applications for Site Plan or Special Use approval shall contain the following additional materials:

1. A current map, or update to an existing map on file, showing locations of applicant's antenna(e) and facilities and all other known existing and proposed wireless communications facilities within a one (1) mile radius of the proposed facility.
2. A report from a structural engineer registered in the State of Arizona showing the facility antenna capacity by type and number, and a certification that the proposed facility is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.
3. Complete names and addresses of the owners of all antennae and equipment to be located at the site as of the date of application.
4. Written authorization for the use from the site owner.
5. A one-year plan identifying other needed or planned wireless communication facilities in the City. This allows the City to coordinate tower locations with other applicants.

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6. A minimum of two photographic simulations of the proposed wireless communication facility.

7. Documentation demonstrating that reasonable efforts have been made to collocate on existing facilities where technically and commercially feasible.

8. A written agreement that:

   a. The wireless communication facility shall be removed within one hundred eighty (180) days of cessation of use, and to return the area to its condition prior to the construction of the facility;

   b. The facility shall comply with all applicable health, nuisance, fire, building, and safety codes. Violations shall be subject to enforcement pursuant to this Ordinance.

C. Design Criteria.

1. To the extent possible, the materials, colors, textures and landscaping of all wireless communications facilities shall be designed to blend in with the surrounding setting. All facilities shall be finished or painted so as to minimize visual obtrusiveness and shall not be illuminated unless otherwise required by state or federal regulations. Panel antennae and their associated cables and hardware mounted on or against an existing structure shall be painted to match the existing facade or be otherwise camouflaged to reduce their visual impact.

2. Equipment shelters for a wireless communications facility shall be designed in accordance with the City of Goodyear Design Guidelines for commercial buildings or the prevailing design standards for the property.

3. No commercial signage shall be allowed on an antenna or wireless communications facility.

4. New freestanding wireless communications towers shall comply with the setback requirements of the underlying zoning district. Increased setbacks may be required where necessary to ensure structural safety, provided such requirement does not prohibit or effectively prohibit the provision of wireless service.

5. No new wireless communications facilities shall be located within one thousand three hundred twenty (1,320) feet of an existing wireless communication facility unless the existing facility does not meet the structural specifications or technical requirements necessary for additional antenna co-location, or a colocation agreement could not be obtained at commercial reasonable terms and conditions, including price. Wireless communications facilities that can be reviewed and approved administratively in accordance with Section 3.10.35(A) shall be exempt from this requirement.

D. Replacement and/or Rebuilding of Wireless Communications Facilities and Towers.

Pre-existing non-conforming wireless communications facilities and towers which have been destroyed or structurally damaged shall be replaced with

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facilities meeting the requirements as provided in this Article, except that they may be rebuilt to their original height and in their original location, regardless of setback requirements. Reconstruction or modification that qualifies as an Eligible Facilities Request under federal law shall be approved administratively.

E. Non-commercial, non-business wireless communications equipment shall be considered a permitted accessory use in all Districts when it complies with the following conditions:

1. Equipment is used to provide fixed wireless communications service(s) to, and is located on the same property as, a single structure or group of structures under common ownership used for substantially the same purpose.
2. Equipment mounted on the roof of the served structure does not extend more than five (5) feet above the roofline.
3. Equipment mounted on an exterior wall of the served structure does not extend more than twelve (12) inches from the mounting wall.
4. Equipment mounted on a pedestal, foundation, or on the ground in rear or side yards does not extend above the height of a solid, screening wall and/or vegetation provided and maintained on the subject property.
5. Equipment is camouflaged and/or screened from view from surrounding properties.
6. All antennae and towers greater than thirty-five (35) feet measured from grade shall require a Use Permit and shall be located at least one (1) foot from all property lines for every foot of the antenna's or tower's height above grade.

3.12. Accessory Uses, Buildings and Structures

3.12.1. Accessory Uses

A. All principal uses allowed in a zoning district shall be deemed to include those accessory uses and activities typically associated with the use as described in the principal uses definition provided in Article 8 - Definitions, unless otherwise specified, or specifically prohibited, within this Section.

B. No accessory use shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are being established simultaneously.

C. Unless otherwise expressly stated, accessory uses are subject to the same lot, building, and development regulations as apply to principal uses and buildings.

D. Accessory uses must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

E. Accessory uses shall not produce noise, dust, light, odor, or vibration in excess of that produced by the principal use.

F. If the principal building or use is destroyed, removed or ceases to exist, the utilization of the accessory use shall no longer be allowed.

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3.12.2. Accessory Buildings and Structures:

Unless specifically expressed herein, accessory buildings and structures shall adhere to the following:

A. All principal uses allowed in a zoning district shall be deemed to include those accessory buildings, structures, and activities typically associated with the use as described in the principal uses definition provided in Article 8 - Definitions, unless otherwise specified, or specifically prohibited, within this Section.

B. No accessory building or structure shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are being established simultaneously.

C. Unless otherwise expressly stated, accessory buildings or structures are subject to the same lot, building, and development regulations as apply to principal uses and buildings.

D. Accessory buildings or structures must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.

E. Accessory buildings or structures shall not produce noise, dust, light, odor, or vibration in excess of that produced by the principal use.

F. If the principal building or structure is destroyed, removed or ceases to exist, the utilization of the accessory use shall no longer be allowed.

G. A permit is required if an accessory use, building, or structure meets at least one of the following qualifications:

1. Used as livable space for purposes such as a bedroom, office, game room, etc.
2. Attaches to an existing structure or building.
3. Has an area over two hundred (200) square feet.
4. Has plumbing, mechanical, or electrical.

H. In all Residential Districts, accessory buildings and structures shall conform to the following restrictions concerning location and design within lots:

I. Front accessory buildings or structures are defined as attached or detached buildings or structures located in the front half of the lot. These buildings or structures are limited in use to attached front porch covers (e.g. closed roof), a garage, or a living area used as a bedroom, home office or other use that would be allowed and typical within the principal building. The front accessory building may also include a bathroom, but no kitchen facilities.

1. Architecture of front accessory buildings or structures must be the same as the principal building. When viewed from the front of the lot, the accessory building or structure should appear as an extension of the principal building.
2. Setback and height requirements for a front accessory building or structure must be the same standards as for the principal building, but shall not exceed the height of the principal building.

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3. Exceptions. Subdivisions recorded prior to 1975, which are most commonly located in Historic Goodyear, Parque De Paz Park area, and Canada Village, are allowed to have attached front yard covers. These structures cannot be enclosed or have a wall connecting the pillars that is taller than three (3) feet and they must have paved surface underneath. The structure may not exceed twelve (12) feet in height and has a front setback of three (3) feet from the nearest right of way (sidewalk or street). The side setbacks for the structure must follow the main side setbacks for the property. Both open and closed roofed structures are allowed.

J. Rear accessory buildings or structures are defined as attached or detached buildings or structures located in the rear half of the lot. Their use is limited to standard uses that are allowed in the principal building, with the exception of a kitchen.

1. Setback requirements for rear accessory buildings and structures are modified to allow encroachment into the required side and rear yard as follows:

a. Accessory buildings or structures up to six (6) feet in height, unless otherwise specified herein, shall maintain a minimum setback of three (3) feet to the side and five (5) feet to the rear property lines.

b. For each foot over six (6) feet in height, the side and rear setbacks for accessory buildings and structures shall be increased by one (1) foot, up to a maximum of the principal building setback requirements, unless otherwise specified herein

c. Through lot. The accessory building shall not be located closer to the rear property lines than the distance required for front yard setback.

d. Corner lot. The accessory building shall not be located closer to the street or side property line than the setback required for the main building.

e. Corner lot contiguous to key lot. No detached rear accessory building shall be located closer to the street side of a corner lot than the front yard required on the key lot, except such setback need not be greater than one-half (1/2) the width of the corner lot.

f. Exceptions. Movable and/or manufactured structures such as children's play equipment, trash enclosures, tool / storage sheds, and pet shelters smaller than 200 square feet in area and less than six (6) feet in height may be placed within a required rear or side yard setback, and behind a property screen wall or behind the nearest front plane of the principal building where such a wall does not exist. In no event shall the roof of said structures be designed to allow water to drain onto adjacent property.

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2. No accessory building (e.g. garage, pool house, etc.) shall be located within six (6) feet if fire rated and ten (10) feet if not fire rated of the site's principal building. If attached by any part of a common wall or closed roof to the principal building, said building shall be deemed a part of the principal building and shall conform to the development standards of the principal building.

3. Accessory structures (e.g. fence, deck, trellis, sun shade, etc.) may be attached or detached from the principal building. All required separation for applicable building and fire codes shall also be met.

4. No building or structure, which is accessory to any residential building, shall be erected to a height greater than twelve (12) feet unless it is within the same setback requirements as the principal building, but may not exceed the height of the principal building.

5. All accessory buildings designed or used for sleeping or living purposes shall be within the same setback requirements as that of the principal building.

6. Detached accessory buildings and structures shall be permanently affixed to the ground by anchoring or slab attachment.

7. Accessory buildings or closed roof structures shall count towards lot coverage requirements.

3.12.3. Accessory Dwelling Unit

A. General Provisions.

1. No more than one (1) attached and one (1) detached Accessory Dwelling Unit shall be permitted on single-family lots.

2. Accessory Dwelling Units shall not be located on single-family lots on land in the territory in the vicinity of a Military Airport or Ancillary Military Facility as defined in A.R.S. § 28-8461 or land in the territory in the vicinity of a Federal Aviation Administration Commercially Licensed Airport or a General Aviation Airport or on land In the territory in the vicinity of a Public Airport as defined in A.R.S. § 28-8486 and that has a noise level of greater than sixty-five (65) decibels.

3. Accessory Dwelling Units, whether detached or attached, shall not have an address separated from the principal single-family dwelling on the same lot or parcel.

4. An Accessory Dwelling Unit shall comply with the adopted design guidelines and development standards but may deviate from the exterior design, roof pitch or finishing materials of the single-family dwelling on the same lot or parcel, in conformance with A.R.S. § 9-461.18.

5. The side and rear setbacks for an Accessory Dwelling Unit shall be five (5) feet.

6. The front and street setback, building lot coverage, building frontage, and building height for an Accessory Dwelling Unit shall be the same as that of the principal single-family dwelling on the same lot or parcel.

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7. The Accessory Dwelling Units shall be self-contained and include a bedroom, bathroom and may include kitchen (cooking) facilities. The Accessory Dwelling Unit may include, but is not required to have, a parking area or attached garage.

8. The Accessory Dwelling Unit shall be no larger than seventy-five (75) percent of the gross floor area of the principal single-family dwelling on the same lot or parcel or one thousand (1,000) square feet, whichever is less.

9. In addition to the one (1) attached and one (1) detached Accessory Dwelling Unit permitted on single-family lots, an additional one (1) detached Accessory Dwelling Unit is permitted if the lot or parcel is one (1) acre or larger in size and the additional one (1) detached Accessory Dwelling Unit is a Restricted-Affordable Dwelling Unit subject to a Deed Restriction or Development Agreement with the City of Goodyear. Prior to the issuance of any permit for the construction of a Restricted-Affordable Dwelling Unit, the owner of the proposed Restricted-Affordable Dwelling Unit shall execute and deliver an original recorded copy of a deed restriction or development agreement to the City of Goodyear. The deed restriction or development agreement shall be recorded in the Maricopa County Recorder's Office by the owner of the lot or parcel burdened thereby and shall remain a covenant and restriction running with the property for at least thirty (30) years.

3.12.4. Guest House

Guest House shall be restricted to lots having areas of not less than fifteen thousand (15,000) square feet. Guest house, whether detached or attached, shall not have an address separate from the principal residence on the lot or parcel. Where a guest house is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to the main building. Not more than one (1) guest house shall be permitted on any one (1) lot or parcel.

A. General Provisions.

1. A guest house shall be constructed of similar materials, colors and architectural style to the main building.

2. On lots having principal building and guest house, maximum lot coverage of all buildings shall not exceed sixty (60) percent.

3. A guest house shall have no separate utility services and no entry visible from public right-of-way.

4. No guest house shall be leased or rented.

5. A guest house shall have no separate driveway or parking area from that of the principal residence.

6. The principal residence shall have not less than three (3) enclosed covered parking spaces and paved access to each of the spaces.

7. No guest house shall be constructed on any lot or parcel until the main building has been fully constructed and ready for occupancy.

B. Detached guest house is subject to the following additional criteria:

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1. Detached guest house may encroach into the required side and rear yard setback of the lot, provided that setbacks of five (5) feet shall be maintained from side and rear property lines.

2. Through lot. On a through lot, the detached guest house shall not be located closer to the rear property line than the distance required for the front yard setback.

3. Corner lot. On any corner lot, the detached guest house shall not be located closer to the street side property line than the setback required for the main building.

4. No detached guest house shall have floor areas exceeding fifty (50) percent of the main building nor exceed a height of twenty (20) feet.

3.12.5. Ventilation Courts

A. Ventilation Courts.

1. Rooms in which persons live or sleep, not having at least one wall abutting on a street or alley, or on a yard, shall be supplied natural light and air from a ventilation court conforming to the following:

Number of Stories Above Bottom of Court	Minimum Width of Court in Feet
1	20
2	30
3	40
4 or more	50

3.12.6. Donation Drop-Off Boxes.

In all non-residential zoning districts, Donation Drop-Off Boxes are permitted only in accordance with the following standards and procedures:

A. Donation Drop-Off Boxes are permitted only as a use accessory to an established and primary permitted use. Donation Drop-Off Boxes are subject to the approval of a Zoning Permit by the Community Development Department, and upon receipt of written authorization by the property owner, or his legal representative.

B. Donation Drop-Off Boxes shall not obstruct pedestrian or vehicular circulation, nor be located in public rights-of-way, required building setbacks, landscape areas, drive aisles, required parking spaces, fire lanes, loading zones, or any other location that may cause hazardous conditions, constitute a threat to the public safety, or create a condition detrimental to surrounding land uses and developments.

C. Each Donation Drop-Off Box shall have a firmly closing lid and shall have a capacity no greater than six (6) cubic yards. No Donation Drop-Off Box shall exceed seven (7) feet in height.

D. Donation Drop-Off Boxes may be constructed of painted metal, rubber, wood, or plastic and shall be properly maintained in a safe and good condition.

E. Donation Drop-Off Boxes shall be clearly marked to identify the specific items and materials requested to be left for donation, the name of the operator or owners of the donation container, and a telephone number where the owner,

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operator or agent of the owner or operator may be reached at any time. The Donation Drop-Off Box shall also display a notice stating that no items or materials shall be left outside of the Donation Drop-Off Box.

F. Occupation of parking spaces by the Donation Drop-Off Boxes shall not reduce the number of available parking spaces below the minimum number required for the site.

G. All donated items must be collected and stored in the Donation Drop-Off Box. Donated items or materials shall not be left outside of Donation Drop-Off Boxes, and the area around each Donation Drop-Off Box shall be maintained by the owner or operator, or the property owner, free of litter and any other undesirable materials.

H. Donation Drop-Off Boxes not located or maintained in compliance with this Article shall be subject to revocation of the Zoning Permit.

3.12.7. Limited Outdoor Display

A. Purpose.

To allow sales or display of merchandise on the exterior of a building in conjunction with a lawfully established primary business.

B. Permanent Outdoor Display.

Applicability. Permanent Outdoor retail display is a permanent outdoor sales component which is an integral part of a business, including but not limited to, Garden Centers and Auto, Boat, and RV Dealership display lots.

C. General Regulations.

1. Must be shown as part of a Site Plan Review with all applicable site improvements.
2. If added to an existing site. The use shall obtain Site Plan Review approval with all applicable site improvements.
3. Shall comply with parking ratios found in Section 4.4.4(B)(1).

D. Temporary Outdoor Display.

Applicability. Temporary outdoor retail display allows a business or tenant to display an incidental amount of merchandise sold within the business, in proximity to the exterior of a building. Outdoor display is subject to the following:

E. General Regulations.

1. Merchandise must be associated with an established business and shall be the same as that sold inside the store;
2. When located outside of a multitenant building, an outdoor display shall not extend beyond the tenant frontage of the primary business.
3. An outdoor display may not be located within landscape areas, parking lots, drive-aisles, loading zones, or fire lanes;
4. Any display must allow for a minimum four (4) foot wide pedestrian pathway across the building frontage and to all building entrances and exits.

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5. Displays are limited to the normal hours of operation of the business, unless otherwise authorized by condition;
6. Sound amplification shall not be used for sales demonstrations; and
7. Outdoor display signage shall not exceed a total of three (3) square feet.

3.12.8. Outdoor Dining/Seating

A. Purpose and Applicability.

This Section applies to outdoor seating areas accessory to a restaurant, bar, or similar establishment and does not apply to public plazas or common open space areas..

1. Outdoor dining, patios, and seating areas must be associated to and used in conjunction with a permitted use. For purposes of state liquor license spacing regulations, the outdoor dining, patio, and seating areas shall be considered part of the premises.
2. Outdoor dining/seating shall be limited to locations on private property and may encroach into setbacks up to ten (10) feet but shall be a minimum of five (5) feet from any property line and not within the public right-of-way.
3. Outdoor dining/seating shall not obstruct pedestrian or bicycle traffic or create public health and safety hazards.
4. Roof material covering an outdoor dining or seating area may be fixed, retractable, or removable and shall be opaque. Awnings, canopies, or similar protective shelters shall be fire-treated or constructed of noncombustible materials..
5. Any definable decorative barrier element physically separating the outdoor dining/seating area from adjacent pedestrian traffic provided shall be handicapped accessible and not exceed forty (40) inches in height. The design and materials of such barrier element shall complement and be compatible to the architectural design of the primary building façade.
6. Decorative/accent lighting may be incorporated into the outdoor dining/seating area, landscape, awning, or canopy and shall meet all City Code requirements.

3.12.9. Portable Storage Containers

A. In all Multi-Family, Commercial, and Industrial zoning districts, portable storage containers are permitted only in accordance with the following:

1. As a temporary use during construction, remodeling, or redevelopment of permanent onsite buildings and facilities, subject to approval of a Zoning Permit by the Development Services Department. Such permit shall specify and limit the number, size, location, and duration of the storage containers. Zoning Permits granted for portable storage containers in related to construction shall be permitted for a period of time not to exceed thirty (30) days after the issuance of a Certificate of Occupancy.

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2. As a periodic, intermittent, or recurring use accessory to a primary permitted use, subject to approval of a Zoning Permit by the Development Services Department. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the Zoning Permit may require additional measures, such as increased setbacks, screen walls, landscaping, exterior materials, and colors, to ensure compatibility with adjacent land uses. Zoning Permits granted for portable storage containers in Commercial and Industrial zoning districts shall be permitted for a period of time not to exceed sixty (60) days, with one renewal permitted for a period of time not to exceed thirty (30) days, in a calendar year.

3. In no case shall storage containers be located in required yards, landscape areas, open space, retention basins, drive aisles, required parking spaces, fire lanes, loading zones, or any other location that may cause hazardous conditions, constitute a threat to the public safety, or create a condition detrimental to surrounding land uses and developments.

B. In all Single-Family zoning districts, portable storage containers are permitted only for the purpose of loading and unloading household contents for a period of time not to exceed ten (10) days in a calendar year and must be located in the driveway.

3.13. Temporary Uses

3.13.1. Purpose

The intent of this Section is to allow for specific temporary uses that may be conducted for specified, limited time periods under special conditions. It is not the intent of this Section to allow for uses otherwise prohibited by the Zoning Ordinance or to allow long term or permanent uses to be established.

3.13.2. General Regulations and Applicability.

A. Every temporary use shall require a temporary use zoning permit except as provided in paragraph C below or as regulated by Section 3.12.5 (Temporary Uses Not Requiring a Permit)

B. No temporary use zoning permit shall be issued unless and until the applicant has submitted an application which includes a signed statement that upon cessation of the use or expiration of the permit, whichever occurs first, the premises will be promptly cleaned and restored to substantially the same condition existing prior to commencement of such use.

C. Any temporary use that requires a special event license shall not require a temporary use zoning permit in addition to the special event license; however the special event license will be reviewed for conformance with this Section.

D. A temporary use may be considered in any zoning district unless otherwise noted, but an application for a temporary use zoning permit may be denied if the proposed temporary use is not compatible with surrounding land uses or is in close proximity to residences.

3.13.3. Application Process.

A. Submittal Requirements.

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Temporary use zoning permits shall be reviewed and approved in accordance with Section 6.4 (Zoning Permits). The following additional information shall accompany temporary use zoning permit applications:

1. A narrative describing the proposed temporary use including the location, hours of operation, date the temporary use will start and end, proposed signage, scope and nature of the temporary use. The type of equipment and materials being displayed, stored, or sold shall be called out. The narrative shall include the request for any outdoor music, live entertainment, speakers, or amplifiers if applicable.
2. A site plan showing the location of all structures, carts, tents, signs, displayed materials, stored materials, parking, fencing or similar obstructions, both temporary and permanent, including the setbacks of such structures from property lines and each other.
3. An aerial photo or context plan that depicts all structures and uses within five-hundred (500) feet of the subject property.
4. The site plan and narrative shall describe the traffic circulation and parking that is associated with the temporary use. Any permanent parking spaces being used by the temporary use shall be described and depicted on the site plan.
5. Authorization of the temporary use in writing from the property owner.

3.13.4. Permitted Temporary Uses.

Temporary uses are limited to the uses and time limits listed below.

Use	Time Limit (days)	Frequency of Use (calendar year)	Interval Between Uses (days)[5]
Carnival or Circus	3	4x/year	30
Crop Maze	30	1x/year	30
Food Vendors[1]	3	4x/year	30
Haunted House	30	1x/year	30
Outdoor Fair or Festival	30	1x/year	30
Outdoor Assembly[2]	3	4x/year	30
Seasonal Sales[3]	30	1x/year	30
Sport Tournament	3	4x/year	30
Parking Lot Sales[4]	10	3x/year	30

[1] Food vendors are those vendors that use a portable stand for the retail sale of food and beverages including food carts, such as hot dog stands, but not including food sales that take place primarily in a vehicle, such as an ice cream truck, or that are operated in compliance with Section 3.12.5.

[2] Outdoor assembly includes, but is not limited to concerts, tent revivals, religious events, and fund raisers.

[3] Seasonal sales refer to the outdoor sale of goods that are related to a particular seasonal or cultural activity including, Christmas tree lots and pumpkin patch sales.

[4] Parking lot sales include any outdoor retail sale that takes place on a parking lot.

[5] The interval between temporary uses shall be calculated based on the number of calendar days between temporary uses regardless of the use category.

3.13.5. Temporary Uses Not Requiring a Permit.

A temporary use does not require a temporary use permit so long as it meets all of the following criteria:

A. The duration does not exceed 3 days per event and a special event permit is obtained.

B. The use does not obstruct or impede required pedestrian and/or ADA access.

C. The activity is not visible from a public street.

D. The activity has been authorized by the property owner and is accessory to a permanent existing use.

E. The activity occurs entirely under an arcade or permanent awning attached to the building.

F. The activity is located within twenty (20) feet of the entrance of said permanent existing use.

3.13.6. Development Standards.

A. A temporary use shall be set back a minimum of one-hundred (100) feet from a residential use.

B. Tents and canopies may be allowed under the following conditions:

1. Tents that are over 400 square feet may be permitted for temporary uses whose duration is ten (10) days or less.

2. Canopies that are over 700 square feet may be permitted for temporary uses whose duration is ten (10) days or less.

3. Tents, canopies, and other structures, permanent or temporary, are subject to all applicable city codes and ordinances, including the building and fire code regulations.

4. The use of trucks, RVs or similar vehicles for temporary uses is prohibited, except for RVs used solely by a watchman or caretaker, as approved by the Zoning Administrator.

5. All signage shall comply with Section 4.6 (Signage). Signs for a temporary use shall be requested in conjunction with the temporary use permit application.

6. All lighting shall comply with Section 4.5 (Outdoor Lighting Standards).

7. All surfaces used for the temporary use shall be paved or dust-controlled as approved by the City Engineer or their designee.

8. All surfaces used for parking for the temporary use shall be paved.

9. No temporary use shall locate within a landscape area, required pedestrian access ways, or public rights-of-way. No temporary use shall locate within a common area unless the temporary use has been approved by the homeowner's association or property owner's association if applicable.

10. The temporary use shall not impede or cause to be impeded, vehicular or pedestrian circulation, fire access lanes, accessibility, vehicular or pedestrian ingress or egress into businesses, or traffic visibility.

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11. Only one temporary use may operate on a single parcel or lot at any given time and there shall be thirty (30) days between any temporary use of the property.

3.14. Mobile Food Vendors & Businesses

3.14.1. Mobile Food Vendor

A. General Standards

1. Mobile Food Vendors shall comply with all applicable state licensing and health requirements. The City shall not require additional health permits or business licenses beyond those authorized by state law.
2. The mobile food unit and its customers shall not obstruct the movement of pedestrians or other vehicles using the sidewalk, street, alley, or other public right- of-way.
3. All associated activities shall occur on a dustproof surface, except for mobile food vendors serving active construction sites.
4. Hours of operation shall exclude the hours between 10:00 p.m. and 6:00 a.m. unless a Special Event permit has been issued and specifically expands the hours of operation.
5. Mobile food vendors shall comply with all applicable City of Goodyear sign regulations.
6. A mobile food unit shall have adequate lighting to ensure customer safety in the vending area. Lighting shall be directed downwards and away from rights-of-way and adjacent properties.
7. The mobile food unit and the surrounding vending area shall be maintained in a safe and clean manner at all times.
8. The site shall be kept free of refuse, trash, and litter, which shall be removed from the site daily.
9. Temporary restrooms shall be prohibited.
10. Permanent modifications to the site shall be prohibited.

B. Operation on Private Property

1. Mobile Food Vendors may operate on property with the permission of the property owner, subject to the following:
    a. The vendor shall not obstruct required parking spaces, fire lanes, drive aisles, or accessible routes.
    b. The vendor shall comply with applicable fire safety regulations.
    c. Waste and refuse shall be properly contained and removed daily.
    d. The vendor shall not connect to utilities without authorization.
    e. Operations shall not create a public nuisance.

C. Location Restrictions

1. Private Property

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a. A mobile food vendor shall obtain written permission to use any private property where a mobile food unit is operating and shall provide proof of such written permission on demand by the City.

b. Notwithstanding the permission of a person owning or having lawful control of private real property, a mobile food unit shall not remain in one location on private property for longer than ninety-six (96) consecutive hours, unless the City grants permission for a permitted event greater than four (4) days. "One location" within this subsection means a location within a parcel of land and includes movements from different parked positions within the same parcel.

2. Public Property

a. Mobile Food Vendors shall not operate within the public right-of-way unless within a single legal parking space, authorized by an encroachment permit or special event permit.

3. Residentially Zoned Property. A mobile food vendor shall not operate in an area zoned for residential use or within two hundred fifty (250) feet of an area zoned for residential use, except:

a. A mobile food vendor selling only ice cream or similar confections intended to be sold in a manner that requires limited-duration stops may operate on public rights-of-way in areas zoned for residential use; or

b. Subject to applicable laws and the City Code, a mobile food vendor may operate on private property in a residential area if the mobile food vendor obtains a separate agreement with the property owner to operate a mobile food unit for a maximum of six (6) hours within a twenty-four (24) hour period on the private property.

c. Mobile food vendors serving active construction sites shall be permitted to operate a mobile food unit for a maximum of three (3) hours within a twenty-four (24) hour period on the private property.

D. Noise

1. A mobile food vendor shall not use, play, or caused to be used or played any loudspeaker, microphone, amplified music, or other amplified instrument or device used for the production of sound in a vending area when the motor vehicle or mobile food unit from which mobile food vendor is vending is stationary or mobile upon any right-of-way, park or other public place. For the purposes of this subsection, the factors for determining whether a sound is amplified include, but are not limited to, the following:

a. The proximity of the sound to sleeping facilities, whether residential or commercial;

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b. The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;

c. The time of day or night when the sound occurs; it shall be presumed that any amplified noise between 10:00 p.m. and 6:00 a.m. is reasonably disturbing;

d. The duration of the sound; and

e. Whether the sound is recurrent, intermittent, or constant.

3.14.2. Mobile Businesses

A. General Standards

1. Mobile Businesses shall comply with all applicable state licensing requirements.

B. Location

1. Mobile Businesses may operate on private property with the consent of the property owner.

2. Operations shall not occur within required landscape setbacks, fire lanes, or public right-of-way.

3. Mobile Businesses shall not park overnight in residential districts except at the operator's residence.

C. Operational Standards

1. No exterior display of merchandise.

2. No exterior lighting beyond that provided on the vehicle.

3. No amplified sound.

4. No discharge of wastewater except in compliance with applicable health regulations.

5. No generator operation between 10 p.m. and 10 a.m. within 250 feet of residential use.

3.15. Hazardous Materials

1. Storage of hazardous materials in any District will be subject to Fire Department review.

2. If any such storage becomes obnoxious, offensive by reasons of emission of odor, smoke, gas fumes or refuse, or places the public at risk, materials shall be removed by order of the Fire Chief.

3. Uses or operations of products within the I-2 District shall be permitted unless such uses are or may become obnoxious or offensive by reason of the emission of odor, dust, smoke, noise, gas fumes, cinders, vibrations, glare, refuse, or air or water pollution.

4. Explosive or hazardous processes require approval by the Goodyear Fire Department that all manufacturing, storage and water processes meet all safety and environmental standards administered by said department.

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ARTICLE 4 – GENERAL DEVELOPMENT REGULATIONS

4.1. Purpose

This Article establishes the general development standards applicable to all properties in the City of Goodyear, including requirements for off-street parking, landscaping and screening, signage, and lighting.

4.2. Landscaping

4.2.1. Purpose.

As set forth herein, these standards and requirements are provided for the installation of landscaping for all new and expanded development within the City in order to promote the general welfare of the community; to effectuate attractive development; to aid in the enhancement of property values; to create an attractive appearance along City streets; to complement the visual effect of buildings; to provide appropriate buffers between incompatible land uses and protection from intense activities; and to aid in conserving water by encouraging the use of varieties of plants, trees and shrubs indigenous to arid regions, which are characterized by low water consumption. The standards and regulations of this Article shall be held to be the minimum requirements necessary for the promotion of the foregoing objectives of this Article. In those instances where the minimum standards and requirements are not sufficient to achieve the purpose and objectives of this Article, the Zoning Administrator, or his/her designee, may impose such other reasonable requirements as may be deemed appropriate.

4.2.2. General Applicability.

The installation and maintenance of landscaping, in accordance with the design standards and requirements of this Article, applies to all properties within the City. As used herein, standards and provisions containing the term "shall" are mandatory while those containing the terms "should" or "may" are permissive.

A. Building and Construction Permits.

No building or construction permit shall be issued until a landscape plan has been approved for the site by the Zoning Administrator, or his/her designee, for the property that complies with the requirements of the Goodyear Engineering Design Standards and Policies Manual, as amended, and this Article.

B. Landscape Areas.

All areas within a property that will not be improved with building, driveways, parking, or other structures shall be fully landscaped at the time the property is developed. All undeveloped property shall be treated for dust control in accordance with the Goodyear Engineering Design Standards and Policies Manual, as amended.

C. Appropriate Use of Landscaping.

1. Only plant material included in the City of Goodyear Approved Plant Matrix shall be installed.

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2. Any landscape areas in the public right-of-way shall comply with the requirements of the Goodyear City Code of Ordinances and with the criteria of the Arizona Department of Water Resources (ADWR). These criteria specify plant material that have low water needs and encourage the efficient use of the City's water resources. Refer to the City of Goodyear Approved Plant Matrix and to Chapter 27, Article 27-1, Tree Care and Management, of the City of Goodyear Code of Ordinances.

3. Landscaped areas shall not be used for parking of vehicles, display of merchandise or other uses detrimental to the landscaping.

4.2.3. General Provisions.

A. Landscaping Components.

Landscaping may include trees, shrubs, groundcover, vines, and other plant material along with hardscape elements such walkways, benches, sculpture, shade structures, and other similar materials used to enhance the exterior appearance of a property.

B. Installation Per Approved Plans.

1. All required landscaping shall be installed in accordance with an approved landscape plan prior to issuance of a final Certificate of Occupancy. Plant materials shall be of the type and size specified on the approved landscape plan. Modifications to approved landscaping shall require prior approval as determined by the Zoning Administrator or his/her designee.

2. In lieu of the installation of the required landscaping prior to the issuance of a final Certificate of Occupancy, a cash deposit or an irrevocable letter of credit, in an amount guaranteeing the complete one hundred (100) percent installation of the required landscaping within six (6) months of the issuance of the final Certificate of Occupancy, may be accepted by the Zoning Administrator, or his/her designee. Failure to install the required landscaping in the six (6) month time period shall be deemed a violation of this Article, and the City may use the cash deposit or funds set aside by such letter of credit to complete the landscape improvements required.

C. Minimum Area Requirements.

Minimum area requirements for landscaping shall be determined by the property's zoning district as set forth in this Article.

D. The sale and/or planting in the City of Goodyear of pollen producing varieties of trees such as the male mulberry tree (Morus Alba) and the olive tree (Olea Europea) which produce large amounts of allergenic, airborne pollens is hereby declared to be a public nuisance. Specifically excluded from the provisions of this section are non-pollinating varieties of olive and male mulberry trees.

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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 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. Where possible, required trees should 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 should include landscaped areas planted with pollinator and other insect friendly vegetation, such as Desert Milkweed or as designated on the City of Goodyear Approved Plant Matrix. Such vegetation should be planted in groups within retention areas, common areas or other open space areas suitable to the selected plant material.

B. Landscaping Required.

1. Landscaping shall be provided in accordance with the following standards:

a. Development within single family zoning districts shall provide open space as designated in Table 2.2.3A of Article 2.2 (Residential Districts) of the City of Goodyear Zoning Ordinance.

b. Development within multi-family zoning districts and non-residential development in residential zoning districts shall have a minimum of twenty (20) percent of the net site/lot area in landscaping.

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c. Development within commercial zoning districts shall have a minimum of fifteen (15) percent of the net site/lot area in landscaping.

d. Development within industrial zoning districts shall have a minimum of ten (10) percent of the net site area 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.

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 walls higher than three (3) feet, parking areas and drive aisles are prohibited from locating within the required 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.

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4. Within all single family residential subdivisions and developments, landscape tracts shall be provided along arterial streets. Such tracts shall have a minimum width of ten (10) feet. Tracts shall be planted with at least one (1) tree for every thirty (30) feet of tract length so as to provide shade for any adjacent sidewalks and walkways along with an appropriate number of shrubs, ground- cover and other plant material to achieve fifty (50) percent live coverage. Walls and fences may not be located within these landscape tracts.

5. For all new single-family residential developments, the homebuilder/developer shall provide a front yard landscape package that includes at least one (1) tree, non-high water use shrubs and groundcover along with an automatic, underground irrigation system for each lot or provide a landscape stipend to each prospective homeowner in an amount capable of providing the improvements as previously noted herein. Residential lots seventy (70) feet or greater in width shall be planted with at least two (2) trees.

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. All landscape tracts shall include earthen berms with a maximum height of six (6) feet and maximum slope of 3:1 and shall be planted with one (1) non-deciduous tree per thirty (30) feet of buffer length.

7. For development within non-residential zoning districts, a minimum thirty (30) foot wide landscape buffer shall be provided adjacent to all existing or future freeways. All buffers shall include earthen berms with a maximum height of six (6) feet and maximum slope of 3:1 and shall be planted with one (1) non-deciduous tree per thirty (30) feet of buffer length.

8. Landscape plans shall take into account the location and viewshed of on site signage. The view of such signage should not be totally obstructed by mature landscaping. The Zoning Administrator, or his/her designee, may authorize the relocation or substitution of required plant material if such efforts are needed to promote sign visibility.

9. Cacti and other thorny vegetation shall be planted at least six (6) feet from any sidewalk within or adjacent to any arterial or collector road rights-of-way.

10. Unless specified elsewhere, half of all required trees shall be at least fifteen (15) gallons in size and the other half at least twenty-four (24) inch box in size.

11. Shrubs shall be a minimum of five (5) gallons in size.

C. Turf. Turf areas, with the exception of those located on single family residential lots, shall be developed in accordance with the following standards:

1. Turf areas shall be separated from other landscape areas by a six (6) inch wide concrete curb, concrete header, or other approved material acceptable to the Zoning Administrator or his/her designee.

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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.

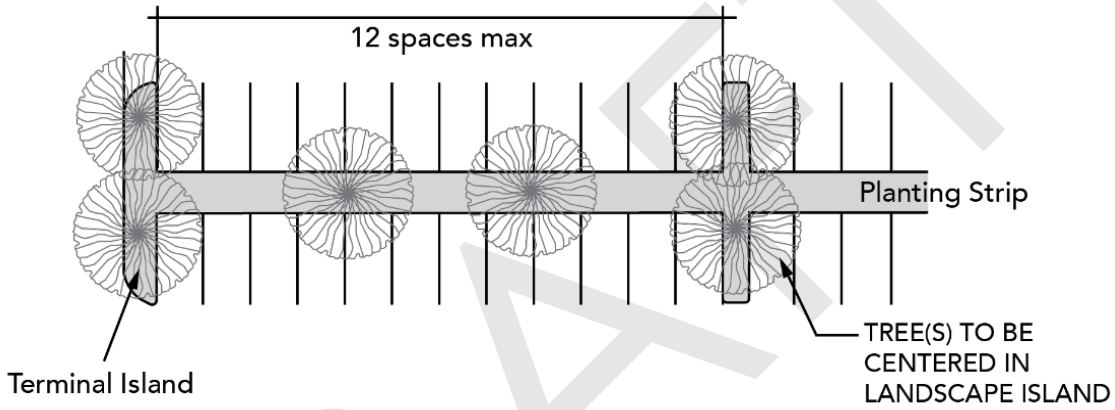
8. All trees shall be planted and staked in accordance with the City of Goodyear Standard Landscape Details as established in the Engineering Design Standards and Policies Manual, as amended.

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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 de- composed granite, crushed rock, river rock, artificial turf, and/or boulders. The material, color, size, and depth of coverage shall be specified on the approved final landscape plan. Inorganic ground cover or applied dust control products are to be installed at a minimum depth of two (2) inches in all landscape areas.

F. Parking Area Landscaping.

Figure 4.5.4A - Parking Area Landscaping



1. The design of parking areas shall be in conformance with the standards as established herein and the City of Goodyear Design Guidelines Manual, as amended. This shall specifically include the requirement for planting strips and islands containing trees, shrubs and groundcover.
2. Landscape islands shall be provided at the end of each parking row (terminal islands).
3. Landscape islands shall be provided within rows of parking to break up long rows. No more than twelve (12) parking spaces may be placed in a row without installation of an island.
4. Landscape islands shall have a minimum width of eight (8) feet as measured from inside of curb and a minimum length equal to the length of the adjacent parking space.
5. Planting strips shall have a minimum width of six (6) feet as measured from inside of curb.
6. In accordance with Figure 1, trees in planting strips shall be installed in-line with the parking lane stripes to prevent damage from parking vehicles.
7. Each landscape island shall require planting with at least one (1) tree and three (3) shrubs or groundcover per parking stall length. Species selection shall be per the City of Goodyear Approved Plant Matrix.

