

AGENDA ITEM #: _____

DATE: November 13, 2017

CAR #: 17-6157

**CITY OF GOODYEAR
COUNCIL ACTION REPORT**

**SUBJECT: Text Amendment to the City of
Goodyear Zoning Districts Section**

STAFF PRESENTER: Alex Lestinsky,
Planner II

CASE NUMBER: 17-220-00006

OTHER PRESENTER: Katie Wilken,
Planning Manager

PROPOSED ACTION:

1. Conduct a public hearing to consider amending Article 1 (Administration and Procedures), Article 2 (Definitions), and Article 3 (Zoning Districts) of the Zoning Ordinance:
 - a. Open public hearing
 - b. Staff presentation
 - c. Receive public comment
 - d. Close public hearing

OPTION 1:

2. ADOPT RESOLUTION NO. 17-1823 DECLARING AS PUBLIC RECORD THAT CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED "UPDATED ARTICLE 3-1 AND ARTICLE 3-2 DATED NOVEMBER 8, 2017".
3. ADOPT ORDINANCE NO. 17-1369 AMENDING ARTICLE 1 (ADMINISTRATION AND PROCEDURES) AND ARTICLE 2 (DEFINITIONS) AND ARTICLE 3 (ZONING DISTRICTS) OF THE ZONING ORDINANCE, AS AMENDED; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

OPTION 2:

2. Continue the case to a date certain.

BACKGROUND AND PREVIOUS ACTIONS:

The city of Goodyear Zoning Ordinance was adopted on May 24, 1999 and has had several revisions. Updating the Zoning Ordinance allows the City to meet the changing needs of businesses and residents and to be consistent with evolving case law and regulation.

A worksession to discuss residential districts with the City Council was held on July 10, 2017. At that worksession, staff discussed the current residential trends in the valley and asked Council for policy direction about potential amendments for the Zoning Ordinance. The Council provided staff with general direction to proceed with the residential district amendment, with an emphasis on

ensuring that development is safe and high quality. Council further directed staff to work closely with the Planning and Zoning Commission on the amendment and provide their feedback from Council.

A worksession with the Planning and Zoning Commission was held on August 16, 2017. Staff provided an overview of the proposed amendments and received very positive feedback.

STAFF ANALYSIS:

The city of Goodyear currently has six single family residential districts: AG (Agricultural), AP (Agricultural Preservation), AU (Agricultural Urban), R1-10 (Single Family, 10,000 square foot lots), R1-7 (Single Family, 7,000 square foot lots), and R1-6 (Single Family, 6,000 square foot lots) and one quasi-single family residential district, R2, which allows a single dwelling unit or a two family dwelling unit (a duplex) on a single lot. The City also has four multi-family residential districts: MF-18, MF-24, MH/RVP (Manufactured Home Park or Recreational Vehicle Park) and MHS (Manufactured Home Subdivision). In addition, the Planned Area Development (PAD) zoning district provides an option for developers to create innovative residential communities that deviate from the City's existing zoning districts and development standards.

The PAD process was originally created to provide developers with the opportunity for greater flexibility in housing products. This would result in unique and innovative development or facilitated the development of master planned communities. Many of our existing PADs have created high quality, unique development. In recent years, the PAD process has been used to address gaps in the Zoning Ordinance. Over the past year, staff has seen an increase in PAD amendments to add smaller residential lots in response to current market trends. These amendments have been approved by Council after staff and the customer have worked together to create development standards that ensure quality development.

PADs are costly for both the applicant to prepare and for the City to administer and takes longer to process. Since January 1, 2014, 34 out of 37 rezone cases have been PAD related. On average, a straight zoning change takes about 3 months to reach final approval, while a PAD takes on average six months. Staff researched and observed the trends of why PADs were becoming so common and it was identified that the limited options created by the Zoning Ordinance. These items are the hallmark of zoning districts and thus staff believed that in order to increase efficiency and reduce cost it was prudent to explore the creation of new residential lot zoning districts. To be clear there is and will continue to be an opportunity for PAD zoning in the City in the future in order to accommodate innovative projects and provide a path forward for projects with unusual circumstances.

While conducting research, staff met with various partners to create a set of regulations that offered flexibility as well as certainty. Staff met with the city's most active customers to find out their needs, such as Newland Communities and Nathan and Associates, to discuss the current trends of residential development. Staff discussed with the Development Advisory Forum and reached out to other cities for best practice and trends. PADs and other successful valley cities have provided a variety of minimum lot width options as low as 45-feet wide. The additional design requirements that are commonly required with PADs are included with the proposed amendment to ensure the

high quality neighborhood features. Mesa, for example, has a similar structure of zoning districts with the option to utilize 45-foot wide lots if the minimum amount of additional design requirements is being met.

The proposed amendment further satisfies many Action Items identified in the Goodyear 2025 General Plan such as, *establish a land use hierarchy and community form that maintains a broad variety of land uses and responds to the community's vision and needs* (GD-1-1) and *provide diverse and quality housing products* (CC-2-1).

