

AGENDA ITEM #: _____

DATE: April 27, 2020

CAR #: 2020-6928



COUNCIL ACTION REPORT

SUBJECT: Zoning Ordinance Text Amendment – Commercial Districts Standards
Setback Requirements

CASE NUMBER: 20-220-00002

STAFF PRESENTER(S): Christian M. Williams, Planner

Summary: Request to amend the city of Goodyear Zoning Ordinance Commercial Districts Standards for Dimension Requirements (Setbacks).

Recommendation:

ADOPT ORDINANCE NO. 2020-1464 AMENDING ARTICLE 3 (ZONING DISTRICTS) OF THE ZONING ORDINANCE, AS AMENDED, BY AMENDING SECTION 3-3-6 (COMMERCIAL DISTRICTS STANDARDS), SUBSECTION A (DIMENSION REQUIREMENTS) FOR C-1 (NEIGHBORHOOD COMMERCIAL DISTRICT) AND C-2 (GENERAL COMMERCIAL DISTRICT) TO MODIFY HOW MINIMUM FRONT SETBACKS ARE DETERMINED UNDER CERTAIN CIRCUMSTANCES; PROVIDING FOR CORRECTIONS, SEVERABILITY, AN EFFECTIVE DATE, AND PENALTIES.

Fiscal Impact: There is no direct budget impact associated with the approval of this Zoning Ordinance Text amendment.

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.

Staff Analysis

Current Policy:

The Goodyear Zoning Ordinance Article 3, Section 3-3-6 on Commercial Districts Standards, provides requirements in Section A on Commercial Districts Dimension Requirements regarding minimum setbacks. In order to create a commercial lot, the city requires a minimum front setback of 30 feet in C-1 and C-2 zoning districts, which is measured from the front lot line.

Details of the Request:

An applicant is requesting approval of a preliminary plat subdividing property within a unified commercial center. The applicant has advised of its desire to develop one of the lots in a manner that would result in the building being located less than a 30-foot from the proposed front lot line. However, the proposed front lot line is located more than 500 feet from the street side frontage meaning the building is setback more than 500 feet from the street and current and future buildings will be located on lots between the building and the roadway. In considering the request, staff re-evaluated minimum building front setback. The proposed city Zoning Ordinance Text Amendment would measure the minimum front setback requirement from the street setback of a unified commercial center, in the General Commercial and Neighborhood Commercial districts. This change allows unified commercial developments to be subdivided but still receive the same sort of development opportunities that would be available if the entire development were under one ownership and developed as a single lot. This exception would not apply in the case of conflicts between the exception and other requirements in the Zoning Ordinance pursuant to which the site would be required to meet or exceed the minimum building setback requirements.

Public Comment and Planning and Zoning Commission Meeting:

Notice for the public hearings before the Planning and Zoning Commission and City Council included a legal notice published in the Arizona Republic on March 27, 2020. Information on the Zoning Ordinance Text Amendment request and these public hearings was also posted to the current development applications section of the city's website. To date, staff has not received any public inquiries as a result of this notice.

At the regular Planning and Zoning Commission meeting on April 15, 2020, staff made a presentation to the Commission regarding the amendment request. No public comments were received during the course of the meeting. Based upon the staff findings presented in the Commission staff report, and repeated in this Council Action Report, the Commission recommended approval of the Ordinance by a vote of 5-0.

Attachments

1. Ordinance No. 2020-1464
2. Article 3 Section 3-3-6(A) reflecting changes in redlined format