

AGENDA ITEM #: _____

DATE: November 13, 2017

CAR #: 17-6176

**CITY OF GOODYEAR
CITY COUNCIL ACTION REPORT (CAR)**

SUBJECT: Zoning Ordinance Text Amendment – Industrial Districts Standards	STAFF PRESENTER: Karen Craver, AICP, Planner III CASE NUMBER: 17-220-00008 OTHER PRESENTER: None
--	--

PROPOSED ACTION:

1. Conduct a public hearing to consider amending Article 3 (Zoning Districts) of the Zoning Ordinance:
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing
2. ADOPT ORDINANCE NO. 17-1373 AMENDING ARTICLE 3 (ZONING DISTRICTS) OF THE ZONING ORDINANCE, AS AMENDED, BY AMENDING ARTICLE 3-4 SECTION 3-4-3 (INDUSTRIAL DISTRICTS STANDARDS) TO ALLOW LOADING, DELIVERY, ROLL-UP/DOCK DOORS, AND SERVICE AND WASH BAYS TO FRONT ON PUBLIC STREETS, AND TO ALLOW ABOVE GROUND SILOS, TANKS AND OTHER SIMILAR STRUCTURES TO EXCEED THE MAXIMUM HEIGHT LIMIT IN THE I-1, LIGHT INDUSTRIAL AND THE I-2, GENERAL INDUSTRIAL ZONING DISTRICTS, UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

BACKGROUND AND PREVIOUS ACTIONS:

The city of Goodyear Zoning Ordinance was adopted on May 24, 1999, and has been amended periodically to reflect the evolving operational methods and criteria of the business community. The goal of the amendments has been to increase the opportunities for businesses seeking to establish locations in the city, provided certain circumstances are met that will ensure minimal impacts on city residents and on adjacent properties.

On August 29, 2016, the City Council adopted Ordinance No. 16-1336 amending the city of Goodyear Zoning Ordinance to allow loading, delivery, and roll-up/dock doors to front on public streets in the city's Industrial Zoning Districts, provided the public street was not an arterial. On March 27, 2017, pursuant to an application submitted by Opus Development Company, the City Council adopted Ordinance No. 17-1345 approving a PAD amendment to allow loading, delivery, and roll-up/dock doors to front on Cotton Lane, a scenic arterial, within an area of the Goodyear Crossing Industrial Park PAD. The PAD amendment approval also allowed above ground silos, tanks, and other similar structures up to a maximum height of 65 feet with an additional five (5) feet for screening of mechanical equipment and architectural embellishments.

The Planning and Zoning Commission recommended approval of both the Zoning Ordinance text amendment and the PAD amendment.

STAFF ANALYSIS:

Loading, delivery, and roll-up/dock doors:

The August 29, 2016 Zoning Ordinance text amendment was proposed by staff as a result of inquiries from the industrial business community regarding the restrictions on loading, delivery, and roll-up/dock doors fronting on public streets. At the time, the only means by which an industrial business in the I-1 or I-2 Zoning Districts could have loading, delivery, and roll-up/dock doors fronting on a public street would be to rezone the property to Planned Area Development (PAD), and include development standards that deviate from the Zoning Ordinance.

The March 27, 2017 Goodyear Crossing Industrial Park (GCIP) PAD amendment was proposed by Opus Development Company after purchasing 95 acres at the southeast corner of Cotton Lane and Commerce Drive within the PAD and finding that loading, delivery, and roll-up/dock doors were prohibited from fronting on Cotton Lane by the PAD. The PAD amendment process was the only means by which Opus could have loading, delivery, and roll-up/dock doors fronting on Cotton Lane.

In proposing the 2016 Zoning Ordinance text amendment, and recommending approval of the 2017 Opus GCIP PAD amendment, staff included locational and screening development standards intended to ensure that there would be minimal impacts on city residents and on adjacent properties. Staff believes that the allowance of loading, delivery, and roll-up/dock doors, and service and wash bays can be expanded to all public streets or limited access highways with the currently proposed Zoning Ordinance text amendment to the Industrial Districts Standards below:

