

ORDINANCE NO. 17-1339

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING THE FINAL PLANNED AREA DEVELOPMENT (PAD) ZONING FOR ESTRELLA MOUNTAIN RANCH VILLAGES VII AND IX TO MODIFY THE DENSITY STANDARD APPLICABLE TO PARCEL 7.5 WHICH IS GENERALLY LOCATED ON THE WEST SIDE OF ESTRELLA PARKWAY, SOUTH OF CALISTOGA DRIVE; AMENDING THE ZONING MAP OF THE CITY OF GOODYEAR; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 25, 1988, the City Council adopted Ordinance No. 88-257 rezoning approximately 5,493 acres in the area from the Narramore Road alignment on the north, the Litchfield Road alignment on the east, the Pecos Road alignment to the south and Rainbow Valley Road on the west to the Planned Area Development District for the Estrella Phase II Final PAD; and,

WHEREAS, 1317 acres of the property within the Estrella Phase II Final PAD was rezoned by Ordinance No. 04-917 adopted by the City Council on October 12, 2004 which established new development plans and standards pursuant to the Final PAD document entitled “Estrella Mountain Ranch Villages VII and IX, An Amendment of Portions of the Estrella Phase II Final PAD, dated August 4, 2004” (“EMR Villages VII and IX PAD Amendment”); and,

WHEREAS, the EMR Villages VII and IX PAD Amendment established a minimum and maximum number of dwelling units allowed in each residential parcel within said PAD; and

WHEREAS, on May 19, 2014, the City Council adopted Ordinance No. 14-1295, which, among other things, amended the Zoning Classification Matrix for Village 7 Zone in Tab 7 of the Estrella Mountain Ranch Villages VII and IX PAD for Parcel 7.1 to reflect an acreage of 16.49 acres at 4.31 units per acre with a maximum of 71 units; and

WHEREAS, due to changes in housing market demands, the property owner has submitted a request for an amendment reducing the minimum number of dwelling units allowed in Parcel 7.5 within the EMR Villages VII and IX PAD; and

WHEREAS, this requested zoning amendment would not change the designated land use and/or zoning for the properties within the EMR Villages VII and IX PAD Amendment; and

WHEREAS, on December 8, 2016, in accordance with the Goodyear Zoning Ordinance Citizen Review section, a neighborhood meeting was held for the purpose of discussing the proposed Estrella Parcel 7.5 PAD Amendment (Case No. 16-210-00006) which would reduce the minimum number of dwelling units allowed in Parcel 7.5 within the EMR Villages VII and IX PAD; and

WHEREAS, on January 18, 2017, in the manner prescribed by law, the city of Goodyear Planning and Zoning Commission held a public hearing on Case No. 16-210-00006 for the purpose of considering this Amendment; and,

WHEREAS, due and proper notice of such public hearing before the city of Goodyear Planning and Zoning Commission and City Council was given in the time, form, substance and manner provided by law, including publication of such notice in the ARIZONA REPUBLIC SOUTHWEST EDITION on December 30, 2016; and,

WHEREAS, the city of Goodyear Planning and Zoning Commission has recommended to the Mayor and City Council of the city of Goodyear, Arizona, approval of the Estrella Parcel 7.5 PAD Amendment; and,

WHEREAS, on February 13, 2017, in the manner provided by law, the city of Goodyear City Council held a public hearing on Case No. 16-210-00006 for the purpose of considering this rezoning; and,

WHEREAS, based on the information submitted by the applicant and the review conducted by city staff and the recommendation provided by the Planning and Zoning Commission for its consideration at said public hearing, the City Council finds that the proposed PAD Amendment is appropriate on the Property and will not be detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare.

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

SECTION 1. REZONING. Parcel 7.5 within the Estrella Mountain Ranch Villages VII and IX PAD, legally described in Exhibit B attached hereto is rezoned by amending the Planned Area Development Document for Estrella Mountain Ranch Villages VII and IX adopted by Ordinance No. 04-917 on October 12, 2004 as follows:

The Density Standard applicable to Parcel 7.5 in the Estrella Mountain Ranch Villages VII and IX PAD is amended from 6-10 dwelling units per acre to 3-10 dwelling units per acre.

SECTION 2 AMENDMENT OF ZONING MAP.

The Zoning Map of the city of Goodyear is hereby amended to reflect the changes set forth in Sections 1 by the adoption of Supplementary Zoning Map 16-06A, attached hereto as Exhibit A and legally described in Exhibit B 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. ABRIDGMENT OF OTHER LAWS.

Except where expressly provided, nothing contained herein shall be construed to be and abridgment of any other ordinance regulation or requirement of the City of Goodyear.

SECTION 4. SEVERABILITY.

If any provision of this Ordinance is for any reason held invalid by any court or competent jurisdiction such provision shall be deemed as separate distinct and independent of all other provisions and such holding shall not affect the validity of the remaining portions of this Ordinance.

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, Maricopa County, Arizona, this _____ day of _____, 20_____.

Georgia Lord, Mayor

Date: _____

ATTEST:

APPROVED AS TO FORM:

Maureen Scott, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Maureen Scott, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 17-1339 is a true, correct and accurate copy of Ordinance No. 17-1339, passed and adopted at a regular meeting of the Council of the city of Goodyear, Maricopa County, Arizona, held on the _____ day of _____, 20____, at which a quorum was present and, by a _____ vote, _____ voted in favor of said ordinance.

Given under my hand and sealed this _____ day of _____, 20____.

seal

City Clerk