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8. Landscape islands and planting strips shall include a minimum two (2) inch layer of inorganic groundcover.

9. Landscape islands located at the termini of parking rows shall have a minimum area of three hundred (300) square feet and a minimum planted width of six (6) feet.

10. Palm trees are not permitted within parking areas unless intended to accentuate a focal point or entry lane.

11. Parking areas within industrial zoned properties, fully enclosed behind at least an eight (8) foot wall and intended for the parking of trucks, trailers, and any other relevant vehicle, are not required to have landscape islands.

G. Retention Basins And Drainage Ways.

1. Retention basins shall be completely landscaped in accordance with the following standards:

a. Retention basins located within any front or street side setback areas shall be designed as an integral part of any frontage landscape area and shall not occupy more than fifty (50) percent of the linear frontage of the landscape area.

b. Retention basins within public view shall be contoured to create a natural appearance rather than plain, unnatural bathtub-like depressions. Slopes shall be in accordance with the City of Goodyear Engineering Design Standards and Policies Manual, as amended.

c. Retaining walls shall not be located within required street frontage landscape areas.

d. Screen walls shall not be located atop retaining walls when such walls are within public view. A minimum six (6) foot wide landscape area shall be provided between any screen wall and retaining wall.

e. Retention basins shall be planted to achieve at least fifty (50) percent vegetative cover. All other areas not covered by landscaping, hardscape or other structures shall be covered with an approved inorganic ground cover.

2. Drainage ways shall be landscaped to achieve at least fifty (50) percent vegetative cover. All other areas shall be covered with an approved inorganic groundcover. The Zoning Administrator, or his/her designee, may modify these coverage requirements if such landscaping and/or groundcover are determined to be detrimental to the function of the drainage way.

H. Water Efficient Design.

1. Industrial Zoned Properties and Planned Area Developments. High water use plant materials or features shall not be used on industrial zoned properties. Such items include turf, water features, and shrubs, trees, groundcovers or annuals not listed on the ADWR Plant List or Goodyear Approved Plant Matrix.

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2. Exceptions include turf intended for active recreation areas and the use of high water use plant material to adorn entryways or other focal points. If used, such areas shall be limited to a maximum of one (1) percent of the total landscaped site area.

3. Commercial Zoned Properties and Planned Area Developments. High water use plant materials or features shall not be used on commercial zoned properties. Such items include turf, water features, and shrubs, trees, groundcovers or annuals not listed on the ADWR Plant List or Goodyear Approved Plant Matrix.

4. Exceptions include water features, turf intended for active recreation areas, potted plants or seasonal planting beds, and use of high water use plant material intended to adorn entryways or other focal points. If used, such areas shall be limited to a maximum of five (5) percent of the total landscaped site area.

I. Residential Zoning.

1. Multi-Family Residential Zoning and Planned Area Developments and Non-Residential Uses in Residential Zoning Districts.

a. High water use plant material shall be reserved for active recreation areas and focal points, such as project entries or community gathering areas, such as clubhouses and pool facilities.

b. Turf shall only be permitted in areas intended for active recreation. If used, such areas shall be limited to a maximum of ten (10) percent of the total landscaped site area.

2. Single Family Residential Zoning and Planned Area Developments.

a. No high water use plants or turf shall be offered in front yard landscape packages provided by developers and/or homebuilders for new single family residential dwellings.

b. For model homes constructed by homebuilders, the area used for high water use plants and turf shall be limited to twenty (20) percent of the total lot area. These materials are prohibited in the front yards of model homes.

c. For all new developments, a property owners' association or homeowners' association shall not require the use of high water plants or turf nor restrict the use of artificial turf.

d. Turf shall only be permitted in areas intended for active recreation. As previously defined herein, active recreation areas are areas set aside for recreational activities that are typically improved with some form of equipment, sports courts or fields, buildings or other structures, which are appropriately sized to accommodate the intended activity. If used, such turfed areas shall be limited to a maximum of fifteen (15) percent of the total landscaped site area.

e. The conversion of existing, decorative turf areas, not required for active recreation, to artificial turf or another inorganic groundcover may proceed without formal submittal of

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landscape plans to the City, as determined by the Zoning Administrator or his/her designee.

f. These regulations, as contained within this Section 4.2.4, do not apply to individual owners of dwellings on single family residential lots. Such owners may plant high water use plant material and turf on their lots.

J. Irrigation Systems Design.

1. A programmable, automatic, and underground irrigation system shall be provided to all required landscape areas.

a. Trees and shrubs shall be irrigated on separate zones.

b. Sprinkler heads, including rotors, rotating and fixed spray heads, shall be pressure regulating bodies

c. Drip irrigation emitters shall be pressure compensating.

d. Emission devices for trees shall be designed to encourage deep root watering.

e. Irrigation water shall be targeted to the intended vegetation. Overspray or seepage onto sidewalks, streets and parking areas shall be avoided.

K. Pavement Edge and Landscape Protection.

All permanent uses, other than individual single family residential lots, shall provide a six (6) inch high, poured-in-place concrete curb, or other approved material acceptable to the Zoning Administrator or his/her designee, for all landscaped areas adjacent to parking areas, vehicular driveways, loading areas and other similar facilities. The curbing design shall meet the minimum requirements set forth in Maricopa Association of Governments Standard Detail No. 222 for single curbs.

4.2.5. Landscape Maintenance and Enforcement.

A. Landscape Maintenance During Construction.

1. When new development or construction activity will modify existing landscaped areas, the landscape plans shall demonstrate that existing trees and landscaping are preserved in place or relocated on site. If a required tree cannot be preserved or relocated, then a new tree of a size exceeding the required minimum size shall be planted in an appropriate area on site.

2. Existing plant material shall be fully protected during all construction activity. Existing plant material may only be relocated or permanently removed if identified on an approved final landscape plan. Any new, relocated, or existing plant material identified to remain, that does not survive, shall be replaced within thirty (30) days of notification by the city. Replacement plant material shall be with a comparable species and size.

B. Right-Of-Way Landscape Maintenance.

1. Maintenance of landscaping in the right-of-way shall be the responsibility of the adjacent property owner, whether an individual,

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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.

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f. Amenities and other hardscape improvements shown on the approved final landscape plan shall be maintained in good repair. 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.

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. The existing landscaping meets the intent of the original approved plans.

c. 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.

d. Other than for streetscape, theme trees or similar designated trees within a special character area or landscape buffer,

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where trees or other plant material have been replaced with alternative material similar in size and appearance.

4.3. Screening, Walls and Fences

Walls or fences include any structure intended for confinement, prevention of intrusion, boundary identification, or screening of activity. Screening devices are any structure installed to conceal refuse, mechanical equipment, parking (service and loading bays or lanes), multi family habitation and commercial or industrial activities from adjacent residential districts and from street view.

4.3.1. Screening

A. General Screening Requirements

1. Screening between dissimilar uses shall consist of a solid wall located on the shared property line(s) and outside of any sight visibility triangles unless otherwise stated herein.

2. To break up the lineal expanse of required screening, design elements such as a staggered centerline, pilasters, integrated planters, varying wall heights, the installation of extra plant materials, or varying the landscaped area contours shall be used. Design elements intended to break up the lineal expanse shall have a maximum lineal separation of fifty (50) feet in commercial and industrial zoning districts or a maximum lineal separation of one hundred and fifty (150) feet in residential zoning districts.

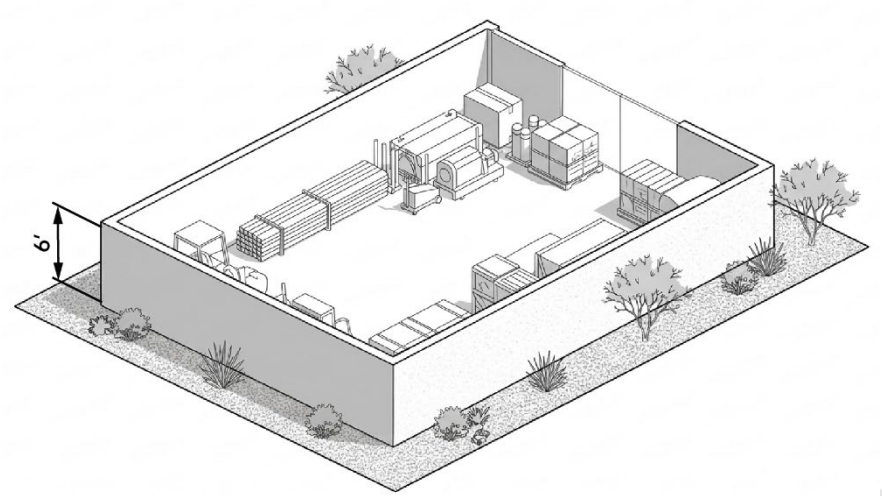
B. Screening Requirements. Screening requirements shall be as follows:

1. Masonry walls six (6) feet in height shall be installed along interior boundaries of a site adjacent to or across from a residential district.

2. Outdoor Storage. All outdoor storage areas for materials, trash, equipment, vehicles or similar items shall be screened entirely from view by a wall of up to six (6) feet in height constructed of slump block, brick, or masonry with a stucco or mortar wash finish designed to match the main building on the site and should not be substantially visible from adjoining streets or properties. If the outdoor storage requires screening above six (6) feet, other wall features shall be incorporated to screen the outdoor storage completely from view.

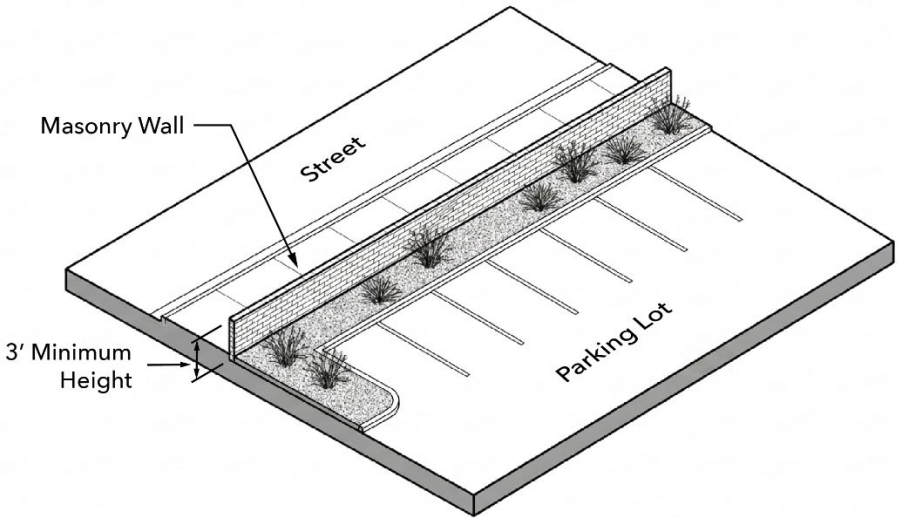
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Figure 4.6.1A - Outdoor Storage Screening



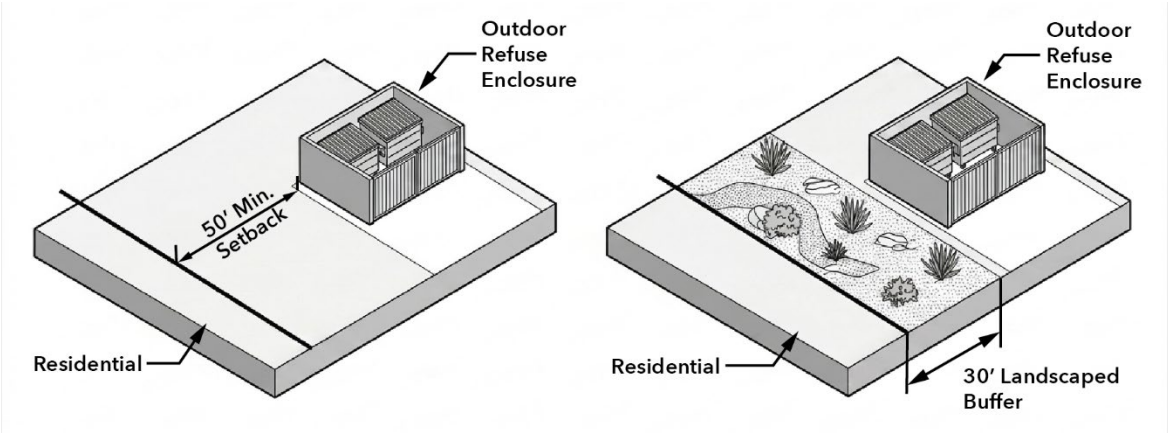
3. Parking Areas. Parking areas shall be screened from street view by masonry walls or berms to a minimum height of three (3) feet in height above the highest finished grade on the parking lot side and no higher than four and one-half (4.5) feet in height on the street side. This may be supplemented 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.

Figure 4.6.1B: Parking Area Screening



4. Refuse. All outdoor refuse enclosures shall be located a minimum of 50 feet from any residential zoning district, or a minimum of 30 feet if a 30-foot wide landscape buffer is established and maintained between the enclosure and the single-family, detached residential zoning district along the entire length of the commercially designated property, as measured from the exterior wall of the refuse enclosure to the nearest residential property line.

Figure 4.6.1C - Outdoor Refuse Screening



5. Drive-throughs. Drive-through windows shall not face onto a public street. Stacking lanes shall be screened from the street with three (3) foot masonry walls or berms. This paragraph does not apply to Drive-Through Restaurants, which are subject to the more specific requirements set forth in Section 4.5.13 (Drive-Through Restaurants).

6. 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.

7. Mechanical Equipment. Mechanical equipment (HVAC, plumbing, air conditioning, fire, etc.), whether ground-level or roof mounted, and other fixtures such as, but not limited to, telephones, vending machines and ice machines shall be screened from public view and be so located to be perceived as an integral part of the building.

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 shall be required along the common property line and along interior property lines. An eight (8) foot wall may be required for industrial projects warranting higher screening. Within the front yard setback, a minimum wall height shall be three (3) foot.

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

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1. All fences or walls shall be located entirely upon the private property of the persons, firms or corporation constructing, or causing the construction, of such fence unless the owner of the property adjoining agrees, in writing, that such fence or wall may be erected on the division line of the respective properties.
2. Any fence or wall constructed so as to have only one elevation "finished," which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the adjacent property.
3. The minimum separation between fences and/or walls shall be twenty (20) feet. Any fence or wall constructed within twenty (20) to fifty (50) feet of another fence or wall shall have a maximum of four (4) feet of masonry and shall use view fencing for the remaining portion of the fence or wall. This regulation does not apply to retaining walls that do not extend above ground level.
4. Height of walls and fences in residential districts shall be measured from the lowest adjacent grade, except when adjacent to an alley or street right of way which has a higher grade than the adjacent site. Then the height shall be measured from the top of the crown of road or alley (if no curb). Height of screening devices shall be measured from the highest adjacent grade.
5. Where two (2) lots abut one another, but have differing finish grades, the wall height shall be limited to six (6) feet on the high side and eight (8) feet on the low side. Modifications of these requirements shall require written request and approval of the Development Services Department.
6. Walls that are not used for retention purposes exceeding six (6) feet in height, measured from the inside finished grade, shall require the submittal and approval of structural calculations prepared by a licensed structural engineer, unless specified otherwise in this Ordinance. Non-retaining concrete block walls shall adhere to the City adopted building codes.
7. No walls, buildings, or other obstructions to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street right-of-way lines and a line connecting them at points thirty-three (33) feet from the intersection of the street right-of-way lines.

B. Perimeter Walls and Lot Fences.

1. Perimeter Walls shall be required along the rear of reverse frontage of single family lots along collector or arterial streets and may be installed elsewhere around the perimeter of a subdivision. Such walls shall be not less than of six (6) feet nor more than eight (8) feet in height and shall be constructed of slump block, brick, or masonry with stucco or mortar wash finish and decoratively designed with details such as inlaid tile or brick work, cap tiles, wall inserts, offsets, or pilaster treatments at a minimum lineal spacing of fifty (50) feet. Long, straight, unbroken walls are not permitted. Wall openings shall be provided to allow pedestrian

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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. In residential and agricultural districts with residential uses, no open wire fences, including chain link fences, are allowed in a front 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 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 fence that exceeds six (6) feet in height.

8. Open wire fences, including chain link fences, are not permitted except as expressly provided in this Article or elsewhere in the Zoning Ordinance. Open wire fences including chain link fences are permitted within the City as follows:

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a. In the AG and AU zoning districts subject to the terms and limitations in this Article;

b. On residential lots within subdivisions recorded in 1980 or prior, chain link fencing is permitted on single-family residential lots less than twenty thousand (20,000) square feet in area, subject to the following development and design standards:

i. The chain link fence shall include opaque screening with a woven density of no less than eighty (80) percent. Opaque screening shall consist metal, vinyl, or composite material with integral color, powder coating or other method of design and manufacturing to minimize wear and maintenance and to maintain the aesthetic quality of the fencing. Use of fabric, tarpaulin, or similar non-rigid material is prohibited.

ii. Chain link fencing and opaque screening shall be maintained in good condition and free from wear and decreased aesthetic quality. Opaque screening shall be replaced upon finding by the Planning Administrator, or their designee, that the original integrity of the fencing has degraded to become visually blighting to the neighborhood or area.

iii. Chain link fencing shall meet the location, height, and traffic visibility requirements of this Article.

9. 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.

10. 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.

11. 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

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decorative pools less than eighteen (18) inches deep may be exempt, except where the Chief Building Official, or his/her designee, in individual cases deems it a public nuisance and/or dangerous to the public health, safety, and welfare.

4.3.5. Enclosure Required.

It is hereby declared to be a public nuisance to maintain an outdoor swimming pool, either above or below ground level, with a maximum depth greater than eighteen (18) inches or more in the City of Goodyear unless either the premises upon which the pool is located or the pool itself is enclosed as required herein. Irrigation and storm water retention facilities, and the water features in public parks and golf courses are exempt from the fencing requirement of this section.

4.3.6. Design and Enclosure Details.

A. All swimming pools, or the property on which they are located, shall be enclosed by buildings, walls, fences or combinations thereof, not less than five (5) feet nor more than six (6) feet in height above grade measured on the exterior side of the enclosure.

1. On a portable spa or portable hot tub, which is not more than eight (8) feet in width, a hard, latched or locked safety cover shall meet the barrier requirements of this section.

2. A key operated motorized safety cover for portable spas and hot tubs may also be used to meet the barrier requirements of this section. Approval must be received from the Chief Building Official, or his/her designee.

B. All gates shall be substantially the same height as the wall or fence and shall be self-closing and self-latching. Such gates and fencing shall not be constructed in a manner as to provide, either intentionally or unintentionally, hand or foot holes for climbing.

1. The latches shall be at least four and one half (4.5) feet above the underlying ground or otherwise made inaccessible from the outside to small children. If the material of construction or design is such that there are openings in the enclosure, such openings shall be of such size that a spherical object four (4) inches in diameter cannot pass through or under the fence or gate.

2. Double width gates which are not the sole means of ingress and egress shall not be required to be self-closing and self-latching but must be padlocked at all times when not in use.

4.3.7. Zoning Districts: Placement.

A. In any AG, AU, R1-10, R1-7, R1-6, R-4, R2, R1-A, or R1-C district, private swimming pools and spas shall be in the side or rear yards and no water surface shall be closer than five (5) feet from any property line.

B. In other zoning districts or where a private swimming pool is proposed to locate in an area other than a side yard or rear yard, a Use Permit shall be obtained.

C. No public swimming pool shall be closer than twenty five (25) feet to any property line.

4.3.8. Permit, Inspection, Maintenance.

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A. A building permit shall not be issued for any swimming pool unless the plans for such pool provide for an enclosure as required by this Section.

B. No swimming pool shall be filled in whole or in part with water unless the pool structure has been installed in accordance with this Section and approved by the Chief Building Official, or his/her designee.

C. It shall be the responsibility of both the property owner and the occupant of the premises to install and maintain the fences, locks, latches, and gates in good condition and proper working order when water is in the pool, and either or both may be deemed in violation of this Article for failure to do so.

4.4. Off-Street Parking and Loading

4.4.1. Purpose

The purpose of this section is to ensure the provision of adequate off-street parking and loading spaces and vehicular maneuvering areas to those spaces for the uses permitted in this Ordinance in a manner which is safe, efficient, convenient and functional. The provisions contained in this Article are considered reasonable and appropriate, and are established to:

A. Provide standards for the minimum number of required off-street parking and loading spaces with maneuvering areas, driveways and surface materials for the efficient and safe movement of vehicular traffic.

B. Provide adequate screening measures for parking and maneuvering areas in a manner that is visually attractive.

C. Ensure pedestrian-friendly parking areas by providing safe, adequate and convenient pedestrian routes.

D. Provide for the accessibility needs and requirements of the disabled.

E. Allow flexible parking standards to improve circulation and promote community character.

F. Provide adequate on-site bicycle parking facilities.

4.4.2. General Parking Regulations

A. Off-Street Parking Spaces.

1. Vehicular Parking.

a. Vehicular parking for a standard vehicle shall be in the form of a rectangle not less than nine (9) feet in width by twenty (20) feet in depth, excluding driveways or aisles, with access to a public thoroughfare; except that parking spaces abutting sidewalks, curbs or landscape planters may have a minimum required depth of eighteen and one-half (18.5) feet with a maximum allowed vehicle overhang of one and one-half (1.5) feet.

2. Boat or Recreational Vehicle Space.

a. Spaces shall be provided in the form of a rectangle not less than ten (10) feet by twenty-four (24) feet, or larger as may be required to accommodate the unit, subject to the screening requirements of Section 4.4.3.

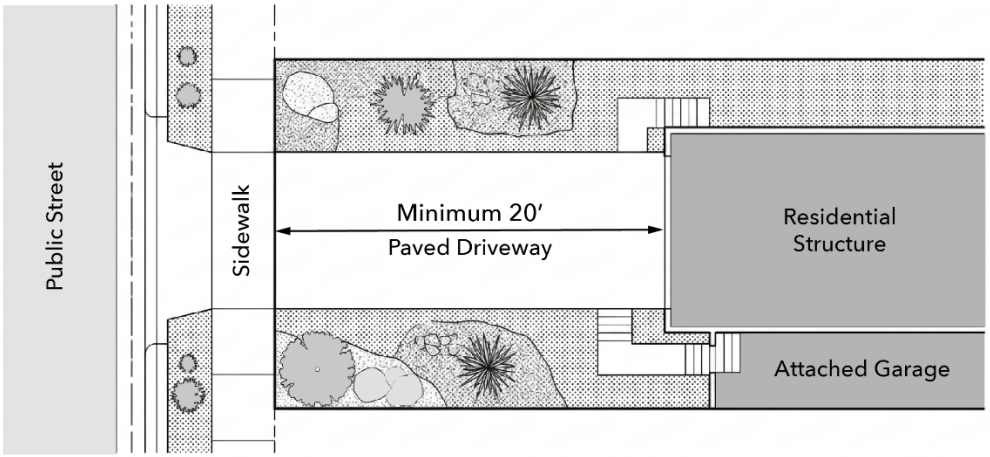
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B. Residential Vehicular Access.

3. Driveways.

a. An 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 4.8.2A - 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. Driveways shall connect to a public or private street or may connect to a public or private street by an alley.

d. When a shared driveway is utilized, the driveway shall be constructed so as to deflect drainage away from contiguous private lots or parcels.

e. 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.

f. The total or maximum width of the driveway within the front yard for lots that are one hundred (100) feet wide or less shall be thirty (30) feet or fifty (50) percent of the lot width, whichever is less. Paved areas contiguous to a driveway and in excess of one hundred (100) square feet in size shall be considered part of the driveway for the purposes of this provision.

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g. For lots that exceed one hundred (100) feet in width, the total or maximum driveway width shall be forty (40) feet. In no case shall the front yard exceed a total of forty-five (45) percent of improved paved sur- face (concrete, asphalt or masonry). Paved areas contiguous to a driveway and in excess of one hundred (100) square feet in size shall be considered part of the driveway for the purposes of this provision.

h. Lots that exceed one hundred (100) feet in width may incorporate a front yard circular drive provided the maximum driveway width is forty (40) feet. In no case shall the front yard exceed a total of forty-five (45) percent of improved paved surface. Paved areas contiguous to a driveway and in excess of one hundred (100) square feet in size shall be considered part of the driveway for the purposes of this provision.

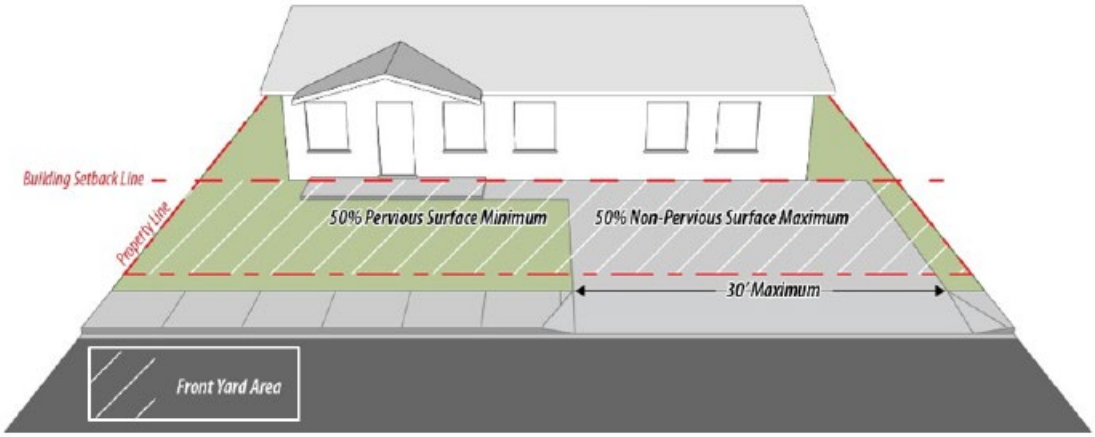
i. Residential lots in the Agricultural (AG) District accessed from a paved street shall include a paved apron that extends from the street a minimum of twenty (20) feet or to the edge of the public right-of-way, whichever is greater. The driveway may be paved or may contain a stabilized surface of two (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

j. 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.

k. 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.

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Figure 4.8.2B - Paved/Non-Pervious Surfaces



4. Front Yard.

   a. Any vehicle which is not otherwise prohibited by the provisions of this Ordinance from being parked in the front yard of a single family or two family residence lot may be parked upon a driveway.

4.4.3. Parking Design Standards

A. Parking Standards Pertaining to All Districts.

1. Permits.

   a. No building permit shall be issued until the applicant has presented satisfactory evidence to the Zoning Administrator that he owns or has otherwise available for his use, sufficient property to provide required parking.

   b. No additions to or enlargement of an existing building or use shall be permitted unless the parking requirements are met for the entire building or use.

   c. For new buildings, building expansions or conversions, plans must show the arrangement of required parking and loading spaces, and indicate sufficient space for vehicle maneuvering and adequate ingress and egress by patrons and delivery vehicles to the parking area before a permit is granted. In the design of parking areas, safe, adequate and convenient pedestrian routes shall be provided. Plans shall be submitted, fully dimensioned, to the Zoning Administrator for approval prior to the permit being granted.

2. General Requirements for All Spaces.

   a. All parking and loading spaces, drive aisles, maneuvering areas, driveways, and fire lanes shall be paved with an asphalt, concrete, or masonry surface to a sufficient thickness to withstand repeated vehicular traffic based on an engineered

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design approved by the City Engineer, or his/her designee, except as provided below:

b. The surfacing of the areas referenced above shall not be required by the City during construction on any site or project which is otherwise covered by an individual or general air quality permit issued by the Maricopa County Air Quality Department, but all surfacing improvements related to a specific building permit shall be completed prior to the issuance of a certificate of occupancy for such permit.

c. The City Engineer, or his/her designee, at his/her discretion, may allow the use of other materials for sur- facing the areas referenced above when these areas:

i. are in excess of the minimum number of parking spaces required by this Article; or,

ii. are temporary in terms of frequency of use (i.e., infrequent or intermittent use) or duration of use (i.e., only used for a specific period of time until paved or, for model home complexes, until substantial completion of a residential development).

iii. Any alternative surfacing materials allowed by the City Engineer, or his/her designee, shall be appropriate to the use for which they are approved and at a minimum shall minimize the generation of dust or particulate matter.

iv. All vehicular egress from parking lots to public right-of-way shall be by forward motion only, except in the case of single family and two family residences fronting on a local street or a primary or secondary collector street.

v. The permanent or unauthorized temporary use of off-street parking or loading areas for other than the said purpose shall constitute a violation of this Ordinance. Should the owner or occupants of a building change the use of the building and thus increase the requirement for off-street parking, it shall constitute a violation of this Ordinance, until there is compliance with the parking requirements.

B. Parking Standards for Single Family, Two Family and Manufactured Home Residential Uses.

1. Parking Space Location.

a. No motor vehicle shall be parked in a front yard, except on an authorized driveway.

b. No part of any vehicle parked in the front yard of a single family or two family residential lot shall extend over the public or private sidewalk, or street curb where no sidewalk exists; nor shall any such vehicle be parked within the area formed by a ten by ten (10 x 10) foot triangle as measured from the point of intersection of the back of the sidewalk, or street curb where

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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.

3. Rural Residential Parking.

   a. For residential lots in the Agricultural (AG) District accessed from a paved street, two (2) paved parking spaces shall be required in the form of either: (1) an enclosed garage; or (2) a carport that is located to the rear of the residence and not visible from the side facing the street; or (3) a side-entry carport whose side facing the street is enclosed; or (4) an alternate location determined to be appropriate and approved by the Zoning Administrator.

   b. For residential lots in the Agricultural Urban (AU) and Agricultural (AG) districts accessed from an unpaved roadway, two (2) paved parking spaces shall be required in the form of either: (1) an enclosed garage; or (2) a carport that is located to the rear of the residence and not visible from the side facing the street; or (3) a side-entry carport whose side facing the street is enclosed; or (4) an alternate location determined to be appropriate and approved by the Zoning Administrator.

C. Historic Goodyear, Northern Subdivisions and Canada Village Parking:

On residential lots within subdivisions recorded prior to 1980, one unenclosed shade structure which may project into the required front yard setback area is allowed, subject to the following development and design standards:

1. The structure shall be permanently affixed to a foundation, footing, or slab attachment and supported by piers, columns or support elements.

2. The structure shall not be enclosed and no wall taller than three (3) feet may be constructed between piers, columns or support elements of the structure.

3. The style, materials and colors of the structure shall be consistent with the style, materials, and colors of the residential building to which it is connected. The structure shall utilize the same level of finish and detailing as the residential building.

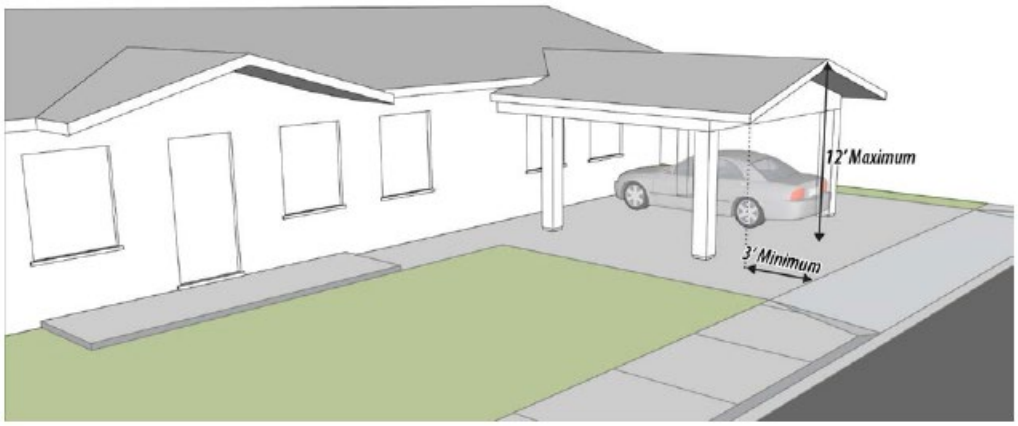
4. The structure shall maintain a minimum setback of three (3) feet from any right-of-way line. The structure shall be set back from any side

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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 4.5.3A – 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.

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b. Parking in a required front yard or driveway is prohibited, except for loading/unloading or repairs for no more than forty-eight (48) hours. The Zoning Administrator may authorize a longer period of time if an emergency exists, up to a maximum of five (5) days.

c. Parking within the side yard on the carport/garage side of the residence is permissible, if there is sufficient space and the parking area is improved with a paved, uncovered slab and is screened from street view by a minimum six (6) foot high wall and/or gate.

d. A paved side-yard parking access lane and an increase in the allowable impervious area from 50% to 60% may be permitted when all the following is met:

i. Minimum 10-foot side setback is available

ii. The additional impervious area is located to the side of the primary driveway;

iii. Landscaping is maintained to soften views from the street;

iv. Driveway complies with curb-cut spacing requirements.

e. The total number of recreational vehicles, travel trailers, unmounted camper/camper shells, accessory trailers, work trailers, inoperable or unlicensed vehicles, and boats parked or stored on any lot outside of a garage shall be restricted to a combination of not more than two (2).

13. Parking Standards for Multi-family Residential, Commercial, Industrial and Mixed – Use Development.

a. Maintenance. It shall be the joint and separate responsibility of the lessee and owner of the principal use, uses or building to maintain in a neat and adequate manner, the parking spaces, access ways, striping, landscaping, and required walls or screening.

b. Parking Area Improvements. For multi-family residential, commercial, industrial and mixed-use developments, including non-residential uses in a residential District, all parking areas shall be screened from street view by buildings or by a landscape berm and/or wall with landscaping. Berms and/or walls (including retaining walls) shall be a minimum of three (3) feet in height above the highest finished grade on the parking lot side, and no higher than four and one-half (4.5) feet in height on the street side. It shall be the responsibility of the developer to ensure that car headlights are screened when facing off property or toward residential development. For the purposes of this section, parking areas as used herein shall include all parking spaces, drive aisles and maneuvering areas.

c. Access. Off-street parking spaces shall be connected with a public street by a paved driveway which affords safe and

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reasonably convenient ingress and egress. The permissible location and minimum width of driveways shall be as specified in the City of Goodyear Engineering Design Standards and Policies Manual.

d. For developments with more than two (2) dock-high loading doors, trailer storage spaces shall be provided at a ratio of one (1) space per four (4) loading doors. Trailer storage spaces shall have minimum dimensions of twelve (12) feet in width and forty-five (45) feet in length and shall not be visible from public rights-of-way.

e.

14. Parking Space Location. All required parking spaces shall be located on the lot upon which the use is located or on an adjacent lot if a cross access/parking agreement is provided. Required parking spaces for multi-family, commercial or industrial uses may be located on an adjacent lot in another district (other than in a single family residential district) with a cross access/parking agreement.

15. Parking Plan.

a. Purpose. The purpose of this section is to ensure that developments provide safe, efficient, and well-managed parking facilities through a coordinated Parking Plan approved at the sole discretion of the Zoning Administrator.

b. Applicability. A Parking Plan shall be required for:

i. Any development proposing 50 or more parking spaces.

ii. All multi family or mixed-use developments.

iii. Developments containing multiple parking types, including structured, covered, or shared parking.

iv. Any development requesting a parking reduction or shared parking arrangement.

D. Submittal Requirements 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.

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i. Any proposed shared-parking arrangements.

2. Review Criteria. The City shall review Parking Plans for:

a. Compliance with minimum required parking.

b. Conformance with stall and aisle dimensions and other design standards.

c. Adequacy of the proposed management approach.

3. Modifications and Enforcement

a. An approved Parking Plan shall be binding on the development.

b. Amendments require administrative review and approval.

c. Failure to implement the approved Parking Plan constitutes a zoning violation.

E. Shared Parking

1. The total requirement for off-street parking spaces for joint-use developments shall be the sum of the requirements of the various uses computed separately.

2. A joint-use shared parking program is an option to reduce the total required parking in joint-use developments in which the uses operate at different times or that have different peak hours of operation from one another throughout the day. If an applicant for a joint-use development can demonstrate through a shared parking study completed by a professional and supplied by the applicant and approved by the Zoning Administrator that the total peak parking demand for the mixed uses will be less than the sum of the parking spaces required for each use served, a reduction in the total number of required spaces may be allowed, subject to the following:

a. The approved shared parking plan shall specify a schedule of shared parking calculations identifying the typical hours of operation with anticipated periods of greatest parking demand for all uses within the development; and shall indicate the number, location and convenience of pedestrian access of all spaces available to serve each use. The total number of parking spaces required for all uses within the development per Section 4.4.3 shall not be reduced by a shared parking plan by more than twenty (20) percent.

b. A facility or land use activity for which shared parking is proposed must be located within 660 feet of the shared parking, measured from the entrance of the use to the nearest parking space within the shared parking lot. The City Traffic Engineer or his/her designee shall be consulted for any proposed shared parking agreement that requires a pedestrian crossing a public roadway between one of the uses in the agreement and the parked vehicle.

c. The property owners involved in the shared parking plan shall submit a written agreement approved by the Zoning

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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 Community Development Department for the purpose of monitoring the continuing adequacy of available parking.

e. At the time of shared parking plan approval, or at any subsequent time when the uses, intensities of the uses, or the or hours of operation of the uses change, or upon findings that the parking facilities are inadequate, the Zoning Administrator may require additional site area to be provided, and as necessary improved, to supply additional required parking facilities.

F. Credit For On-Street Parking. On-street parking that directly and wholly abuts the subject property may be counted towards the parking requirement, provided that:

1. Such spaces are clearly marked on the site plan and constructed in accordance with City standards.

2. Such spaces are publicly accessible and cannot be reserved or restricted by the owner or tenants of the property without approval of the Zoning Administrator.

3. On-street parking on private streets may be counted towards required parking provided that the street is publicly accessible (not gated) and the streets, parking spaces and sidewalks constructed are consistent with the standards for public streets in the City.

G. Credit for Bicycle Parking Facilities. The City encourages the use of alternative transportation modes such as the bicycle through a reduction in the number of required vehicular parking spaces in favor of additional bicycle parking facilities. The Zoning Administrator may authorize a credit towards on-site parking requirements for all non-residential uses for the provision of bicycle facilities beyond those otherwise required by this Ordinance, subject to the following guidelines:

1. Whenever bicycle parking is provided beyond the amount required per Section 4.4.6, credit toward required on-site vehicular parking may be granted at a rate of one (1) vehicular space per ten (10) additional bicycle spaces provided.

2. The number of required vehicle parking spaces shall not be reduced by more than five (5) percent or ten (10) spaces, whichever is less, for any use or building.

