

RESOLUTION NO. 2019-2001

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, APPROVING A MINOR AMENDMENT TO THE GOODYEAR 2025 GENERAL PLAN TO AMEND THE TEXT IN POLICY D TO OBJECTIVE GD-2-2 OF CHAPTER 5, PHYSICAL GROWTH AND DEVELOPMENT, TO ALLOW REZONING OF LAND TO HIGHER INTENSITIES OUTSIDE OF DESIGNATED GROWTH AREAS PROVIDED A PLAN FOR DEVELOPING INFRASTRUCTURE NECESSARY TO SUPPORT THE DEVELOPMENT IS IN PLACE AT THE TIME OF REZONING AND ITS IMPLEMENTATION GUARANTEED; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Goodyear 2025 General Plan (hereinafter, "General Plan") was adopted by the Mayor and City Council of the City of Goodyear on June 23, 2014 and ratified by a vote of the citizens of Goodyear on November 4, 2014; and

WHEREAS, the Arizona Revised Statutes require the general plan to include a growth area element, (ARS 9-461.05.D.2.) specifically identifying those areas, if any, that are particularly suitable for planned multimodal transportation and infrastructure expansion and improvements designed to support a planned concentration of a variety of uses, such as residential, office, commercial, tourism and industrial uses; and

WHEREAS, the General Plan addresses this requirement for a growth area element in Chapter 5, Physical Growth and Development, which contains a number of goals, objectives and policies that provide a framework for the desired physical growth and development of the community and how necessary infrastructure and services will be provided; and

WHEREAS, Objective GD-2-2 of Chapter 5 states that the city should focus new growth in the City's designated growth areas to effectively utilize resources, minimize operation and maintenance costs, and attract and efficiently provide new services such as transit and entertainment opportunities; and

WHEREAS, the policies under Objective GD-2-2 state that the city should: a.) evaluate projects and programs in the Capital Improvements Program based on their location in relationship to the City's designated growth area; b.) promote development within the City's designated growth areas first; c.) promote appropriate development within the designated growth areas; and d.) discourage rezoning land to higher intensities outside of the growth areas until infrastructure planning is in place and necessary resources are available; and

WHEREAS, a development proposal to rezone certain property in the North Waterman Wash Area located west of Rainbow Valley Road and south of the Pecos Road was filed with the Development Services Department and city staff believed that the proposed development was inconsistent with the policy in Policy d. under Objective GD-2-2 since the property proposed for development was located outside of a designated growth area and necessary resources were not presently available to serve the area, and rezoning should not be recommended for approval; and

WHEREAS, at a City Council Work Session meeting held on January 29, 2018, the Mayor and City Council reviewed this policy and expressed concerns that strict application of this policy would effectively preclude lands outside of designated growth areas from being rezoned to higher intensities and that modification of this policy to allow rezoning and infrastructure planning to occur concurrently provided the new development pays its fair share of the cost of additional service needs generated by the new development, as stated in Objective GD-2-1 of Chapter 5; and

WHEREAS, at said Work Session Meeting, the Mayor and City Council provided direction to city staff to review Policy d. under Objective GD-2-2 and modify this policy as appropriate to allow lands outside of designated growth areas to be considered for rezoning to higher intensities provided sufficient planning for infrastructure and necessary resources is done in conjunction with said rezoning; and

WHEREAS, the Goodyear Planning and Zoning Commission conducted the required public hearing on this Minor General Plan Amendment on October 16, 2019; and

WHEREAS, due and proper notice of such public hearing before the City of Goodyear Planning and Zoning Commission was given in the time, form, substance and manner provided by law, including publication of such notice in Southwest Edition of the Arizona Republic on September 27, 2019; and

WHEREAS, the proposed Minor General Plan Amendment provides clarification and greater flexibility for the current growth policy and promotes achievement of the stated goals and objectives of the General Plan; and

WHEREAS, the proposed Minor General Plan Amendment satisfies the required standards and criteria for approval of a Minor Amendment as specified in the General Plan; and

WHEREAS, the Goodyear Planning and Zoning Commission has found that this Minor General Plan Amendment is in the best interests of the City and general public and has recommended that such Minor General Plan Amendment be approved; and

WHEREAS, the City of Goodyear City Council conducted the required public hearing on this Minor General Plan Amendment on October 28, 2019 in the manner provided for by law; and

WHEREAS, due and proper notice of such public hearing before the City of Goodyear City Council was given in the time, form, substance and manner provided by law, including publication of such notice in Southwest Edition of the Arizona Republic on October 11, 2019; and

WHEREAS, the City of Goodyear City Council does find that it would be in the best interests of the city and general public that this Minor General Plan Amendment be approved, as recommended by the Planning and Zoning Commission.

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

SECTION 1. AMENDMENT OF GOODYEAR 2025 GENERAL PLAN

That Chapter 5, Physical Growth and Development, Objective FD-2-2, Policy d. of the Goodyear 2025 General Plan is hereby amended by deleting it in its entirety and replacing it with the following language:

- d. Discourage rezoning land to higher intensities until infrastructure planning is in place and necessary resources are available, unless a plan to develop the infrastructure necessary to adequately serve the area is identified during the rezoning process and its implementation in a timely manner is guaranteed by appropriate stipulations and development agreements.

SECTION 2. EFFECTIVE DATE

That this Resolution shall become effective as provided by law.

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:

Darcie McCracken, City Clerk

Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Darcie McCracken, being the duly appointed, qualified City Clerk of the city of Goodyear, Maricopa County, Arizona, certify that the foregoing Resolution No. 2019-2001 is a true, correct and accurate copy of Resolution No. 2019-2001, 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 resolution.

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

seal

City Clerk