Therefore, staff is proposing a revised Article 3 (Zoning Districts) with three new zoning districts and a revised R1-6 district to meet current market demands, allow for new innovative housing types and neighborhood structures, and improve the development process. The proposal also includes an update to Article 1 (Administration and Procedures) and Article 2 (Definitions) in order to provide clarification and consistency throughout the document.

List of Major Changes:

- General layout of Article 3-2 Residential Districts including:
 - Permitted Uses, Accessory Uses, Conditional Uses, and Use Permit Uses were combined into a table for ease of reference and eliminates the need of a separate section for each district.

- **Existing Article 3-2**

ARTICLE 3-2 RESIDENTIAL DISTRICTS		
3-2-1	AG	Agricultural
3-2-2	AP	Agricultural Preservation
3-2-3	AU	Agricultural/Urban
3-2-4	R1-10	Single Family Residential
3-2-5	R1-7	Single Family Residential
3-2-6	R1-6	Single Family Residential
3-2-7	Single-Family Residential Districts Standards	
3-2-8	R2	Two Family Residential
3-2-9	MF-18	Multi-Family Residential
3-2-10	MHS	Manufactured Home Subdivision
3-2-11	MH/RVP	Manufactured Home Park or Recreational Vehicle Park
3-2-12	Multi-Family Residential Districts Standards	

- **Proposed Article 3-2**

ARTICLE 3-2 RESIDENTIAL DISTRICTS	
3-2-1	Purpose
3-2-2	Permitted Uses
3-2-3	Development Standards for Single Family Residential
3-2-4	Single Family—Additional Use Definitions and Regulations
3-2-5	Development Standards for Multi-Family Residential District
3-2-6	Multi-Family—Additional Use Definitions and Regulations
3-2-7	Supplemental Standards Applicable to All Residential Districts

- The purposes of each district were combined into a Purpose Section (3-2-1), which establishes each residential district.
- The Agricultural Preservation (AP) District was removed. No property in Goodyear is zoned AP and staff finds the district no longer necessary.
- Reference to the use of schools was removed because Article 4 (Special Uses) already allows Public, Parochial, and Charter Schools in any district with the approval of a special use permit.
- The Single Family Development Standards table was updated as follows:

- Front Yard setback was clarified to define measurement from front property line to livable space, patios, and side entry garages.
- Front Facing Garage setback was added to clarify that front facing garages shall be a minimum of 20 feet from the property line.
- Open Space % requirements were added to the development standards table.
- A note was added to allow street side setbacks to be reduced if a 10 foot wide landscape tract separated a corner lot from the street side.
- Updated R1-6 District:
 - Reduced Minimum Lot Width to 55 feet
 - Increased the maximum building coverage from 40% to 60%.
- 3 New Districts were added.
 - R1-4 (Single Family Detached)
 - R1-A (Single Family Attached – e.g., triplex or other attached home products including row homes)
 - R1-C (Single Family Detached – e.g. Court Homes)
- The Existing R1-6, proposed R1-6, R1-4, R1-A, and R1-C development standards are listed below:

Table 3-2-3-A: Development Standards - Single Family Districts					
Standard	Existing R1-6	Proposed R1-6	NEW R1-4	NEW R1-A	NEW R1-C
Lot Standards					
Minimum Lot Area (sq ft)	6,000	5,500	4,500	2,800	3,200
Minimum Lot Width (ft)	60	55	45	35	40
Minimum Lot Depth (ft)	100	100	100	80	80
Building Form and Location					
Maximum Height (ft)	30	30	30	30	30
Maximum Building Coverage	40%	60%	60%	75%	60%
Minimum Setbacks					
Front (1)	20	10	10	10	5 (2)
Front facing garage	20	20	20	20	20
Side	5	5	5	0 (3)	0
Total both sides	15	15 (5)	15 (5)	0 (3)	10
Street Side (4)	10	10	10	10	10
Rear	20	20	20	15	15
Development Standards					
Open Space %	15	15	15	15	15

- Two options for development standard deviations have been provided.
 - The R1-6 and R1-4 districts have the opportunity to reduce the minimum lot width by 5 feet.
 - The *Total Both Sides* setback standard can be reduced to 10 feet.
 - These options are only available if additional design elements are provided.
- In order to ensure that we continue to have quality housing products and neighborhoods, additional standards have been created for the smaller lot product. Below is the chart that lists the number of amenities which must be provided and a short summary of the amenities.

