

AGENDA ITEM #: _____

DATE: July 13, 2020

CAR #: 2020-6967



CITY COUNCIL ACTION REPORT

SUBJECT: Zoning Ordinance Text Amendments for Historic Goodyear

STAFF PRESENTER(S): Katie Wilken, Planning Manager, Development Services

OTHER PRESENTER(S):

Summary: Request to amend the city of Goodyear Zoning Ordinance.

Recommendation:

1. Conduct a public hearing to consider a request to amend various Articles of the city of Goodyear Zoning Ordinance.
 - a. Open Public Hearing
 - b. Staff Presentation
 - c. Applicant Presentation (10 minutes)
 - d. Receive Public Comment (3 minutes per speaker)
 - e. Close Public Hearing
2. ADOPT RESOLUTION NO. 2020-2065 DECLARING A PUBLIC RECORD THOSE CERTAIN DOCUMENTS FILED WITH THE CITY CLERK AND TITLED "AMENDING ARTICLE 5 OF THE ZONING ORDINANCE"; AND "AMENDING ARTICLE 8 OF THE GOODYEAR ZONING ORDINANCE".
3. ADOPT ORDINANCE NO. 2020-1469 AMENDING ARTICLE 2 (DEFINITIONS); ARTICLE 5 (PROPERTY IMPROVEMENT STANDARDS) AND ARTICLE 8 (GENERAL REQUIREMENTS) OF THE ZONING ORDINANCE, AS AMENDED; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR 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 community. The goal of amending the City of Goodyear's Zoning Ordinance is to provide clear criteria in order to simplify the zoning process and increase the opportunities for developers and businesses seeking to establish locations in the city, as well as ensure positive impacts on city residents and on adjacent properties.

Staff Analysis

Current Policy:

The City of Goodyear Zoning Ordinance Article 1, Section 1-3-1, provides regulations to amend, supplement, modify or repeal zoning districts when deemed necessary.

Details of the Request:

The City of Goodyear Zoning Ordinance reflects the current needs and desires of the City and its citizens in regulating current and future development. However, older residential portions of the City, such as Historic Goodyear, were developed under previous versions of the Zoning Ordinance, which included different development standards. Meeting modern development standards in an older neighborhood can be a challenge and limit the use and enjoyment of the home. The amendments that reference subdivisions built before 1975 will affect Historic Goodyear, Litchfield Manor, and Goodyear Estates. The purpose of the update to the Zoning Ordinance is to provide residents in older neighborhoods with similar opportunities as residents in newer neighborhoods, while protecting the health, safety, and welfare of the neighborhood. There are two proposed changes to the Zoning Ordinance:

First is an amendment to Article 8 (General Provisions) regarding projections into the front yard setback within certain neighborhoods. Most of the homes in older neighborhoods were built with a one-car garage and some of those garages have been converted to living spaces over the years, leaving the home with no covered parking. Because of development patterns and required front yard setbacks, the residents of homes in these areas can have a challenging time providing covered parking for their cars. The proposed text amendment would allow unenclosed shade structures, i.e., carports, to project into the required front setback on residential lots within subdivisions recorded prior to 1975 including “Historic Goodyear”, Litchfield Manor and Goodyear Estates subject to specific design standards. This will allow a resident to provide covered parking for vehicles on their driveway. This will promote parking in the driveway rather than the street and will also encourage residents to obtain building permits for these structures, since they meet zoning standards.

Second is an amendment to section 5-2-2 regarding requirements for fences and walls. Under the current City of Goodyear Design Guidelines, chain link fences are not allowed unless specifically authorized in the Zoning Ordinance and the current Zoning Ordinance allows open wire fencing (hereinafter referred to as "Chain Link Fences") only in certain circumstances, and they are not currently permitted in residential districts. The proposed revisions to section 5-2-2 incorporates the prohibition against Chain Link Fences in the Design Guidelines into the Zoning Ordinance and then identifies where Chain Link Fences are allowed and standards applicable to such fences.

Under the proposed amendment to section 5-2-2, Chain Link Fences would be allowed in AG and AU zoning districts and in single-family residential lots with less than 20,000 square feet within subdivisions established prior to 1975. The proposed regulations would require Chain Link Fences in these older subdivisions to include opaque screening, obligate the owner to maintain the aesthetic quality of the fencing, replace any material that has degraded to become

visually blighting, and not allow the use of fabric, tarpaulin, or similar non-rigid material for screening. The reason for allowing Chain Link Fences in older subdivision is because in the past, Chain Link Fences were permitted residential areas and many homes in older neighborhoods constructed Chain Link Fences. Many of the fences in the older subdivisions are in a state of disrepair. The amendments to section 5-2-2 permitting Chain Link Fences within these older subdivisions will encourage their repair and impose standards to enhance the aesthetic qualities of the fencing. This change will affect all subdivision established prior to 1975 including “Historic Goodyear”, Litchfield Manor and Goodyear Estates.

In addition, the proposed revisions to section 5-2-2 expands the opportunities for Chain Link Fences around recreational facilities, which are currently limited to fencing around tennis courts to fencing around tennis courts or similar recreational facilities such as pickle ball courts. Use Permits will be required for Chain Link Fences around recreational facilities that are located within five hundred feet (500') of the nearest property line of any property zoned for single-family residential development or that exceed permitted heights..

The proposed regulations will also be adding a standard imposing a minimum distance of twenty feet between block walls. This applies city wide and is being proposed in response to the recent construction of a block wall that was only inches from an existing block wall.

Finally, Article 2-2 is being amended to add or modify definitions related to the listed amendments.

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 June 12, 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 because of this notice.

At the regular Planning and Zoning Commission meeting on July 1, 2020, staff made a presentation regarding the amendment request.

No public comments were received regarding the proposed amendments 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 6-0.

Attachments

1. Resolution No 2020-2065 w/Exhibits
2. Ordinance No. 2020-1469
3. Article 2 Section 2-2 reflecting changes in redlined format
4. Article 5 Section 5-2-2 (B.) reflecting changes in redlined format
5. Article 8 Section 8-1 (F.) reflecting changes in redlined format