H. Parking Reductions

Required parking for any use may be reduced by the Zoning Administrator subject to the following:

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1. Criteria for Approval. A request for reduced parking shall only be approved if the following criteria are found to be true:

   a. Special conditions, including but not limited to the nature of the proposed operation, transportation characteristics of persons residing, working, or visiting the site, exist that will reduce parking demand at the site.

   b. The use will adequately be served by the proposed parking; and

   c. A Parking Demand Study is submitted and shows parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

I. Parking Demand Study. In order to evaluate a proposed project's ability to reduce parking, the submittal of a parking demand study that substantiates the basis for granting a reduced number of spaces is required and shall include the following information:

1. Total square footage within existing and proposed development and the square footage devoted to each type of use.

2. A survey of existing on-street and off-street parking within 600 feet of the project site.

3. Standard parking requirements for the use, based on Table 4.8.4B.

4. Estimated parking demand for the use, using any available existing parking generation studies from the Institute for Transportation Engineers (ITE) or other professionally recognized, and/or accredited sources. If appropriate parking demand studies are not available, the City may require the applicant to conduct a parking demand survey of a development similar to the proposed.

5. Comparison of proposed parking supply with parking requirements.

6. A description any other characteristics of the site or measures being undertaken that could result in reduced parking demand, including staggered work shifts, telecommuting, shuttles to transit stations, or similar programs.

J. Other information as required by the City. Parking Structures.

1. Location. Parking structures may be located in all Multi-family, Commercial, Industrial and in areas within P.A.D. zoning districts that are not designated for single-family residential development.

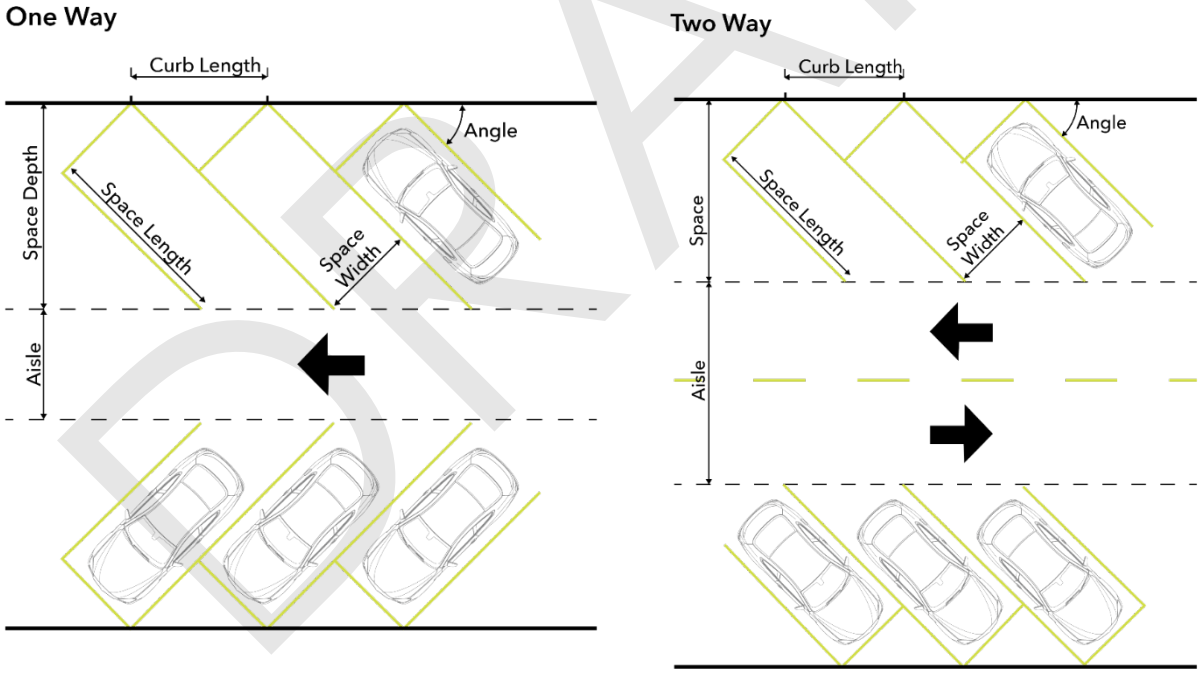
2. Development Standards. Parking structures shall conform to all principal building development standards, including setbacks, building heights, and lot coverage applicable to the zoning district in which parking structures are located.

3. Dimensions. Dimensions for parking spaces and maneuvering aisles shall meet the following minimum dimensions:

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Table 4.8.3 – Parking Structure – Space and Aisle Dimensions				
PARKING ANGLE	**SPACE WIDTH**	**SPACE DEPTH**	**ONE-WAY AISLE WIDTH**	**TWO-WAY AISLE WIDTH**
Parallel or 0°	9' 0"	9' 0"	12'	20'
30°	9' 0"	17' 6"	11'	20'
40°	9' 0"	19' 0"	12'	22'
45°	9' 0"	20' 0"	13'	24'
50°	9' 0"	20' 6"	15'	24'
60°	9' 0"	21' 0"	18'	24'
70°	9' 0"	21' 0"	19'	24'
90°	9' 0"	18' 0"	24'	24'

Figure 4.8.3 - Parking and Aisle Dimensions



K. Additional Standards. All parking structures shall be designed to meet the following additional development and design standards:

1. Parking structures shall be designed to complement adjacent or integrated primary buildings by incorporating architectural details, colors and materials of the building(s) served, with specific focus on street level facades and circulation elements exposed to and utilized by pedestrians. The level of design enhancements required below shall

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be determined based on the location of the parking structure, its exposure to the view of the general public, the context of the site and other relevant project criteria;

2. On facades that face rights-of-way or other public areas, parking structures shall incorporate artistic elements, decorative panels, art screens, or other methods to deemphasize the appearance, massing, and scale of the parking structure;

3. Decorative panels for elevated levels of parking structures shall be solid and a minimum height of forty-two (42) inches above the parking surface to screen parked vehicles from adjacent streets and buildings;

4. Vehicles on the ground level shall be screened from adjacent public street frontages by a minimum thirty-six (36) inch wall which should include variations in color, texture, and/or materials, or landscaping that, upon maturity, establishes similar levels of opaqueness in screening; and

5. Decorative panels and architectural elements shall use durable materials to prevent wear including, but not limited to, formed concrete, textured masonry, iron, steel, copper, aluminum, glass block, and brick.

4.4.4. Parking Requirements

A. Determination of Required Spaces. The calculations to determine the required number of parking spaces for a use, building or development shall be in accordance with the following:

1. In the case of fractional results in calculating parking requirements, the required number shall be rounded up to the nearest whole number if the fraction is one-half (0.5) or greater.

2. Except as otherwise provided herein, building gross floor area shall be used to calculate parking space requirements.

3. All uses not specifically designated, or similar to a specified use, shall have parking space requirements as determined by the Zoning Administrator.

4. Required accessible parking for non-residential developments shall be provided in conformance with all applicable accessibility standards of the prevailing Americans with Disabilities Act (ADA), Arizonans with Disabilities Act (AZDA), and the International Building Code (IBC).

5. Required accessible parking for multi-family residential developments shall be provided in conformance with all applicable accessibility standards of the prevailing Americans with Disabilities Act (ADA), Federal Fair Housing Act (FFHA), and International Building Code (IBC).

6. The required minimum number of developed parking spaces for the Manufacturing, Assembling and Processing Use Classification and the Warehouse or Distribution Facility Use Classification set forth in paragraph E. (General Industrial Manufacturing and Warehousing) of the Table below may be reduced for a known user if the known user's operations can demonstrate to the satisfaction of the Zoning Administrator that the user's parking needs can be met with fewer

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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	

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Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
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	
Data Centers	1 space per 5,000 sq. ft. for the 1st 200,000 sq. ft. of floor area & 1 space per 10,000 sq. ft. for the remaining floor area
Manufacturing, Assembling and Processing	1 space per 1,000 sq. ft. for the 1st 10,000 sq. ft. of floor area & 1 space per 5,000 sq. ft. for the remaining floor area & 1 space per 300 sq. ft. of office floor area (See Section 4.4.4.A above for allowed reduction of required parking)
Mini-storage or RV storage	1 space per 300 sq. ft. office area and 1 space per 50 storage units
Warehouse or Distribution Facility	1 space per 1,000 sq. ft. for the 1st 10,000 sq. ft. of floor area & 1 space per 5,000 sq. ft. for the remaining floor area + 1 space per 5,000 sq. ft. of yard related area + 1 space per 300 sq. ft. of office floor area (See Section 4.4.4.A above for allowed reduction of required parking)
Motion picture or recording studio	1 space per 500 sq. ft. floor area
Other Industrial Uses	1 space per 1,000 sq. ft. for the 1st 10,000 sq. ft. of floor area & 1 space per 5,000 sq. ft. for the remaining floor area & 1 space per 300 sq. ft. of office floor area
F. General Retail and Personal Services	

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Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
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
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

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Table 4.4.4B – Off-Street Parking Requirements	
Use Classification	**Required Minimum Parking**
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
****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.

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b. Sufficient room for turning and maneuvering vehicles shall be provided on the site so that no backing onto or from a public street is required.

c. Off-street loading facilities for a single use shall not be considered as providing required off-street loading facilities for any other use.

d. Off-street loading facilities shall be located on the same site with the use for which the loading spaces are required.

4.4.6. Bicycle Parking

A. Requirements.

1. Non-residential uses of land or buildings which are required to provide at least forty (40) vehicle parking spaces shall be required to provide on-site bicycle parking spaces in a bicycle parking facility at a rate of one (1) for every ten (10) required vehicle parking spaces.

2. Non-residential uses of land or buildings which are required to provide less than 40 vehicle parking spaces shall be required to provide a minimum of four (4) on-site bicycle parking spaces in a bicycle parking facility.

3. In no event shall any use or building be required to provide more than one hundred (100) bicycle parking spaces.

4. The following uses are exempt from the foregoing bicycle parking requirements:

   a. All residential uses.

   b. Self-storage facilities.

   c. Other uses as determined by the Zoning Administrator.

5. Common or shared bicycle parking facilities may be provided for attached or in-line uses. Bicycle parking in mixed-use commercial centers shall be distributed throughout the project. A reduction of required bicycle parking spaces may be authorized by the Zoning Administrator.

6. A bicycle parking facility is a stationary object, typically a bicycle rack or locker, permanently affixed to the ground or a structure to which the operator can lock the bicycle frame and wheels to the object.

B. Standards.

1. Bicycle parking spaces shall be located on a paved surface within one hundred (100) feet of a primary building entrance. Bicycle parking spaces shall not encroach into any required landscaping or pedestrian access areas.

2. A bicycle parking space shall measure two (2) feet by six (6) feet. A pre-manufactured bicycle rack or locker which differs from these dimensions may be approved by the Zoning Administrator.

4.5. Outdoor Lighting

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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.

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a. Applications for approval of an Outdoor Lighting Plan shall be filed with the Development Services Department in conjunction with an application for Site Plan approval and shall include all of the information identified in the application form(s), in this Ordinance, in the Engineering Standards, and any other data that may be required by the Zoning Administrator that is needed for review of the application.

b. Applications shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when applications are submitted.

2. The Development Review Committee shall review the application submittal for compliance with the requirements of Section 4.5 of this Ordinance, any other applicable requirements in this Ordinance, applicable Engineering Standards, and applicable provisions in the Goodyear City Code. Following the completion of the Committee's review, the Zoning Administrator shall approve, approve with conditions or deny the Outdoor Lighting Plan.

3. The approval date of the Outdoor Lighting Plan Approval shall be the date on which the application was approved by the Zoning Administrator. Outdoor Lighting Plan approvals are tied to other development approvals, which will be identified in the notification of Outdoor Lighting Plan approval; and the Outdoor Lighting Plan approval expires if such related development approval expires.

C. Compliance. Construction plans for outdoor lighting installations shall conform to the development reflected in the Outdoor Lighting Plan as approved by the Zoning Administrator and shall be submitted and approved as a condition precedent for the issuance of a building permit.

4.5.3. Lighting Zones

In order to be more responsive to the special needs of different portions of the City, a system of four different lighting "zones" has been established based upon the current and/or planned Uses and ambient brightness of the area. Each "zone" will have different development requirements and lighting restrictions. The "zone" for a particular project shall be assigned by City Planning staff during the development review process.

ZONE 1. Low ambient light areas – Rural residential areas or low density residential areas with limited commercial

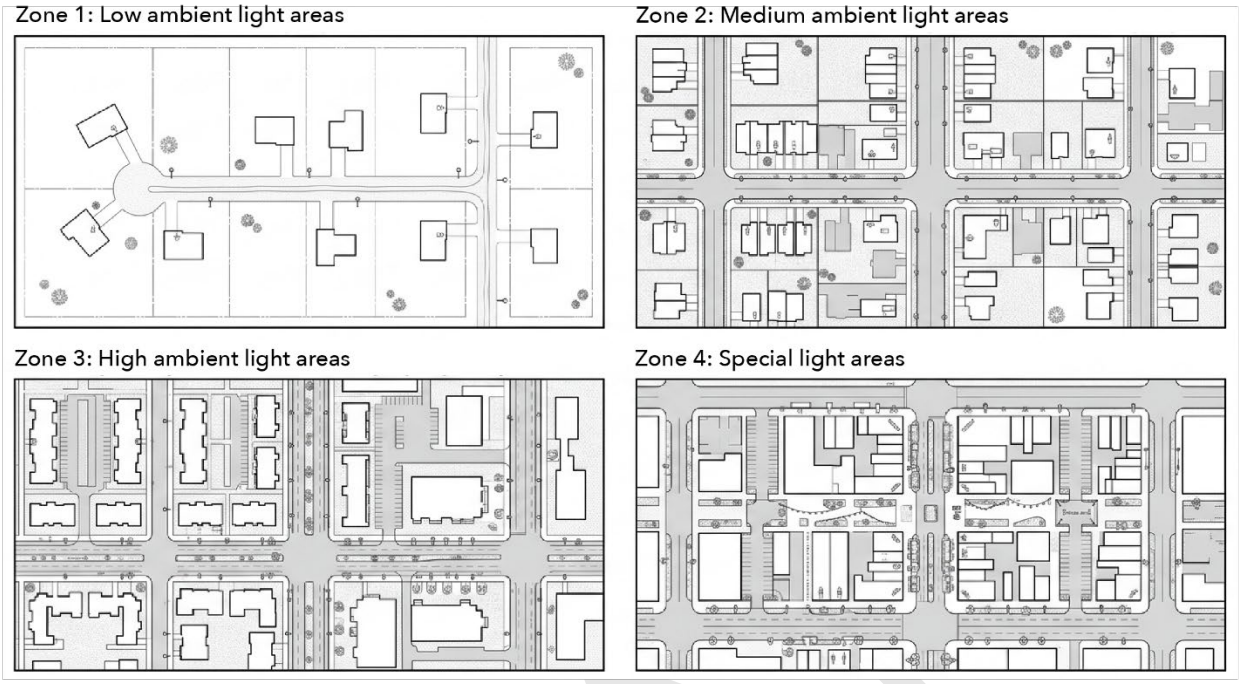
ZONE 2. Medium ambient light areas – Urban residential areas mixed with light commercial

ZONE 3. High ambient light areas – Urban areas having both residential and commercial use and experiencing high levels of night time activity.

ZONE 4. Special light areas – Downtown and other special areas requiring thematic lighting or extreme light levels due to the nature of the events taking place in these areas.

Figure 4.9.3A - Lighting Zones

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4.5.4. Operating Hours

Depending upon the "zone" that a project site is to be located in, there will be different restrictions on the hours that the outdoor lighting may operate. Every project shall be encouraged to reduce as much as possible the amount of outdoor lighting that operates after 10:00 PM, while projects in certain lighting zones shall be required to turn off all non-security lighting (except for flagpole lighting) as follows:

ZONES 1 AND 2. Security lighting only after 10:00 PM or within 1-hour after the close-of-business, whichever is later. All fixtures that are not Full-Cutoff shall be turned off at this time.

ZONE 3. All outdoor lighting shall be reduced by a minimum of 50% after 10:00 PM or within 1-hour after the close-of-business, whichever is later. All fixtures that are not Full-Cutoff shall be turned off at this time.

4.5.5. Light Sources and Fixture Shielding

Mercury Vapor light sources shall not be allowed. Searchlights and strobe/ flashing lights are not allowed in any Zone without a separate Use Permit, and the duration of the allowed use may be limited by Planning & Zoning staff. Lasers, exposed neon, and other intense linear light sources are not allowed in Zone 1, but are allowed in Zones 2 and 3 and subject to approval and stipulations by Planning & Zoning staff during the design review process. Lasers must be aimed at-or-below the horizontal plane and terminated on an opaque surface within the project site.

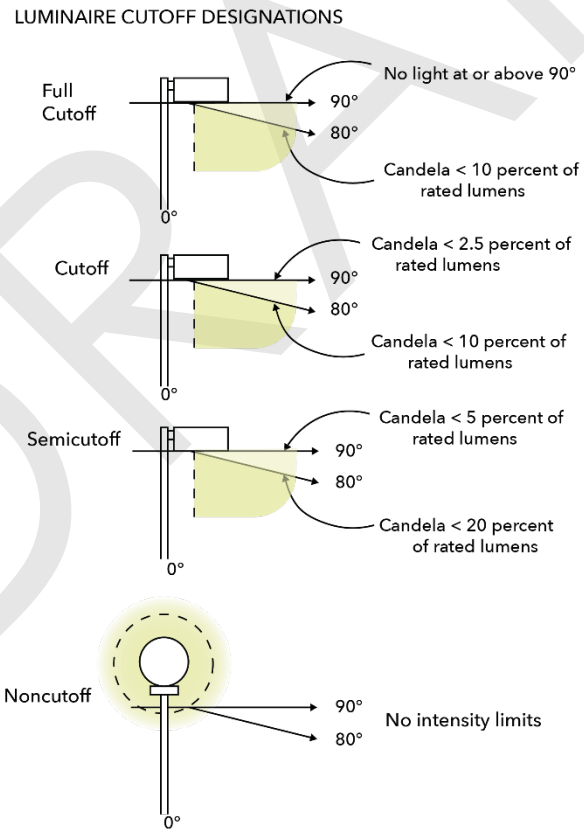
ZONE 1. Pole or wall-mounted fixtures shall be full-cutoff fixtures only. All perimeter fixtures shall possess house-side shielding Bollards shall be louvered and utilize coated lamps. All light sources shall have a color temperature of less than or equal to 3,200 Kelvin. Wall-mounted fixtures of greater than 1,800

lumens shall possess house-side shields. Uplighting fixtures shall not exceed 1,800 lumens.

ZONE 2. Pole or wall-mounted fixtures of less than or equal to 1,800 lumens may be semi-cutoff or cutoff. All other pole or wall-mounted fixtures shall be full-cutoff. All perimeter fixtures shall possess house-side shielding. Bollards shall be louvered with coated lamps or of a type where the lamp is recessed and not directly visible. Wall-mounted fixtures of greater than 3,500 lumens shall possess house-side shields. Uplighting fixtures shall not exceed 3,500 lumens.

ZONE 3. Pole or wall-mounted fixtures of less than or equal to 3,500 lumens may be semi-cutoff or cutoff. All other pole or wall-mounted fixtures shall be full-cutoff. All perimeter fixtures located within 30-feet of a single-family residential property line, excluding bollards, shall possess house-side shielding, and those fixtures that will also operate after 10:00 PM shall possess external shielding to the satisfaction of Planning & Zoning staff. Bollards shall be louvered with coated lamps or of a type where the lamp is shielded and not directly visible. Wall-mounted fixtures of greater than 6,500 lumens shall possess house-side shields. Uplighting fixtures shall not exceed 6,500 lumens.

Figure 4.9.5A - Fixture Shielding



4.5.6. Fixture Mounting Heigh and Equipment Finishes

The mounting height of a fixture is to be measured from finished grade to the fixture lens or luminous opening. Pole bases shall be finished in a fashion other than exposed

concrete (brushed finish, painted, etc.). No portion of any fixture that is attached to a wall that is common with another property shall be allowed to protrude above the top of the wall.

ZONE 1. Fixtures located within thirty (30) feet of a residential property line shall not exceed six (6) feet in height. All others shall not exceed fifteen (15) feet in height, and the pole color shall be dark and non-reflective (such as dark bronze or black).

ZONE 2. Fixtures located within thirty (30) feet of a residential property line shall not exceed six (6) feet in height. Fixtures located greater than thirty (30) feet and less than or equal to one hundred and fifty (150) feet from a residential property line, and not blocked from direct view by a structure, shall not exceed fifteen (15) feet in height and shall be full-cutoff. All others shall not exceed twenty-five (25) feet in height or the predominant height of the perimeter buildings (as determined by Planning & Zoning staff), whichever is less, and shall be full-cutoff. Pole color shall be dark and non-reflective, such as dark bronze or black, or as otherwise approved by Planning & Zoning staff.

ZONE 3. Fixtures located within one hundred and fifty (150) feet of a residential property line, and not blocked from direct view by a structure, shall not exceed fifteen (15) feet in height and shall be full-cutoff. All others shall not exceed thirty (30) feet in height or the predominant height of the perimeter buildings (as determined by Planning & Zoning staff), whichever is less, and shall be full-cutoff. Pole color shall be dark and non-reflective, such as dark bronze or black, or as otherwise approved by Planning & Zoning staff.

4.5.7. Illuminance Levels

Planning & Zoning staff shall place a limitation on the on-site horizontal average illuminance for all projects, and the perimeter vertical illuminance when the site is within one hundred and fifty (150) feet of a residential property line. On-site illuminance shall be based upon a "maintained" average horizontal value at finished grade, and the perimeter illuminance shall be based upon an "initial" maximum vertical value at 6 feet above finished grade. These illuminance limitations shall be different for each lighting "zone". The Light Loss Factor for all "initial" illuminance calculations shall be no less than 0.95. The Light Loss Factor for all "maintained" calculations shall be determined by the designer, and based upon the actual lamps selected and the projected operating conditions, to the satisfaction of Planning & Zoning staff.

4.5.8. Lighting Standards Matrix

Lighting Zone	Operating Hours	Light Sources and Fixture Shielding	Mounting Height & Pole Color	On-Site and Perimeter Illuminance Levels (lumens/sq. ft.)	Perimeter Vertical Illuminance (lumens/sq. ft.)	Uplighting
1 Low Ambient Light Areas	Security Lighting only after 10:00 PM. or 1-hour after Close	Light Sources <= 3,200K Full-Cutoff fixtures only.	6' height <= 30' from Residential Property Line.	1.50 Average	0.30 Maximum	<= 1,8000 Lumens Turn off at 10:00 PM. or 1-hour after

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		HSS on Perimeter Fixtures	15; height > 30'. Dark and Non-Reflective Colors.			Close of Business.
2 Medium Ambient Light Areas	Security Lighting only after 10:00 PM. or 1-hour after Close of Business.	All Light Sources. Semi-Cutoff and Cutoff fixtures <= 1,800L. Full-Cutoff > 1,800L. HSS on Perimeter Fixtures	6' height <= 30' from Residential Property Line. >30' 15' ht. <= 150' 25' height > 150'. Dark and Non-Reflective Colors.	3.00 Average	0.80 Maximum	<= 3,500 Lumens Turn off at 10:00 PM. or 1-hour after Close of Business.
3 High Ambient Light Areas	50% Reduction after 10:00 PM or 1-Hour after Close	All Light Sources. Semi-Cutoff and Cutoff fixtures <= 3,500L. Full-Cutoff > 3,500L. HSS on Perimeter Fixtures External shielding after 10:00 PM.	15' height <= 150' from Residential Property Line. 30' height > 150'. Any Color, as approved by P & Z staff	4.50 Average	1.50 Maximum	<= 6,500 Lumens. Turn off at 10:00 PM. or 1-hour after Close of Business.
4 Special Light Areas	***	***	***	***	***	***

Explanation of Lighting Standards Matrix Terms

***	To be determined by Planning & Zoning Staff.
1,800 Lumens 3,500 Lumens	1,800 Lumens is approximately equivalent to the initial Lumen output of a 20-Watt LED (100-Watt incandescent), or a 26-Watt compact fluorescent lamp.

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6,500 Lumens	3,500 Lumens is approximately equivalent to the initial Lumen output of a 42-Watt compact fluorescent, or a 50-Watt metal halide lamp. 6,500 Lumens is approximately equivalent to the initial Lumen output of a 70-Watt high pressure sodium lamp.
Kelvin (K)	<= 3,200K = A light source with a color temperature of less than or equal to 3,200 degrees Kelvin ("warm" colored light).
Light Sources	<= 1,800L = A light source which produces less than 1,800 initial Lumens.
Fixture Shielding	HSS <= 25 feet = Fixtures located less than or equal to 25 feet from a residential property line shall possess a external shielding on the rear and sides of the fixture in order to prevent direct view of the fixture lens or lamp from a residential property line.
Mounting Height	15' <=150' = Mounting height of 15' or less when the fixture is located less than or equal to 150 feet from a residential property line.
Pole Color	Dark = Dark, non-reflective colors such as Dark Bronze or Black.
Illuminance Levels	On-site maintained horizontal average illuminance and perimeter initial vertical illuminance (spill light).

4.5.9. Non-Residential Driveways

In order to maximize pedestrian safety, and to help improve emergency vehicle access, City sidewalks/paths that cross driveways shall be illuminated to a maintained average of not less than 1.0 lumen per square foot. This lighting shall operate from dusk until dawn. This requirement shall be waived if a city streetlight is located within 20 feet of the driveway. The perimeter spill light limitation shall be waived within 20 feet of a driveway.

4.5.10. Parking Canopies

Full-cutoff fixtures only in Zone 1. Non-cutoff fixtures are allowed in Zones 2, 3, and 4, but the fixtures must possess a diffusing lens and be located so that the sides of the canopy will block any direct view of the lens or fixtures from beyond the property lines.

4.5.11. Parking Structures

ZONE 1. NOT ALLOWED.

ZONE 2. Interior fixtures and roof-top fixtures shall be full-cutoff and incorporated into the architecture of the structure. The interior fixtures shall be attached to the ceiling or mounted no lower than the bottom of the support beams. Roof-top fixtures shall be set-back a minimum of 25 feet from the perimeter, and shall not exceed 14 feet in mounting height.

ZONE 3. Fixtures shall be incorporated into the architecture of the structure. Interior fixtures visible from any residential properties shall be full-cutoff. All others may be semi-cutoff, cutoff, but shall possess diffusing lenses or shielding so that the lamp is not

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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.

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ZONE 1. NOT ALLOWED.

ZONE 2. Maintained average illuminance at grade in the sales areas shall not exceed 40.0 lumens per square foot. Other areas shall not exceed an average of 10.0 lumens per square foot. Poles shall be a dark non-reflective color such as dark bronze or black. Under-canopy lighting shall be full-cutoff, or the canopy fascia shall be extended on all sides so that is lower than any portion of the fixture lens.

ZONE 3. Maintained average illuminance at grade in the display parking sales areas shall not exceed 60.0 lumens per square foot. Other areas shall not exceed an average of 10.0 lumens per square foot.

4.5.17. Flagpole Lighting

Flagpole uplighting in Zone 1 shall not exceed the equivalent of two fixtures of 1,800 initial lumens each per flagpole. Uplighting in all other Zones shall not exceed the equivalent of two fixtures of 6,500 initial lumens each per flagpole. Flagpole lighting may operate all night, but is to be turned off at dusk if the flag is lowered.

4.5.18. Sportslighting for All Private and Public Facilities

All sports, path and parking lot lighting are to be illuminated in conformance with this Ordinance and the Recommended Practices prepared by the Illuminating Engineering Society (IES). All sports-fields shall utilize shielded luminaires from a list of manufacturers that have been pre-approved by the Planning & Zoning and Public Works departments. Luminaires on sports field poles with multiple cross-arms shall have a black exterior finish. All sport-courts shall be lighted with full-cutoff luminaires, and are to utilize "On" & "Off" push-buttons so that the lighting does not operate unless the courts are in actual use. All park luminaires shall be shielded and/or located so that no light source is directly visible from beyond the park property lines. Sports field poles are to be set-back a minimum of 50 feet from any residential property line or right-of-way. Initial vertical illuminance (spill light) shall be calculated along all park property lines at a height of 6 feet above finished grade. Automatic time-clocks or other programmable controllers are to turn off all non-security lighting at a curfew time to be determined by city staff.

ZONE 1. "Natural Night Sky" Neighborhood Park or School.

Sports field lighting shall not exceed 80 feet in height. Path and parking lot lighting shall not exceed 16 feet in height. Sport courts shall not exceed 25 feet in height, and all fixtures shall possess 4-sided shielding/skirting. Sportslighting shall not operate after 10:30 PM. Spill light shall not exceed 0.80 lumens per square foot at any point along a residential property line and lumens per square foot along any other property line.

ZONE 2. "Standard" Neighborhood Park or Elementary/Middle School.

Sports field lighting shall not exceed 80 feet in height. Path and parking lot lighting shall not exceed 20 feet. Sport courts shall not exceed 25 feet in height. Sportslighting shall not operate after 10:30 PM. Spill light shall not exceed 1.0 lumen per square foot at any point along a residential property line and 2.50 lumens per square foot along any other property line.

ZONE 3. "Regional" Neighborhood Park or High School.

Sports field lighting shall not exceed 90 feet in height. Path and parking lot lighting shall not exceed 25 feet. Sport courts shall not exceed 40 feet in

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height. Sportslighting shall not operate after 11:00 PM. Spill light shall not exceed 1.0 lumen per square foot at any point along a residential property line and 2.50 lumens per square foot along any other property line.

ZONE 4. To be approved by Planning & Zoning staff.

4.5.19. Single Family Residences, Attached and Detached

A. Residential Sport Courts in All Zones. All fixtures shall be full-cutoff and must be turned off by 10:00 PM. Fixtures located within 20 feet of a property line must possess external house-side shielding. The mounting height of the fixtures shall not exceed 20 feet.

B. Mercury Vapor light sources are not allowed.

C. Motion sensor controlled fixtures are exempt from Sections D and E.

1. *ZONE 1*. All fixtures shall be shielded and/or located so that the light source is not directly visible from beyond any of the property lines. The mounting height of any fixture shall not exceed 15-feet from finished grade to the center of the fixture. Architectural and landscape uplighting shall be turned off by 10:00 PM. Vertical illuminance at any of the property lines shall not exceed 0.30 lumens per square foot between the hours of 10:00 PM and 6:00 AM.

2. *ZONES 2 & 3*. All fixtures of > 1,200 lumens shall be shielded and/or located so that the light source is not directly visible from any of the property lines. The mounting height of any fixture shall not exceed 20-feet from finished grade to the center of the fixture. Vertical illuminance at any of the property lines shall not exceed 0.80 lumens per square foot between the hours of 10:00 PM and 6:00 AM. All non-conforming fixtures shall be turned off between the hours of 10:00 PM and 6:00 AM.

4.5.20. Utility Exceptions

Electric utility leased lighting shall not exceed a mounting height of 20.5 feet in Zone 1 and 27.5 feet in Zone 2. The light sources utilized in Zone 1 shall not exceed a color temperature of 3,500 degrees Kelvin. Planning & Zoning staff, at its discretion, may approve the use of the equivalent of a "Half-Night Photocell" instead of a 10:00 PM timed shutdown.

4.5.21. Other Exceptions

Exceptions to any portion of this section may be granted by the Zoning Administrator or his/her designee, and subject to appeal to the Planning and Zoning Commission and the City Council.

4.5.22. Equipment Substitutions or Alterations

The outdoor lighting equipment installed at a project site (fixtures, lamps, poles, finishes, controls, etc.) and the locations thereof shall not be substituted or altered in any way from the approved plans (except for the use of alternate manufacturers already listed in the Fixture Schedule of the approved plans) without first submitting the change to Planning & Zoning staff and receiving written approval. Failure to comply with this Article can result in penalty action from the City, including a decline to issue the final Certificate of Occupancy or final Certificate of Completion until the project is brought into conformance with the approved plans, to the satisfaction of Planning & Zoning staff.

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4.5.23. Verification

All outdoor lighting installations are subject to inspection/verification of the lighting equipment and illumination levels (adjusted for Light Loss Factors) by Planning & Zoning staff or designee, prior to the issuance of the final Certificate of Occupancy or final Certificate of Completion. Installations that are determined by Planning and Zoning staff to not be in compliance with the approved plans shall be corrected and brought into compliance with the approved plans prior to the issuance of the final Certificate of Occupancy or final Certificate of Completion. After lighting installation according to the approved plans, a property owner is responsible for ensuring that no lighting trespasses outside of the boundary of the property or lot and that no lighting from said property or lot causes a nuisance. If it is determined that there is lighting trespass or a nuisance related to lighting, a correction to come into compliance with the provisions of this section shall be required.

4.5.24. Other Types of Lighting

All other types of outdoor lighting not specifically addressed in this section shall be handled by Planning & Zoning staff as a Zone 4 Special Light Area.

4.6. Signage

4.6.1. Purpose

A. General Purpose. The purpose of regulating signs of all types is: to establish comprehensive provisions that will promote the public welfare and safety by safe placement and installation of appropriate signage; to establish reasonable regulations that promote effective messaging and economic vitality for local businesses and services; and to enhance the visual environment of the City of Goodyear. These regulations are intended to regulate the time, place, and manner of signage and not the content of speech. The regulation of signs within the City of Goodyear is necessary and in the public interest for the following reasons:

1. To facilitate the identification and location of businesses, services, and activities.
2. To provide reasonable opportunities for both commercial and noncommercial messages.
3. To allow effective signages while preventing visual clutter and the over-concentration of signs.
4. To maintain high quality signage throughout the City.
5. To provide consistent sign design standards that enable the fair and consistent enforcement of these regulations.

B. Constitutional Intent. It is the policy of the City of Goodyear to regulate signages in a content-neutral manner consistent with the First Amendment to the United States Constitution and applicable provisions of the Arizona Constitution. These regulations are not intended to favor commercial speech over noncommercial speech or to favor any particular message. If any provision of this Article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining provisions, which shall remain in full force and effect.

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C. Substitution of Noncommercial Messages. With the property owner's consent, a protected noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is permitted without consideration of message content. Such substitution of message may be made without any additional approval or permitting. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over protected noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message.

D. Signs in Public Forums. Nothing in this Article shall be construed to prohibit a person the display of signs by individuals engaged in lawful picketing, protest, or other expressive activity on public property that constitutes a traditional or designated public forum. Such activities shall be subject to reasonable time, place, and manner restrictions necessary to:

1. Prevent obstruction of building entrances and exits;
2. Maintain safe pedestrian, bicycle, and vehicular circulation; and
3. Protect public health, safety, and welfare.

4.6.2. Requirement of Permit

A. Permit Required. Except as provided in Section 4.6.5 (Exemptions), it shall be unlawful for any person to construct, install, attach, place, paint, alter, relocate or maintain any sign within the City without first obtaining a sign permit in accordance with this Article. Application for a sign permit shall be submitted on forms provided by the Development Services Department and shall include all required plans, drawings and other supporting documentation necessary to demonstrate compliance with this Article.

B. Fees. Prior to the issuance of any sign permit, the applicant shall pay all applicable fees in accordance with a fee schedule adopted by the City Council. If work for requiring a permit is commenced prior to permit issuance, the applicable permit fee shall be doubled. Payment of such fee shall not relieve any persons from compliance with this Article or from any penalties prescribed herein.

C. Inspections. All signs requiring a permit shall be subject to inspections by the City of Goodyear Building Safety Division at such stages of construction as deemed necessary to ensure compliance with this Article and other applicable codes.

4.6.3. Requirement of Conformity

A. Compliance Required. No sign shall be erected, installed, placed, altered, or maintained within the City except in conformity with the provisions of this Article.

B. Conflicts with Other Regulations. Where the provisions of this Article conflict with any other applicable City code, ordinance, or regulations, the provision establishing the more restrictive standard shall apply.

C. Violations and Abatement. Any sign installed, placed, or maintained in violation of this Article is declared to be a public nuisance and may be subject

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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.

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4. Minor Development Exceptions. For purposes of this subsection, usable floor area shall exclude restrooms, storage rooms, and similar non-occupiable spaces. The following development activities shall not trigger mandatory reduction of nonconforming signage: Additions less than 2,000 square feet that do not exceed fifty (50) percent of the existing usable floor area;
5. Additions greater than 2,000 square feet that do not exceed ten (10) percent of the existing usable floor area;
6. Modifications required by federal, state, or local regulations.
7. Relocation Due to Public Acquisition. A legal nonconforming sign may be relocated without losing its status when a portion of the property is acquired by a public entity, provided that: The sign is not increased in height or area;
8. The sign remains substantially the same in design and structure;
9. The sign is relocated to a position as similar as practicable to its original location; and
10. The relocation complies with all applicable safety requirements.
11. Previously Approved Signs. A sign approved through a variance or Comprehensive Sign Package prior to the adoption or amendment of this Article shall not be considered nonconforming.
12. Signs for Legal Nonconforming Use.
    a. No new or additional sign shall be permitted for a legal nonconforming use.
    b. A sign associated with a legal nonconforming use, shall be removed or brought into compliance if:
    c. The use is discontinued for a period of three hundred sixty-five (365) consecutive days; or
    d. The use becomes conforming.
13. Signs Rendered Abandoned.
    a. Determination of Abandonment. A sign shall be deemed abandoned if any of the following conditions exist:
        i. The sign displays no message, copy, or content for a continuous period of three (3) months;
        ii. The business, use, or activity to which the sign pertains has ceased operations for a period of three (3) months; or
        iii. The sign advertises or relates to a time, event, or purpose that is no longer applicable.
14. Prohibition. Any abandoned sign is prohibited and shall be brought into compliance with this Article.
15. Removal and Maintenance Requirements. Within three (3) months after a sign is deemed abandoned, the responsible party shall:

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a. Remove all sign copy, lettering, graphics, and associated components;

b. Repair, refinish, and restore the building façade or sign structure to a clean, safe, and professional condition; and

c. Remove or replace any sign panels as follows:

i. Cabinet signs and panels on freestanding monument or pylon signs shall be replaced with a blank panel, consistent with the overall design of the structure;

ii. Blank panels shall be maintained in good condition and shall not ben display faded, damaged or incomplete copy.

16. Responsible Party. The responsible party shall include the property owner, sign owner or any person or entity in control of the property or sign

17. Failure to Comply. Failure to comply with this Section shall constitute a violation subject to enforcement and abatement in accordance with Section 4.7.14.

18. Unsafe Signs.

19. Determination of Unsafe Condition. If the Chief Building Official, or designee, determines that any sign or sign structure is unsafe, insecure or constitutes a hazard to public health or safety, the Chief Building Official shall provide written notice to the responsible party requiring correction of the condition within forty-eight (48) hours.

20. Failure to Comply. If the required correction is not completed within the specified time period, the Chief Building Official, or designee, may:

a. Order the removal of the sign; or

b. Cause the sign to be removed, repaired or otherwise secured as necessary to eliminate the hazard. All costs associated with such removal, repair or securing shall be the responsibility of the sign owner and/or property owner.

