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When recorded mail to:

City of Goodyear
City Clerk's Office
1900 N. Civic Square
Goodyear AZ 85395

ORDINANCE NO. 2024-1606

AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 2-2 (DEFINITIONS), AMENDING SECTIONS 3-3-2, 3-3-3, 3-4-1, 3-4-2 OF ARTICLE 3 (ZONING DISTRICTS), AMENDING SECTION 4-1-3 (SPECIAL USES CONSIDERED IN SPECIFIED DISTRICTS) OF ARTICLE 4 (REGULATION OF PARTICULAR USES) AND ADDING SECTION 4-2-20 TO ARTICLE 4-2 (USES REQUIRING ADDITIONAL EVALUATION) RELATED TO SELF-SERVICE STORAGE FACILITIES, USE PERMITS, AND SPECIAL USE PERMITS; PROVIDING FOR CORRECTIONS, SEVERABILITY, AND AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

DO NOT REMOVE

This is part of the official document

ORDINANCE NO. 2024-1606

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING GOODYEAR ZONING ORDINANCE ARTICLE 2-2 (DEFINITIONS), AMENDING SECTIONS 3-3-2, 3-3-3, 3-4-1, 3-4-2 OF ARTICLE 3 (ZONING DISTRICTS), AMENDING SECTION 4-1-3 (SPECIAL USES CONSIDERED IN SPECIFIED DISTRICTS) OF ARTICLE 4 (REGULATION OF PARTICULAR USES) AND ADDING SECTION 4-2-20 TO ARTICLE 4-2 (USES REQUIRING ADDITIONAL EVALUATION) RELATED TO SELF-SERVICE STORAGE FACILITIES, USE PERMITS, AND SPECIAL USE PERMITS; PROVIDING FOR CORRECTIONS, SEVERABILITY, AND AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A COPY OF THIS ORDINANCE.

WHEREAS, public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the Planning and Zoning Commission on June 26, 2024 appeared in the Arizona Republic West Valley Edition June 7, 2024; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on June 26, 2024, and at that meeting the Commission voted (7-0) to recommend approval of the proposed ordinance; and,

WHEREAS, subsequent to the Planning and Zoning Commission meeting, an alternative Ordinance was drafted which removed Automotive Repair and Automobile Service Stations (Gas Stations) from the proposed Zoning Ordinance Text Amendment; and,

WHEREAS, a public notice that this rezoning request would be considered and reviewed at a public hearing to be held before the City Council on July 8, 2024 appeared in the Arizona Republic West Valley Edition June 7, 2024; and

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

SECTION 1. Article 2-2 (Definitions) of the Goodyear Zoning Ordinance is hereby amended as follows to amend and add the definitions set forth below (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

Self-service Storage Facility. A building, group of buildings or a commercial parking lot, or a combination thereof, that has indoor and/or outdoor areas of varying sizes which are rented for the storage of personal property and/or recreational vehicles.

Zoning Permit. Permit granted to a property owner through the Community Development Services Department upon a finding that the allowed activity is in conformance with the intent of this Code. To the

extent authorized by this Chapter, a **Zoning Permit** Such permit may be limited by specific conditions, restrictions, terms, or time period.

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

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

1. Auto sales, leasing.
2. Banks and financial **institutions**, including drive-thru facilities, but excluding **non-chartered financial institutions**.
3. Business and professional offices.
4. Crematory.
5. Equipment rental.
6. **Day care** (elderly or youth).
7. **Manufactured home** sales.
8. Personal and household services, such as barber and hair styling shops, beauty salons, clothing alterations, dry cleaning shops, furniture and appliance repair, copying shops, self service **laundry**, shoe repair shops, but excluding drive through window facilities.
9. Retail stores with sales only, not to exceed ten thousand (10,000) square feet of **gross floor area**, individually; and not to exceed fifty thousand (50,000) square feet in a commercial complex. Drive through facilities and **convenience uses** require **Use Permit** approval.

10. Self-service storage facilities, subject to the requirements of Section 4-2-20 (Self-Service Storage Facilities Regulations).

11.10. Studios for the practice and sale of the fine arts.

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

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

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

1. Adult bookstore, adult novelty store and adult theater, subject to the conditions of subsection 4-2-1.
2. Automotive Repair and upholstery.
3. Banks and financial **institutions**, excluding **non-chartered financial institutions**.

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

- a. Live music or entertainment shall only be allowed as an accessory use if the facility is located a minimum of three hundred feet (300') from the property line of any residentially zoned or designated property. The area within the facility

designated for music or entertainment activities shall not exceed 5,000 square feet. All noise generated by live music or entertainment activities shall be fully contained within the indoor space occupied by the bar/cocktail lounge.

