

ORDINANCE NO. 17-1350

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING ARTICLE 7 (SIGN REGULATIONS) OF THE ZONING ORDINANCE, AS AMENDED, BY DELETING ARTICLE 7 IN ITS ENTIRETY AND REPLACING WITH NEW ARTICLE 7 (SIGN REGULATIONS); AMENDING ARTICLE 9 (SPECIAL DISTRICTS) OF THE ZONING ORDINANCE, AS AMENDED, BY ADDING NEW ARTICLE 9-2 (MCDOWELL ROAD BUSINESS AND ENTERTAINMENT DISTRICT); PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING 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 to be consistent with evolving case law and regulation; 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 revise the sign regulations within the city of Goodyear; and,

WHEREAS, the Supreme Court of the United States issued its decision in *Reed v Gilbert* on June 18, 2015, and stated that sign regulations need to be content neutral; and,

WHEREAS, the intent of this amendment is to provide for additional signage opportunities for businesses and citizens within the city of Goodyear; to be consistent with the Supreme Court decision in *Reed v Gilbert* by providing for content-neutral regulations; and to regulate signage in a constitutional manner; 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 May 17, 2017, appeared in the Arizona Republic Southwest Valley edition on April 28, 2017; and,

WHEREAS, a public hearing was held before the Planning and Zoning Commission on May 17, 2017, and at that meeting the Commission voted (_ to _) 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 June 26, 2017, appeared in the Arizona Republic Southwest Valley edition on April 28, 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 7 OF THE CITY OF GOODYEAR ZONING ORDINANCE

Article 7 (Sign Regulations) of the city of Goodyear Zoning Ordinance is deleted in its entirety and replaced with new Article 7 (Sign Regulations), attached hereto as Exhibit A.

SECTION 2. AMENDING ARTICLE 9 OF THE CITY OF GOODYEAR ZONING ORDINANCE

Article 9 (Special Districts) of the city of Goodyear Zoning Ordinance is amended by the addition of new Article 9-2 (McDowell Road Business and Entertainment District), attached hereto as Exhibit B.

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____.

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. 17-1350 is a true, correct and accurate copy of Ordinance No. 17-1350, 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