21. Immediate Hazard. Notwithstanding the above, if the Chief Building Official determines that a sign poses an immediate threat to public safety, the City may take such action as necessary to remove or secure the sign without prior notice. The responsible party shall be liable for all costs incurred by the City.

4.6.5. Exemptions

A. Exempt from Signs Regulations. The following shall be exempt from the provisions of this Article:

1. Government signs. Signs erected, maintained, or required by the City, State or Federal government, or any public or quasi-public utility.

2. City Kiosks and Public Information Structures. Kiosk signs or similar structures erected, maintained or authorized by the City.

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3. Flags. Flags, provided such flags are not used for commercial advertising purposes and are displayed in a customary manner.

4. Memorials and Historical Markers. Tablets, grave markers, headstones, statuary or remembrances of persons or events, located on private property.

5. Works of Art. Works of fine art, murals, and historic or cultural artifacts that are not used for commercial advertising purposes. Works of art shall not include any logo, trademark, product image, or other commercial message.

6. Seasonal and Holiday Decorations. Temporary decorative displays, associated with holidays or cultural events, that are not used for commercial advertising purposes, located on private property.

7. Required Regulatory Signs. Signs required to be installed by any governmental entity or a public or quasi-public utility.

8. City-Approved Digital Marquee Signs. Digital marquee signs located on City-owned or leased property and approved by the City Council pursuant to a development agreement, license or other authorization, provided the City Council determines that the sign serves a public purpose.

B. Exempt from Permit Requirements. The following activities shall not require a sign permit, provided the sign complies with all applicable provisions of this Article.

1. Routine Maintenance and Repair. Routine maintenance of a legally permitted sign, including cleaning, repainting, or minor repair, that does not change the color, size, location, design or appearance of the sign.

2. Replacement of Sign Panels. Replacement of sign panels on an approved sign structure, provided the replacement panel is substantially the same size, design, color, and appearance as the original.

3. Relocation Required by Government Action. Relocation of a sign when required by the City, State or Federal Government or a public or quasi-public utility.

4.6.6. 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. Off-Site Signs and Billboards

3. Billboards.

4. Off-premises signs, except as may be expressly permitted by this Article.

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5. Signs on Public Property and Rights-of-Way. Signs attached to or placed upon any utility pole, street light, traffic signal, tree, fence, fire hydrant, bridge, park bench, or any structure located on City-owned property, public rights-of-way, or other public property, unless expressly permitted.
6. Vehicle Signs (Prohibited Uses). Signs affixed to vehicles where the primary purpose of the vehicle is to serve as a stationary advertisement, except as permitted under the Temporary Sign regulations.
7. Prohibited Illumination and Motion. Signs that include any of the following features, except as expressly permitted by this Article:
    a. Flashing, intermittent, or strobe lighting
    b. Rotating or moving components
    c. Animated displays
    d. Audible sound or emissions
    e. Visible emissions such as smoke, vapor, or similar matter
8. Attention-Attracting Devices. The following devices are prohibited, except as expressly permitted under Temporary Sign regulations:
    a. Banners, flying banners, and pennants
    b. Streamers, wind-driven devices, and spinners
    c. Balloons and tethered attention-attracting devices
    d. Feather flags, flutter flags, and blade signs
    e. Inflatable signs, air dancers, and similar devices
    f. Searchlights, beacons, laser displays, holographic projections, or similar lighting devices
9. Roof Signs. Signs located on, attached to, or above any roof, parapet, or rooftop equipment.
10. Obstruction and Safety Hazards. Signs that:
    a. Obstruct free ingress or egress from any door, window, or required exit
    b. Interfere with pedestrian or vehicular circulation
    c. Are located within a sign visibility triangle
11. Portable and Temporary Signs. Portable signs, including A-frame signs and similar devices, except as expressly permitted under Temporary Sign regulations.
12. Pole Signs. Pole signs exceeding six (6) feet in height.
13. Nonconforming and Unpermitted Signs. Nonconforming signs that are:
    a. Not legal nonconforming signs; or
    b. Signs installed or maintained without a required permit

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14. Signs Otherwise Prohibited by Location or Design. Any sign installed, constructed, or maintained in a manner or location prohibited by this Article.

C. The enumeration of prohibited signs in this Section is not intended to be exhaustive. Any sign not expressly permitted by this Article is prohibited.

4.6.7. 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 4.6 (Outdoor Lighting) of this Ordinance. The source of a sign's illumination shall be shielded and not directly visible from any street, sidewalk, or adjacent property. This shall not preclude the use of exposed neon or LED sign elements within the commercial zoning districts, as long as such elements are not visible from surrounding residential properties. However, neon, LED or other forms of illumination shall not be used as a border or outline for any architectural element of a building. No illuminated wall sign shall be permitted on a building elevation abutting a residential district or use. Illumination of signs shall meet all regulations as set forth in Section 4.6 (Outdoor Lighting):

   a. The source of illumination shall be shielded and not directly visible from any public street, sidewalk, or adjacent property.

   b. Exposed neon or LED lighting may be permitted in commercial and industrial zoning districts, provided the illumination is not visible from adjacent residential properties.

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c. Neon, LED, or other illumination shall not be used to outline architectural features such as rooflines, parapets, canopies, or building edges.

d. Illuminated walls signs shall not be permitted on building elevations that directly face and are within one hundred (100) feet of a residential district or use.

4. Signs shall be compatible with and complement the architecture and design theme of the specific development in which the signs are located in terms of color, materials and architectural style.

B. Placement of Signs.

1. Signs shall not be located in a manner that interferes with pedestrian or vehicular travel, poses a hazard to either pedestrians or vehicles, or within the specified "sight visibility triangle" as defined in the Engineering Design Standards & Policies Manual, adopted September 8, 2025, as amended from time to time.

2. Free-standing signs shall be located a minimum of five feet from a property line and freeway pylon signs shall be located a minimum of 15 feet from a property line. Setbacks shall be measured from the property line to the nearest edge of the sign structure, including the sign base.

3. Signs shall not be located within, on or projecting over any easement, public street right-of-way or City property.

4. Signs shall not be placed in such a manner that obstructs the view or conflict with any traffic control sign or device or any other governmental-required sign.

C. Comprehensive Sign Packages

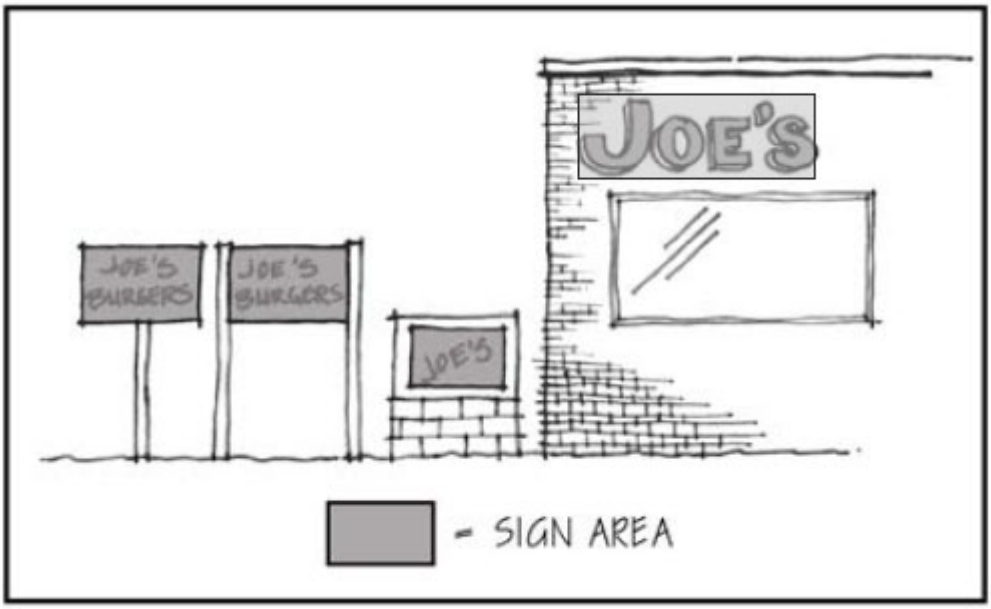
1. Any commercial or industrial development that contains, or is planned, platted, or designed to contain, three (3) or more businesses, tenants, or pad sites shall be required to submit a Comprehensive Sign Package. See Section 4.7.13 of this Ordinance for additional information.

4.6.8. Sign Area and Height

A. Sign Area. Sign area shall be measured as follows:

1. Sign copy mounted on a panel of a monument sign or other freestanding sign shall be measured as that area of the sign panel. The base of a freestanding monument sign shall not be included in the sign area unless said base contains sign, copy, graphics or tenant panels (see definition of a sign).

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2. Sign copy mounted as individual letters and/or graphics on a building wall or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy shall be measured as a sum of the smallest rectangles that will enclose each word and each graphic in the total sign copy.



SIGN AREA WHEN BACKGROUND NOT PART OF SIGN

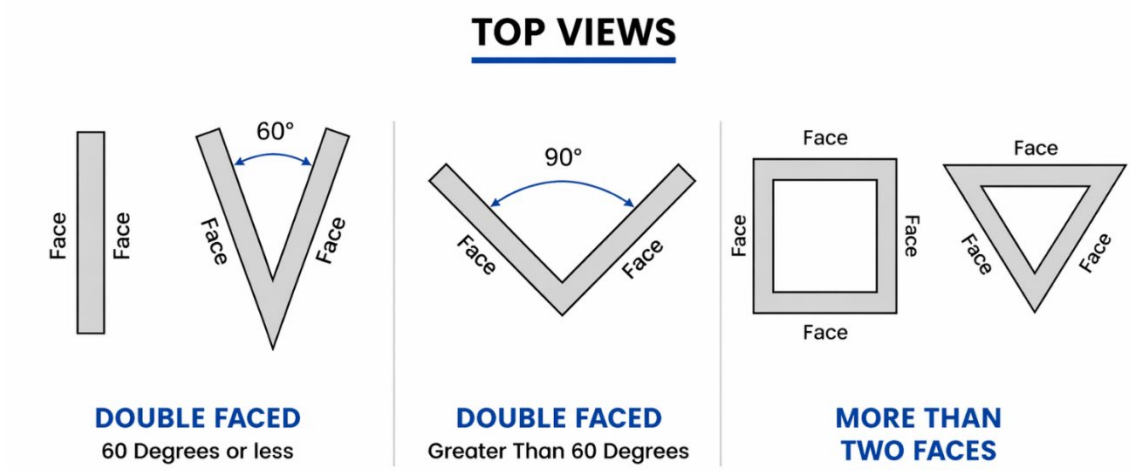
3. Sign copy mounted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy shall be measured as the smallest rectangle that will enclose both the sign copy and background area together.
4. Sign area shall include all cabinets, raceways, background panels, and structural components that form an integral part of the sign display.
5. Where a sign consists of multiple components intended to be read as a single sign, the total area of all components shall be calculated as one sign.
6. Multi-face signs shall be measured as follows:
   a. Where a sign has two faces back-to-back, and the distance between faces does not exceed four feet, or where the angle

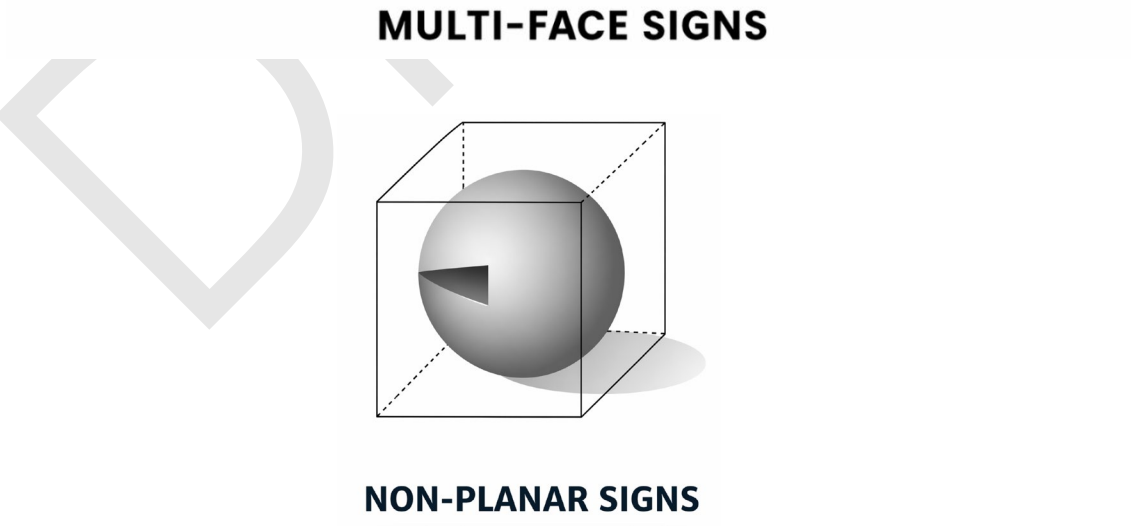
between two faces is 60 degrees or less, the sign area shall be calculated using only one face.

b. Where the distance between sign faces exceeds four feet, or the angle between faces exceeds 60 degrees, the sign shall be calculated as the sum of both faces.

c. Where a sign has three or more faces, the sign are shall be calculated as 50 percent of the total area of all faces.

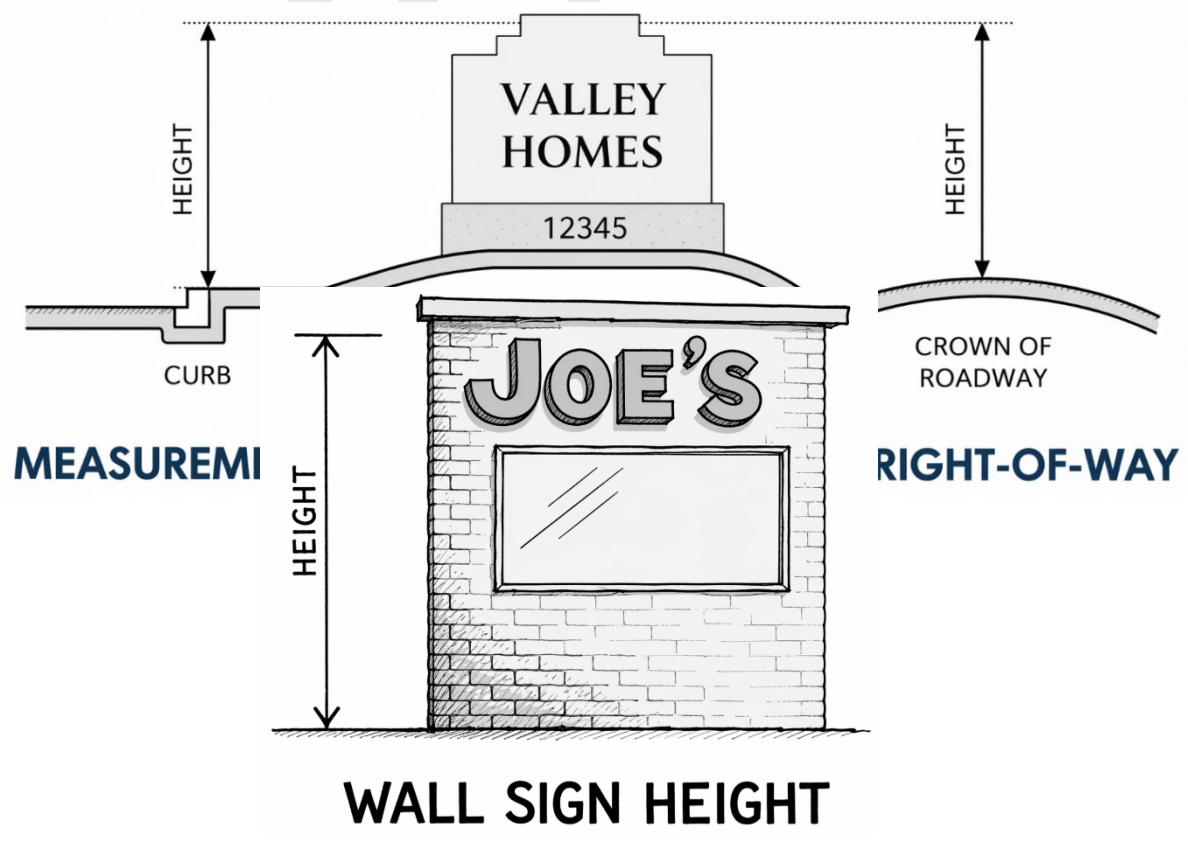
d. Where a sign is a spherical, free-form, sculptural, figurative or other non-planar sign, the sign area shall be calculated as 50 percent of the sum of the areas calculated by using only the four vertical sides of the smallest four-sided polyhedron that will encompass the sign structure.





B. Sign Height. Sign height is defined and shall be measured as follows:

1. The height of a freestanding monument sign located within 30 feet of an adjacent street right-of-way shall be measured as the vertical distance from the top of the highest element of the sign structure to the top of the curb or crown of the adjacent roadway where no curb exists. Any monument base or other structure erected to support or enhance the sign shall be measured as part of the sign height.
2. The height of all other freestanding monument signs or ground-mounted signs, not located within 30 feet of an adjacent street right of way, shall be measured as the vertical distance from the top of the highest element of the sign structure to the adjacent grade.
3. Architectural embellishments such as caps, columns, or decorative features may extend a maximum of two feet above the maximum permitted sign height, provided such embellishments do not contain signage .
4. The height of a wall sign shall be measured as the vertical distance from the base of the wall on which the sign is located to the top of the sign structure.



C. Permitted Signage by Zoning District and Use

1. Unless otherwise specified, the maximum number of monument signs permitted shall be based on street frontage, with a maximum of one (1) monument sign per street frontage.
2. Where a development contains multiple tenants, monument signs shall be shared and designed to accommodate multiple tenants.
3. All signage within a multi-tenant development shall be subject to an approved Comprehensive Sign Package.
4. Electronic message displays shall be integrated into monument signs and shall not be permitted as a separate freestanding sign unless specifically allowed.
5. Menu boards, directional signs, and directory signs shall not count toward the maximum permitted monument sign area; however, the sign copy area of such signs shall be included in the total aggregate sign copy area permitted for the development.

Site Signs
For the purposes of this Ordinance, a Site Sign shall mean any permanent freestanding sign installed in the ground and not attached to a building including monument signs, freeway pylon signs, directional signs, directory signs, and menu boards.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Directional	All zoning districts	All permitted non-residential uses	See Section 4.6.9.(A)
Directory	All zoning districts	Multiple Residence Uses; All permitted non-residential uses	See Section 4.6.9.(B)
Drive Through Menu Board	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.(C)
Drive-Through Speaker Canopies (Detached)	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.(D)
Drive-Through Clearance Bars	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Permitted drive through restaurant uses	See Section 4.6.9.(E)
Electronic Changeable Copy Display	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Gasoline service stations	See Section 4.6.9.(F)
Electronic Message Display	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	In conjunction with a permitted monument sign	See Section 4.6.9.(G)
Monument	All zoning districts	Multiple Residence Uses; All permitted non-residential uses	See Section 4.6.9.(H)
Freeway Pylon	Subject to approval of Use Permit as specified in Sections 6.4 and 4.6.9	Subject to approval of Use Permit as specified in Sections 6.4 and 4.6.9	See Section 4.6.9.(I)

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Building Signs*
For the purposes of this Ordinance, a Building Sign shall mean to any permanent or semi-permanent sign affixed to a building, including windows and architectural elements, used to identify, advertise or communicated information related to a permitted use.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Awning	CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	All permitted uses	See Section 4.6.10.(A)
Canopy	MF-12, MF-18, MF-24, CO, C-1, C-2, CBD, PFD, BPD and Commercial PADs	Leasing Office or Clubhouse of Multiple Residence Uses; All permitted commercial uses	See Section 4.6.10.(B)
Projecting	CO, C-1, C-2, CBD, PFD, BPD, and Commercial PADs	All permitted uses	See Section 4.6.10.(C)
Shingle	CO, C-1, C-2, CBD, PFD, BPD, and Commercial PADs	All permitted uses	See Section 4.6.10 (D)
Wall	All zoning districts	All permitted uses	See Section 4.6.10.(E)
Window	CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted uses	See Section 4.6.10.(B)

*Note: Building signs shall be subject to the applicable development standards of this Article, including but not limited to sign area, height, placement, and illumination.

Temporary Signs (Not Requiring a Sign Permit)*
For the purposes of this Ordinance, a Temporary Sign not requiring a permit refers to signs intended for short-term use.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Accessory Flag	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	Sales Office of Multiple Residence Uses; Model home of a permitted subdivision	See Section 4.6.11.A (1)
Directional	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	All permitted residential uses	See Section 4.6.11.A (2)
Sign Walker	All zoning districts	Multiple Residence Uses; All permitted non-residential uses	See Section 4.6.11.A (3)
Special Event	All zoning districts	Requires a Special Use Permit for all permitted temporary uses	See Section 4.6.11.A (4)
Temporary Subdivision	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	Subdivision with more than 40 lots during construction	See Section 4.6.11.A (5)
Temporary Use	All zoning districts	Uses requiring a Temporary Use Permit	See Section 4.6.11.A (5)

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Vehicle	CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.A (6)
Window	All zoning districts	All permitted uses	See Section 4.6.11.A (7)
Yard	AG, AU, R1-10, R1-7, R1-6, R1-4, R1-A, R2, MF-12, MF-18, MF-24, MHS, MH/RVP and Residential PADs	All permitted residential uses	See Section 4.6.11.A (8)

*Note: Temporary signs not requiring a permit shall comply with all applicable placement, size, and operational standards of this Article and shall not be located within the public right-of-way unless expressly permitted.

Temporary Signs (Requiring a Sign Permit)
For the purposes of this Ordinance, a Temporary Sign, which does not require a sign permit, shall refer to any sign that is used for a very short duration commonly used to advertise events, promotions or services or to convey a unique, but temporary message.

Sign Type	Permitted Zoning District(s)	Permitted Type of Use / Activity	Special Requirements & Section References
Construction	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.B (2) for specific sign standards
Limited-Duration	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.B (4) for specific sign standards
Portable	R2, MF-12, MF-18, MF-24, MHS, MH/RVP, CO, C-1, C-2, CBD, PFD, BPD, I-1, I-2 and PADs (Commercial and Industrial)	All permitted non-residential uses	See Section 4.6.11.B (5) for specific sign standards
Real Estate	All zoning districts	All permitted uses	See Section 4.6.11.B (6) for specific sign standards

4.6.9. 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.

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2. Commercial Use in a Commercial District

   a. One (1) sign shall be permitted at each driveway onto a public street and at each major internal intersection.

   b. The maximum sign copy area shall be six (6) square feet.

   c. The maximum height shall be three (3) feet.

   d. Directional signs shall not be located within the sight visibility triangle of any driveway.

   e. Directional signs shall contain no advertising copy and shall be limited to directional information such as ingress, egress, parking, delivery, drive-through, or building identification.

3. Industrial Use in an Industrial District

   a. One (1) sign shall be permitted at each driveway onto a public street and at each major internal intersection.

   b. The maximum sign copy area shall be six (6) square feet.

   c. The maximum height shall be three (3) feet.

   d. Directional signs shall not be located within the sight visibility triangle of any driveway.

   e. Directional signs along designated, internal truck routes shall not exceed an area of twelve (12) square feet or height of six (6) feet. Such directional signs shall utilize a monument base with a width at least 50% the width of the sign and the sign shall be architecturally compatible with the design of the other onsite monument signs.

B. Directory Signs

1. Multiple Residence Use in a Residential Zoning District

   a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite. One (1) sign may also be permitted for each entrance to the property from a street.

   b. The maximum sign copy area shall be eighteen (18) square feet.

   c. The maximum height shall be six (6) feet.

   d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

   e. Directory signs shall not count toward the maximum permitted monument sign area.

2. Non-Residential Use in a Residential Zoning District

   a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite. One (1) sign may also be permitted for each entrance to the property from a street.

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b. The maximum sign copy area shall be eighteen (18) square feet.

c. The maximum height shall be six (6) feet.

d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

e. Directory signs shall not count toward the maximum permitted monument sign area.

3. Commercial Use in a Commercial Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite.

b. The maximum sign copy area shall be eighteen (18) square feet.

c. The maximum height shall be six (6) feet.

d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

e. Directory signs shall not count toward the maximum permitted monument sign area.

4. Industrial Use in an Industrial Zoning District

a. One (1) free-standing sign shall be permitted for each multi-tenant building onsite.

b. The maximum sign copy area shall be eighteen (18) square feet.

c. The maximum height shall be six (6) feet.

d. Directory signs shall only be located in pedestrian areas adjacent to the main building entrance or at the main entrance to the property.

e. Directory signs shall not count toward the maximum permitted monument sign area.

C. Drive Through Menu Board Signs

1. Commercial Use in a Commercial District

a. A drive-through restaurant may have up to two (2) menu boards per drive-through lane.

b. A menu board shall have a maximum height of eight (8) feet and maximum copy area of fifty (50) feet. Menu board signs may be freestanding or wall – mounted.

c. A menu board shall be internally illuminated. External illumination of a menu board sign may be permitted, provided lighting is shielded and directed on the sign face only.

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d. A menu board may also contain an electronic or video display screen and audio component for interaction with the customer in accordance with the following standards:

i. Messages shall be static and not change more than once every eight (8) seconds. The transition between messages shall be immediate.

ii. Display brightness shall not exceed three hundred (300) nits from dusk till dawn.

iii. The use of the electronic message display for off-site advertising is prohibited.

e. The menu board(s) shall be screened from public view by enhanced landscaping, screen walls, and other design elements as deemed appropriate by the Zoning Administrator or his/her designee.

f. A menu board shall be located at least forty-five (45) feet from any public right-of-way or residential property line.

g. Speakers, illuminated sign faces, electronic message displays, digital displays and other menu board lighting shall be directed away from residential property lines.

h. All freestanding menu boards shall be designed as monument-style signs and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material. The base shall have a width of not less than fifty (50) percent of the width of the sign face. Base materials and colors shall be consistent with the primary building materials used on the main building or as specified in an approved Comprehensive Sign Package. The area surrounding the base shall be landscaped. Exposed poles, metal supports, and prefabricated cabinet-style menu boards without a monument base are prohibited.

D. Drive-Through Speaker Canopies (Detached)

1. Commercial Use in a Commercial District

a. Drive-through speaker canopies that are not attached to or integrated into a drive-through menu board shall be subject to the following standards:

i. Monument-Style Design Required. Detached drive-through speaker canopies shall be designed as monument-style structures and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

ii. Base Width Requirement. The base of the speaker canopy structure shall have a width of not less than fifty (50) percent of the width of the canopy or supporting structure.

iii. Architectural Compatibility. Detached speaker canopies shall be architecturally compatible with the

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associated drive-through menu board and the primary building in terms of materials, colors, and architectural style, and shall be consistent with an approved Comprehensive Sign Package where applicable.

iv. Prohibited Support Structures. Exposed metal poles, prefabricated metal canopy structures, and temporary or portable canopy structures shall be prohibited unless fully screened by an approved monument-style base or screen wall.

v. Height. Detached speaker canopies shall not exceed nine (9) feet in height as measured from adjacent grade to the highest point of the structure.

vi. Landscaping. The area surrounding the base of the detached speaker canopy shall be landscaped in a manner consistent with the landscaping provided for the drive-through menu board.

vii. Location. Detached speaker canopies shall be located a minimum of forty-five (45) feet from any public right-of-way and residential property line and shall be oriented away from residential property lines.

viii. Lighting and Audio. Any lighting associated with the speaker canopy shall be shielded and directed downward. Speaker volumes shall be adjusted so that sound is not audible from adjacent residential property lines.

ix. Integration with Menu Board Design. Detached speaker canopies shall be designed as part of the overall drive-through menu board design and shall utilize the same or similar materials, colors, and architectural elements as the menu board structure.

E. Drive-Through Clearance Bars

1. Commercial Use in a Commercial District

a. Drive-through clearance bars shall comply with the following standards:

i. Design Compatibility. Clearance bars shall be designed to be architecturally compatible with the primary building, drive-through menu board, and speaker canopy in terms of materials, colors, and overall design.

ii. Support Structure. Clearance bars shall be supported by permanent posts or columns of masonry, concrete, or metal posts with an architectural finish. Exposed unfinished metal poles are prohibited.

iii. Height Bar. The clearance bar shall be suspended from a permanent crossbeam or decorative support structure. The use of chains attached to temporary or

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freestanding poles is prohibited unless integrated into an architecturally designed feature.

iv. Color and Materials. Clearance bars shall be painted or finished in colors that are complementary to the primary building. High-visibility striping may be used on the bar itself for safety purposes.

v. Landscaping. Where feasible, the base of the support structure shall be integrated into a landscaped area consistent with the drive-through lane landscaping.

vi. Location. Clearance bars shall be located within the drive-through stacking lane and shall not be located within the public right-of-way.

vii. Height Clearance. The minimum clearance height shall be posted on the clearance bar and shall match the clearance height of the drive-through canopy or structure.

viii. Illumination. Drive-through clearance bars may be illuminated for safety purposes. Illumination shall be shielded and directed downward onto the clearance bar only and shall not produce glare onto adjacent properties or public right-of-way. Flashing, animated, or color-changing lighting and exposed LED strip lighting are prohibited. Illumination shall comply with Outdoor Lighting Standards of this Ordinance.

F. Electronic Changeable Copy Display Signs

1. Electronic Changeable Copy Display (Fuel Price Signs) for Gasoline Service Station Use in a Commercial District

a. Stand-Alone Gasoline Service Station. A stand-alone gasoline service station that is not part of an approved Comprehensive Sign Package may incorporate an electronic changeable copy display for fuel pricing into a permitted monument sign, subject to the following:

i. The electronic changeable copy display shall not exceed twenty-four (24) square feet in area.

ii. The electronic changeable copy display shall be included as part of the monument sign and shall not exceed fifty (50) percent of the permitted monument sign area.

b. Gasoline Service Station within a Commercial Center. A gasoline service station located within a commercial center and subject to an approved Comprehensive Sign Package may be permitted one (1) freestanding monument sign with an electronic changeable copy display for fuel pricing, in addition to other permitted freestanding signage, subject to the following:

i. The electronic changeable copy display shall not exceed twenty-four (24) square feet in area.

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ii. The electronic changeable copy display shall not exceed six (6) feet in height.

iii. The base of the sign shall have a width of at least fifty (50) percent of the width of the sign.

c. Corner Lot and Multiple Street Frontage Allowance. An additional electronic changeable copy display monument sign may be permitted for gasoline service stations located on a corner lot or with multiple street frontages, provided that each street frontage adjacent to the site is at least three hundred thirty (330) feet in length. Only one (1) electronic changeable copy display sign shall be permitted per street frontage.

d. Display Standards

i. Electronic changeable copy displays shall be limited to fuel pricing and fuel-related information only.

ii. Displays shall be static and shall not change more frequently than once every eight (8) seconds.

iii. Displays shall not include animation, scrolling, flashing, fading, dissolving, or other movement.

G. Electronic Message Display

1. Commercial Use in a Commercial District

a. A permitted monument sign may utilize one (1) electronic message display per side.

b. The electronic message display shall be integrated into the monument sign and shall not be mounted above the monument sign cabinet or pole.

c. An electronic message display may occupy up to fifty (50) percent of the allowable sign area of the monument sign or twenty-four (24) square feet, whichever is less.

d. An electronic message display shall have static displays. The display of video, animation, or special effects, such as traveling, scrolling, fading, dissolving, and bursting, shall be prohibited. No sound may be emitted by the display.

e. Static displays on an electronic message display shall not be changed more than once every eight (8) seconds. Change of display shall occur through an immediate transition.

f. An electronic message display shall include a sensor or other device that automatically reduces the brightness of the display during low-light conditions. Display brightness shall not exceed three hundred (300) nits from dusk till dawn.

g. An electronic message display shall be shut off between 10:00 P.M. and sunrise when such display is located within one hundred and fifty (150) feet of a single-family residential zoning district.

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h. Should an electronic message display malfunction, the display shall be shut off until such time that repairs have been completed to restore the electronic messaging system.

i. The use of an electronic message display for off-site advertising is prohibited.

H. Monument Signs

1. Non-Residential Use in a Residential Zoning District

a. One (1) monument sign per driveway onto a public street.

b. A monument sign shall have a maximum area of 32 square feet when adjacent to an arterial street and 16 square feet when adjacent to a collector or local street. Every monument sign shall have a maximum height of six (6) feet.

c. The base of the sign shall have a width at least 50% the width of the sign and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

d. Street address numerals shall be provided on any monument sign located along the street to which the address numbering applies, in a contrasting color and/or material from the color and material used for the background for the numerals on the sign. Numerals shall be sized in accordance with the International Fire Code, as amended.

I. Commercial Use in a Commercial Zoning District

2. 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.

3. 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.

4. 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.

5. 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.

6. A monument sign for a commercial use in a commercial zoning district may utilize one (1) electronic message display in accordance with the provisions of Section 4.6.9.(F)

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7. One (1) internal monument sign per commercial parcel is permitted when said parcel is located within a unified, multi-parcel commercial development and approved as part of a Comprehensive Sign Package in accordance with the following provisions for internal monument signs:

   a. Internal monument signs shall be located at least 50 feet from any public right-of-way and may not be visible from the right-of-way.

   b. The maximum height of the internal monument shall be six (6) feet.

   c. The maximum copy area of the internal monument sign shall be 16 square feet.

   d. The base of the internal monument sign shall have an aggregate width at least 50% the width of the sign and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.

   e. Internal monument signs shall not be located within the sight visibility triangle of any driveway nor in any other location that restricts or blocks visibility of vehicles traveling within the development.

   f. Internal monument signs shall be used for tenant identification only and shall not include electronic message displays.

8. 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.

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e. A monument sign for an industrial use in an industrial zoning district may utilize one (1) electronic message display in accordance with the provisions of Section 4.6.9.(H)

J. Freeway Pylon Signs

1. Freeway Pylon Signs shall require a Use Permit approved in accordance with the provisions of Section 1-2-6 of this Ordinance. The authorization of a Use Permit for a Freeway Pylon Sign shall be upon an additional finding by the City Council that the proposed Freeway Pylon Sign is consistent with the purpose and intent of this section and the Freeway Pylon Sign Design Guidelines contained herein, and that the proposed Freeway Pylon Sign furthers the interests of the community and is reasonable and necessary to provide business identification and economic vitality. The burden of proof that the proposed Freeway Pylon Sign meets the required findings for the Use Permit and is consistent with the provisions of this section rests with the applicant.

a. The purpose of the Freeway Pylon Sign Use Permit is to:

i. Provide for the identification of certain existing and proposed regional commercial, industrial or mixed-use developments, in an appropriate manner that assists in the achievement of economic sustainability for businesses within the City.

ii. Maintain a balance between the needs of the business community and the desire of Goodyear's citizens and visitors to preserve view corridors along the freeways and maintain a high visual quality for the community.

iii. Promote the effectiveness of Freeway Pylon Signs by preventing their over concentration, improper placement and deterioration, and insuring that they are well designed, appropriately sited, and aesthetically pleasing.

iv. Protect motorists on freeways from injury or damage as a result of distraction or obstruction of vision attributable to large signs.

v. Assure that benefits derived from expenditures of public funds for the improvement and beautification of freeways shall be protected by exercising reasonable control over the character and design of large sign structures.

b. A Use Permit request for a Freeway Pylon Sign shall be evaluated based upon the Freeway Pylon Sign Design Guidelines contained in this Section and the following City objectives for Freeway Pylon Signs:

i. Encourage development of property in harmony with the desired character of the City while providing due regard for the public and private interests involved.

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ii. Promote the effectiveness of Freeway Pylon Signs by preventing their over concentration, improper placement, deterioration, and excessive size and number.

iii. Enhance the flow of traffic and the convenience, ease and enjoyment of travel along Goodyear's freeways.

iv. Protect travelers on Goodyear's freeways from injury or damage as a result of distraction or obstruction of vision attributable to large signs.

v. Regulate advertising distractions which may contribute to traffic accidents.

vi. Assure that public benefits derived from expenditures of public funds for the improvement and beautification of freeways and other public structures and spaces shall be protected by exercising reasonable control over the character and design of large sign structures.

vii. Provide a pleasing visual environment for the citizens of and visitors to the City of Goodyear.

viii. Require that signs are properly maintained for safety and visual appearance.

ix. Ensure that the maximum sign height, sign area and the location approved for each individual Freeway Pylon Sign is the minimum required to provide for necessary business identification while maintaining public view corridors and preventing an excessive number of freeway signs.

c. In addition to the findings required for approval of a Use Permit as specified in Sections 6.4 of the Zoning Ordinance, a freeway pylon sign may be approved only upon a finding by the City Council that such freeway pylon sign is also consistent with the provisions of this Section 4.6.9 (Sign Regulations).

2. Freeway Pylon Sign may be approved only as a component of a Comprehensive Sign Package for a planned commercial, industrial or mixed-use development within which it will be located that is on property abutting a freeway, or part of a complex/center abutting a freeway, that is oriented to and intended to be read from the freeway for the purpose of identifying an associated commercial, industrial or mixed-use development.

3. A Freeway Pylon Sign shall be subject to Site Plan review and approval in accordance with provisions of Section 6.3. The Use Permit and Site Plan applications may be processed concurrently, if deemed appropriate by the Community Development Director.

4. Design Guidelines. Although this section does not set forth specific standards or minimum requirements for Freeway Pylon Signs, a proposed Freeway Pylon Sign should be located, designed, constructed and maintained in accordance with the following Design

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Guidelines, and each individual Use Permit for a proposed Freeway Pylon Sign shall be evaluated based on the level of conformity of the proposed sign with the following Design Guidelines.

a. The parcel or approved development site upon which the sign is to be located should contain at least thirty (30) contiguous acres and have a minimum of one thousand feet (1,000') of frontage adjacent to the freeway.

b. A minimum separation distance of one-half (1/2) mile should be observed between any such Freeway Pylon Signs located on the same side of the freeway.

c. Typically, only one (1) Freeway Pylon Sign is considered reasonable and appropriate for each qualified development site, although consideration for additional signs may be given for a site that is substantially in excess of thirty (30) acres or has a tenant or tenants of regional significance that require freeway signage.

d. All proposed signs should be located no greater than two hundred feet (200') from the right-of-way line of the adjacent freeway, and no part of the sign shall be closer to the freeway right-of-way than fifteen feet (15').

e. The proposed maximum height of all signs shall be no greater than that which is reasonably necessary to be visible from a vehicle approaching on the either side of the freeway. In determining the maximum height to provide adequate sign visibility, the applicant shall submit empirical observation (e.g. field test with crane or balloon), computer simulation, or other evidence as required by the Community Development Director, or his designee.

f. The proposed maximum sign area for each sign shall be no greater than that which is reasonably necessary in order to provide adequate visibility and identification of the development name and a reasonable number of the major or significant tenants within the development as viewed from the adjacent freeway.

g. The sign copy of all Freeway Pylon Signs shall be limited to the development name, logo identification, and the identification of major or significant tenants. The inclusion of the name "Goodyear" as a prominent component of the sign is highly encouraged.

h. All signs shall be of high architectural quality that contributes positively to Goodyear's visual environment, promotes creativity, and has a distinctive image for the development. The architectural form, textures, colors, and materials for each sign shall be complimentary to the primary building architectural design of the development and consistent with other proposed signs in the development.

