

## **ORDINANCE NO. 15-1318**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, PROVIDING FOR AN AMENDMENT TO THE PALM VALLEY 303 PLANNED AREA DEVELOPMENT (PAD), GENERALLY LOCATED ON THE EAST AND WEST SIDES OF SR 303 AND ON THE NORTH AND SOUTH SIDES OF INDIAN SCHOOL ROAD, TO INCREASE THE MAXIMUM ALLOWED BUILDING HEIGHT; ADOPTING SUPPLEMENTARY ZONING MAP NO. 15-01A; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

WHEREAS, Article 3-5 of the City of Goodyear Zoning Ordinance, adopted May 24, 1999, as amended, authorizes the City to approve Planned Area Developments which may include standards or criteria that differ from those regulations pertaining to other districts to accommodate variations in building design, lot arrangements and land uses; coordinated and compatibly arranged variety of land uses; and to assist in fulfilling the goals, objectives and policies of the Goodyear General Plan; and,

WHEREAS, the City Council of the City of Goodyear conditionally approved the rezoning of the property known as the Palm Valley 303 (formerly Palm Valley Phase 6, Perimeter West) through adoption of Ordinance No. 05-948 on June 27, 2005, conditionally approved Ordinance No. 07-1097 on January 14, 2008, and conditionally approved Ordinance No. 11-1243 on July 11, 2011, in the manner prescribed by law, for the purpose of establishing the Palm Valley 303 Final PAD Development Plan which included certain land uses, development parameters, and standards specific to this property; and,

WHEREAS, the City of Goodyear Planning and Zoning Commission held a public hearing on Case No. 15-210-00001 on February 18, 2015, in the manner prescribed by law, for the purpose of considering a request to amend the Planned Area Development zoning for Phases I, II, V, & VI of the Palm Valley 303 Final PAD by revising the Palm Valley 303 Development Parameters and Uses to increase the maximum allowed building height from 50 feet to 75 feet in all I-1, Light Industrial zoned properties both inside and outside of the Luke AFB APZ II; and,

WHEREAS, due and proper notice of such public hearing before the City of Goodyear Planning and Zoning Commission was given in the time, form, substance and manner provided by law, including publication of such notice in THE ARIZONA REPUBLIC SOUTHWEST EDITION on January 30, 2015; and,

WHEREAS, the City of Goodyear Planning and Zoning Commission has recommended to the Mayor and Council of the City of Goodyear, Arizona, that it approve the proposed amendment to the Palm Valley 303 Final PAD for Phases I, II, V, & VI as aforesaid; and,

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona, desire to accept the recommendation of the Planning and Zoning Commission and amend the Development Parameters for the Palm Valley 303 Final PAD Development Plan for Phases I, II, V, & VI as proposed.

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

SECTION 1. AMENDING THE PALM VALLEY 303 FINAL PAD

The Palm Valley 303 Final PAD adopted by Ordinance No. 05-948 as amended is hereby amended as follows. The Palm Valley 303 PAD Development Parameters and Uses is hereby replaced with that certain document titled "Exhibit A - Amendment to PV 303 PAD Development Parameters and Uses (April 2015)", three copies of which are on file with the City Clerk of the City of Goodyear, Arizona, which document was declared a public record by Resolution 15-1696, and is hereby referred to, adopted and made a part hereof as if fully set forth in this ordinance. The approval herein is subject to compliance with the conditions of approval contained within Ordinance Nos. 05-948, 07-1097, and 11-1243.

SECTION 2. AMENDMENT OF ZONING MAP

The Zoning Map of the City of Goodyear is hereby amended to reflect the amendment of the Palm Valley 303 Final PAD for Phases I, II, V, & VI referred to in Section I by the adoption of Supplementary Zoning Map 15-01A, a copy of which is attached hereto as Exhibit A, for the property legally described in Exhibit B, a copy of which is also attached hereto, 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 3. CORRECTIONS

The Zoning Administrator, City Clerk, City Attorney 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 4. 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 5. EFFECTIVE DATE

This ordinance shall become effective as prescribed by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Goodyear, Arizona, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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Georgia Lord, Mayor

Date: \_\_\_\_\_

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Maureen Scott, City Clerk

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Roric Massey, City Attorney