Table 3-2-3-E: Lot Size and Minimum Number of Required Design Elements for Reduced Lot Width and Side Yard Setback Reduction Requests					
Zoning Designation	Minimum Lot Width (ft)	Total Both Sides Setback	Amenity Elements	Connectivity Elements	Streetscape Elements
R1-6	55	15	0	0	0
REDUCED R1-6	50	10	1	2	2
R1-4	45	15	1	2	3
REDUCED R1-4	40	10	2	4	4
R1-A	35	N/A	1	2	1
R1-C	40	N/A	1	2	1

To encourage creativity and good design, a list of options to select from has been created. They have been categorized into the three most important elements of good neighborhood design: “amenities”, “connectivity”, and “streetscapes”. Under each of these elements are the list of options to select from, which include:

- Amenities:
 - *Adjacent to Community Amenity.* Community is adjacent to significant community amenities such as the Bullard Wash or a large city park. This option is provided because it makes sense to locate denser housing product next to these amenities so that residents can easily access and take advantage of them.
 - *Additional Park Space* is provided. Smaller yards means less private open space, therefore providing additional common park space provides the overall open space for the community.
 - *Additional Park Amenities.* Additional park amenities need to be substantial, such as pools or a clubhouse. Smaller yards means that residents are less likely to have their own pools or similar amenities, so it becomes more important to provide community pools and similar amenities.
 - *Integrated Commercial.* Some developments such as Agritopia and Verrado have successfully integrated commercial parcels into the neighborhoods and provided a gathering place through good commercial integration.
- Connectivity:
 - *Growth Areas.* The neighborhood is within the more developed part of Goodyear, which means it has easy access to public services as well as commercial areas, schools, daycares, hospitals, and other necessary services.
 - *Trail System Connections.* Neighborhoods are required to provide trail connections, but will sometimes limit it to HOA residents only which creates a disjointed trail system. This element is requiring public trails.
 - *Smaller Blocks.* Small blocks creates a safer, more walkable neighborhood.
 - *No Subdivision Perimeter Wall.* Perimeter walls can make walking difficult, sometimes taking a long time to get to the coffee shop right by your house. Neighborhoods can be designed without perimeter walls which increases connectivity to nearby services. This is not meant to regulate walls around individual backyards.

- *Housing Diversity*. Providing a mix of housing products and lot widths in a single neighborhood creates additional housing opportunity.
- Streetscape:
 - *Additional Front Setback*. A larger front setback can be provided to give a more open appearance to the neighborhood.
 - *Detached Sidewalk*. A detached sidewalk can give the appearance of a larger front yard and provide a safer walkway that is not blocked by cars.
 - *Shared or Clustered Driveways*. Shared driveways reduce pavement and increase the amount of front yard landscaping providing a more appealing streetscape. There is currently not a standard detail within the Engineering Design Standards and Policy Manual for this, but it will be worked on in the near future and a developer can request this individually.
 - *Alley-Loaded*. Alley-loaded neighborhoods have a very pedestrian friendly atmosphere and are not car dominant.
 - *Open Space Facing Homes*. Designing open space so that homes front onto it rather than back up to it centralizes the open space and keeps it safer.
 - *Paving Materials*. Smaller lot product has more concrete and providing a paver driveway can reduce the impact of the amount of driveway in the neighborhood.
 - *Deep Recessed Garage*. Garages are setback far from the main home so that the appearance of the garages is minimized and there is more parking available on the driveway.
 - *Porches and Courtyards*. Providing porches and courtyards creates a traditional neighborhood look and can increase safety by putting eyes on the street.
- Section 3-2-4 classifies some of the uses identified in the Use Table that need further clarification and have additional requirements (Home Business, Assisted Living Homes, Animal Keeping, Horse Corrals and Private Riding Stables).
- Section 3-2-5 (Development Standards for the Multi-family District) and 3-2-6 (Multi-Family—Additional Use Definitions and Regulations) are updated to be consistent with the layout of the Single Family section, but do not include changes to the standards.
- Section 3-2-7 provide supplemental standards that are applicable to all residential districts.
- Animals, including a distinction between large and small, have been added to the Article 2 (Definitions). A use called Animal Keeping was included and Section 3-2-4 prescribes the criteria for Animal Keeping in order to clarify rules and allow Supervised Agriculture Experience Projects (FFA).
- Article 1 (Administration and Procedures) is being amended in order to add the new districts and delete the AP District. An addition to Section 1-3-1 (Amendments) is being proposed in order to move an existing rezoning requirement into the correct section.

Public Participation:

The draft amendment was published to the City's website for public review on August 25, 2017. The draft was also shared with the Development Advisory Forum. A notice regarding the text amendment and public hearing dates was published in the Arizona Republic Southwest Valley edition on September 22, 2017. A workshop with the Development Advisory Forum was held on September 20, 2017. To date, there have been no objections to the proposed amendment.

FISCAL ANALYSIS:

The proposed text amendment to the Zoning Ordinance will not have a direct fiscal impact.

RECOMMENDATION:

Staff recommends amending Article 1 (Administration and Procedures), Article 2 (Definitions), and Article 3 (Zoning Districts) of the Zoning Ordinance as described in the Draft Text Amendment. Planning and Zoning Commission recommended approval of the item on November 8, 2017 with a vote 7-0.

ATTACHMENTS:

1. Existing Article 3 (Zoning Districts)
2. Resolution No. 17-1823
3. Resolution Exhibit A: Revised Article 3.1 and 3.2
4. Ordinance No. 17-1369