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i. The identification of the development name and tenant names on the sign should be in the form of individual pan channel lettering, aluminum routed lettering with acrylic background, or other high quality sign design characteristics. Removable tenant panels made completely of acrylic or plexi-glass materials are discouraged unless they exhibit a high quality appearance.

j. In general, each sign should have low maintenance, and architectural-grade surfacing materials such as metal, masonry, ceramic tile, glass or stucco.

k. Freeway Pylon Signs typically should contain only internal illumination of sign copy. External illumination, exposed neon, argon or krypton tube lighting, exposed incandescent lighting, or other exposed artificial lighting to outline the sign or portion thereof, may be considered as a component of the sign provided artificial lighting to outline the sign or portion thereof, may be considered as a component of the sign provided such illumination:

   i. Constitutes a design component of the overall Freeway Pylon Sign architecture;

   ii. Is an integral component of the primary physical elements of the Freeway Pylon Sign and is harmonious with the architectural style of the structure;

   iii. Serves only the purpose of embellishing the nighttime architecture of the Freeway Pylon Sign, and does not portray an advertising message;

   iv. Is compatible with the land use and architecture of adjacent developments;

   v. Complies with the Outdoor Light Standards contained in Section 4.6 of this Ordinance, as evidenced by the submittal of complete lighting design plans and specifications as prescribed by that Article;

   vi. Is maintained in a fully functional manner, and if any component of the lighting becomes nonfunctional, then neither the entire lighting system, nor any portion thereof, may be illuminated until the entire lighting system is repaired.

   vii. Will not exceed the light intensity levels specified in the approved Outdoor Lighting Plans, and a certification can be provided from the sign manufacturer prior to the issuance of a building permit that the light intensity levels that have been factory pre-set do not exceed those levels.

   viii. A Freeway Pylon Sign using an electronic message display may be considered for approval provided the display is limited to text messages only, with no animation or video, and the message change

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sequence is accomplished immediately or by means of fade or dissolve modes, with each message being displayed for a minimum period of one hour or at an interval specified by the City Council. Continuous traveling or scrolling displays are discouraged.

l. The City Council may approve modifications or alternatives to these Design Guidelines for a specific Freeway Pylon Sign when:

i. An individualized assessment reveals the existence of extraordinary conditions involving topography, land ownership, adjacent development, parcel configuration, or other factors relating to the development site; or,

ii. The proposed or existing development exhibits unique characteristics of land use, architectural style, site location, physical scale, historical interest or other distinguishing features that represent a clear variation from conventional development; or,

iii. The proposed Freeway Pylon Sign incorporates special design features, or unique architectural elements that represent superior quality; or,

iv. Such modifications or alternatives are consistent with the intent of these Guidelines and will result in conditions that are commensurate with or superior to the Guidelines.

m. An existing freeway pylon sign shall not be modified, altered, or enlarged unless such change is also deemed consistent with the provisions set forth in this Section 4.7 (Sign Regulations).

4.6.10. 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. Multiple Residence Use in a Residential Zoning District

a. A leasing office or clubhouse utilizing an attached or detached canopy associated with a multiple residence 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

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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. Multiple Residence Use in a Residential Zoning District

a. One (1) wall sign per building façade facing an arterial street is permitted.

b. The wall sign shall be placed on the building façade facing the arterial street.

c. The maximum sign area shall not exceed one (1) square foot per linear foot of building frontage or forty (40) square feet, whichever is less.

d. The wall sign shall not extend above the top of the wall or parapet and shall not exceed fifteen (15) feet in height measured from finished grade.

3. Non-Residential Use in a Residential Zoning District

a. One (1) wall sign per building façade facing a public street is permitted.

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b. The maximum sign area shall be thirty-two (32) square feet when adjacent to an arterial street and sixteen (16) square feet when adjacent to a collector or local street.

c. The maximum height of a wall sign shall be ten (10) feet, measured from the base of the wall to the top of the sign.

4. Commercial Use in a Commercial Zoning District

a. Wall signs shall be permitted on the exterior walls of the tenant space occupied by the business.

b. Sign area shall be calculated as follows:

i. Primary Building Elevation. One (1) square foot of sign area per linear foot of tenant frontage or thirty-five (35) square feet, whichever is greater.

ii. Secondary Elevations. One-half (0.5) square feet of sign area per linear foot of tenant frontage on each additional building elevation with public exposure.

c. Wall signs shall not extend horizontally more than eighty percent (80) percent of the width of the wall or tenant space frontage upon which the sign is mounted.

d. Wall-mounted cabinet signs exceeding ten (10) square feet in area are prohibited unless the cabinet sign utilizes a custom-shaped or figurative design.

e. For multi-story buildings, wall signs shall be limited to the ground floor tenant space and the top floor tenant space only.

f. Accessory Buildings in a Commercial Zoning District

i. Applicability. Wall signs on accessory buildings located within commercial zoning districts shall be permitted only in conjunction with a permitted primary use on the same site and shall comply with the provisions of this Section.

ii. Sign Allowance. Accessory buildings shall not be considered separate buildings for the purpose of calculating allowable wall signage. Signage on accessory buildings shall be included in the total allowable wall sign area for the primary building or tenant space.

iii. Maximum Sign Area. Wall signage on an accessory building shall not exceed:

1) One-half (0.5) square foot of sign area per linear foot of the accessory building façade on which the sign is located; and

2) A maximum of twenty (20) square feet per accessory building façade.

iv. Number of Signs. A maximum of one (1) wall sign per accessory building façade shall be permitted.

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v. Design and Placement

1) Signs shall be limited to identification signage only and shall not be used for general advertising.

2) Signs shall be architecturally compatible with the primary building and overall development.

3) Signage shall be located on facades facing internal circulation areas or building entrances and shall not be oriented toward public streets unless otherwise approved as part of a Comprehensive Sign Package.

4) Signage shall not be placed on service-oriented structures (e.g., trash enclosures, utility buildings) unless the sign is limited to identification or directional information.

vi. Integration with Comprehensive Sign Package. Where a Comprehensive Sign Package is required or approved, signage on accessory buildings shall be consistent with and governed by the approved Comprehensive Sign Package.

5. Industrial Use in an Industrial Zoning District

a. Wall signs shall be permitted on the exterior walls of the tenant space occupied by the business.

b. Sign area shall be calculated as follows in accordance with the following guidelines:

i. Primary Building Elevation. One (1) square foot of sign area per linear foot of tenant frontage or thirty-five (35) square feet, whichever is greater.

ii. Secondary Elevations. One-half (0.5) square feet of sign area per linear foot of tenant frontage on each additional building elevation with public exposure.

c. Wall signs shall not extend horizontally more than eighty percent (80) percent of the width of the wall or tenant space frontage upon which the sign is mounted.

d. Wall-mounted cabinet signs exceeding ten (10) square feet in area are prohibited unless the cabinet sign utilizes a custom-shaped or figurative design.

e. For multi-story buildings, wall signs shall be limited to the ground floor tenant space and the top floor tenant space only.

F. Window Signs

1. Commercial and Industrial Uses in respective Commercial and Industrial Zoning Districts

a. Window signs, including permanent and temporary signs, shall not exceed thirty (30) percent of the total area of each

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individual ground-floor window through which such the sign is located.

b. Window signs shall only be permitted on ground-floor windows.

c. Permanent window signs may be illuminated but shall not be animated and shall not include electronic message displays.

d. Window signs shall be installed on the interior surface of the window and shall not be placed on the exterior of the window.

e. Window signs shall utilize materials and colors that are consistent with the building and tenant branding.

f. Window signs shall not obstruct visibility into the tenant space in a manner that creates a safety concern, as determined by the Development Services Director or his/ her designee.

g. Perforated window vinyl, window wraps, and neon window signs shall be considered window signs and shall be included in the window sign area calculation.

h. Window signs shall not count toward the maximum permitted wall sign area.

4.6.11. 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.

1. Accessory Flags (Multi-Family Sales Offices and Model Homes)

a. Multi-Family Sales Office.

i. A maximum of eight (8) accessory flags may be placed at a sales or leasing office for a multiple residence development.

ii. Accessory flags shall have a maximum area of twelve (12) square feet per flag and a maximum height of twenty-five (25) feet.

iii. Accessory flags shall be removed no later than one (1) year from the issuance of the first Certificate of Occupancy for the development.

b. Model Homes (Residential Subdivisions)

i. Up to four (4) accessory flags per model home may be placed within a permitted subdivision; however, the total number of accessory flags shall not exceed eight (8) within any one subdivision.

ii. Accessory flags shall have a maximum area of twelve (12) square feet and may not exceed twenty-five (25) feet in height.

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iii. Accessory 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.

2. Temporary Directional Signs (Residential Uses)

a. Temporary directional signs are permitted in residential zoning districts for residences and multiple residence developments.

b. A maximum of four (4) directional signs may be displayed per development during daylight hours only.

c. The maximum sign height shall be three (3) feet and the maximum sign copy area shall be six (6) square feet.

d. Directional signs shall not be located within the public right-of-way or within any sight visibility triangle.

3. 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, or placed on fences, boulders, plants, vehicles, utility facilities, or any structure.

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.

4. Special Event and Temporary Use Signs.

a. Temporary signs associated with an approved a Special Event Permit or Temporary Use Permit shall be permitted in accordance with an approved sign plan showing the proposed location, placement and size of all temporary signs.

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5. Temporary Subdivision Signs

   a. During the construction phase, each recorded subdivision having more than forty (40) lots may have one (1) temporary subdivision sign.

   b. The temporary sign must be removed when ninety-five (95) percent of the lots within the subdivision are sold and/or the on-site sales office closes, whichever occurs first.

   c. The temporary sign shall have a maximum area of ninety-six (96) square feet and a maximum height shall of twelve (12) feet.

   d. The temporary sign shall not be located within one hundred (100) feet of any property line of an existing residence.

   e. Temporary subdivision signs shall not be illuminated.

6. 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.

7. Window Signs

   a. Windows signs are permitted in all zoning districts.

   b. The total area of all window signs, including both permanent and temporary signs, shall not exceed thirty (30) percent of the total area of each individual window on which the signs are displayed.

   c. For commercial, industrial, and non-residential uses in residential zoning districts, window signs shall be displayed on ground-floor windows only.

   d. Window signs shall not be illuminated, animated, or utilize an electronic display.

8. Yard Signs (Residential Districts)

   a. Yard signs are permitted in residential zoning districts.

   b. One (1) yard sign shall be permitted per property.

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c. Yard signs shall not exceed six (6) square feet in area or six (6) feet in height.

d. .Yard signs shall not be illuminated.

B. Temporary Signs Requiring a Sign Permit.

1. General Requirements

a. A temporary sign permit approving the time, place, and manner of temporary signage addressed in this Section shall be obtained from the Zoning Administrator on forms provided by the Department.

b. Temporary signs shall not be located within the public right-of-way unless expressly permitted by this Ordinance.

c. Temporary signs shall be maintained in good condition and shall be removed upon expiration of the permitted display period.

d. Temporary signs shall not be placed in required parking spaces, drive aisles, or sight visibility triangles.

e. Unless otherwise specified, temporary signs shall not be illuminated.

f. Feather flags, blade flags, and animated inflatable signs are prohibited.

2. Construction Signs

a. A non-illuminated temporary construction sign may be placed on properties zoned for commercial, industrial, multi-family or permitted non-residential uses in residential districts when active construction is occurring on-site.

b. A maximum of one (1) construction sign shall be permitted per street frontage.

c. The maximum sign copy area shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet.

d. A sign permit shall not be issued prior to the issuance of a building permit.

e. The sign shall be removed within ten (10) days following the issuance of a Certificate of Occupancy.

3. Temporary Development Signs (Multi-Family, Commercial, and Mixed-Use Developments)

a. Temporary development signs may be permitted for multi-family, commercial, industrial, and mixed-use developments for the purpose of advertising leasing, new management, rebranding, renovation, future tenants, or development of the property.

b. A maximum of one (1) sign per street frontage shall be permitted.

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c. The maximum sign area shall be sixty-four (64) square feet. For developments greater than ten (10) acres, the maximum sign area may be increased to ninety-six (96) square feet.

d. The maximum sign height shall be eight (8) feet.

e. Signs may be installed after issuance of the first building permit.

f. Signs shall be removed at the earliest of the following:

iii. Twelve (12) months after the first Certificate of Occupancy is issued;

iv. When the development reaches ninety (90) percent occupancy;

v. When the leasing or sales office closes.

g. Signs announcing new management, renovation, rebranding, or new ownership may be displayed for a maximum of ninety (90) days.

4. Grand Opening and Special Promotion Signs (Limited-Duration Signs)

a. Temporary signs for grand openings, special promotions, or seasonal sales may be permitted in commercial, industrial, multi-family, or permitted non-residential uses in residential districts.

b. Temporary signs may be displayed for a maximum of thirty (30) consecutive days, no more than four (4) times in any given calendar year. Temporary signs may be displayed on the building, within landscaped areas, or in other approved areas on private property. For every 10,000 square feet of building area, fifty (50) square feet of temporary signage shall be permitted, up to a maximum of five hundred (500) square feet.

c. The total temporary signage area shall include banners, pennants, inflatables, balloons, portable signs, and similar temporary displays. Temporary signs shall be subject to the following limitations:

vi. Displays shall not be animated by mechanical or other means.

vii. Animated inflatable signs are prohibited.

viii. Displays shall not be illuminated.

ix. No sign shall be placed on or above the roof of any building.

x. Balloons shall be tethered and shall not exceed the maximum building height for the zoning district.

xi. Displays shall not be placed in required parking spaces, or drive aisles, or on City-owned property or rights-of-way.

xii. Inflatable Advertising Devices

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xiii. Inflatable advertising devices shall be permitted only i

xiv. conjunction with grand openings or special promotions and shall comply with the following:

xv. Inflatable advertising devices shall be limited to a maximum of two (2) events per calendar year per business.

xvi. Each event shall not exceed seven (7) consecutive days.

xvii. Inflatable advertising devices shall be included in the total allowable temporary signage area.

xviii. Inflatables shall be securely anchored at all times.

xix. Inflatables shall not exceed the maximum building height permitted for the zoning district.

xx. Inflatables shall not be located within the public right-of-way or within any sight visibility triangle.

xxi. Inflatables shall not be placed on, attached to, or supported from any roof, parapet, or rooftop equipment.

xxii. Inflatables shall not emit sound or utilize flashing or strobe lighting.

xxiii. Inflatable advertising devices are prohibited except as expressly permitted in this subsection.

5. Portable Signs Opening and Special Promotion Signs (Limited-Duration Signs)

a. Portable signs shall be permitted in commercial, industrial, multi-family and permitted non-residential uses in residential districts.

b. A maximum of one (1) portable sign per business shall be permitted.

c. The portable sign shall be subject to an annual permit renewal.

d. Portable signs may only be displayed during daylight hours.

e. The maximum sign copy area shall be six (6) square feet and the maximum height shall be three (3) feet.

f. Placement of the portable sign shall maintain a minimum of four (4) feet of unobstructed pedestrian access.

g. Portable signs shall be located within three (3) feet of the building and within ten (10) feet of the primary building entrance.

h. Portable signs shall be constructed of durable materials with a stable base and shall be white or a color that complements the building.

i. Portable signs shall not be illuminated or animated.

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j. Portable signs shall not be attached to light poles, trees, traffic signals, benches, street signs, fences, or bike racks, and shall not be located within the public right-of-way.

6. Real Estate Signs (Sale or Lease)

a. Non-illuminated temporary real estate signs may be placed on properties zoned for commercial, industrial, multi-family or permitted non-residential uses in residential districts when the property is for sale or lease.

b. For developed property and undeveloped property less than forty (40) acres in size, one (1) sign per street frontage is permitted, with a maximum sign area of thirty-two (32) square feet and a maximum height of eight (8) feet.

c. For undeveloped commercial or industrial property between forty (40) and one hundred (100) acres, one (1) sign per street frontage is permitted, with a maximum sign area of ninety-six (96) square feet and a maximum height of twelve (12) feet.

d. For undeveloped commercial or industrial property greater than one hundred (100) acres and adjacent to a freeway, one (1) sign with a maximum sign area of five hundred (500) square feet and a maximum height of twelve (12) feet may be permitted.

e. One (1) non-illuminated temporary real estate sign may be permitted on properties greater than forty (40) acres in size that are zoned for agricultural or residential uses and are offered for sale or lease. The maximum sign area shall be thirty-two (32) square feet and the maximum height shall be eight (8) feet.

f. Real estate signs shall be removed within ten (10) days following the sale or lease of the property.

Quick Reference Table

Sign Type	Permit	Max Time
Construction	Yes	Until C of O
Temporary Development (Apartments)	Yes	12 months / 95% occupancy
Rebranding	Yes	90 days
Grand Opening	Yes	30 days
Limited Duration	Yes	30 days, 4x/year
Inflatable Devices (Event Only)	Yes	7 days, 2x/year
Portable	Yes	Annual
Real Estate	Yes	Until sold/leased

4.6.12. 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.

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B. Applicability

1. A Comprehensive Sign Package shall be required for the following:

   a. Any commercial, industrial, mixed-use, or non-residential development within a residential zoning district containing three (3) or more buildings or tenant spaces; and

   b. All Planned Area Developments (PADs); and

   c. Any unified development where multiple tenants or users will share signage or site identity.

2. A Comprehensive Sign Package shall be approved prior to the issuance of any individual sign permits within the development.

C. Review and Approval Procedures

1. Applications for a Comprehensive Sign Package shall be processed in accordance with the procedures and timelines outlined in the City of Goodyear Administrative Process Manual.

2. A Comprehensive Sign Package that complies with all provisions of this Section may be approved administratively by the Zoning Administrator following review by the Development Review Committee.

3. A Comprehensive Sign Package that proposes modifications or deviations from the standards of this Article shall require approval by the Planning and Zoning Commission and City Council.

D. Required Submittal Content

1. A Comprehensive Sign Package shall include written and graphic materials that clearly describe and illustrate the proposed signage program for the entire development, including:

   a. Sign locations and site placement

   b. Sign types and quantities

   c. Sign dimensions, height, and copy area

   d. Materials, colors, and architectural details

   e. Illumination methods and intensity

   f. Design themes and integration with building architecture

   g. Any proposed deviations from this Article

E. Design Standards and Evaluation Criteria

1. Comprehensive Sign Packages shall be evaluated based on the following criteria:

   a. Size and Height. Signage shall be no larger than necessary to achieve adequate visibility and legibility. Consideration may be given to traffic speeds, roadway classification, visibility distances, and site conditions.

   b. Location and Orientation. Signs shall be appropriately located and oriented to serve both pedestrian and vehicle traffic

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without creating hazards or visual clutter. Consideration shall be given to site layout, access points, and visibility angles.

c. Design, Colors and Materials. Signage shall be architecturally integrated with the development and shall utilize high-quality, durable materials and a cohesive color palette that complements the buildings.

d. Compatibility with Surrounding Uses. Signage shall be designed to minimize impacts on adjacent properties, particularly residential uses. Consideration shall be given to lighting, scale, placement, and orientation.

e. Unified Sign Package. The CSP shall establish a consistent signage framework that ensures all future signs within the development are cohesive in design, scale, and placement.

F. Amendments to an Approved Comprehensive Sign Package

1. Minor Amendments. Minor amendments may be approved administratively and shall include:

a. Changes that do not increase the number of signs

b. Changes that do not increase sign area or height beyond approved limits

c. Changes that remain consistent with the approved design intent and this Section.

2. Major Amendments. Major amendments shall include any changes not qualifying as minor amendments and shall be reviewed and approved in the same manner as the original Comprehensive Sign Package.

G. Effect of Approval.

1. Upon approval of a Comprehensive Sign Package, all signage within the development shall conform to the approval package. The CSP shall be enforceable in the same manner as any provision of this Article.

2. Approval of a Comprehensive Sign Package does not guarantee approval of individual sign permits that are inconsistent with the approved package or that demonstrate poor design execution.

H. Existing Comprehensive Sign Packages

1. Any Comprehensive Sign Package approved prior to the effective date of this amended Section shall remain valid and may continue to be implemented in accordance with its original approval.

4.6.13. Violations

A. Enforcement. Violations of this Section shall be prosecuted pursuant to Section 7.2 of the City of Goodyear Zoning Code, as amended.

B. Responsible Parties. A responsible party shall be liable for violations regardless of whether the responsible party or its agent committed the violation or failed to prevent the violation.The responsible party for any violations of this Article shall include any one or more of the following:

1. The owner of the sign;

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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.

1. The approval or denial of a sign permit or any written interpretations of a sign regulation made by the Zoning Administrator, pursuant to his/her authority under Section 5.3, may be appealed to the Board of Adjustment pursuant to Sections 5.7(B) and (C).

2. Challenges to the constitutionality of any provision of this Article regulating signs shall only be processed pursuant to Section 4.6.15(B) below.

3. Any person with standing who is aggrieved by the decision of the Zoning Administrator may appeal such decision by filing a written notice of appeal within 15 calendar days of the date the decision was issued.

4. The appeal shall be filed with the Zoning Administrator on a form(s) provided by the Development Services Department and shall be processed in accordance with the procedures generally described in Section 5.7(C) and the Administrative Process Manual.

5. The Board of Adjustment may affirm, reverse, or modify the decision of the Zoning Administrator, which decision will be final.

6. Any person aggrieved by the decision of the Board may, at any time within 30 days after a decision has been rendered, file a complaint for special action in the superior court of Maricopa County pursuant to Section 5.7(D).

B. Constitutional Issues Involving Application of Sign Regulations.

1. When an appeal raises an issue(s) involving the application of Federal or Arizona constitutional law in the issuance or denial of a sign permit, the revocation of a sign permit, or an order to alter or remove a sign, the constitutional issue(s) shall be referred to a hearing officer appointed by the City for hearing and decision.

2. The appeal shall be filed with the Zoning Administrator on a form(s) provided by the Development Services Department.

3. The appeal shall be in writing and shall include the following information:

a. The name and address of the applicant.

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b. The ordinance, code provision, or other City document or policy statement that is alleged to be unconstitutional.

c. Any relevant facts and supporting documents.

d. The names and addresses of any witnesses.

4. The Zoning Administrator shall forward the appeal and all supporting documents to the hearing officer within ten (10) working days of receipt with a copy to the applicant.

5. The Zoning Administrator may prepare and include with the transmittal to the hearing officer a written statement of the City's response to the appeal accompanied by any supporting documents, names of witnesses, and any other matters considered relevant.

6. Upon receipt of the appeal, the hearing officer shall contact the Zoning Administrator and the applicant acknowledging receipt and scheduling a time for the appeal to be heard not later than 30 days after receipt. The applicant shall be given a notice at least ten (10) days prior to the time when the appeal will be heard unless he/she agrees to a shorter time period.

7. The applicant shall bear the burden to establish that the subject Ordinance, Code Provision, or other City document or policy statement is unconstitutional.

8. The hearing officer shall decide the appeal and issue a written decision setting forth findings of fact and conclusions of law within five (5) working days after the appeal is heard.

9. The decision shall be transmitted to the Zoning Administrator and the applicant at the address provided by the applicant.

10. If the hearing officer finds that the subject Ordinance, Code Provision, or other City document or policy is unconstitutional, in whole or in part, the City shall issue within 30 days of the hearing's office decision a written notice to the applicant stating that it will either (1) repeal or otherwise amend the challenged Ordinance, Code Provision, or other City document or policy to cure the constitutional deficiency or (2) take no action.

11. Any person aggrieved by the City's response to the hearing officer's decision may file, at any time within 30 days thereafter, a complaint in a court of competent jurisdiction to review the City's response based upon the record of the appeal to the hearing officer.

4.6.15. 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.

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

4.7. Hillside Development

4.7.1. Purpose

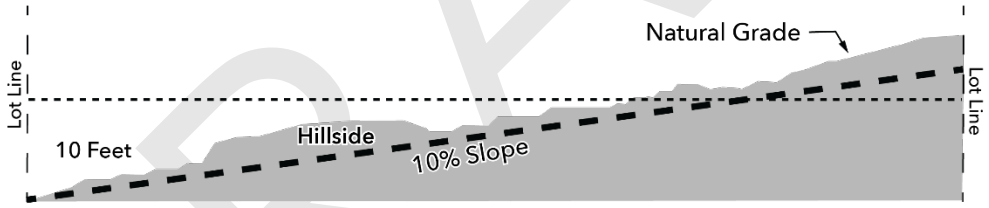
The purpose of this section is to establish development standards for properties containing hillside terrain to protect scenic resources, maintain the natural hillside environment, ensure safe and functional development, and regulate grading, site disturbance, building height, and vegetation in hillside areas.

4.7.2. Applicability

A. Hillside Development Area Identification

A lot, parcel, is considered a hillside development area when the natural terrain on any portion of the lot contains a slope of ten percent (10%) or greater within any horizontal distance with a ten-foot (10') elevation change (see Figure 4.11.2A below).

Figure 4.11.2A - Hillside Identification



B. Application of Standards

All development, grading, site improvements, and alterations within a hillside development Area are subject to the provisions of this Section, regardless of zoning district.

C. Concurrent Regulations

Hillside development is also subject to applicable subdivision, grading, drainage, and engineering regulations of the City. Where conflicts exist, the regulations of this Section govern.

4.7.3. General Development Standards

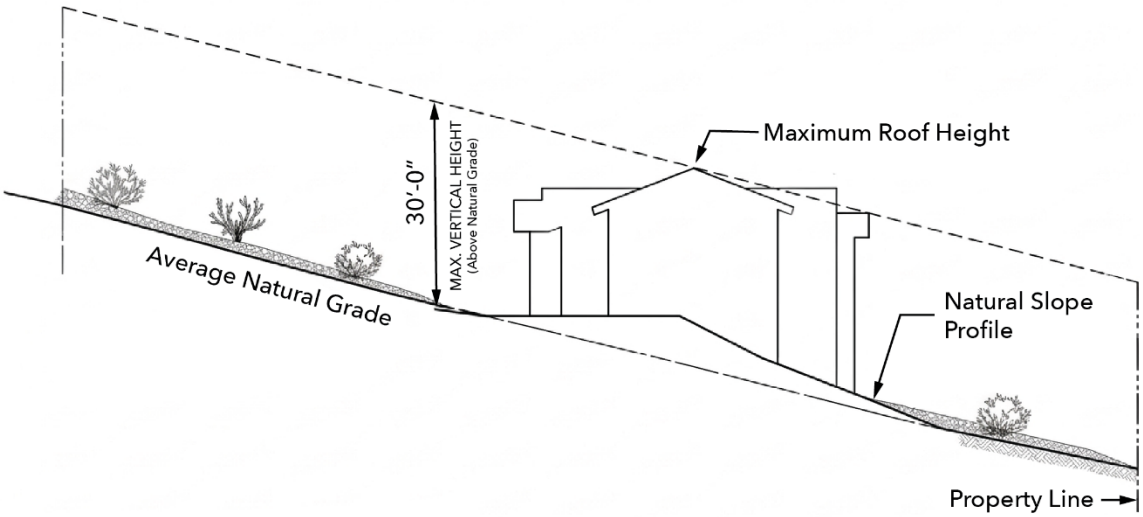
A. Disturbance. The extent of all disturbance on that portion of a Lot which has a natural slope of ten percent (10%) or greater, shall be limited to a total disturbance of 35% of the gross lot area, or 20,000 square feet, whichever is less, and shall be located entirely within the setbacks, except that disturbance related to the driveway and utility connections may extend outside the setbacks to the property line.

B. Building Height and Wall Regulations.

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1. The height of all buildings and structures on any hillside development area property shall not exceed the 30-foot plane parallel to the average natural slope. This is measured vertically from the ground of the natural slope through any Building cross section to the 30-foot plane parallel to the average natural slope (See Figure 4.11.3A)

Figure 4.11.3A - Height and Wall Regulations



2. The maximum length of any continuous retaining wall shall not be more than 100 linear feet. The maximum height of any retaining wall shall not be more than eight (8) feet. The height of a retaining wall is measured from the low side of natural grade when retaining fill slopes and from finished grade when retaining cut slopes to the top of the wall; whether the top is retaining earth or not.

3. Where retaining walls are provided, they shall be color treated, textured, or veneered to blend in with the surrounding natural colors and textures of the native rock and soils at the site.

C. Driveways. The driveway shall be the shortest practical route from the street to the buildable area of the lot and shall be the narrowest practical width with a maximum slope of 20 percent.

D. Drainage. All hillside development requires a drainage plan. The entrance and exit points and continuity of all natural drainage channels on a hillside development site shall be preserved.

E. Stabilization and restoration.

1. All cut and fill slopes shall be completely contained by retaining walls or by substitute materials acceptable under the provisions of the City adopted building codes (including riprap materials) except for the minimum amount of swale grading necessary for drainage purposes. Fill slopes 25% or greater shall be completely contained by retaining walls.

2. Vegetation shall be reestablished on all exposed fill slopes, cut slopes, and graded areas, or areas otherwise disturbed, by means of a mixture

of native plants including but not limited to shrubs, trees or cacti to provide a basic ground cover which will prevent erosion and permit natural revegetation. In lieu of the reestablishment of native vegetation, all exposed cut slopes shall be riprapped with stone or treated with materials which blend in with the natural setting.

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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, the Administrative Process Manual, and the Engineering Standards. The Development Services Department Director of the City shall serve as the Zoning Administrator.
2. In interpretation and application, provisions of this Ordinance shall be considered the minimum requirements for the promotion of public health, safety and general welfare.
3. Provisions of this Ordinance are not intended to interfere with, abrogate, or annul any ordinance, rule, regulation or permit not in conflict with this Ordinance. This Ordinance is not intended to interfere with, abrogate or annul any easement, covenant or other agreement between parties.
4. A property owner and/or occupant shall allow the Zoning Administrator, or authorized agents, access to private property for such inspections as are necessary to ensure that requirements of this Ordinance are met.

5.3. Injunction

1. If any building or structure is constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used, in violation of this Ordinance, or of a condition upon which approval of any amendment, Use Permit or Site Plan is based, any owner or tenant of real property in the same zoning district or the Zoning Administrator or any duly authorized representative thereof may institute an appropriate action:
   A. To prevent unlawful construction, reconstruction, alteration, repair, conversion, maintenance, or use of the land, whether improved or otherwise;
   B. To prevent occupancy of the building, structure or land whether improved or otherwise;
   C. To prevent any illegal act, conduct, business or use in or about the premises; or,

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D. To restrain, correct or abate the violation.

2. When any action is instituted pursuant to this Section 5.3, notice shall be served upon the City Attorney when suit is begun, and by personally serving a copy of the complaint to the owner and/or tenant.

3. In any such action under this Section 5.3 the court with jurisdiction, in its discretion, may issue a temporary restraining order, a preliminary injunction, or a permanent injunction upon such terms and conditions as will do justice and enforce this Ordinance.

5.4. 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 effect the expiration of the current terms of said City Planning and Zoning Commission. All members shall hold office until their successors are appointed and qualified. Any member of the Commission may be removed by the Mayor with the consent of a majority vote of the City Council for inefficiency, neglect of duty, malfeasance in any office, or other good and sufficient cause. Any vacancy shall be filled within a reasonable time and by appointment by the Mayor with approval of the City Council for the unexpired term.

1. The members of the Commission may be compensated for the time spent in performance of official duties at such rates and schedules as the Council may establish. Individuals may not serve more than three (3) consecutive terms subsequent to the effective date of this Ordinance.

   A. The Commission shall elect a Chairman and Vice Chairman from among its own members.

   B. 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.

   C. The Commission shall adopt rules of procedure not inconsistent with the provisions of this Ordinance for the conduct of its business and procedure.

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D. 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.

E. The Zoning Administrator or their designee shall serve ex-officio as Secretary of the Commission, but shall have no vote.

F. The Commission may hold closed executive sessions or like sessions for the purposes and the manner provided by law.

G. 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.

B. When any Committee member has direct pecuniary or proprietary interest in any matter before the Committee, said member shall be excused and refrain from participating in the review of any matters over which the conflict occurs while being considered by the Committee.

C. Meetings shall be at the call of the Zoning Administrator or on an as-needed basis.

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D. The Zoning Administrator 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 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 whether to approve, conditionally approve, or disapprove any application for Site Plan review or design review. The applicant shall be responsible for proving that the intent and purpose of this Ordinance and other applicable provisions of the Goodyear City Code will be satisfied.

B. The Committee, upon reviewing an application for site plan review or design review, may recommend to the Zoning Administrator reasonable conditions to carry out the intent of this Ordinance.

C. The Committee shall also provide technical review and recommendations to the Zoning Administrator for transmittal to the Planning and Zoning Commission and City Council on zoning amendments, Use Permits, Special Use Permits, preliminary and final subdivision plats, General Plan amendments, and all other land use and development applications that require Planning and Zoning Commission and/or City Council review and action.

5.6. 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.

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.

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F. The Goodyear City Clerk or his/her designee shall serve ex-officio as the Secretary of the Board, but shall have no vote.

G. In the event a conflict of interest prevents the City Attorney or his/her designee from representing the Board on an appeal of a decision of a Zoning Administrator, the City shall appoint outside counsel to represent the Board in such appeals.

5.6.2. 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 in the enforcement of this Ordinance.

B. Upon determination by the Board that there is an error in an order, requirement or decision by the Zoning Administrator in the enforcement of this Ordinance, the Board may reverse or affirm, wholly or partly, or modify the order, requirement or decision of the Zoning Administrator being appealed and may impose conditions as the Board deems necessary to fully carry out the provisions and intent of this Ordinance. The violation of any conditions of approval or other condition imposed by the Board shall be a violation of this Ordinance.

C. The Board shall hear and decide requests for variances as more fully provided in this Ordinance.

D. The Board of Adjustment may not make any changes in the uses permitted in any zoning classification or zoning district, or make any changes in the terms of the Zoning Ordinance, provided the restriction in this paragraph shall not affect the authority of the Board to grant variances as provided in this Ordinance.

5.6.3. Appeals of Decision of Zoning Administrator.

Unless otherwise provided in this Ordinance or the Goodyear City Code, persons with standing who are aggrieved by a decision of the Zoning Administrator, shall be entitled to appeal such decision by filing a written notice of appeal within fifteen (15) calendar days of the date the decision was issued. The appeal shall be filed with the Zoning Administrator and shall be processed in accordance with the procedures generally described herein and more fully described in the Administrative Process Manual.

A. The notice of appeal shall be filed on a form(s) provided by the Development Services Department and shall include all of the information identified in such form(s) and the additional information below. The appeal shall be signed by the aggrieved person and all applicable fees shall be paid when the appeal form is submitted.

B. The appeal form(s) shall be accompanied by: a statement describing the decision of the Zoning Administrator that is the subject of the appeal; citations to any applicable laws, ordinances, codes, policies or regulations the appellant alleges have been improperly interpreted, applied, or violated and appellant's interpretation of such laws, ordinances, codes, policies or regulations; documentation and evidence supporting appellant's interpretation and/or position that the Zoning Administrator's decision improperly applied or violated applicable laws, ordinances, codes, policies or

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regulations; and any other documentation the appellant would like the Board to consider.

C. The party filing the appeal bears the burden of proof.

D. The party challenging the interpretation(s) of the Zoning Administrator of the Ordinance and/or provisions of the Goodyear Code of Ordinances bears the burden of proving that the Zoning Administrator's interpretation is clearly contrary to legislative intent or that it is without rational basis.

E. The party challenging factual determinations by the Zoning Administrator bears the burden of proving that no reasonable person could have made such factual determination.

F. The filing of an appeal to the Board shall stay all proceedings in the matter appealed from unless the Zoning Administrator certifies in writing to the Board that in the Zoning Administrator's opinion, based on the facts presented in the Zoning Administrator's certification, the stay would cause imminent peril to life or property. Upon such certification, the proceedings shall not be stayed except by a restraining order granted by the Board or court of record upon on application and notice to the Zoning Administrator.

G. The Board shall hold a hearing, at which time all interested persons shall be given the opportunity to be heard.

H. The concurring vote of a simple majority of those members present of the Board shall be necessary to reverse or modify any decision of the Zoning Administrator.

5.6.4. 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 from the boundary of the immediately adjacent property, and/or an officer or a department of the municipality affected by a decision of the Board may, at any time within thirty (30) days after a decision has been rendered, file a complaint for special action in the superior court of Maricopa County to review the Board's decision. Filing the complaint does not stay proceedings on the decision sought to be reviewed, but the court may, on application, grant a stay and on final hearing may affirm or reverse, in whole or in part, or modify the decision reviewed.

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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 and District	R/Rec	Rec		D	R	Yes	See Sec. 6.8	
Special Use Permit (SUP)	R/Rec	Rec		D	R	Yes	See Sec 6.6	
Use Permit	R/Rec	Rec		D	R	Yes	See Sec. 6.5	
Variance	R/Rec		D		R	Yes	See Sec. 6.7	
Text Amendment (Non-Site Specific)				D		No	See Sec 6.9	

6.3. Site Plan Requirement and Review Process

6.3.1. Applicability.

Site Plan Review and approval is required prior to development activities on property located in zoning districts for which site plan review is required as specified in this Ordinance. This includes, by way of example, but not limitation: all uses within commercial and industrial zoning districts; all uses in certain residential districts such as multi-family residential district; manufactured home subdivision district; mobile home/recreational vehicle district; and uses in residential districts that require a Use

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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 shall have the authority to approve, conditionally approve, or deny any application seeking approval of Site Plan or an amended Site Plan. Violation of any conditions imposed by the Zoning Administrator shall be considered a violation of this Ordinance, and shall render any permit null and void.

6.3.3. 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 the Administrative Process Manual 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), in the section of the Administrative Process Manual related to Site Plans; in the Engineering Standards, and any other data that may be required by the Zoning Administrator which is needed to insure compliance with applicable requirements.

Site Plan applications shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted.

6.3.5. 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,

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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 (1) year from the date of approval unless either a building permit for the development reflected in the Site Plan has been obtained

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and construction commenced or an extension has been obtained prior to the expiration date. A single one (1) year extension may be granted if the applicant demonstrates that circumstances beyond the owner's control prevented the owner from obtaining a building permit and/or commencing construction within one (1) year of the date the Site Plan was approved and that no changes in City codes or ordinances (including changes in this Ordinance and the Engineering Standards) that would have significantly altered the requirements for the prior Site Plan approval. Requests for extensions hereunder shall be approved by the authority that approved the Site Plan for which the extension is being sought. 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. Appeal Procedure.

