

ORDINANCE NO. 17-1344

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, DELETING ARTICLE 9.2 OF THE GOODYEAR ZONING ORDINANCE ELIMINATING THE CITY CENTER GATEWAY OVERLAY DISTRICT AND AMENDING ARTICLE 1-5-1 TO REPLACE REFERENCE IN ARTICLE 1-5-1 FROM ARTICLE 9 TO ARTICLE 1-5-2B; PROVIDE FOR SEVERABILITY AND PROVIDE FOR AN EFFECTIVE DATE.

WHEREAS, the City of Goodyear Zoning Ordinance regulates the development of all land within the City. Regulations set forth in the Zoning Ordinance may be amended when deemed necessary to best serve the public interest, health, comfort, convenience, safety, and general welfare of the citizens of the City; and

WHEREAS, the current Zoning Ordinance was originally adopted by the City Council in May 1999 and has been the subject of a number of amendments since that time; and

WHEREAS, the purpose of the proposed text amendment is to eliminate the City Center Gateway Overlay District ; and

WHEREAS, the intent of this amendment is to increase opportunities for commercial businesses seeking to establish locations within the city of Goodyear; and

WHEREAS, public notice that this amendment to the City of Goodyear Zoning Ordinance was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on February 22, 2017, appeared in the Arizona Republic Southwest Valley edition on February 3, 2017; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on February 22, 2017, and at that meeting the Commission voted 5 to 0 to recommend approval of the proposed amendment to the City of Goodyear Zoning Ordinance; and

WHEREAS, public notice that this amendment to the City of Goodyear Zoning Ordinance is to be considered and reviewed at a public hearing held before the City Council on March 27, 2017, appeared in the Arizona Republic Southwest Valley edition on February 3, 2017; and

WHEREAS, the Mayor and Council of the city of Goodyear, Arizona find the adoption of this ordinance to be in the best interests of the public health, safety, and welfare;

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

SECTION 1. AMENDING ARTICLE 9 OF THE GOODYEAR ZONING ORDINANCE
Section 9-2 (City Center Gateway Overlay District) of the Goodyear Zoning Ordinance is deleted in its entirety.

SECTION 2. AMENDING SECTION 1-5-1 OF THE CITY OF GOODYEAR ZONING ORDINANCE

Section 1-5-1 (Establishment and Purpose of the City Center Gateway Streetscape Plan Manual) of the City of Goodyear Zoning Ordinance is amended as follows:

Section 1-5-1 Establishment and Purpose of the City Center Gateway Streetscape Plan Manual

The Mayor and City Council hereby authorize the establishment of a City Center Gateway Streetscape Plan Manual that is intended to provide property owners, developers and designers with a landscape design standard to follow within the right-of-way and in the **street** side landscape setback area of sites within the Gateway corridor as defined in ~~Article 9~~ SECTION 1-5-2-B. Development applications will be reviewed by the Development Review **Committee** and the Development Services Department in accordance with the City Council adopted City Center Gateway Streetscape Plan Manual, and any additional requirements of this **Ordinance**.

SECTION 3. 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 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. 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.

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

Date: _____

APPROVED AS TO FORM:

Roric Massey, City Attorney

STATE OF ARIZONA)
) ss.
County of Maricopa)

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

City Clerk