

AGENDA ITEM #: _____

DATE: March 27, 2017

COAC #: 17-6021

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

**SUBJECT: Zoning Ordinance Text
Amendment to create an expiration for
Land Use and Development Applications**

STAFF PRESENTER: Katie Wilken,
Planning Manager

CASE NUMBER: 16-220-00003

OTHER PRESENTER: None

PROPOSED ACTION:

1. Conduct a public hearing to consider approval of a text amendment to Article 1 (Administration) of the City of Goodyear Zoning Ordinance, as amended, to create an expiration date for applications made to the Development Services Department.
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. ADOPT ORDINANCE 17-1343 AMENDING ARTICLE 1-3-10 (ADMINISTRATION) OF THE ZONING ORDINANCE, AS AMENDED, TO ESTABLISH AN EXPIRATION DATE FOR INACTIVE LAND USE AND DEVELOPMENT APPLICATIONS; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

BACKGROUND AND PREVIOUS ACTIONS:

This item has not previously been before the City Council.

STAFF ANALYSIS:

The Zoning Ordinance does not currently specify an expiration date for applications made to the Development Services Department. This includes site plan application, rezonings, use permits, subdivision plats, and all applications made to the Development Services Department. Having long periods between submittals can cause problems in the review because standards and policies can change or the properties around a project can change which may impact a project's review.

There are some projects that have been inactive for years that customers have inquired about restarting. Not clearly specifying an expiration date can cause confusion for both staff and customers when projects are stalled and then reinitiated years later.

Several communities were contacted to find out if they expire applications and how long applications are given before they expire:

Community	Expire Applications?	Period of Inactivity
Avondale	Yes	6 months
Chandler	Yes	6 months
Gilbert	Yes	6 months
Glendale	Yes	6 months
Peoria	Yes	12 months
Scottsdale	Yes	6 months

Based on this information, staff recommends that if an application remains inactive for 6 months after staff comments are provided to the customer, the application can be considered expired. Staff will give customers a 30-day notice before expiring applications to give the customer an opportunity to resubmit their application before it is expired. There will also be an opportunity to request a 3 month extension for extenuating circumstances. This change will only impact new submittals moving forward and will not be enforced retroactively.

Public Participation

Public notice was provided via a display ad which was published on February 3, 2017 in the Arizona Republic noticing the public hearing before the Planning and Zoning Commission on February 22nd and the City Council on March 27th.

The item was discussed at the March 9th Development Advisory Forum. No objections were noted at the meeting.

At the February 22, 2017 Planning and Zoning Commission meeting, the Commission recommended approval with the recommendation that a limit not be placed on the number of extensions that can be granted. The original draft limited the number of extensions to one. Staff has made the change to not limit the number of extensions to the proposed text amendment.

RECOMMENDATION:

The proposed zoning ordinance text amendment provides clarity and a specific process for expiring applications which will create certainty for customers and staff.

ATTACHMENTS:

1. Ordinance 17-1343
2. Proposed Zoning Ordinance Text Amendment Redlines