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

5.4. Bus terminals.

6.5. Business and professional offices.

7.6. Carpet and rug **cleaning services**.

8.7. Cleaning and dying plants.

9. Costume rentals.

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

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

12. Employment agency.

13. Entertainment establishments, general, including athletic facilities, bowling **alleys**, electronic game centers and arcades, ice and roller rinks, miniature golf, performing arts centers, pool halls and theaters.

14. Express office, including railway.

15. Fine arts studios.

16. Frozen food lockers.

17. Funeral home.

18. Fur cleaning and storage.

19. Health **club**.

20. **Hospital** supplies.
21. **Hotels** and **motels**.
22. Key and lock service.
23. **Large Retail User**, subject to the provisions of Article 4-2-7.
24. **Parking lots**.
25. Pawn shop.
26. Personal and household services, such as barber and hair styling shops, beauty salons, clothing alterations, dry cleaning shops, furniture and appliance repair, copying services, self service **laundry**, shoe repair shops (but excluding drive through facilities).
27. Plumbing shop.
28. Private business, professional, and trade schools.
29. **Public utility facilities** and offices including facilities to serve the immediate area, but not including outside storage or maintenance **yards** for public utility use.
30. **Restaurants**, including Drive-Through Restaurants with drive-through lanes located more than five hundred (500) feet from any residential zoning district, but excluding Drive-In Restaurants and all other Drive-Through Restaurants except as set forth herein, subject to the following conditions or limitations:
 - a. Live music and/or other forms of entertainment activities shall only be allowed as an accessory use if all of the following requirements are met. The restaurant is located a minimum of three hundred (300) feet from the property line of any residentially zoned or designated property. The area within the restaurant designed and/or used for live music and/or entertainment activities does not exceed five thousand (5,000) square feet. All noise generated by live music and/or entertainment activities is fully contained within the indoor space of the restaurant.

b. Patron dancing within the indoor space of a Restaurant shall be allowed as an accessory use provided the area within a Restaurant devoted to patron dancing does not exceed twenty-five (25) percent of the total indoor floor area of the Restaurant.

c. Drive-Through Restaurants shall meet the requirements of Section 4-2-18 (Drive-Through Restaurants).

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

32. Second hand stores.

33. Seed and feed, **retail** and sales office.

34. **Self-service storage facilities**, subject to the requirements of Section 4-2-20 (Self-Service Storage Facilities Regulations).

35.~~34.~~ **Sign** painting shop.

36.~~35.~~ Taxidermist.

37.~~36.~~ Travel bureaus.

38.~~37.~~ Typewriter and business machine sales and repair.

39.~~38.~~ Window glass installation shops.

40.~~39.~~ **Veterinary Offices**, provided such facilities are constructed to prevent objectionable noises and odors outside the **walls** of the office. Boarding of animals shall be permitted only for short time periods for the purpose of observation incidental to care.

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

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

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

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

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

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

1. Automobile **service stations**, subject to the provisions of Article 4.
2. Car wash (hand or automatic), subject to the provisions of Article 4.
3. **Convenience use** subject to the provisions of Article 4.
4. **Hospitals** and related uses.
5. Limited outdoor display of nursery stock, lawn furniture, garden supplies and outdoor accessory items, in conjunction with a primary **retail** use, when not in conflict with pedestrian and/or traffic movement or established parking areas.
- ~~6. Storage **buildings** consisting of individually rented storage rooms which are independently **accessed** and locked and are used for dead storage purposes.~~
- ~~6.7.~~ Mobile home sales.
- 7.8. **Veterinary Hospitals**, provided such facilities are constructed to prevent objectionable noises and odors outside the **walls** of the office.
 - a. Keeping or boarding of animals shall not occupy more than twenty-five percent of the gross area of the office.
 1. There shall be no outdoor **kennels** or runs.

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

~~8.9.~~ *Drive-In Restaurants*. The required information and evaluation criteria shall be the same as for convenience uses under Section 4-2-2.

~~9.10.~~ *Drive-Through Restaurants* when any portion of a drive-through lane is located within five hundred (500) feet of any residential zoning district. The required information and evaluation criteria shall be the same as for convenience uses under Section 4-2-2. Drive-Through Restaurants shall meet the requirements of Section 4-2-18 (Drive-Through Restaurants).

SECTION 5. Section 3-4-1(A) (Principal Permitted Uses) of Section 3-4-1 (I-1 Light Industrial Park) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

1. **Manufacturing**, assembling, and processing.
2. Marijuana Dual Facility subject to the provisions of Section 4-2-17.
3. **Medical Marijuana Dispensary** subject to the provisions of Section 4-2-11.
4. **Medical Marijuana Cultivation Location** subject to the provisions of Section 4-2-12.
5. **Microbrewery**, producing fifteen thousand (15,000) barrels of beer or less per year.
6. **Office buildings**.
7. Parking lot or garage.