A. An applicant may appeal the decision of the Zoning Administrator on any Site Plan application to the Planning and Zoning Commission. The appeal, along with any required processing fee, shall be filed in writing to the Development Services Department Director within fifteen (15) working days of the date of the decision is issued in writing. The appeal shall give reasons for the appeal and the relief requested.

B. The Appeal will be processed pursuant to the procedures set forth in the City of Goodyear Administrative Process Manual adopted by the City Council.

C. 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.

D. 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.

E. The Appeal will be processed pursuant to the procedures set forth in the City of Goodyear Administrative Process Manual adopted by the City Council.

F. 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.

G. 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:

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1. Will not be materially detrimental to persons residing or working on the subject property or within the vicinity of the property, to the neighborhood, or to the public welfare; and,

2. That the proposed use is reasonably compatible with uses permitted in the surrounding area.

B. Applications for Zoning Permits shall be processed and reviewed in the accordance with the procedures generally described below and more particularly described in the Administrative Process Manual, in this Ordinance and in the Engineering Standards if applicable.

C. Applications shall be filed with the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.

1. The applications shall include all of the information identified in the application form(s); the information identified in the Administrative Process Manual; the information identified in Engineering Standards if applicable; and any other relevant data required by the Zoning Administrator that is needed for the review of the Zoning Permit Application. The application shall be signed by the property owner(s) or an authorized agent of the property owner(s).

The Zoning Administrator shall review the application submittal, and may impose specific conditions or requirements as a condition of approval related to the property or operation of the requested Zoning Permit use.

6.5. Use Permits

A. Special Use Permits shall be obtained for those specific uses as identified in Table 2.2.2 and Table 2.3.2 of this Ordinance. Applications for Use Permits are decided by City Council following receipt of recommendations from the Planning and Zoning Commission. Use Permits required hereunder may be approved or approved with conditions only upon a finding by City Council that the proposed development and/or use reflected in the application submittal for the Use Permit:

1. Will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare; and

2. That the proposed use is reasonably compatible with uses permitted in the surrounding area.

The applicant bears the burden of demonstrating to the City Council's satisfaction that the forgoing requirements have been met. In making this finding the City Council shall evaluate whether the application submittal addresses the concerns and potential problems associated with the use as identified in this Ordinance or whether the concerns and potential problems can be mitigated through the imposition of additional conditions, such as: imposing conditions to address potential impacts on surrounding properties that will result from noise, lighting, odors and/or placement of trash receptacles; imposing conditions that will insure adequate parking, ingress and egress so as not to increase traffic congestion; limiting the hours of operation; imposing requirements for enhanced landscaping, screening, and buffering measures that will preserve reasonable use and enjoyment of adjacent properties.

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B. Applications for a Use Permit shall be processed and reviewed in accordance with the procedures generally described below and more particularly described in the Administrative Process Manual and in this Ordinance.

1. Applications for a Use Permit shall be filed with the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.

2. The application shall include all of the information identified in the application form(s), the information identified in the Administrative Process Manual, the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the Use Permit application.

3. A conceptual Site Plan shall be provided and shall provide sufficient detail to demonstrate that the concerns and potential problems associated with the use as identified in this Ordinance either do not exist at this site and/or can be adequately addressed through mitigation efforts.

4. The application shall be signed by the property owner(s) or an authorized agent of the property owner(s).

5. The Zoning Administrator shall process such application and shall adhere to the posting and publication requirements specified in Section 6.13 and as required by Arizona law and shall comply with the Citizen Review Process provided in Section 6.12 of this Ordinance prior to the public hearing before the Planning and Zoning Commission.

6. The Development Review Committee shall review the application submittal. Following the completion of the Committee's review, the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review.

7. Requests for a Use Permit shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to the City Council. Following a public hearing at which interested parties and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to the City Council, recommending approval, approval with conditions or denial of the Use Permit application and the reasons for such recommendations. Such recommendation may or may not be consistent with the recommendations of the Development Review Committee.

8. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

9. The City Council may approve, approve with conditions or deny the application for Use Permit. Such recommendation may or may not be

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consistent with the recommendations of the Planning and Zoning Commission.

10. The City Council may decide the application for Use Permit without holding a second public hearing if City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by any person appearing in opposition to the Use Permit application at the Planning and Zoning Commission, or by any person who filed a written protest to the Use Permit application in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the Use Permit application. If the City Council does not intend to adopt the Planning and Zoning Commission's recommendation without change, the City Council shall continue the matter until a public hearing can be scheduled before City Council decides the matter. Notice of the date, time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Planning and Zoning Commission.

11. A Use Permit may be granted for a designated period of time with a stated date of expiration or it may be granted for an indefinite period of time.

C. The use authorized by the Use Permit shall be established within two (2) years of the date of the Use Permit was approved by the City Council, unless an extension is obtained as provided herein ("Establishment Period"). A Use Permit shall be considered established on the site upon commencement of the use, or commencement of construction pursuant to a valid building permit. If the use authorized by the Use Permit is not established within Establishment Period and extension for the establishment of the use is not obtained prior to the expiration of the Establishment Period, the Use Permit approval shall become null and void, in accordance with the following provisions:

1. Upon expiration of the Establishment Period (initial two (2) year period plus and any subsequently granted extension), the Zoning Administrator shall send a notice by certified mail to the property owner and holder of the Use Permit advising that the Use Permit has expired. If after thirty (30) days the property owner or holder of the permit does not request an extension and provide evidence that the Use Permit is still being pursued, the Zoning Administrator shall send a second notice by certified mail to the property owner or holder of the Use Permit declaring the Use Permit null and void. If an extension has been requested, the Zoning Administrator shall wait to send a final notice of expiration until the application for an extension has been decided. If the application for an extension is denied, the Zoning Administrator shall send a second notice by certified mail to the property owner holder of the Use Permit declaring the Use Permit null and void.

2. The Zoning Administrator may authorize a one (1) year extension upon a finding that the establishment of the Use Permit is actively being pursued; that special circumstances prevented the property owner or holder of the permit from obtaining a building permit and/or commencing construction; and that no significant changes have

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occurred either in City ordinances or the immediate area that might have altered the previous Use Permit approval.

6.6. Special Use Permits

A. Special Use Permits shall be obtained for those specific uses as identified in Table 2.2.2 and Table 2.3.2 of this Ordinance. Applications for a Special Use Permit shall be processed in the same manner as an application to amend the boundaries of a zoning district as set forth in Section 6.9 of this Ordinance and as supplemented herein. Applications for Special Use Permits are decided by the City Council following receipt of recommendations from the Planning and Zoning Commission. Special Use Permits may be approved or approved with conditions only upon a finding that the proposed development and/or use reflected in the application submittal for the Special Use Permit:

1. Will be desirable or necessary to the public convenience or welfare; and,
2. Will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites;
3. Is in conformance with the adopted General Plan and any adopted Area Plans; and,
4. Will not be detrimental to surrounding properties or persons in the area due to:
5. Impact on the circulation system of the adjacent neighborhood;
6. Excessive noise or light generated from within the site;
7. Excessive scale or height in relationship to surrounding properties;
8. Hours of operation;
9. Inadequate parcel size to provide adequate buffers or mitigation measures to surrounding properties;
10. Inconsistency with the development character or architecture of the adjacent properties.
11. The applicant bears the burden of demonstrating to the City Council's satisfaction that the forgoing requirements have been met.
12. The Planning and Zoning Commission may recommend, and the City Council require, such conditions and restrictions, if necessary, upon the height and bulk and area of occupancy of any site approved for a Special Use Permit as may be reasonable under the particular circumstances to ensure compliance with this Ordinance.

B. Applications for a Special Use Permit shall be processed and reviewed in accordance with the procedures set forth in Section 6.9 of this Ordinance for processing an application to amend the boundaries of a Zoning District as supplemented herein.

1. Applications for a Special Use Permit shall be filed the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.

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2. The application shall include all of the information identified in the application form(s), the information identified in the Administrative Process Manual; the information set forth herein and specified elsewhere in this Ordinance including the information identified in Table 2.2.2 and Table 2.3.2 of this Ordinance; and any other data that may be required by the Zoning Administrator that is needed for the review of the Special Use Permit application.

3. The application shall be signed by property owner(s) or an authorized agent of the property owner(s).

4. The Zoning Administrator shall process such application and adhere to the posting and publication requirements specified in Section 6.13 and as required by Arizona law, except that the applicant may, at their option, complete the required on-site posting in accordance with Section 6.13. The Zoning Administrator shall ensure compliance with the Citizen Review Process provided in Section 6.12 of this Ordinance prior to the public hearing before the Planning and Zoning Commission.

5. The Development Review Committee shall review the application submittal. Following the completion of the Committee's review, the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review.

6. Requests for a Special Use Permit shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to City Council. Following a public hearing at which interested parties and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to the City Council, recommending approval, approval with conditions or denial of the Special Use Permit application and the reasons for such recommendations. Such recommendation may or may not be consistent with the recommendations of the Development Review Committee.

7. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

8. The City Council may approve, approve with conditions or deny the application for Special Use Permit. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission.

9. The City Council may decide the application for Special Use Permit without holding a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by any person appearing in opposition to the Special Use Permit application at the Planning and Zoning Commission, or by any person who filed a written protest to the Special Use Permit application in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing

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before deciding the Special Use Permit application. If the City Council does not intend to adopt the Planning and Zoning Commission's recommendation without change, the City Council shall continue the matter until a public hearing can be scheduled before City Council decides the matter. Notice of the date, time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Planning and Zoning Commission.

10. A Special Use Permit may be granted for a designated period of time with a stated date of expiration or it may be granted for an indefinite period of time.

C. The use authorized by the Special Use Permit shall be established within two (2) years of the date the Special Use Permit was approved by the City Council, unless an extension is obtained as provided herein ("Establishment Period"). A Special Use Permit shall be considered established on the site upon commencement of the use, or commencement of construction pursuant to a valid building permit. If the use authorized by the Special Use Permit is not established within Establishment Period and an extension for the establishment of the use is not obtained prior to the expiration of the Establishment Period, the Special Use Permit approval shall become null and void, in accordance with the following provisions:

1. Upon expiration of the Establishment Period (initial two (2) year period plus and any subsequently granted extension), the Zoning Administrator shall send a notice by certified mail to the property owner and holder of the Special Use Permit advising that the Special Use Permit has expired. If after thirty (30) days the property owner or holder of the permit does not request an extension and provide evidence that the Special Use Permit is still being pursued, the Zoning Administrator shall send a second notice by certified mail to the property owner or holder of the Special Use Permit declaring the Special Use Permit null and void. If an extension has been requested, the Zoning Administrator shall wait to send a final notice of expiration until the application for an extension has been decided. If the application for an extension is denied, the Zoning Administrator shall send a second notice by certified mail to the property owner holder of the Special Use Permit declaring the Special Use Permit null and void.

2. The City Council may authorize a one (1) year extension upon a finding that the establishment of the Special Use Permit is actively being pursued; that special circumstances prevented the property owner or holder of the permit from obtaining a building permit and/or commencing construction; and that no significant changes have occurred either in City ordinances or the immediate area that would have altered the previous Special Use Permit approval.

3. If an application for a Special Use Permit is denied by the City Council, or the application is withdrawn after the Planning and Zoning Commission hearing, the Commission shall not consider an application for the same Special Use on the same property within one (1) year from the date of the original hearing.

6.7. Variances

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A. Applications for a variance from the terms of this Ordinance will be processed and reviewed in accordance with the procedures generally described herein and more particularly described in the Administrative Process Manual and in this Ordinance, which procedures shall comply with the posting requirements, publication requirements as required by law. Applications for a variance shall be filed with the Zoning Administrator upon form(s) provided by the Development Services Department. Applications for a variance shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. Applications for a Variance shall include all of the information and supporting documentation identified in the application, in this Ordinance and in the Administrative Process Manual. The application shall be accompanied by:

1. Plans and description sufficient to indicate the nature of the proposed development and specific terms of this Ordinance from relief is sought; and,
2. Sufficient documentation and other evidence that will allow the Board to find all of the requirements necessary for the granting a Variance, as set forth below, have been met; and,
3. Evidence satisfactory to the Board of the applicant's ability and intention to proceed with actual construction within six (6) months of the issuance of a variance; and,
4. Any other data that may be required by the Zoning Administrator necessary for review of the application.

6.7.1. Requirements.

A Variance shall not make any changes in the Use and/or densities permitted in any zoning district. A variance from terms of this Ordinance shall not be granted unless the Board finds, upon sufficient evidence, all of the following:

A. existence of special circumstances or conditions applicable to the property, including its size, shape, topography, location or surroundings; and,

B. that such special circumstances were not created by the property owner or former owner of the property or any agent thereof; and,

C. the strict application of this Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and,

D. the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general; and,

E. the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

6.7.2. Approval.

The Board shall hold a public hearing for which due and proper notice has been provided in accordance with Section 6.12 and all interested persons shall be given the opportunity to be heard. The concurring vote of a simple majority of those

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members present of the Board shall be necessary to grant a variance. Any variance granted may be subject to such conditions deemed applicable by the Board. Variances shall be void if the subject property does not conform to all conditions, requirements, and standards prescribed by the Board as a condition for approval of the variance.

6.7.3. Time Limitations.

A variance shall expire one (1) year from the date the variance was granted unless either a building permit for the development for which the variance was granted has been obtained and construction commenced or an extension has been obtained prior to the expiration date. The Board may grant an single one (1) year extension if the applicant demonstrates that circumstances beyond the owner's control prevented the owner from obtaining a building permit and/or commencing construction within one (1) year of the date the variance was granted and that there have been no changes in the City codes or ordinances (including changes in this Ordinance and the Engineering Standards) that would have affected any of the Board's findings when it granted the variance as set forth above.

6.8. Planned Area Developments

An application for a Planned Area Development (PAD) may be filed as provided herein. A PAD can be used either as an overlay (PAD-O) to provide flexibility in an otherwise established land use district, or it can be used as an independent district (PAD-D). Prior to submitting an application for a PAD Overlay or PAD District a pre-application meeting shall be held between the owner or owners representative(s) and the City to determine which process would be applicable to the proposed development.

6.8.1. Planned Area Development (PAD) Overlay

A. Application

An application for a PAD Overlay shall be filed on form(s) provided by the Development Services Department and shall include: the information identified on the application form(s); the information identified in the Administrative Process Manual; the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the application. 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, and a legal description of the metes and bounds of the parcel.
2. History and background of the property including prior zoning actions
3. Potential constraints to the site's development. existing topographical features, 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.

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4. Project Narrative providing a description of what is being proposed on the property including the following (the Narrative should be separate from the PAD plan):

    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 timing

B. Proposed site development that depicts the following:

1. 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;

2. The proposed circulation, including any improvements (public or private);

3. Required open space (including a general statement regarding ownership and maintenance) with indication of responsiveness to General Plan recreation/open space and perimeter treatments.

C. Review and Approval

Applications for a PAD Overlay shall be decided by the Planning and Zoning Commission following receipt of recommendations from the Development Review Committee. Such applications shall be processed pursuant to the procedures set forth in Section 6.9 of this Article for processing an application to amend the boundaries of a Zoning District as supplemented herein. The Development Review Committee'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.

The Planning and Zoning Commission may approve, approve with conditions, or reject and application for a Preliminary PAD district.

1. Planning and Zoning Commission may approve a PAD Overlay only upon finding that the proposal meets the intent, objectives and general requirements of the PAD Overlay 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.

2. The Planning and Zoning Commission may, as necessary, attach conditions to the PAD Overlay 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

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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; elevations and architectural theme; or any other reasonable considerations the Commission finds germane to maintain community character and neighborhood quality.

Upon Planning and Zoning Commission approval of an application for the PAD Overlay zoning, the overlay on the property shall be, by Ordinance, reflected on the City zoning map as the base zoning with a Planned Area Development Overlay.

6.8.2. Application.

An application for a Planned Area Development 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 identified in the Administrative Process Manual; the information set forth herein and specified elsewhere in this Ordinance; any other data that required by the Zoning Administrator that is needed for the review of the application. Applications for an amendment shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. The application shall include:

A. Location information including an area map showing adjacent property ownership and existing uses within six hundred (600) feet of the parcel, and a legal description of the metes and bounds of the parcel.

B. History and background of the property including prior zoning actions

C. Potential constraints to the site's development. existing topographical features, 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.

D. Project Narrative providing a description of what is being proposed on the property including the following (the Narrative should be separate from the PAD plan):

1. The reason(s) for the PAD request, how the amendment may impact adjacent properties, and any City policies supporting the proposal

2. Written summary that demonstrates compatibility with the approved General Plan

3. A statement of intended design philosophy and environmental quality (text, graphics, or photographic examples)

4. All proposed deviations from the provisions of the Zoning Ordinance, City Code, and Engineering Standards (enhanced or reduced) and justification for each.

5. Proposed development timing

E. Proposed site development that depicts the following:

1. The location and nature of the various buildings and their areas in square feet, total number of dwelling units and approximate

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percentage allocation by dwelling type, calculation of the residential density in dwelling units per gross acre as defined in the General Plan;

2. The proposed circulation, including any improvements (public or private);

3. Required open space (including a general statement regarding ownership and maintenance) with indication of responsiveness to General Plan recreation/open space and perimeter treatments.

F. A development plan, which includes, at a minimum, plans showing location and type of all improvements including schematic grading plans with proposed treatment of sloped retention areas; and the following explanatory, supporting details:

1. Traffic analysis, including interior roadways, typical development envelopes for residential uses and building arrangements for recreational, employment, commercial or institutional uses; and,

2. 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,

3. If the development is to be phased, a general indication, with chronology of the intended total project's staging; and,

4. Plans and elevations of building types, materials, and colors, to be developed within the PAD district; and,

5. The number of dwelling units by type with estimated school enrollment to be generated within the entire PAD district.

G. 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.

6.8.3. Review and Approval.

A. 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.

B. The City Council may approve, approve with conditions, or reject an application for a PAD District.

C. City Council may approve a PAD District only upon finding that the proposal meets the intent, objectives and general requirements of the PAD district and is in conformance with all applicable federal, state, and local laws, ordinances,

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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.

D. The Council may, as necessary, attach conditions to the PAD District 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.

E. Development of property within a PAD District 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 Final PAD district. 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.

F. Upon City Council approval of an application for PAD District, the zoning of the property shall be, by Ordinance, reflected on the City zoning map as being in the PAD District.

6.8.4. PAD Amendments

A. Purpose

This Section establishes the procedures and criteria for amendments to an approved Planned Area Development Overlay (PAD-O) or Planned Area Development District (PAD-D), including amendments to the associated Development Plan.

B. Major Amendments

A major amendment shall be processed in the same manner as the original PAD-O or PAD-D 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-D 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 materially affect adjacent properties.

C. Minor Amendment

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1. The Planning and Zoning Administrator may approve minor amendments to an approved PAD-O or PAD-D 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 Planning and Zoning Administrator determines that a proposed amendment qualifies as a Major Amendment, the request shall be processed in accordance with the procedures for Major Amendments.
4. Approval of a minor amendment shall be documented in writing and maintained as part of the official project record.

6.9. Zoning Amendments

Regulations set forth in this Ordinance and boundaries of Zoning Districts established by the City may be amended, supplemented, changed, modified or repealed when deemed necessary to best serve the public interest, health, comfort, convenience, safety and general welfare of the citizens of the City.

6.9.1. Approval Authority.

Amendments of this Ordinance; and amendments establishing or changing the zoning district applicable to property within the City through the amendment of the boundaries of a Zoning District ("Rezoning Ordinances") and any amendments of any terms, conditions, stipulations or other type of requirements set forth in an ordinance amending the boundaries of a Zoning District (collectively referred to as "amendments" and individually referred to "amendment") shall be decided by the City Council following receipt of recommendations from the Planning and Zoning Commission.

6.9.2. Initiation of Amendment.

A. An application for an amendment to amend the boundaries of a Zoning District or to amend or enforce of any terms, conditions, stipulations or other type of requirements set forth in an ordinance amending the boundaries of a Zoning District may be initiated by any of the following:

B. All of the owners of the subject property by application executed by all of the owners of the subject property 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 the authority is in writing and filed with the application;

C. The Planning and Zoning Commission or City Council by its own motion at a public meeting; or,

D. Zoning Administrator for the purpose of rezoning property to bring such land into conformance with the General Plan; rezoning of City-owned property; or reversion of the zoning on any property which fails to comply with a condition of approval or schedule of development.

E. An application for an amendment to the text of this Ordinance may be initiated by any of the following:

1. The Planning and Zoning Commission or City Council by its own motion at public meeting; or,

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2. The Zoning Administrator to promote implementation of goals and objections of the City's General Plan; to respond to changes in the law, statutory or case law; to address zoning and/or development issues or processes; to address inconsistencies in terms of the Ordinance or problems and/or conflicts in implementation of specific sections of the Ordinance; or to implement new standards or practices that would benefit the community.

6.9.3. Application Process.

Applications for amendments shall be processed and reviewed in accordance with the procedures generally described below and more particularly described in the Administrative Process Manual and in this Ordinance, which procedures shall comply with the posting requirements, publication requirements and Citizen Review Process as required by law.

A. Applications for an amendment shall be filed with the Development Services Department on form(s) provided by the Development Services Department and shall include all of the information identified in the application form(s) and in the Administrative Process Manual and any other data that may be required by the Zoning Administrator needed for the review of the application.

B. Applications for an amendment shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted.

6.9.4. Review Process For Amendments To Zoning Map.

A. The Development Review Committee shall review the application submittal for an amendment of the boundaries of a Zoning District. Following the completion of the review by Development Review Committee and the Citizen Review Process specified in Section 6.12 the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review at a public hearing for which due and proper notice has been provided in accordance with Section 6.13.

B. Requests for amendments shall be considered by the Planning and Zoning Commission at a public hearing for the purpose of making a written recommendation to City Council. Following a public hearing at which parties of interest and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to City Council recommending approval, approval with conditions or denial of the amendment and the reasons for such recommendations. Such recommendation may or may not be consistent with the Committee's recommendations.

C. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the following considerations:

1. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted;

2. Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district;

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3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values;

4. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning;

5. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand;

6. Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such as water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment;

7. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided;

8. General public's concerns;

9. Whether the amendment promotes orderly growth and development; and

10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

D. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

E. The City Council may approve, approve with conditions, or deny the application for amendment. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission. The City Council may decide the application for an amendment without a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by a person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the application for amendment. If the City Council does not intend to adopt the recommendations of the Planning and Zoning Commission without change, the City Council shall continue the matter until a public hearing can be scheduled before the City Council decides the matter.

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F. Adoption of an amendment may be subject to such conditions as the City Council deems applicable to enforce this Ordinance. If one condition is a schedule for development of specific uses for which zoning is requested, and at expiration of that period the property has not been developed according to said schedule, it may be reverted to its former zoning classification by action of the City Council after conducting a public hearing for which public notice has been posted and published in accordance with the requirements of Arizona law.

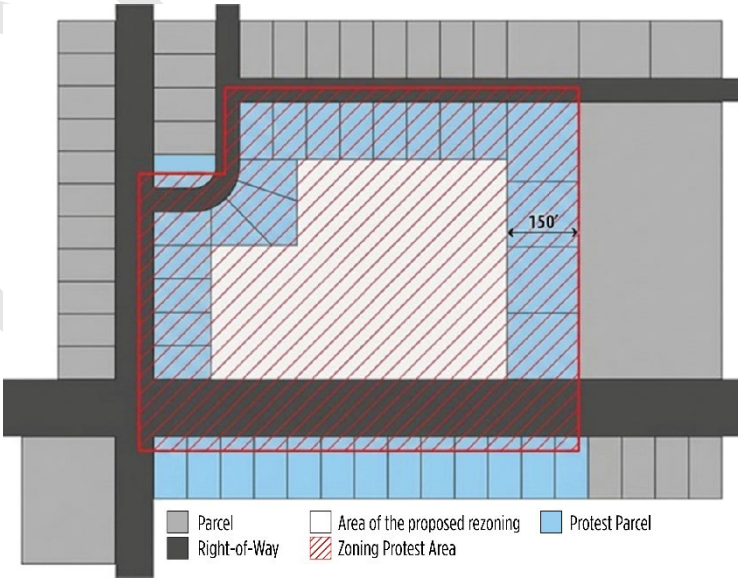
G. If the owners of twenty (20) percent or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths (3/4) of all members of the Council. If any members of the Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the Council, provided that such required number of votes shall not be less than a majority of the full membership of the Council. For the purposes of this subsection, the vote shall be rounded to the nearest whole number. A protest filed pursuant to this subsection shall be signed by the property owners opposing the proposed amendment and filed in the office of the City Clerk not later than 12:00 noon one (1) business day before the date on which the Council will vote on the proposed amendment.

For the purposes of this Section, "zoning area" means both of the following:

a. The area within one hundred fifty (150) feet, including all rights-of-way, of the affected property subject to the proposed amendment or change.

b. The area of the proposed amendment or change.

Figure 6.9.4A - Protest Area



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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. Commencing vertical construction in the rezoned area within two (2) years of City Council approval of a rezone request. Failure to commence shall be cause for the City Council to rescind the zoning, unless an extension of time is granted by the City Council.

6.9.5. Review Process For Text Amendment.

A. The Development Review Committee shall review the application submittal for an amendment to this Ordinance. Following the completion of the review by Development Review Committee, the Zoning Administrator shall forward to the Planning and Zoning Commission the application submittal along with a recommendation to approve, to approve subject to modifications, or to deny the application for the Planning and Zoning Commission's review at a public hearing for which due and proper notice has been provided in accordance with Section 6.11.

B. Requests for amendments to this Ordinance shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to City Council. Following a public hearing, the Planning and Zoning Commission shall issue a recommendation to be forwarded to City Council recommending approval of the amendment as proposed, recommending approval of the amendment subject to modifications or recommending denial of the amendment. Such recommendation may or may not be consistent with the Committee's recommendations.

C. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the following considerations:

1. Documentation indicating inconsistencies in terms of the Ordinance or problems and/or conflicts in implementation of specific sections of the Ordinance that will be resolved by the amendment;
2. Whether amendment is needed to respond to changes in the law, statutory or case law;
3. Whether amendment is needed to address zoning and/or development issues or to improve processes for addressing such issues;
4. Whether amendment will to promote implementation of goals and objections of the City's General Plan;
5. Any other factors related to the impact of the amendment on the general health, safety or welfare of the citizens of the City and the general public.

D. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

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E. The City Council may decide the application for amendment without a second public hearing unless a public hearing is requested in writing by the applicant, by any person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with Arizona Law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the application for amendment.

F. Following and consideration of the application submittal and public hearing, if held, the City Council shall render a decision on the application for amendment and either approve, approve with modifications, or deny the application for amendment. Such action may or may not be consistent with the Planning & Zoning Commission's recommendation.

6.10. Building Permits and Certificates of Occupancy

Neither building permits nor certificates of occupancy may be issued until the use of building(s) and land conform with this Ordinance and all other applicable codes and ordinances, including conditions of approval for any Ordinance amending the zoning district of the subject property and conditions of approval for any permit or authorization approved pursuant to the requirements of this Ordinance or the Subdivision Regulations. No building or construction permits shall be issued without having first obtained approval of a site plan review application and design review application in conformance with this Ordinance.

6.11. Applications and Fees

6.11.1. Applications.

A. All Land Use and Development Applications Required Under the Zoning Ordinance shall be filed in the office of the Zoning Administrator on forms provided by the Development Services Department. Applications shall include: the information identified on the application form(s); the information identified in the Administrative Process Manual and Engineering Standards, if applicable; the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the application.

B. Applications will be processed and reviewed by the Zoning Administrator in a manner that is consistent with the procedures generally described in this Ordinance and as more particularly described in the Administrative Process Manual and Engineering Standards, if applicable.

C. Except as otherwise expressly provided in the Administrative Process Manual, all applications referred to herein shall be executed by all of the owners of the subject property and their respective spouses, if any, or an agent of all of the property owners authorized to sign on behalf of all of the property owners and their respective spouses when such authorization is in writing and filed with the application. An application must be made by the property owner or authorized agent, unless otherwise specified in this Ordinance.

D. All applications shall be actively pursued to a decision. If a complete and full submittal of all documents and information requested in the staff written review comments has not occurred within 180 calendar days from the date on staff's written review comments, the application will be deemed inactive and shall

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expire. The applicant may file a request for an extension. Any and all requests for an extension shall be made in writing and received prior to the expiration date. The Zoning Administrator may authorize, in writing, No more than one extension of one hundred and eighty days for good cause if there is a reasonable belief that the application will be actively pursued during the extension period. This provision applies to all land use and development applications required under the Zoning Ordinance.

6.11.2. Fees.

A. Fees for all matters pertinent to the administration of this Ordinance will be set from time to time by Resolution of the City Council.

B. All application fees shall be paid when the application is submitted. Application fees shall not be refundable.

6.12. Citizen Review Process

A. Prior to any public hearing, as required under Article 6 of this Zoning Ordinance, on any application for any zoning ordinance that changes any property from one zoning district to another, including those for Preliminary PAD district and Final PAD district approval; for a Use Permit; and for a Special Use Permit application that imposes any regulation not previously imposed, or that removes or modifies any such regulation previously imposed, the Zoning Administrator shall require the applicant to conduct a neighborhood meeting or an acceptable alternative prior to a public hearing to consider the proposal. A written notice of the application shall be sent by first class mail to the owners of all properties within six hundred (600) feet of the property that is subject to a rezoning, Use Permit or Special Use Permit application and to such other persons as the Zoning Administrator reasonably determines to be potentially affected citizens. In determining the number of potentially affected citizens, the Zoning Administrator shall review the density and intensity of residential development in the general vicinity, the existing street system, and other factors that may be related to the impact of the proposed zoning amendment, Use Permit, or Special Use Permit on the character of the neighborhood.

B. The written notice shall also include a general explanation of the substance of the proposed zoning amendment, Use Permit or Special Use Permit application and shall state the date, time and place scheduled for a neighborhood meeting, at which any adjacent landowner(s) or those other potentially affected citizens, will be provided a reasonable opportunity to express any issues or concerns that the landowner or citizen may have with the proposed zoning amendment, Use Permit or Special Use Permit application before any public hearing required by this Ordinance is held.

C. The written notice shall be given at least fifteen (15) days before the neighborhood meeting in one or more of the following manners:

1. The notice shall be published once in a newspaper of general circulation published or circulated in the City of Goodyear; or,

2. The notice shall be posted upon the sign required in Article 6, unless waived by the Zoning Administrator; or,

3. The notice shall be mailed in accordance with the procedures required elsewhere in Article 6.

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D. The Zoning Administrator, upon consultation with the applicant, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant, adjacent landowners and those other potentially affected citizens to discuss and express their respective views concerning the application and any issues or concerns that they may have with the proposed zoning amendment, Use Permit or Special Use Permit application. The Zoning Administrator shall attend the meeting, but is not required to conduct the meeting. The Zoning Administrator shall report the results of the neighborhood meeting to the Planning and Zoning Commission and Mayor and City Council when such body considers taking action on the application.

E. At the discretion of the Zoning Administrator, an alternative citizen review process may be used that does not involve a neighborhood meeting. The alternative process shall consist, at a minimum, of the following:

1. The written notice described in Section 6.10, except that the notice shall only indicate the name, address and phone number of the member of the planning staff whom adjacent landowners within six hundred (600) feet, 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 6.11.1. Application Notification Requirements

Request	Public Hearing Required	Mailed Notice	Site Posting	Newspaper Notice	Notification Radius	Timing Notice
Neighborhood Meeting	N/A	Yes	No	No	Property owners within 600 feet	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

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Planned Area Development(PAD)	Yes	Yes	Yes	Yes	Property owners within 600 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 (one publication)	N/A	At least 15 days prior to hearing
Applications Abutting Other Jurisdictions	Same as applicable application	Yes (to adjacent planning agencies)	Same as applicable application	Same as applicable application	Adjacent Planning Agency	At least 15 days prior to hearing
Applications in the Vicinity of Military Airports or Facilities	Same as applicable application	Yes (to military airport or facility)	Same as applicable application	Same as applicable application	Same as applicable application	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 six hundred (600) feet of the subject properties.

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.

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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.

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ARTICLE 7 – ENFORCEMENT & NONCONFORMITIES

7.1. Purpose

The purpose of this Article is to establish the procedures used by the City to enforce this Code, ensure compliance, and remedy violations. This Article also identifies the remedies and penalties applicable to violations of this Code, and regulates lawfully established uses, structures, lots, site characteristics, and signs that no longer conform to current requirements, collectively referred to as nonconformities.

7.2. Violations and Penalties

1. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.

7.2.1. Responsible Party.

The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (here-after "Person"). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.

Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.

7.2.2. Penalty.

Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:

A. Subject to civil sanctions of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) per offense; or,

B. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars ($2,500), or by a term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the City of Goodyear Municipal Court for violations hereunder.

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7.3. Nonconforming Uses & Buildings

Lawful use of a building or land existing at the effective date of this Ordinance, although such use does not conform to these provisions, may be continued, provided only reasonable repairs and alterations are made.

7.3.1. Uses.

A. Such nonconforming use discontinued for a period of six (6) months shall be presumed to be abandoned, and any future use of said building or land shall be in conformity with this Ordinance, unless the owner is able to establish that such use was not intended to be abandoned.

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 located shall not be enlarged, extended, reconstructed, or structurally altered unless the use conforms with this Ordinance. Reasonable repairs or alteration shall be permitted, so long as such repairs or alterations do not permit the expansion of the nonconforming use.

7.3.2. Buildings.

A. Any building or land in existence at the effective date of this Ordinance, which does not conform to the district in which located, that shall be destroyed to extent of fifty (50) percent of its value, (as determined by three [3] competent appraisers) then, without further action by Council, said building or land shall, from date of destruction, be subject to this Ordinance.

B. Nothing in this Ordinance shall be interpreted as authorization for continuance of the use of a building or land in violation of zoning regulations in effect prior to adoption of this Ordinance.

C. Nothing in this Ordinance shall be interpreted to require any changes in:

D. An existing building that was legally permitted and/or approved or annexed with an existing condition; or

E. A building for which a building permit has been issued and construction has been diligently pursued within three (3) months of the date of permit, and ground story framework (including second tier of beams) has been completed within six (6) months of date of the permit, and the entire building was completed within one year from date of this Ordinance.

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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 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 to determine the common meaning of the term.

8.2. Definitions

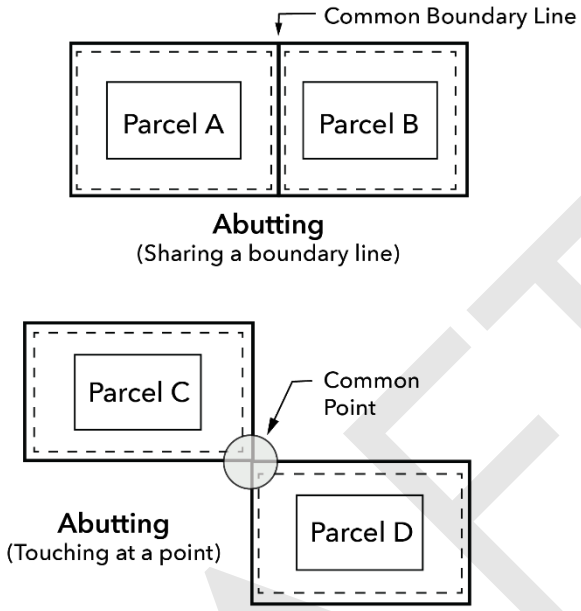
Abandoned Sign. Any sign that has ceased to be actively maintained and is in a dilapidated or deteriorated condition, or any sign for a business or other premises that has been vacant for six or more months.

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.

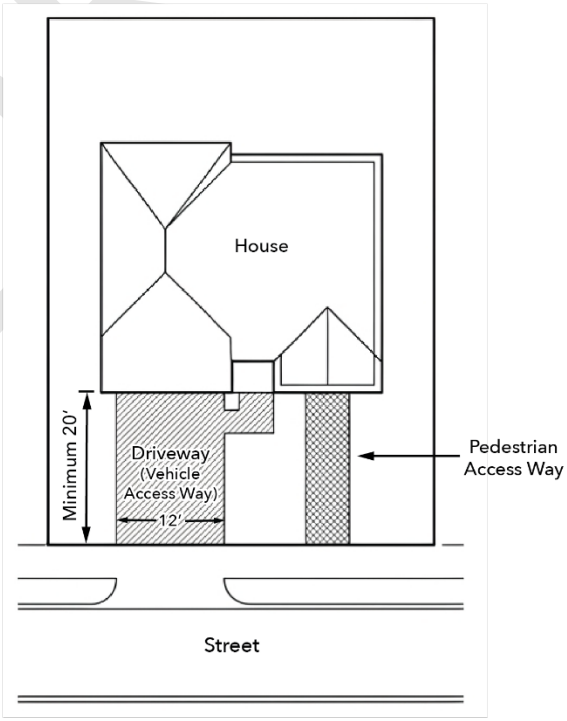
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Figure 8.2A - Abutting Properties



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

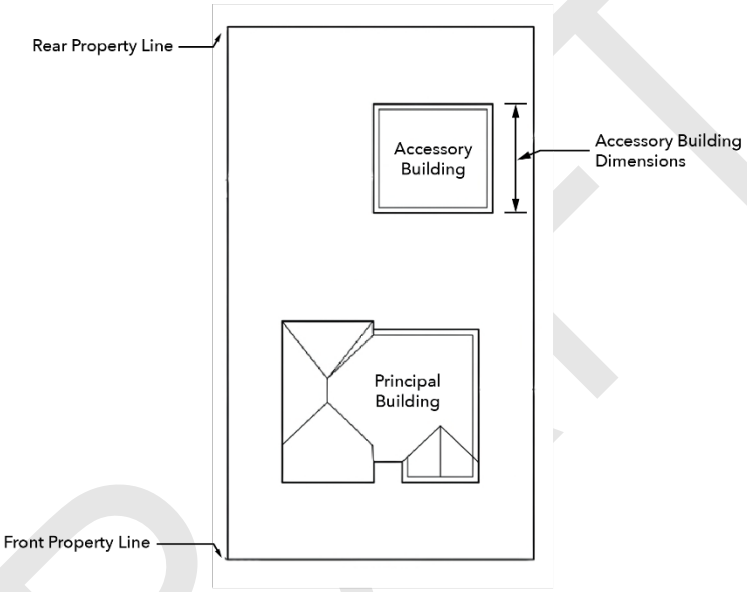


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Accessory Dwelling Unit. A self-contained attached or detached accessory building that is located on a lot or parcel of a single-family dwelling unit. The Accessory Dwelling Unit includes a bedroom, bathroom and may include kitchen (cooking) facilities.

Accessory Building: A building whose use is customarily incidental to that of a principal use of the main building or premises. (e.g. garage, pool house, etc.)