- b. Loading, delivery, roll-up/dock doors, and service and wash bays may front onto a public street or a limited access highway, provided all of the following circumstances are met:
 - (1) There is no existing or planned residential use within 500 feet of the right-of-way line on the opposite side of the public street or limited access highway;
 - (2) The loading, delivery, roll-up/dock doors, and service and wash bays occupy a maximum of 50% of the building width facing the public street (50% may be increased to 75% if the site is a corner lot);
 - (3) The loading, delivery, roll-up/dock doors, and service and wash bays shall be screened from public view with a combination of a two (2) foot berm and a six (6) foot wall, or an eight (8) foot wall. Either wall is to be constructed of brick, slump block, or masonry with a stucco or mortar

wash finish, or a similar finish, designed to match the main building on the site; and

- (4) Other than along a road designated as a scenic arterial, a minimum of two (2) continuous offset rows of 24 inch box trees are planted twenty feet on center along the frontage of the public street or limited access highway within the required 30-foot wide landscape area.
- (5) When loading, delivery, roll-up/dock doors, and service and wash bays front on a scenic arterial, as designated on the Land Use and Transportation Map of the General Plan, a 40-foot wide landscaped area shall be required and a minimum of two (2) continuous offset rows of trees shall be planted twenty feet on center along the frontage of the scenic arterial with the external of the two (2) rows being 24 inch box trees and the interior of the two (2) rows being 36 inch box trees. Clustering of trees to provide better screening may be approved at site plan review and approval.

Staff's goal is to provide maximum opportunity for the industrial business community, while ensuring that there will be minimal impacts on city residents and on adjacent properties. In so doing, staff also proposes to allow service and wash bays to front on public streets provided the above standards are met. Staff has researched the industrial development standards of other valley cities and finds that the above standards are in keeping with the requirements of those cities.

Silos and tanks:

Opus Development Company also utilized their PAD amendment process to obtain an allowance for above ground silos, tanks, and other similar structures to exceed the maximum building height within the PAD; a request that staff has heard numerous times from other industrial businesses. Staff believes that the opportunity to utilize silos and tanks can be expanded with the currently proposed Zoning Ordinance text amendment to the Industrial Districts Standards below:

15. Above ground silos, tanks, and other similar structures that are accessory uses to the primary building and are not typically occupied may be either freestanding or integrated into a building, up to a maximum height of 65 feet, exclusive of mechanical equipment, screening, and architectural embellishments, which shall be limited to five (5) feet above the height of the silo, tank, or structure. Notwithstanding the foregoing, the maximum height of any above ground silo, tank or similar structure provided for herein that will penetrate a slope of 100:1 from the runway centerline or runway end of an operating airport shall only exceed 40 feet upon a determination by the Federal Aviation Administration ("FAA") that the proposed height presents no hazard to air navigation as evidenced by the receipt of a Determination of No Hazard to Air Navigation issued by the FAA.

16. Any part of the silos, tanks, and other similar structures visible from the public way shall be painted to match the primary building and shall be located at the side or rear of the primary building so as to be partially screened by the primary building.

Again, staff's goal is to provide maximum opportunity for the industrial business community, while ensuring that there will be minimal impacts on city residents and on adjacent properties.

PUBLIC PARTICIPATION:

Notice of Planning and Zoning Commission and City Council Public Hearings

A display ad regarding the proposed Zoning Ordinance text amendment and the public hearing dates was published in the Arizona Republic Southwest Valley edition on September 22, 2017, and the draft amendment was published on the city's website for public review. To date, staff has received no inquiries from the notifications.

Planning and Zoning Commission Meeting

Following a presentation by staff regarding the Zoning Ordinance text amendment at the Commission meeting held on October 11, 2017, the Commission voiced their support of text amendments proposed to maximize opportunities for the industrial business community. The Commission voted 5 to 0 to recommend approval of the amendment to the Industrial Districts Standards.

FISCAL ANALYSIS:

There is no immediate impact to the current fiscal year budget associated with the approval of the Zoning Ordinance text amendment.

RECOMMENDATION:

Staff, and the Planning and Zoning Commission, recommend approval of the amendment to Article 3 (Zoning Districts) of the Zoning Ordinance by amending Article 3-4 Section 3-4-3 (Industrial Districts Standards) as set forth in the attached Ordinance No. 17-1373.

ATTACHMENTS:

1. Ordinance
2. Existing Redlined Article 3-4 Section 3-4-3 (Industrial Districts Standards)
3. Development Standards of Valley Cities