8. Private business, professional, and trade schools.
9. **Public utility facilities.**
10. Scientific or research laboratories.
11. ~~Similar uses as determined by the **Zoning Administrator**, or his designee.~~
11. **Self-service storage facilities**, subject to the requirements of Section 4-2-20 (**Self-Service Storage Facilities Regulations**).
12. **Veterinary Offices.**
13. **Veterinary Hospitals** and animal boarding facilities, provided:
 - a. Activities at such facilities are conducted entirely indoors, except for supervised and controlled outdoor exercise areas;
 - b. The facilities are constructed to prevent objectionable noises and odors outside the walls of the office;
 - c. There shall be no outdoor kennels or runs; and
 - d. There shall be no direct outside exit from any room containing kennels.
14. Warehouse, wholesale, or distribution facility.
15. Similar uses as determined by the **Zoning Administrator**, or his or her designee.

SECTION 6. Section 3-4-2(A) (Principal Permitted Uses) of Section 3-4-2 (I-2 General Industrial Park) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

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

1. Adult bookstore, adult novelty store and adult theater, subject to the conditions of Section 4-2-1.
2. Food Bank.
3. Animal boarding, breeding, shelter, or pound.
4. Automotive repair including body and fender works.
5. **Brewery**, producing forty thousand (40,000) barrels of beer or less per year.
6. Cement and paving material mixing plant.
7. Egg handling facility.
- ~~8,9.~~ Parking lot or garage.
- ~~9,10.~~ Private business, professional, and trade schools.
- ~~10,11.~~ **Public utility facilities**, wastewater treatment plants, and water reclamation facilities.
- ~~11,12.~~ Emissions testing and vehicle licensing.
- ~~12,13.~~ Foundry or casting of metal which does not cause noxious odors or fumes.
- ~~13,14.~~ Highway maintenance facilities.
- ~~14,15.~~ Machine shop.
- ~~15,16.~~ **Manufacturing**, assembling, and processing.
- ~~16,17.~~ Marijuana Dual Facility subject to the provisions of Section 4-2-17.
- ~~17,18.~~ Meat products, packing, smoking and curing, providing no objectionable fumes are emitted.

~~18.17.~~ **Medical Marijuana Cultivation Location** subject to the provisions of Section 4-2-12.

~~19.20.~~ **Medical Marijuana Dispensary** subject to the provisions of Section 4-2-11.

~~20.21.~~ Monument Works.

~~21.22.~~ **Office buildings.**

~~22.23.~~ Private Commercial Outdoor Entertainment Venue.

~~23.24.~~ Public works facilities.

~~24.25.~~ Radio and television transmitting tower and facilities.

~~25.26.~~ Sand blasting.

~~26.27.~~ Scientific or research laboratories.

~~27.~~ **Self-service storage facilities**, subject to the requirements of Section 4-2-20 (**Self-Service Storage Facilities Regulations**).

28. Sewage disposal and treatment plant.

29. Tire retreading and vulcanizing.

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

- a. Contractors equipment storage **yard** or plant, or rental of equipment commonly used by contractors.
- b. Lumber **yard**, planing mills.
- c. Motion picture studio.
- d. Transfer company, trucking terminal.

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

31,32. **Veterinary Offices.**

32,33. **Veterinary Hospitals.**

33,34. Warehouse, wholesale or distribution facility.

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

SECTION 7. Section 4-1-3(A) (Considered Uses) of Section 4-1-3 (Special Uses Considered in Specified Districts) of the Goodyear Zoning Ordinance is hereby amended as follows (with deletions shown by ~~strikeout text~~ and additions shown by double underlined text):

A. **CONSIDERED USES.** Uses which may be considered in certain Districts are:

1. Commercial Districts.

a. Adult live entertainment, erotic dance or performance studio (C-2 only), subject to the requirements of subsection 4-2-1.

b. Amusement park, auditorium, stadium, arena, gymnasium, or other similar places for public events. (C-2 only)

c. Bus terminal, railroad passenger station.

d. Large Retail Users (C-2 only), subject to the requirements of subsection 4-2-7.

e. ~~Mini-storage and recreational vehicle~~ Self-service storage facilities that do not meet the regulations outlined in section 4-2-20 (Self-Service Storage Facilities Regulations).

f. Plant nurseries, which are defined as a business where trees, shrubs, flowers and other plants are grown on or brought to the premises and maintained there for the purpose of sale from the premises. Such other additional products shall be permitted to be sold as are customarily incidental to the plant nursery operation.