Figure 8.2C - Accessory Building



Accessory Flag. A non-permanent flag constructed of fabric, vinyl, or similar flexible material, mounted on a pole or staff, and displayed on a lot in a manner that is incidental and subordinate to a principal use or structure on the same lot.

Accessory Structure: A subordinate structure to that of a principal building, which may be served with utilities, but does not enable human habitation. (e.g. closed or open roof patio cover, gazebo, shed, etc.)

Accessory Use. Use customarily incidental, related, appropriate and clearly subordinate to the main use of a lot or building, which does not alter the principal use of subject lot or building, or adversely affect other properties in the district.

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 or alley 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

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transparencies, either in negative or positive form, designed for exhibition by projection on a screen depicting, describing or relating to "specified sexual activities" or characterized by an emphasis on a matter depicting, describing, or relating to "specified anatomical areas" for observation by patrons therein.

Erotic Dance or Performance Studio: A business which emphasizes and seeks, through one or more dancers or other performers, to arouse or excite the patrons' sexual desires. Nothing in the definition of "erotic dance or performance studio" shall be construed to apply to the presentation, showing or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, institution of higher education, or other similar establishment as a form of expression of opinion or communication of ideas or information differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Advanced Manufacturing. The use of innovative technologies to create products. Advanced manufacturing can include production activities that depend on information, automation, computation, software, sensing, and networking. Advanced Manufacturing is characterized by precision production, research and development integration, and a clean, controlled, and often low-impact operational environment.

Agricultural, General. The use of land for agricultural purposes, where growing and harvesting activities associated with horticulture, floriculture, viticulture, and associated apiaries and grazing of livestock uses along with necessary accessory uses (such as caretaker facilities, greenhouses/nurseries, incidental raising of agricultural animals, or the storage of agricultural related equipment used on the premises and temporary storage of agricultural products used and/or produced on the premise) takes place; provided, however, that the operation of any such accessory use shall be secondary to that of the normal agricultural activities. General Agriculture uses may or may not be owner-occupied and may utilize employees who are not owners or family of the owners. This use includes supporting office uses and wholesale of produce and plants, but does not include on-site retail sales of produce or plants. This use does not include agriculture, intensive operations such as dairies, commercial animal breeding, concentrated animal feeding operations (CAFO), slaughter and meat packing plants, or fertilizer yards.

Agricultural, Intensive Operation. A lot or building or combination of contiguous lots or buildings, designed and intended for the confined feeding, breeding, raising, or holding of animals (including commercial feedlot, hog operations, dairies, and raising and marketing of chickens/eggs or turkeys). Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on. The facilities are specifically designed as a confinement area where manure may accumulate and the concentration of animals is such that vegetative cover is not maintained within the enclosure. Use also includes fertilizer yards.

Agricultural, Noncommercial. The cultivation of food and/or horticultural crops. Such use may include the production and sale of food products from food grown on the premises. Noncommercial agriculture may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. This definition includes gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, vegetable gardens and other similar activities.

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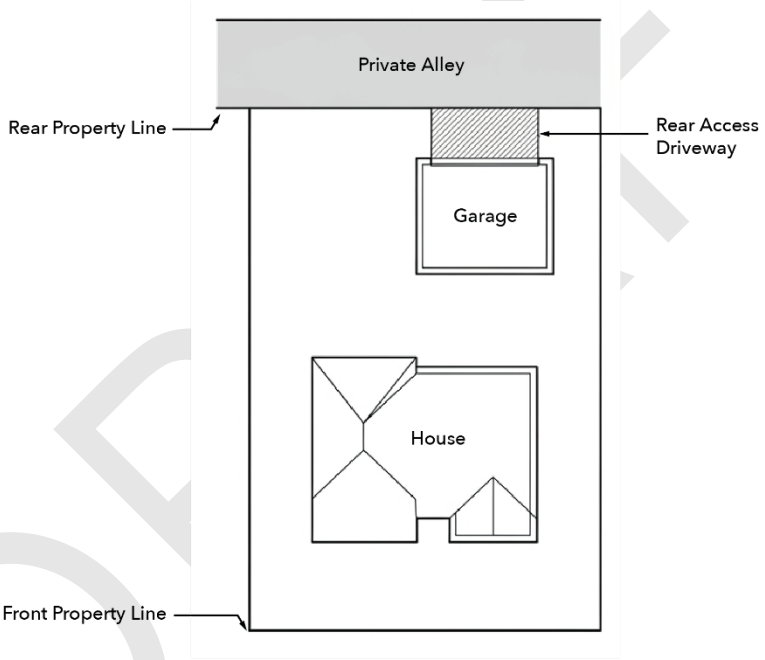
Agricultural Stand. A structure for the display and commercial sale of agricultural and horticultural products raised on the premises.

Airport/Heliport/Helistop. Property used or intended primarily for taking off and landing of aircraft, and appurtenant areas used or intended for airport buildings or facilities (e.g., open spaces, taxiways and tie down areas, hangers and accessory buildings). **Heliport.** Area used or intended for landing and takeoff of helicopters; may include areas of buildings appropriate to accomplish these functions.

Alley. Public thoroughfare which affords only secondary vehicular access to abutting property and is not intended for general traffic circulation.

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

Figure 8.2D - Alley-Loaded Residential



Amendment. Change in wording, context, or substance of this Ordinance (e.g., addition or deletion, or change in district boundaries or classifications on district map) which imposes any regulation not heretofore imposed, or removes or modifies any regulation heretofore imposed.

Amusement Park. An outdoor facility, which may include structures and buildings, where there are various devices for entertainment, including permanent rides, booths for the conduct of games or sale of items, and buildings for show and entertainment.

Analogous Use. Comparable, similar, or resembling listed uses. Analogous uses shall not be any more deleterious, obnoxious, or harmful than uses permitted as determined by the Zoning Administrator.

Animals. The following terms relate to definitions, distinctions, and types of animals.

Domestic Animals

Any animal customarily kept by humans for companionship including, but not limited to, dogs, cats, birds, rabbits, hamsters, mice, turtles, and the like.

Large Animals

Cattle, horses, mules, sheep, goats, pigs, beasts of burden, llamas, alpacas, or any other animal not listed weighing more than twenty (20) pounds, except Domestic Animals, unusual/exotic animals, or donkeys.

Small Animals

Any animal that does not reside in a home, including rabbits for agriculture purposes, chickens, roosters, fowl or any other animal weighing less than twenty (20) pounds, except domestic animals or unusual/exotic animals.

Animal Keeping. The keeping or raising of large or small animals domestic animals for personal or agricultural purposes. This does not include commercial breeding or kennels or the raising of domestic animals. All animal keeping must follow standards for lot size, setbacks, and sanitation to prevent noise, odor, and other nuisances.

Animal Kennel. A place where four or more dogs over the age of 3 months are boarded, bred, or offered for sale.

Animal Pet Day Care Facility. A retail establishment in which household pets are kept regularly for the primary purpose of day care for the benefit of persons who do not reside on the premises. Facilities may provide shelter, feeding, grooming and retail sales. This shall not include breeding or raising of household pets or animals or facilities for which the primary use is overnight pet boarding.

Animal Shelter. A facility used to house or contain stray, homeless, abandoned, or unwanted animals that is owned, operated, or maintained by a public body, humane society, animal welfare society, society for the prevention for cruelty to animals, or other nonprofit organization devoted to the welfare, protection, and humane treatment of animals

Animated Sign. 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.

Apartment. A studio bedroom, a single room or a suite of rooms, with cooking facilities and private bath and toilet facilities, used for living purposes. Each apartment shall be considered a dwelling unit.

Assisted Living Facility. A facility, licensed by the State of Arizona to provide supervised care for more than ten (10) adults who are living together by reason of age, disability, illness, infirmity or companionship and for whom meals, recreation or other diversion, and general health care is provided.

Attached Building. Building with parts of exterior wall in common with another building or which is structurally integrated with the main building.

Automobile Rental. A business engaged in the short-term rental or leasing of passenger automobiles, recreational vehicles (RVs), boats and light trucks to the general public, typically on an hourly, daily, or weekly basis. Such use may include vehicle storage, cleaning, minor servicing, customer service offices, and parking areas accessory to the rental operation. Automobile rental does not include long-term vehicle storage, vehicle sales, or major vehicle repair activities.

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Automobile Refueling Stations. Retail business engaged primarily in the sale of motor fuels or electricity used exclusively for electric vehicle charging, and supplying of incidental customer services and products; and does not include or contain a truck stop/travel center as defined in this section.

Automobile Repair, Major. Repair of automobiles, boats, trucks, motorcycles, and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes engine repair shops; body, and fender shops, transmission shops, restoration, refurbishing, but excludes dismantling or salvaging and tire re-treading or recapping.

Automobile Repair, Minor. The service and repair of automobiles, boats, light-duty trucks, and motorcycles, including the sale, installation, and servicing of related equipment and parts. This classification includes quick-service oil, tune-up, wheel and brake shops, muffler shops, auto glass services, battery replacement and tire sales and installation, where repairs are made or service provided in enclosed bays and no vehicles under service are stored outside overnight.

Automobile Storage Facility. Building or lot designed or used for storing of four or more vehicles.

Auto Sales, New. Franchised agency selling new motor vehicles and providing services commonly associated with motor vehicle sales. New automobile dealership may include sale of used motor vehicles.

Auto Sales, Used. Agency selling used motor vehicles not in conjunction with or on same site as new motor vehicle franchise and providing services commonly associated with motor vehicle sales.

Awning. Structure of canvas or metal projecting above a window or door, or over patio as protection from sun and rain.

Awning Sign. A sign that is mounted, painted on, or attached to an awning.

Banner. A temporary sign of fabric, plastic, paper or other light pliable material not enclosed in a rigid frame.

Balcony. Portion of building projecting into required yard, and floor height is four feet or more above grade.

Bar or Cocktail Lounge. Business establishment devoted primarily to alcoholic beverage service to which food service is only incidental, i.e. where state sales tax receipts from the sale of alcoholic beverages equals or exceeds fifty-five percent (55%) of the total state sales tax receipts including food.

Barrel. A barrel container that can hold no more than 31 gallons.

Basement. Portion of a building located partly underground but having not less than half its floor to ceiling height below the average grade of the adjoining ground.

Battery Energy Storage System (BESS). One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time. A BESS typically includes batteries, battery management systems, inverters, switchgear, and associated equipment for storing and discharging electricity.

Billboard. A permanent sign or structure containing a commercial or noncommercial message, which directs attention to something offered or existing elsewhere than upon the property where the sign is located.

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Block. Property abutting one side of the street, and lying between two nearest intersecting streets or rail-road rights of way, unsubdivided acreage, or waterway (but not an alley or utility easement), of sufficient width as to interrupt continuity of development on both sides of block.

Boardinghouse or Lodging House. A dwelling or building that is used to provide lodging for compensation to unrelated individuals (either with or without meals) and where rent or a lodging fee is charged separately for the individual room(s) or partitioned areas that are occupied by a renter or occupant. Individual rooms or partitioned areas may or may not be equipped with kitchen facilities and congregate dining facilities may or may not be provided for the renters or occupants. A dwelling unit located within a single family residential district in which leases, subleases, and/or agreements for individual rooms and/or partitioned areas are entered into with unrelated persons, that are not a single housekeeping unit shall be considered a boardinghouse. Notwithstanding, a boardinghouse is not a Group Home, short-term rental, hotel or motel.

Body Piercing Studio. A business that as one of its principal uses implants, perforates, or pierces the skin or other body part to make a hole, mark or scar for a non-medical purpose. A Body Piercing Studio shall not include a Jewelry Store, Beauty Parlor or similar establishment that uses a mechanized, pre-sterilized ear piercing system that penetrates the outer perimeter or lobe of the ear or both as an accessory use to a principal use.

Brewery. A facility engaged in the manufacture of beer for commercial purposes that produces beer in quantities exceeding the maximum annual production threshold for a microbrewery as established under Arizona state law. A brewery is licensed by the State of Arizona as a producer or brewer (ARS § 4-203) and may include packaging, storage, distribution, offices, tours, and tasting or sampling areas when permitted by the applicable license..

Brewpub. A restaurant with facilities for the brewing of beer for onsite consumption and retail sale at the restaurant. A brewpub must derive at least 40% of its gross revenue from the sale of food.

Building. Any structure, including patio and similar type coverings for shelter, housing or enclosure of persons, animals, chattels, or property of any kind, (with the exception of dog houses, play houses, and similar structures). Each portion of a building separated by a dividing wall without openings may be deemed a separate building when issuing building permits.

Building Coverage. That portion of a lot occupied by any building or structure, including those buildings or structures not intended for human occupancy, calculated by dividing the total building ground floor area by the net site area. Portals to be excluded from the calculation.

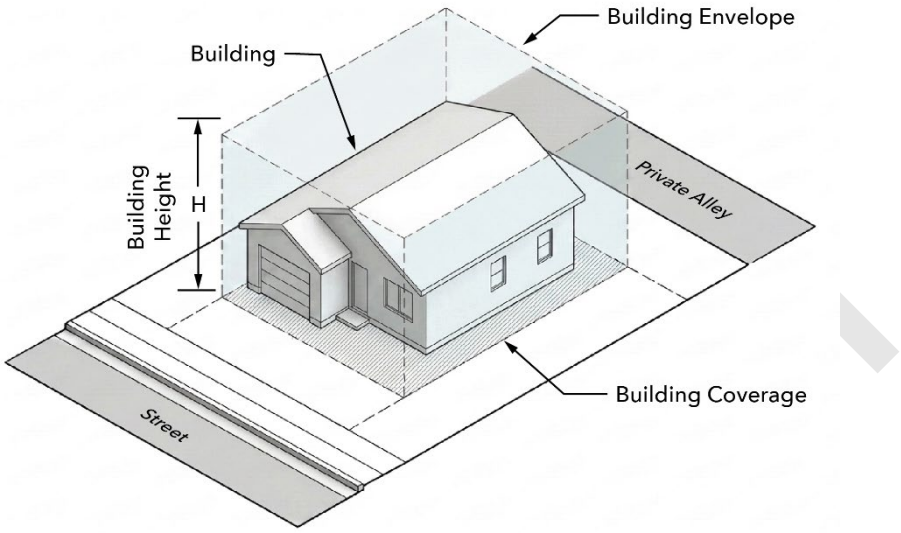
Building Envelope. That area of a lot lying between the front, rear, and side yard setback lines and between ground level and the maximum allowable building height amounting to the three dimensional area available for potential building construction.

Building, Height of. Vertical distance measured from point of reference elevation (fourteen inches above average elevation at top of crown of roadway, if no curb) to the highest point of coping of a flat roof, or to the highest point of a mansard roof, or to the highest gable of a pitch or hip roof. When drainage considerations supersede

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this Ordinance, the point of reference elevation shall be subject to the approval of the Chief Building Official, or his designee.

Figure 8.2E - Building Terminology



Building Material Sales, Wholesale. An establishment for the sale of materials, hardware, lumber, and landscaping materials customarily used in the construction of buildings, other structures and site improvements on a retail or wholesale basis. Display and sale of materials typically occurs inside a principal building, but storage of material occurs outside. Examples include lumber yards, stone slab suppliers masonry suppliers, soil and mulch suppliers, landscape rock yards, irrigation supply yards, and artificial turf suppliers. This use is not a retail home improvement or hardware store, but may include the sale of material commonly found within such establishments.

Building Site. Area of building, plus associated parking areas and open space required by this Ordinance. Building site may encompass more than one lot.

Bungalow. A one-storied house with a low-pitched roof.

Business. For purposes of Section 4.6 (Signage), any commercial or noncommercial activity conducted within or outside a building or structure located on a property, parcel, or any part of a property or parcel.

Cabinet Sign. A three-dimensional structure, which includes a frame, borders and sign panel face and which may include internal lighting.

Canopy Sign. A sign that is mounted, painted on, or attached to a canopy.

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 Sign. 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.

Commercial Use. Use operated for profit or compensation that provides retail of goods or rendering of service.

Committee. The Development Review Committee as described in Section 5.5 of this Ordinance. Common Open Space. Useable open space, other than private open space or required setbacks, may include recreation oriented areas.

Community Playfields and Parks. A tract of land owned by a public entity and available to the general public for recreational purposes. This definition includes indoor recreational facilities, swimming pools, playgrounds, and lighted and unlighted athletic fields.

Comprehensive Sign Package. A submittal required for any commercial or industrial development that contains three or more businesses, for a master planned residential or mixed-use community, and for all Planned Area Developments (PADs), to provide unified signage throughout the proposed development.

Condominium. Ownership in real property consisting of undivided interest in common in a portion of a parcel or real property, together with a separate, undivided interest in air space in residential, industrial or commercial buildings on such real property (e.g., apartment, office or store).

Construction Sign. A temporary sign, limited to the period of construction, located on the premises of an existing construction project.

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

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admitted or cared for in homes licensed under the State of Arizona as convalescent or nursing homes.

Convenience Store. A retail establishment, generally less than 7,500 square feet, primarily engaged in the sale of a limited selection of groceries, prepackaged food items, beverages, tobacco products, and other household goods for off-premises consumption. Convenience stores typically operate with extended hours and may be located independently or in conjunction with an automobile refueling station. This use excludes supermarkets or other large-scale retail establishments.

Convenience Use. Convenience uses include those commercial uses in which:

A. Retail gasoline is sold.

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

C. Car washes (hand and/or automated), quick service oil, drive through laundry/dry cleaners, and drive through video stores.

D. The Development Services Director makes a determination that an establishment is a "convenience use" by virtue of being an analogous use to the businesses described above.

Crematory. A facility used exclusively for the cremation of human or animal remains using combustion or other thermal processes. A stand-alone crematory does not include funeral, memorial, visitation, chapel, or embalming services, nor does it include retail sales of funeral merchandise, except items incidental to the disposition of cremated remains. Bodies or remains are delivered to and removed from the facility without ceremonial services conducted on site.

Cul-de-Sac. Local street having one end open to vehicular traffic, and other terminated by a vehicular turnaround.

Cultural facility or Museum. Museums, historic sites, art galleries, performing arts facilities, libraries, and similar uses

Curb Elevation. Average elevation of the curb adjacent to a development from which height of building is determined.

Data Centers. A facility or portion of a facility housing networked computer systems and telecommunications equipment used for remote storage, processing, and distribution of data.

Day Care Facility. A facility not occupied as a residence that is used to provide day time care and super- vision for more than ten (10) children or more than ten (10) adults not related to the proprietor.

Day Care, Home. A residential dwelling used by persons residing on the premises to provide day time care and supervision for up to ten (10) children or up to ten (10) adults not related the residents. It is a form of Home Business.

Decibel (dB). A unit used to measure the intensity of a sound by comparing it with a given level on a logarithmic scale.

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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 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.

Digital Marquee Sign. 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.

Directional Sign. A permanent or temporary sign typically containing information for the purpose of directing vehicular traffic or pedestrian travel to the identified property or other location.

Directory Sign. 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.

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 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 where food and drink are served for consumption on the premises, by order from and service to vehicular passengers. The term does not include restaurants that provide designated parking spaces used solely for mobile or online order pick-up without on-site vehicle service.

Drive-In Theaters. An outdoor facility designed for the exhibition of motion pictures on a large screen, where patrons view films from parked motor vehicles. Such venues may include accessory uses such as concession stands, restrooms, and ticketing areas, and require site design accommodating vehicle circulation, parking, and compliance with noise and lighting standards.

Drive-Through. A facility where food or other products may be purchased, or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through facilities include fast-food, coffee, pharmacies, bank teller windows, dry cleaners, quick service oil change, etc., but do not include automated teller machines (ATMs), refueling stations or other uses, which are separately defined.

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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.

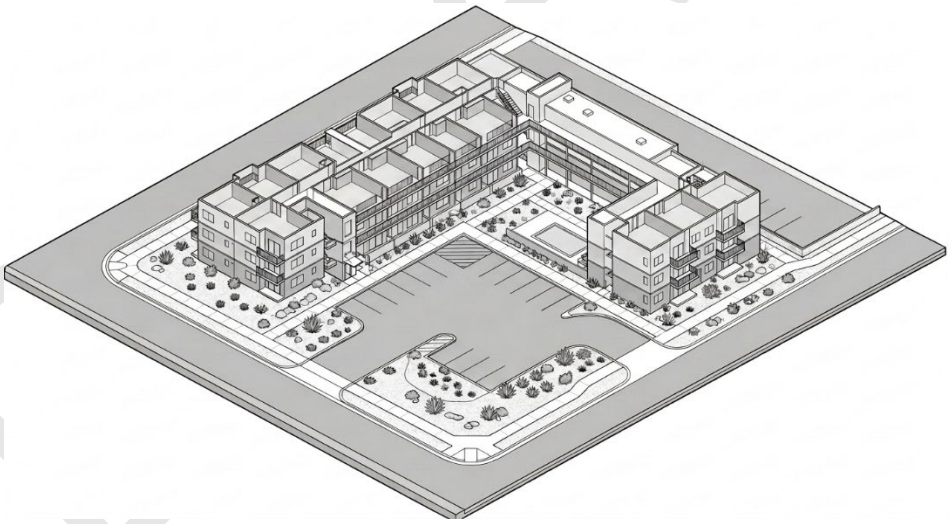
Dwelling Group. Two (2) or more buildings on the same lot, each containing one (1) or more dwelling units.

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, Multiple. A building containing three (3) or more dwelling units.

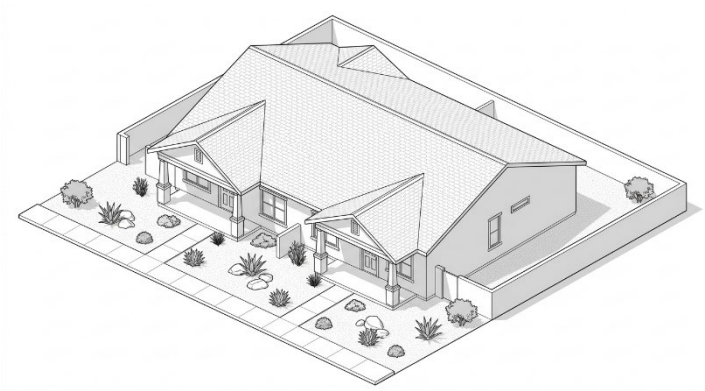
Dwelling, Multi-family. A single building or buildings containing three or more dwelling units on an individual lot for occupancy by a housekeeping unit living independently of each other. Within apartments, the building and land are under single ownership and dwelling units are rented or leased. Within 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



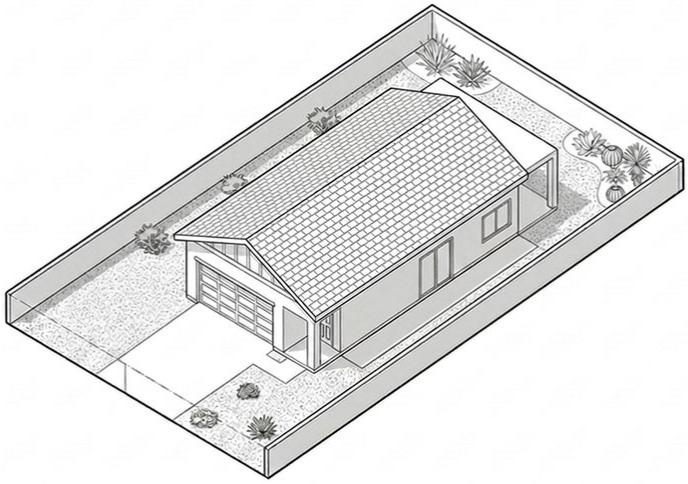
Dwelling, One Single Family Attached. A dwelling unit designed for or used by one housekeeping unit, located on an individual lot, and having any portion of one or more walls in common with adjoining dwelling units. Each dwelling unit has its own external entrance.

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.

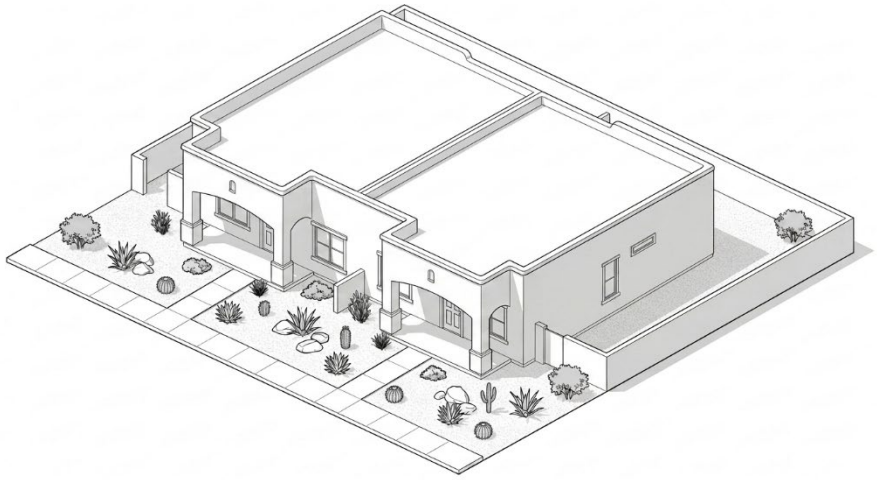
Figure 8.2H - Single-Family Detached Dwelling



Dwelling, Single Family. A building 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 a single housekeeping unit living independently of each other. Dwelling units are typically attached by a common vertical wall and may be side by side or up and down.

Figure 8.2I - Two-Family (Duplex) Dwelling



Efficiency Apartment. Dwelling unit with only one combined living and sleeping room (may also have a separate room containing only kitchen facilities, and may contain a separate room containing only sanitary facilities).

Electronic Changeable Copy Display Sign. A sign or portion of a sign that uses electronic, digital, or light-emitting technology to display characters, letters, numbers, symbols, or graphics that can be changed electronically without replacing the sign face.

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

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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.

Engineering Standards. The City of Goodyear Engineering Design Standards and Policies Manual as adopted and amended from time to time by the City Council.

Entertainment Establishments, General. An establishment or facility that provides indoor entertainment and recreational activities, which may include but are not limited to interactive games, sports simulators, bowling, arcades, laser tag, movie theater or similar attractions. These uses are typically designed for social gatherings, leisure, and amusement, and may include ancillary food and beverage service.

Entertainment Venue, Indoor. A use providing entertainment, diversion, or pleasure that comes from watching a performer, sports competition, etc. whether public or private, conducted indoors as a business, including concert halls, performance theatres, stadiums, and uses analogous to these uses that typically have assigned seating. Accessory uses may include restaurants, bars, concessions, parking, and maintenance facilities.

Entertainment Venue, Outdoor. An establishment, structure, or outdoor area designed and used for live entertainment, performances, or public gatherings. Such venues may include stages, seating, lighting, sound systems, and space for vendor booths, and are intended for activities such as concerts, festivals, cultural events, and other programmed assemblies. These venues require appropriate permits and must comply with zoning standards regarding noise, parking, public safety, pedestrian access, and site planning.

Event Venue. An establishment or facility designed to host gatherings, events, or assemblies, such as social functions, performances, ceremonies, or community activities. Events may be indoor, outdoor, or both, and typical venues include banquet halls, wedding or event centers, and similar uses. These facilities often require specialized infrastructure for parking, staging, seating, and crowd management, and may be subject to zoning approvals, permits, and additional standards for noise, traffic, and safety.

Exhibition Hall and Convention Facilities. A facility containing over 20,000 square feet of gross floor area and designed to accommodate and support meetings or conferences for on-site or off-site guests. The facility may be either freestanding or incorporated into a hotel or office facility and may include eating and drinking facilities.

Facilities and Storage Areas Incidental to a Construction Process. An area located on or adjacent to an active construction site, established for a limited duration to support the construction process. These facilities may include offices, workshops, parking and storage areas for equipment and materials, and other support services necessary for onsite construction operations. Use is temporary, accessory to the primary construction project, and subject to applicable zoning standards and permit requirements.

Family.

A. Individual; or

B. Two (2) or more persons, including children, related by blood, marriage, or adoption, living together as a single housekeeping unit in a dwelling unit, a Family includes two (2) persons in a domestic relationship and the biological,

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adopted and foster children of either person living together as a single housekeeping unit in a dwelling unit; or; or

C. No more than six persons not related, living together as a single housekeeping unit within a dwelling unit; or

D. Persons with development disabilities, as defined by Arizona Revised Statutes, and operators of a residential facility as defined in this section.

Farm. Area of five or more contiguous acres used for raising of farm animals and/or production of crops (e.g., vegetables, fruit trees, fiber or grain) and their storage.

Farmers Market. A temporary or seasonal outdoor market where individual vendors sell agricultural products, food items, or handcrafted goods directly to the public. Products typically include fresh fruits and vegetables, meats, dairy products, baked goods, prepared foods, flowers, plants, and other items produced by the vendor or sourced from local or regional producers. A farmers market is conducted in open-air settings, operates on a recurring schedule at a designated location, and utilizes removable structures such as tents, tables, or booths. A farmers market is not a permanent retail establishment.

Figurative Sign. An on-site sign that advertises the occupant activity or business through the use of graphic or crafted symbols, such as shoes, keys, glasses, books, etc. Figurative signs can be incorporated into any of the allowable sign types identified in this Ordinance.

Financial Institution. An establishment that provides banking services, lending, or similar financial services to individuals and businesses. This definition includes those institutions engaged in the on-site circulation of cash money and check-cashing facilities but shall not include deferred presentment companies.

Fine Art Sales & Studio. A facility or area that is open to the public and is intended for the display, appraisal, purchase, sale, loan of art books, paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value.

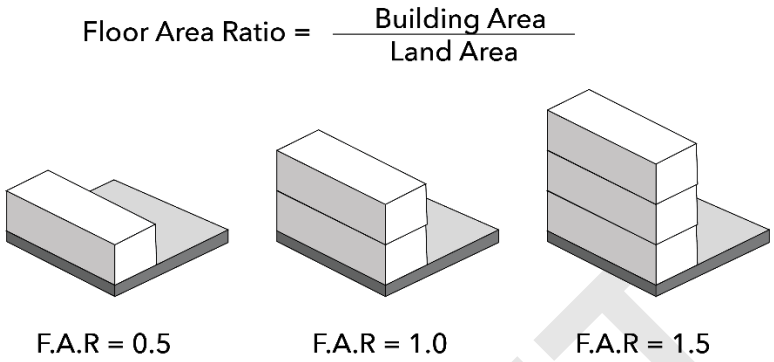
Flood Prevention Regulations. Chapter 16 of the Goodyear City Code as adopted and amended from time to time by the City Council.

Floor Area. For determining parking requirements, total floor area of a building measured from interior faces of load bearing walls (excluding air shafts, stair wells, elevator shafts, rest rooms, and mechanical equipment rooms).

Floor Area Ratio (F.A.R.). Ratio of gross building floor area to gross lot area of a building site.

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Figure 8.2J - Floor Area Ratio (F.A.R.)



Flying Banner. A type of vertical banner made of flexible material, with the longer dimension typically attached to a pole or rod attached to the ground. Also sometimes called a feather, sail or teardrop banner.

Food Truck. A self-contained, motorized mobile food vendor vehicle designed and equipped to prepare and sell food or beverages for off-site consumption.

Freeway. The Papago Freeway (Interstate 10), the Loop 303 Freeway, the future Tres Rios Freeway (Arizona State Route 30), future Interstate 11, and any other future controlled-access highway or controlled-access highway modification located or to be located within the City.

Freeway Pylon Sign. A permanent freestanding identification sign located on property abutting a freeway, or part of a complex or center abutting a freeway that is oriented to and intended to be read from the freeway.

Food Bank. A non-profit facility operated by a government or charitable organization for the storage, distribution, or preparation of food to individuals in need. Uses may include walk-through pantries, emergency food pickups, and related administrative activities. Such facilities are subject to health, sanitation, parking, accessibility, and zoning standards applicable to institutional and food service uses.

Foundry/Casting. An establishment engaged in the casting or forming of metal products using molds, conducted entirely within enclosed buildings and designed to minimize noise, vibration, dust, and emissions. Such facilities operate at a scale and intensity compatible with light industrial zoning and comply with applicable environmental and safety standards.

Frontage. All property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of a street (if street is dead end, then all property abutting one side between an intersecting street and the street's termination), including property fronting on a cul-de-sac.

Funeral Home. An establishment providing services for the preparation, viewing, or disposition of deceased persons, which may include embalming facilities, chapels or viewing rooms, funeral ceremonies, and administrative offices. Such uses typically require specialized infrastructure and are subject to operational, licensing, and zoning standards to ensure compatibility with surrounding land uses.

Golf Course. Facility, other than a miniature golf course, for playing of golf which includes a clubhouse with restrooms and locker rooms as well as additional services

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customarily furnished (swimming, outdoor recreation and related retail sales, including restaurant and cocktail lounge if approved as part of required Use Permit).

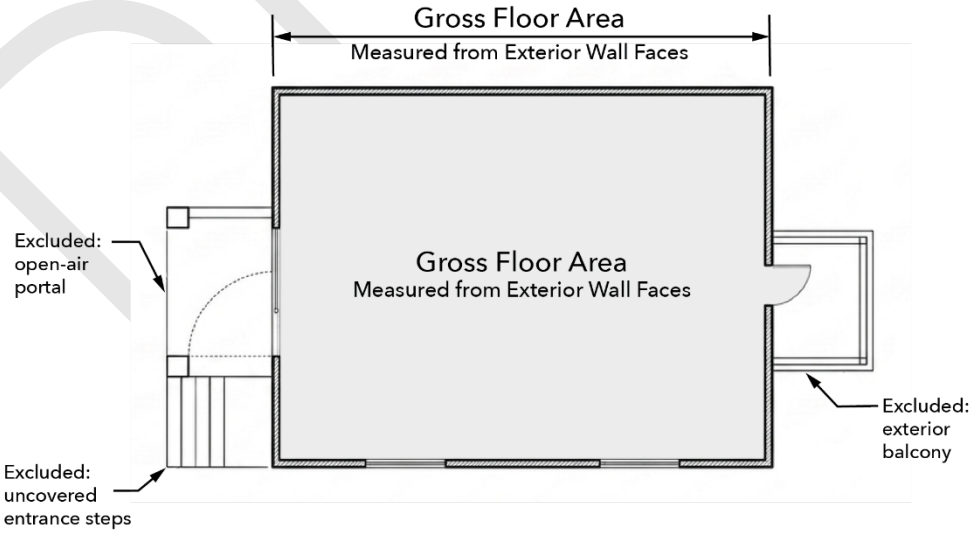
Governmental or Quasi-governmental Facilities. A facility owned, operated, or occupied by any level of government to provide a governmental service, but not including offices for the provision of governmental services or facilities for any government operation separately defined in this code.

Governmental Sign. 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.

Grade. (Adjacent ground elevation) Lowest point of elevation of finished surface of ground between the exterior wall of a building and a point five feet from the wall, or the lowest point of elevation of a finished surface of the ground between an exterior wall of a building and a property line, if less than five feet from a wall, or if walls are parallel to and within five feet of a public sidewalk, alley or public way, then the grade shall mean the top of the crown of a street (if no curb exists) established at the midpoint of a front of lot. For establishing heights of walls, fences or other screening devices, see Section 4.3.2. Walls, Fences.

Gross Floor Area. Sum of gross areas of several floors of a building or buildings, measured from the exterior wall, or from a center line of a wall separating two buildings. Gross floor area shall not include: underground parking space; uncovered steps; portals; or exterior balconies.

Figure 8.2K - Gross Floor Area



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Gross Lot Area. Area of a lot including one half of all dedicated streets and alleys abutting the property. Group Homes. 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.

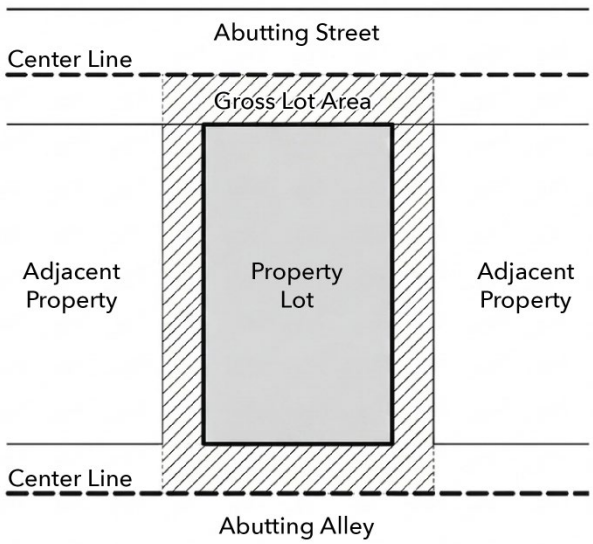


Figure 8.2L - Gross Lot Area

Group Home. A facility licensed or authorized by a governmental authority having jurisdiction over operations for persons with disabilities who reside together and who receive care, supervision, or counseling from one (1) or more staff persons. This use includes residential scaled elderly care homes; behavioral health homes, sober living homes, group care agencies, hospice and similar residential living arrangements, not to exceed ten (10) residents. This definition shall not include foster care, transitional housing, recidivism reduction, prison release or halfway homes.

Guest House. Accessory building used to house guests of occupants of the principal building, which is never rented or offered for rent. Any guest house providing cooking facilities shall be considered a dwelling unit.

Guest Ranch. Building or group of buildings located on ten (10) or more contiguous acres, containing guest rooms or dwelling units, some or all of which share separate entrances leading directly from outside of a building, with garage or parking space located on the lot and designed primarily for accommodation of guests, but having not more than two (2) rental units per acre, and having outdoor recreational facilities (horseback riding, swimming, tennis courts, shuffle board courts, barbecue and picnic facilities). (See also: Resort).

Guest Room. Room designed to be occupied by one or more guests for sleeping purposes, having no kitchen facilities (not including dormitories for sleeping).

Hazardous Materials/Explosives. Any substance characterized as flammable solids, corrosive liquids, radioactive materials, oxidizing materials highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric materials and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means.

Health Club/Gym. A facility primarily featuring equipment for exercise and other active physical fitness and/or recreational sports activities, such as swimming, racquet sports, aerobic dance, gymnasium facilities, yoga, and other kinds of sports and fitness facilities.

Heavy Equipment Rental & Sales. An establishment engaged in the display, sale, and rental of equipment, tools, supplies, machinery or other equipment used for commercial, industrial, or construction enterprises, such as, but not limited to, trucks, trailers, semi-tractor trailers, farm equipment, bulldozers, cranes, backhoes, rollers, loaders, lifts, power generation or hand-held tools. This use includes the sale of farm-specific vehicles such as tractors, tillers, farm trailers, back hoes, graders, boom lifts, and front-end loaders, but not including "Automotive Sales or Rental." Uses typically include outdoor display and storage.

Heliport. Area used or intended for landing and takeoff of helicopters; may include areas of buildings appropriate to accomplish these functions.

Highway Maintenance Facilities. A facility or yard operated by a public agency or its contractor for the storage, staging, and deployment of equipment, materials, and personnel to support highway and roadway maintenance activities. Components may include equipment shops, material/salt storage, vehicle parking, maintenance offices, labs, and related infrastructure for tasks such as pavement repair, drainage maintenance, vegetation management, debris removal, and emergency roadway response.

Home Business

An occupation or profession carried on entirely within the confines of any Single Family dwelling, including in a detached accessory building, a manufactured home, or in a mobile home by a member of a family residing on the premises, which is clearly incidental to the use of the structure for dwelling purposes and meets all of the following requirements:

A. does not change the exterior character of the premises in any way;

B. does not involve the direct sale or bartering of goods;

C. does not involve the use of materials or mechanical equipment not recognized as part of normal household or hobby use

D. does not involve manufacturing

E. does not involve cabinet or furniture making;

F. does not involve auto or appliance repair;

G. does not involve the provision of services to animals at the dwelling, such as veterinary offices, and kennels;

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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.

Illuminated Sign. A permanent sign with the surface artificially lighted, either internally or externally.

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 for a public project borrow pit.

Inflatable Sign. A type of sign that achieves its shape through inserted air or gas. Includes balloons and other air or gas blown displays.

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.

Kiosk Sign. 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.

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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.

Legal Nonconforming Sign. A sign lawfully erected and maintained prior to the adoption of this Ordinance, which does not conform to the requirements of this Ordinance.

Limited-Duration Sign. A sign type that can be composed of several different elements (including banners, balloons, inflatables, pennants, flags and streamers) which is displayed for a temporary and predefined period of time and is required to be removed upon expiration of that time period, regardless of message content.

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.

Lot Depth. Horizontal distance between front and rear lot lines.

Lot, Through lot, Double Frontage. Lot having frontage on two non intersecting parallel (or approximately parallel) streets.

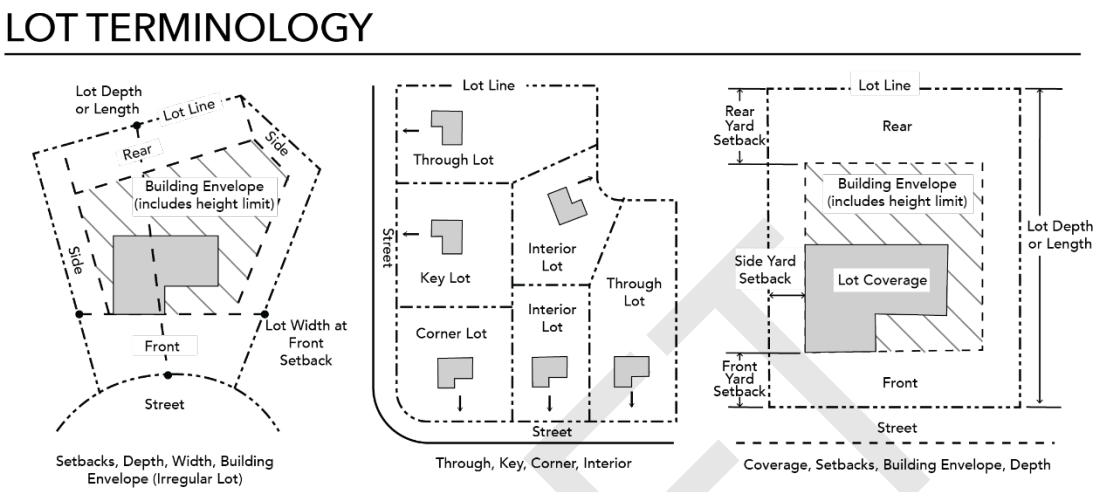
Lot, Interior. Lot other than a corner lot or key lot.

Lot, Key. Lot adjacent to a corner lot, having its side lot line in common with rear lot line of a corner lot, and facing on a street which forms a side boundary of a corner lot.

Lot Lines. Property lines bounding a lot.

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Figure 8.2M - Lot Terminology



Lot Line (Front).

Front lot line shall be determined as follows:

A. Corner Lot

Shorter of two (2) lot lines adjacent to streets as originally platted or laid out. Where lot lines are equal, the front lot line shall be that lot line obviously front by prevailing custom of other buildings in block. If such front is not evident, then either may be considered the front of lot, but not both.

B. Interior Lot

Lot line bounding a street frontage.

Lot Line (Rear). Rear lot line shall be determined as the lot line opposite to the front lot line. Where side lot lines meet in a point, the rear lot line shall be the line not less than ten (10) feet long, lying within the lot and parallel to the front lot line. If the front lot line is curved, then the rear lot line shall be a line not less than ten (10) feet long, lying within the lot and parallel to a line tangent to the front lot line at its midpoint.

Lot Line (Side). Side lot lines are those lines connecting the front and rear lot lines. Lot Length

Length (depth) of a lot shall be:

A. The shortest distance between such lines where front and rear lines are parallel.

B. If front and rear lines are not parallel, the shortest distance between the midpoint of a front line and midpoint of a rear lot line.

C. If the lot is triangular, the shortest distance between the front lot line and a line parallel to the front lot line, not less than ten (10) feet long lying wholly with the lot.

Lot, Zoning. Single tract located within a block, designated by the owner or developer as a tract to be used, developed, or built on as a unit, under single ownership or control.

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Maintenance. For the purposes of Section 4.6 (Signage), the replacement or repair of a part or portion of a sign required by ordinary wear, tear or damage, with like material, color and design.

Maneuvering Area. Any portion of a lot that is used for the circulation of vehicles into or from off-street parking spaces or loading spaces, including but not limited to, off-street parking spaces or loading spaces, driveways, drive aisles, and fire lanes.

Manufactured Home. A building built on or after June 15, 1976, in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974. Manufactured homes are typically built on permanent chassis and designed to be used with or without a permanent foundation when attached to the required utilities. The term includes park models, but does not include a mobile home, modular home, or a recreational vehicle.

Manufactured Home Lot. Parcel of land within an approved manufactured home subdivision, shown in the records of the Maricopa County Recorder's Office and designed and intended for accommodation of one manufactured home or pre-existing mobile home.

Manufactured Home Park. Approved residential development shown on the City records, with accessory buildings and uses for enjoyment and benefit of residents, in which individual spaces are provided for placement of manufactured homes or pre-existing mobile homes or recreational vehicles for dwelling units or sleeping purposes, whether or not a charge is made for accommodation.

Manufactured Home Sales. A facility where manufactured homes are displayed, stored, and offered for sale or lease by a licensed dealer. These establishments provide sales and delivery services for factory-built homes constructed in accordance with HUD-Code or state standards. They are regulated as commercial sales uses and must comply with all applicable building, zoning, licensing, and health and safety requirements.

Manufactured Home Space. Area within an approved manufactured home park, shown on the City records, and designed and intended for accommodation of one manufactured home.

Manufactured Home Subdivision. Residential subdivision shown on the records of the Maricopa County Recorder's Office, with accessory buildings and uses for enjoyment and benefit of residents, in which the individual ownership of a lot is permitted, for placement of a manufactured home or pre-existing mobile home for a dwelling unit or sleeping purposes.

Manufacturing and Assembly, Major. Manufacturing, processing, compounding, assembling, packaging, treating or fabricating of finished parts or products, mass produced from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Major manufacturing and assembly uses may be conducted entirely outdoors and have moderate to significant off-site impacts, including visual impacts. Uses involving radioactive or highly toxic materials or chemicals, highly combustible or explosive materials, or other materials and substances of a noxious nature in the manufacturing process are included in this classification. This classification includes, but is not limited to, steel fabrication, concrete block manufacturing, and truss plants. Products require shipping by semi-trucks or rail.

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Manufacturing and Assembly, Minor. The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not involve significant truck traffic or railroad operations and do not create material amounts of noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, and where such processes are housed entirely within an enclosed building, except as may be authorized in this code. Minor manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials along with incidental storage, sales, and distribution of such products. Examples of activities include but are not limited to fabrication of sporting goods or wearing apparel, small medical or specialty equipment, or musical instruments; commercial digital printing operations; finished wood products; fabricated metal products; and assembly of small appliances or electrical equipment.

Marijuana Dual Facility. A marijuana establishment that is co-located with a non-profit medical marijuana dispensary and/or a medical marijuana dispensary cultivation location.

Marijuana Dual Licensee. An entity that holds both a nonprofit medical marijuana dispensary registration and a marijuana establishment license.

Marijuana Establishment. An entity, other than a medical marijuana dispensary and/or medical marijuana dispensary cultivation location, licensed by the State of Arizona to operate all of the following:

A. A single retail location at which the licensee may sell marijuana and marijuana products to consumers, cultivate marijuana and manufacture marijuana products.

B. A single off-site cultivation location at which the licensee may cultivate marijuana, process marijuana and manufacture marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

C. A single off-site location at which the licensee may manufacture marijuana products and package and store marijuana and marijuana products, but from which marijuana and marijuana products may not be transferred or sold to consumers.

Marijuana Products. Marijuana concentrate and products that are composed of marijuana and other ingredients and that are intended for use or consumption, including edible products, ointments, and tinctures.

Marijuana Testing Facility. The State of Arizona or another entity that is licensed by the State of Arizona to analyze the potency of marijuana and test marijuana for harmful contaminants.

Massage and Spa Establishments. A facility where manual or mechanical techniques are applied to the external parts of the human body for therapeutic or aesthetic purposes. These establishments may include services such as massage, bodywork, facials, and spa treatments and can operate as fixed-site businesses or through mobile/out-call services. They must comply with applicable health, sanitation, licensing, and safety standards, and are considered regulated personal service uses under this ordinance.

Medical Laboratories. A facility equipped and staffed for performing clinical or diagnostic testing of human biological specimens. Characteristics include specialized

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laboratory space, trained personnel, and equipment necessary to conduct tests in compliance with applicable health and safety regulations. These establishments may be subject to licensing, permitting, and oversight under state and federal laboratory standards.

Medical Marijuana. All parts of any plant of the genus cannabis, whether growing or not, and the seeds of such plant used to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition, as defined in A.R.S. §36-2801.

Medical Marijuana Designated Caregiver Cultivation. The cultivation of marijuana by a registered designated caregiver for a registered qualifying patient, as defined in A.R.S. §36-2801 which is conducted as an accessory use to the primary residence of the registered designated caregiver and in conformance with the standards in Section 3.11.20.

Medical Marijuana Cultivation Location. An enclosed, locked facility used for the cultivation of medical marijuana for a registered medical marijuana dispensary and medical marijuana infusion using the product of such cultivation.

Medical Marijuana Dispensary. A building used by a not-for-profit entity that acquires, possesses, cultivates, manufactures (including medical marijuana infusion), delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to a registered qualifying patient, registered designated caregiver, or a registered nonprofit medical marijuana dispensary agent.

Medical Marijuana Infusion. The process by which medical marijuana is incorporated into consumable or edible goods by means of blending, cooking, processing or other means of incorporation.

Medical Marijuana Qualifying Patient Cultivation. The cultivation of marijuana by a registered qualifying patient, as defined in A.R.S. §36-2801 which is conducted as an accessory use to the primary residence of the registered qualifying patient and in conformance with the standards in Section 3.11.20.

Medical Office/Clinics. A public or private facility primarily engaged in furnishing, on an outpatient basis, chiropractic, dental, medical, surgical, medical imaging, or other services to individuals, including the offices of chiropractors, physicians, dentists, drug therapists, rehabilitation therapists and other health practitioners, medical and dental laboratories, outpatient care and outpatient care facilities. Patients are not kept overnight except under rare emergency conditions.

Menu Board Sign. A permanent sign typically displaying items for sale at a drive-in or drive-through restaurant, with or without ordering capability.

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.

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Mobile Food Vendor. A person or business that prepares, sells, or serves food or beverages from a food truck, trailer, cart, or other mobile unit licensed by the Arizona Department of Health Services or a county health department.

Mobile Home. A structure, transportable in one or more sections, that is at least eight (8) feet in width and thirty-two (32) feet in length and that is built on a permanent chassis and designed to be used as a dwelling unit, with or without a permanent foundation, when connected to on-site utilities, and that was not constructed in accordance with the National Manufactured Home Construction and Safety Standards Act of 1974 and Title VI of the Housing and Community Development Act of 1974. A modular or prefabricated house shall not be considered a mobile home.

Mobile Home Room Addition. Building addition or alteration to a mobile home, other than factory de- signed and assembled.

Modular Home. A prefabricated, factory-built dwelling unit, excluding mobile homes and manufactured homes defined herein. Such housing is certified as meeting the state and local building codes as applicable to modular housing and shall be considered equivalent to a site-built building and which requires substantial assembly on site. Also referred to as '"factory built"' in Department of Building, Fire and Safety Rules, State of Arizona.

Model Home Complex. Two or more uninhabited dwelling units used by a residential builder as models for the sales of residential lots and dwellings. A model home complex may include a sales office, customer parking, a design and decorating center, and similar activities.

Monument Sign. A freestanding, permanent self-supported identification sign that is not attached to the supportive elements of a building.

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.

Noise Sensitive Uses. Schools, places of worship, childcare facilities, hospitals, nursing homes, libraries, and similar facilities determined pursuant to Section 2.5.1B.

Non-Chartered Financial Institutions. Business, other than a state or federally chartered bank, credit union, mortgage lender, or savings and loan association that receives more than 25% of its net income from providing any of the following services or any combination of the following services: (1) check cashing services provided for a percentage fee or for a flat fee that varies on the amount of the check; (2) loans provided for periods of less than six months that are secured by an assignment of wages, the assignment of an auto title, or the holding of an auto title and for which the borrower pays a flat percentage fee, a flat fee that varies on the amount being

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advanced, or any other fee or interest that is not based on a disclosed annualized percentage rate for the transaction and; (3) pawn brokerage services; and/or (4) deferred present services under which a party accepts a check and agrees for a percentage fee or flat fee that varies on the amount of the check to hold the check for at least five days before presentment for payment or deposit.

Non-Climbable. Not easily climbed by a young child, not having a ladder or horizontal rung effect by which a young child can gain uninvited access to the top, nor having vertical openings through which a four (4) inch sphere can pass.

Noncommercial Sign. 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.

Nonconforming Building. Building or portion thereof which was lawful when established, but which does not conform to subsequently established district or regulations.

Nonconforming Lot. Parcel which was lawful when established, but having less area, frontage or dimensions than now required in the district in which it is located.

Nonconforming Use. Use of a building or land which does not conform after passage of this Ordinance (or amendment thereto) with the use regulations of the district in which it is located.

Nursery, Retail. An establishment engaged in the propagation, cultivation, and sale of plants, trees, shrubs, seeds, and related garden supplies. Such facilities may include outdoor growing areas, greenhouses, and accessory structures, and may offer incidental sales of fertilizers, soil, pots, and similar items.

Nursery School. Institution for care of children under the age of two. Even though some instruction may be offered, it shall not be considered a "school."

Off-Site Sign. 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.

Off-Street Parking Area. Reserved for transient storage of motor vehicles, including parking spaces, maneuvering areas, aisles and driveways completely located on the property it serves. (For further information on standards and requirements please see Section 4.5, Off-Street Parking.)

Office, Business or Professional Use. An establishment that provides executive, management, administrative, or professional services, but not involving the sale of goods and merchandise except as directly related to the principal use, and not including a medical office or clinic. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, broadcasting, call centers, and similar offices.

On-Site Electric Generation Equipment. Equipment located on-site which is an accessory use to the principal permitted use on the premises and supplies electricity predominantly for use on the same site from backup generators for emergency use

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only or alternative energy sources, such as solar or wind, provided such equipment otherwise complies with adopted design guidelines and development standards.

Open Space. Land area devoted to passive or active outdoor enjoyment for purposes of recreation, leisure, scenic and visual enjoyment. (Golf courses, desert land, portions of natural washes and preserved agricultural land may contribute to a portion of required common open space. See: District Development Standards, e.g., Section 2.2.3.)

Ordinance. The Zoning Ordinance of the City of Goodyear, Arizona as adopted and amended from time to time by the City Council.

Outdoor Display. The placement, arrangement, or exhibition of goods, merchandise, materials, or equipment outside of an enclosed building for the purpose of sale, lease, storage, or promotion, where such outdoor display is a primary or integral component of the use. Outdoor display areas are typically permanent or long-term in nature, occupy a substantial portion of the site, and may include open yards, display pads, racks, bins, or similar features.

Outdoor Display, Limited. The incidental and secondary display of goods or materials outside of an enclosed building that is clearly subordinate to the primary indoor use. Limited outdoor display is temporary or seasonal in nature, occupies a minor portion of the site, shall be located immediately adjacent to the principal building, and is limited in area, duration, and intensity. Limited outdoor display is intended only to supplement indoor sales and shall not function as a primary outdoor sales or storage area.

Outdoor Seating. An area located outside a building, designed and furnished for seating patrons or visitors for dining, drinking, or social interaction. Such areas may include tables, chairs, benches, and shade structures, and must maintain clear pedestrian access, comply with accessibility standards, and meet applicable health, safety, and zoning requirements. This definition does not include seating areas located within a public plaza, public park, public right-of-way, or other publicly owned or publicly accessible open spaces intended for general public use.

Outdoor Storage. Exterior storage of material, goods, or equipment with restricted public access.

Parking Lot. A parcel or portion of a parcel of land in which members of the general public may park their motor vehicles for the purpose of utilizing an adjacent use or facility. This area is not intended for parking tractor-trailers or other commercial vehicles associated with industrial or warehouse operations. (For further information on standards and requirements please see Article 4.5, Off-Street Parking.)

Parking Lot, Commercial. A lot or area used primarily for short-term parking of motor vehicles, where a fee or other charge may be assessed for parking on an hourly, daily, or other transient basis. This use may include related facilities such as access drives, payment kiosks or meters, control gates, lighting, and attendant booths.

Parking Space. Permanently surfaced area, enclosed or unenclosed, having a minimum width of nine (9) feet and an area of 180 square feet, which will accommodate a car. Parking is off street, with access from streets or secondary means.

Parking Structure. A building or portion of a building designed for the parking of motor vehicles on two (2) or more levels. A parking structure may be located above

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or below grade and may be integrated with other permitted principal or accessory uses..

Paved. A surface covered in hard materials such as concrete, masonry, bricks, pavers, cobblestone, asphalt and the like.

Pawn shop. An establishment where money is loaned on the security of personal property pledged in the keeping of the owners (pawnbroker).

Pennant. Any piece of lightweight plastic, fabric or other material suspended from a rope, wire or string, displayed in series and capable of movement in the wind.

Permanent Sign. 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.

Permitted Use. Use specifically permitted, or use analogous, as determined by the Zoning Administrator, to those specifically permitted.

Personal Services. Establishments primarily engaged in providing services involving the care of a person or of the care or repair of his or her personal goods or apparel. Personal services usually includes but is not limited to: laundry, including cleaning and pressing service, beauty shops, nail salon, barbershops, small appliance repair, shoe repair, personal copying/shipping services, health spas, photographic studios, tailor/seamstress shop, tanning salon, and similar uses.

Places of Worship (Churches/Temples/etc.). A facility used primarily to provide assembly and meeting areas for religious activities. Accessory uses include cultural events, parking, caretaker's/clergy housing, buildings ancillary to a religious function, and group living facilities such as convents. **Portable Storage Container**. A portable, enclosed container designed for temporary 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.

Portable Sign. A temporary sign not affixed to a structure or ground-mounted on a site, but rather is self-supporting and designed to be moved from place to place.

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.

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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.

Projecting Sign. 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.

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.

Race tracks/speedways. A facility designed for competitive racing events involving motorized or non-motorized vehicles, typically including a track or course and areas for spectators. Such facilities may host professional or amateur events and often require specialized infrastructure for safety, seating, and event operations.

Raceway. A structure used for wall-mounted signage with individual letters or characters located upon the exterior wall surface between the wall and the letters or sign characters. Raceways contain wiring, conduit, transformers and other electrical components.

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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.

Reader Panel Sign. A permanent on-site sign, which is designed to permit immediate change of copy by manual means.

Real Estate Sign. A temporary, on-premises sign associated with the sale, lease, or rental of the property on which the sign is located.

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.

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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.

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,

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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.

Roof Sign. A permanent sign erected on, above or over the roof so that it projects above the highest point of the roofline, parapet or fascia.

Rooming House. See "Boarding house."

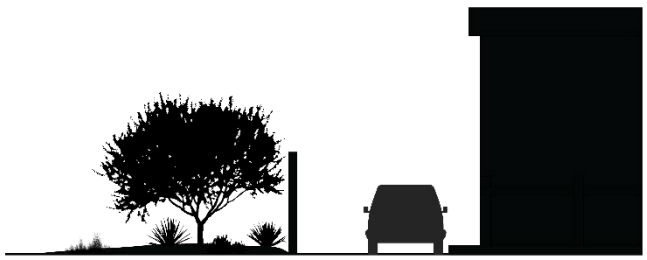
Sand Blasting. A process of cleaning, smoothing, or preparing a surface by forcibly propelling a stream of abrasive material, such as sand or similar substances, against the surface using air or water pressure.

School, Private. A private place of general instruction, including but not limited to parochial, religious, or charitable institutions, and including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes. Such facilities may include accessory services and facilities intended to serve students or faculty. Day care centers, business schools, trade or vocational schools, and instructional schools are separate use classifications and are defined and regulated pursuant to their respective provisions of this Code.

School, Public/Charter. A publicly funded place of general instruction which does not charge tuition for attendance, including buildings, athletic fields, and all accessory or accompanying structures and areas used for educational purposes, providing primary or secondary instruction, certified by and meeting all compulsory education laws of the State of Arizona and the State Board for Charter Schools, where applicable. Such facilities may include accessory services and facilities intended to serve students or faculty. Day care centers, professional business schools, trade or vocational schools, and instructional schools are separate use classifications and are defined and regulated pursuant to their respective provisions of this Code.

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



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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.

Shingle Sign. 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. Any structure, board, poster, placard, or device, which contains or comprises a display designed, used, or intended to attract the attention of the public. As used in Section 4.6 (Signage), sign includes the sign structure, display surface, and all other components.

Sign 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.

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Single Housekeeping Unit. A group of one (1) or more persons residing together in a dwelling who share use of and responsibility for common areas, household activities, and responsibilities such as meals, chores, household maintenance, and expenses. Single housekeeping unit status shall not apply to the occupants of a sorority or fraternity, motel, hotel, boarding or lodging home, recidivism or prison transitional home, or any facility that is required to be licensed by a public agency.

Site Area, Gross. The total area of a development site including, where applicable, dedicated portions of abutting streets.

Site Area, Net. Developable portions of a site not including abutting streets.

Site Plan. A plan of development showing proposed and existing structures; circulation, access and maneuvering areas; open space, landscaping, parking lots and other amenities and or required features. The plan is submitted for evaluation by the Site Plan Review Committee as described in Section 5.6.

Sleeping Room. Room, other than a guest room, in which no cooking facilities are provided.

Smoking Establishment. Any business or location that is dedicated, in whole or in part, to the use of tobacco or other substances emitting smoke or allowing inhalation of smoke or vape, including but not limited to establishments also referred to as cigar bars or lounges, hookah bars or lounges, and tobacco clubs or bars.

Social Clubs and Fraternal Organizations. A nonprofit, membership-based organization established for social, fraternal, civic, benevolent, or recreational purposes. Such organizations typically provide meeting spaces and may include accessory uses such as food and beverage service for members and their guests. These uses are not primarily engaged in commercial activities and are not open to the general public except for occasional events permitted by law.

Specified Anatomical Areas

(See: Adult Business). Areas that depict, describe or relate to:

Less than completely and opaquely covered:

A. Human genitals, pubic region;

B. Buttock; and

C. That portion of the female breast constituting the nipple and areola (the more darkly pigmented portion of the breast encircling the nipple).

D. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities

(See: Adult Business). Activities that depict, describe, or relate to:

E. Human genitals in a state of sexual stimulation or arousal;

F. Acts of human masturbation, sexual intercourse or sodomy; and

G. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

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Stable, Private. Detached accessory building for the keeping of horses, mules or ponies owned by the occupants of the premises (not kept for remuneration, hire or sale).

Stable, Commercial. Area of ten (10) or more contiguous acres containing stables for horses, mules or ponies which are bred, hired, shown or boarded on a commercial basis.

Story. Portion of a building between the upper surface of a floor and the upper surface of the floor next above; the top most story shall be a portion of the building included between the upper surface of the top most floor and the ceiling or roof above. If the finished floor level directly above a basement, cellar or unused underfloor space is more than six (6) feet above grade or more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above grade at any point, the basement, cellar or unused underfloor space shall be considered a story.

Street. Dedicated public or private passageway which affords the principal means of access to abutting property. The term does not include alleys.

Street, Centerline. Centerline of a street right of way determined by the City Engineer.

Street, Line. Dividing line between a lot, tract or parcel and a contiguous street (right of way).

Structural Alterations. Change in supporting members of a building (bearing walls, or partitions, columns, beams, or girders) or the complete rebuilding of a roof.

Structure. Piece of work constructed or erected, use of which requires location on the ground or attached to something having location on the ground (not a tent, vehicle, trailer coach or mobile home).

Structure, Temporary. Piece of work readily movable and used or intended for a period not to exceed ninety (90) consecutive days. Structure shall be subject to applicable property development standards for the district in which it is located.

Subdivision Regulations. Chapter 15 of the Goodyear City Code as adopted and amended from time to time by the City Council.

Swap Meets. A marketspace where groups of sellers rent space to display, barter or sell goods to the public. The marketspace is composed of semi-enclosed or outdoor stalls, stands or spaces, and is distinguished from a farmer's market or craft fair in that the principal items sold, displayed or bartered are used or previously owned items, and are not fresh produce items, art items or handicrafts.

Swimming Pool, Private. A contained body of water used for bathing or swimming purposes either above or below ground level with the container being eighteen (18) inches or greater in depth at any point.

Swimming Pool, Public. Same as private pool, but operated as a commercial business. Public swimming pools shall conform with Maricopa County health requirements.

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.

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Tabacco Retailer. Any Licensed business who primarily sells or offers for sale, tobacco, tobacco products, or tobacco paraphernalia, vape products, hookah or who distributes samples of tobacco products or paraphernalia. These businesses include but are not limited to, tobacco shops, cigars and pipe retailer, cigarette or electronic cigarette, vape, or hookah retailer, and smoking establishments.

Temporary Construction Offices. A temporary structure or facility located on the same site as, or immediately adjacent to, an active construction project, used for administrative or management purposes related to that project. Such offices are permitted only for the duration of the construction activity under a valid building permit and shall be removed upon completion of the project or expiration of the permit.

Temporary Sign. 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.

Temporary Use. A use, business, sale, display, or event which is conducted for a specified, limited amount of time that are generally related to a particular seasonal, cultural, traditional or community activity.

Townhouse. Single family dwelling with party walls and no side yards between abutting dwellings.

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

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include basic accessory features such as lighting, security measures, restrooms, or driver amenities, but does not include fuel sales, freight transfer operations, or customer-serving retail uses.

Truck Stop/Travel Plaza. A commercial facility designed primarily to serve the needs of commercial motor vehicle operators and the traveling public, offering fuel, convenience retail, and accessory services. Typical accessory uses may include food service establishments, restrooms, showers, vehicle servicing, weigh scales, and short-term parking for passenger vehicles and commercial trucks. Truck parking at a truck stop is accessory to the primary commercial services and is not intended for long-term storage of commercial vehicles. A travel plaza may also include overnight accommodations and restaurant facilities primarily for the use of truck crews. Other facilities may also be present, such as convenience markets and restaurants.

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.

Vehicle Sign. A sign mounted, painted or otherwise placed on a truck, bus, car, boat, trailer or other vehicle or equipment and used in such a manner that the sign is visible from a public street or right-of-way and the primary purpose of such vehicle or equipment is for the display of such signage.

Ventilation Court. An area provided within a building site, open to the sky, for the purpose of providing light and air to rooms intended for human habitation which do not other wise have window exposure to a street, alley or other open space. The width of a court shall be its least horizontal dimension.

Veterinary Hospital. An office maintained by a licensed doctor of veterinary medicine for the treatment and care of small animals, namely the usual household pets and other animals of a similar size and nature but not livestock. Does not include overnight boarding of animals that are not under medical care.

Veterinary Office/Clinic. A facility used by one or more licensed veterinarians to provide medical services to household pets (e.g., dogs, cats, rabbits, iguanas, etc.) and/or a facility where pets are provided general hygienic and similar care using non-prescriptive over-the-counter supplies. Does not include overnight boarding of animals that are not under medical care.

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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.

Wall Sign. 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.

Warehouse/Wholesale/Distribution Facility. An establishment primarily engaged in the sale, trade or distribution of finished goods and materials in large quantity to retailers or other businesses for resale to the general public or business customers, and limited retail uses when directly associated with the wholesale use. This use shall not include heavy manufacturing, agriculture intensive operations, food processing, bulk storage of hazardous or explosive materials, or scrap or salvage operations. Wholesale uses that sale to the general public, including membership-based uses, shall be considered retail, large.

Waste Facility, Landfill. A planned and approved method or system of waste disposal in which the waste is disposed or buried in layers, compacted by earth or other approved methods, also known as sanitary landfill.

Waste Facility, Transfer Station. A facility or site where solid waste from households, businesses, and industries is transferred from one type of collection vehicle or container to another. Transfer activities are entirely within covered structures. A transfer station is an intermediary point between the locations of waste generation and the sites of ultimate processing or disposal. Does not include liquid waste transfer, hazardous or toxic waste disposal, solid waste disposal, or liquid waste recycling or refining activities.

Window Sign. Any poster, cut-out letters, painted text or graphic, or other text or visual presentation affixed to the interior or exterior of a window, or placed within six feet of a window pane, and placed so as to be read from the exterior of the building. This does not include any item, such as merchandise, normally displayed within a store window.

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

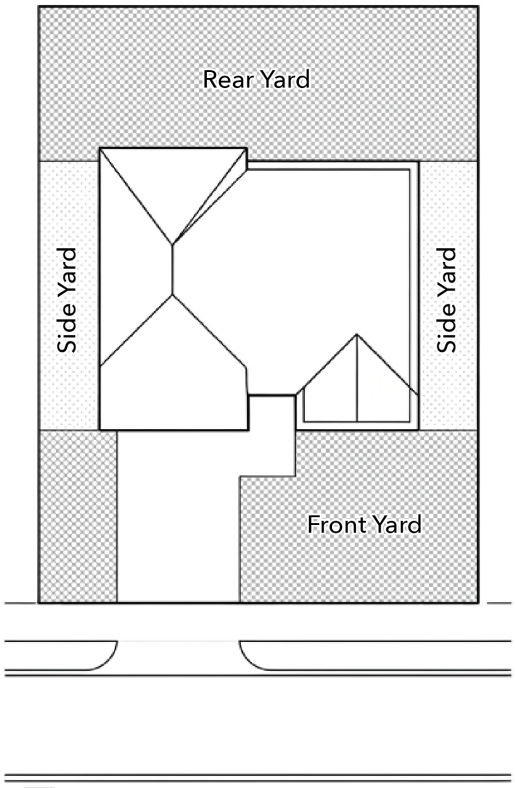
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commercial corner lot is the yard adjacent to the major street, unless otherwise determined by the Zoning Administrator.

Yard, Rear. Open space on the same lot with a main building, between the rear line of the principal building and the rear line of the lot, extending the full width of the lot.

Yard, Side. Open, unoccupied space on the same lot with a main building situated between the building and the side line of the lot, and extending from the front yard to the rear yard. Any lot line not a rear line or a front line shall be deemed a side line. Interior side yard is defined as a side yard adjacent to a common lot line.

Figure 8.2.O - Yard Terminology



Yard Sign. A temporary sign made of corrugated plastic, metal, grey board, or similar type of material and that is generally supported by stakes inserted into the ground.

Zoning Administrator. The Development Services Department Director, or designee.

Zoning Conditions. Conditions and/or stipulations imposed by the City Council as a condition of approval of a zoning amendment.

Zoning Ordinance. The Zoning Ordinance of the City of Goodyear, Arizona as adopted and amended from time to time by the City Council.

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

Zoos. 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.

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Attachment B - BESS Regulation Comparisons

Regulatory Conditions	Goodyear (Proposed)	Buckeye	Mesa	Maricopa County	Phoenix	Peoria	Surprise
Definition	Assembled devices, energy storage distribution, associated equipment	Utility-scale	Principal use greater than 5,000kW; accessory use less than 5,000kW	Utility-scale designed for energy market/grid services	Residential BESS: 3kWh – 27kWh over counter permit	Under development/ consideration	Assembled devices, energy storage distribution, associated equipment
Where Allowed	Special use in I-1/I-2; Residential applications exempt	CUP in AG/R1-43; Permitted in I-1/I-2	Principal use in GI and HI w/ PAD overlay; accessory allowed in AG, Res, Com, MU	Principal use w/ POD in IND-2 and IND-3	Conditional use in Industrial Use (A-1, A-2) categories		Overlay Zoning District, except for the Surprise Heritage District (SHD), or on any individual residential dwellings
Separation	330' from Res/Sensitive Uses, can request reduction to 150'; 150' from Com & Ind, can request reduction to 100' if adjacent to BPD, I-1 & I-2	150' from Residential	1,000' from Res/Sensitive Uses; 150' from Com & Ind	100' feet from lot line	Follows 2018 International Fire Code (IFC) with local amendments, plus several NFPA standards.	Follows 2018 International Fire Code (IFC) with local amendments, plus several NFPA standards.	Located no closer than fifteen hundred feet (1,500') from any existing dwelling
Site & Bldg. Design	Setbacks, screening, underground utilities, building mass/height limits	Enforce UL 9540 and NFPA 855 Standards; screening; height exceptions for utilities; landscaping	Setbacks, screening, underground utilities (if necessary), building mass/height limits	Baseline standards subject to POD process	Enforce Fire Code and NFPA Standards	Enforce Fire Code and NFPA Standards	Setbacks, screening, landscaping
Noise	Baseline; Compliance & Monitoring request; mitigation	Hazard mitigation analysis (people/environment)	Baseline + post-construction + annual monitoring; mitigation	Baseline standards subject to POD process			Baseline study; mitigation
Operation Plan	Decommissioning plan; Enforce UL 9540 and all applicable NFPA Standards	decommissioning plan; Enforce UL 9540 and NFPA 855 Standards	Emergency response plan and decommissioning plan	Baseline standards subject to POD process			decommissioning plan; Enforce UL 9540 and NFPA 855 Standards

Attachment C - Data Center Regulation Comparisons

Regulatory Conditions	Goodyear (Proposed)	Phoenix	Mesa	Chandler	Tempe	Marana	Tucson (under development)	Maricopa County
Definition	Facility or portion of facility; network computer systems; remote storage, processing, data distribution	Facility used for energy storage distribution and associated equipment, excludes accessory conditions	Very broad facility; advance operations (AI, blockchain, crypto, modeling)	Facility or portion of facility; network computer systems; data storage, processing, distribution	Very broad facility; primary service is data processing or data storage and houses computer systems and associated components	Broad facility; servers, utilities, data management	Facility, multiple facilities, or portion of a facility; gross floor area greater than 50,000 SF or uses greater than 50 MW of energy, housing networked computer systems	Facility primarily used for the processing, management, or storage of digital information, housing computer servers, data storage equipment, and related infrastructure.
Where Allowed	Permitted with Conditions in I-1 & I-2; accessory allowed with limits	Permitted with conditions in C-2, C-3, CP/GCP, A-1 and A-2 (w/ a special permit)	Principal use in PAD; accessory allowed under conditions	Principal use in PAD only; accessory allowed with limits	Principal use in the MU-ED, GID, and HID with a use permit	Principal via Specific Plan (PAD); accessory use in LI/HI	Special exception I-2, PAD or PCD. Increased Notification Radius to all property owners within ½ mile and all HOA's within 2 miles	Permitted use with a Plan of Development (POD) approval within IND-2 (general industrial and IND-3 (heavy industrial)
Site & Bldg. Design	Setbacks residential (300'), screening, underground utilities, landscape buffers, building mass/height limits	Setbacks (150' from ROW or residentially zoned property), screening, landscape setback, enhanced architecture, lines 12k and below underground	Setbacks residential (400')/non-residential (base stds), PAD standards, landscape buffers, massing/façade treatments; flexible via PAD	Setbacks, screened equipment, landscaping, architectural treatments	Setbacks residential use or district (500'), must comply with use permit approval criteria	Setbacks residential (400'), non-residential (100"), screening, underground utilities, landscape buffers, building mass/height limits	2,640 feet of separation from urban residential zones and noise-sensitive uses (e.g., schools) ; 1,000 feet of separation from commercial or office zones	No special considerations
Noise	Baseline; Compliance & Monitoring request; mitigation	Facility and associated equipment will not exceed 55 DB(A) between set hours and 45 DB(A) at night	General operational compliance; enforcement tied to occupancy	Baseline + post-construction + annual monitoring; mitigation; liaison	Generators shall be located within an enclosed building to reduce impacts on noise	Baseline + post-construction + annual monitoring; max level by use	Baseline + annual monitoring; max level by use	No special considerations
Backup Power	Screened/setback; must meet noise limits; website	Screened/setback; must meet noise limits	Covered under operational/PAD review	Restricted hours, notice, sound mitigation	See above	Diesel Tier IV, emergency use, limited hours	Diesel Tier IV generator, emergency use only, limited hours	No special considerations
Water & Utilities	Electric & Water source documentation	Energy will serve letter, additional studies as requested (water, fire, hazardous materials	Reviewed during PAD/special approval	Considered during PAD review	"Extreme-Water Use" shall submit a water use plan	Must demonstrate adequate electricity/ water; potable water prohibited for cooling	Must demonstrate adequate electricity/ water and disclose energy demand; additional water regs for large users (over 10K ccf)	No special considerations
Parking	Reduced parking ratio w/ adequate space for expansion	Minimum distance from transit; streetscape/shaded paths	Minimum parking ratios defined	Minimum parking ratios defined	No special considerations	No special considerations	Righted sized parking standards to reduce paved surfaces	No special considerations

Municipalities that do not currently have a standalone "data center ordinance": Scottsdale, Glendale, Peoria. Overall, these municipalities generally regulate data center facilities using existing industrial and commercial zoning/development standards, which focus on aligning projects with city codes, infrastructure capacity, and, increasingly, sustainable water usage. Town of Gilbert is currently looking into preparing a text amendment to the town's Land Development Code to create new standards and procedures for data center development.

Alternative Data Center Development Model: Project Baccara, Maricopa County (Obtained Certificate of Environmental Compatibility from ACC on 2/4/26 for power plant (subject to ARS 40-360.06: Factors to be considered in issuing a certificate of environmental compatibility), P&Z Commission *Approved project application 4/9/26*, BOS scheduled for *early May*) – Developers are seeking to build a 700-megawatt gas-fired power plant to fuel a data center project on a 160-acre site. Project Baccara is offering an alternative to the typical data center model, which can strain the existing power grid and contribute to rising utility costs. The developer is pursuing a BYOP (bring your own power) approach. Eventually, their plan is to hook the power plant up to the grid as a peaker source during times of high demand.