g. Private clubs and fraternal organizations.

h. Restaurants, bars/cocktail lounges, brewpubs or microbreweries with any of the following factors (C-2 only):

1. live music or entertainment when the facility is located less than three hundred feet (300') from the property line of any residentially zoned or designated property;
2. the area within the facility designated for music or entertainment activities exceeds 5,000 square feet;
3. the area devoted to patron dancing exceeds twenty-five percent (25%) of the total floor area; or,
4. open after hours as defined by State law (generally, closing time of the dance floor is later than that of the bar).

i. Teen Entertainment Center, if the facility is located a minimum of 500 feet from a bar/cocktail lounge (C-2 only).

j. Microbrewery (C-2 only), producing more than 15,000 barrels of beer per year.

2. Industrial Districts.

a. Any Special Use which may be considered in Commercial Districts.

b. Airport, heliport, helistop, and other landing areas, subject to local, state and federal requirements and restrictions.

c. Cemeteries, crematories, mausoleums, including those for pets.

d. Circus and carnival grounds having permanent facilities.

e. Development or extraction of earth products, clay, gas, gravel, minerals, sand, stone, topsoil.

f. Drive in theaters.

g. Race tracks, speedways.

h. Sanitary landfills, transfer stations, recycling facilities.

i. Swap meets, auctions.

j. Zoos.

k. Brewery (I-2 only), producing more than 40,000 barrels of beer per year.

- l. Brewery (I-2 only), if the brewery will have live music or entertainment activities.
- m. Microbrewery (I-1 only), producing more than 15,000 barrels of beer per year.
- n. Microbrewery (I-1 only), with any of the following factors:
 - 1. live music or entertainment when the facility is located less than three hundred feet (300') from the property line of any residentially zoned or designated property;
 - 2. the area within the facility is designated for music or entertainment activities exceeds 5,000 square feet;
 - 3. the area devoted to patron dancing exceeds twenty-five percent (25%) of the total floor area; or,
 - 4. open after hours as defined by State law (generally, closing time of the dance floor is later than that of the bar)

SECTION 8. City of Goodyear Zoning Ordinance Article 4 (Regulation of Particular Uses) Article 4-2 (Uses Requiring Additional Evaluation) is amended by adding new Section 4-2-20 (Self-Service Storage Facilities Regulations) as follows:

§ 4-2-20 Self-Service Storage Facilities Regulations.

- A. This section applies to all **self-service storage facilities**, where listed as a Principal Permitted Use in a zone with reference to this section.
- B. If located within five hundred (500) feet of a residential zoning district (excluding open space tracts or greenbelts in a developed or platted residential neighborhood) and not separated by a public roadway, canal, or railroad track, the facility shall be closed daily from 10:00 p.m. to 5:00 a.m.
- C. Storage of hazardous or dangerous materials is prohibited.
- D. No storage building shall exceed three (3) stories in height.

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

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

G. Except for the main public entrance located on the first floor, the interior of the building (including without limitation interior contents, decorations, and storage unit doors, but not including those associated with the main office, staff offices, or lobby) shall not be visible from public roadways or residentially zoned properties.

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

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

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

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

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

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

1. All storage shall be within an enclosed building.
 2. Land area dedicated to storage shall not exceed:
 - a. Fifty percent (50%) of a commercial center or contiguous area of a commercial zoning district, and
 - b. Seven and a half (7.5) acres.
 - c. If the land area dedicated to storage exceeds the provisions of Article 4-2-20(j)(2)(a) and 4-2-20(j)(2)(b), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Article 4-1-1.
 3. Shall not be located within two thousand, six hundred and forty feet (2,600) feet of another **self-service storage facility**.
 - a. If a storage unit does not comply with the provisions of Article 4-2-20(3), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Article 4-1-1.
 4. A **self-service storage facility** shall not be located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two arterials (including parkways).
 - a. If a storage unit does not comply with the provisions of Article 4-2-20(j)(4), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Article 4-1-1.
- N. In the I-1 Light Industrial Park **district** and the I-2 General Industrial Park **district**, all outdoor storage (including without limitation the tops of recreational vehicles) shall be screened from the view of public roadways and residentially zoned areas by a solid wall or canopy.

SECTION 9. CORRECTIONS. The City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors,


references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 10. 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 11. EFFECTIVE DATE. This Ordinance shall become effective thirty days after adoption in the manner prescribed by law.

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 7-0 vote, this 8th day of July, 2024.



Joe Pizzillo, Mayor
Date: July 8th, 2024

ATTEST:


Darcie McCracken, City Clerk

APPROVED AS TO FORM:


Roric Massey, City Attorney

