

Article 2

DEFINITIONS

Article 2-2

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Abandoned Vehicle. Any vehicle which is without the required current license plates or tabs, inoperable, stripped, unclaimed, scrapped, junked or discarded. Inoperable shall also mean a vehicle being repaired, other than at a commercial facility intended for such use, when such repairs take seventy two hours or more.

Abutting. Two adjoining properties sharing a common property line; also where two or more adjoin only at a corner, but not including cases where adjoining lots are separated by a **street** or **alley**.

Access or Access Way. Designated area, means or way by which pedestrians and vehicles have safe, adequate and usable ingress to a property or use, as required by this Ordinance.

Accessory Building. A **structure** in a zoning district which:

- a. Is clearly incidental to and customarily found in conjunction with a principal **building**; and
- b. Is subordinate to the purpose of the principal building; and
- c. Contributes to the comfort, convenience or necessity of occupants in the principal **building**; and
- d. Is located on the same **lot** or parcel as the principal **building**.

Accessory Use. Use customarily incidental, related, appropriate and clearly subordinate to the main use of a **lot** or **building**, which does not alter the principal use of subject lot or building, or adversely affect other properties in the **district**.

Adjacent. Condition of being near to (e.g., properties separated by a street or alley) or abutting.

Administrative Process Manual. The City of Goodyear **Administrative Process Manual** as adopted and amended from time to time by the City Council.

Adult Businesses. The following terms relate to definitions, distinctions and types of Adult Business:

Adult Bookstore: A commercial establishment having as a substantial portion of its stock in trade, books, magazines and other periodicals depicting, describing or relating to “**specified sexual activities**” or which are characterized by their emphasis on matters depicting, describing or relating to “**specified anatomical areas**”.

Adult Live Entertainment Establishment: A business that offers any of the following entertainment during any part of any two (2) or more days within any continuous thirty (30) day period:

- a. Topless or bottomless dancers, male or female striptease dancers, or male or female go-go dancers whose clothing less than completely and opaquely covers:
 1. Human genitals and pubic region, and
 2. Buttocks, and
 3. Entire female breasts below a point immediately above the top of the areola.
- b. Nude models or models where costuming is as described in paragraph a., above.

Nothing in the definition of “adult live entertainment establishment” shall be construed to apply to the presentation, showing, or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, **institution** of higher education, or other similar establishment as a form of expression of opinion or communication of ideas, information, or comments differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Adult Novelty Store: A commercial establishment which:

- a. As one of its principal business purposes, offers for sale or rental, for any form of consideration, any one or more of the following:
 1. Books, magazines, periodicals, or other printed matter which depict or describe “**specified sexual activities**” or “**specified anatomical areas**” or
 2. Instruments, devices or paraphernalia which are designed for use in connection with “**specified sexual activities**” excluding condoms and other birth control and disease prevention products.
- b. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of the above-listed items and still be characterized as an adult novelty store. Such other business purposes will not serve to exempt such commercial establishment from being characterized as an adult novelty store so long as one of its principal business purposes is offering for sale or rental for consideration the above-listed items; or

- c. Regularly excludes all minors from the premises or a section thereof because of the sexually explicit nature of the items sold, rented or displayed therein.

Adult Theater: An enclosed **building** or open air drive-in theater regularly used for presenting any film or plate negative film or plate positive film or tape designed to be projected on a screen for exhibition, or films, glass slides or transparencies, either in negative or positive form, designed for exhibition by projection on a screen depicting, describing or relating to “**specified sexual activities**” or characterized by an emphasis on a matter depicting, describing, or relating to “**specified anatomical areas**” for observation by patrons therein.

Erotic Dance or Performance Studio: A business which emphasizes and seeks, through one or more dancers or other performers, to arouse or excite the patrons’ sexual desires. Nothing in the definition of “erotic dance or performance studio” shall be construed to apply to the presentation, showing or performance of any play, drama, or ballet in any theater, concert hall, fine arts academy, school, **institution** of higher education, or other similar establishment as a form of expression of opinion or communication of ideas or information differentiated from the promotion or exploitation of nudity for the purpose of advancing the economic welfare of a commercial or business enterprise.

Airport. Property used or intended primarily for taking off and landing of aircraft, and appurtenant areas used or intended for **airport buildings** or facilities (e.g., open spaces, taxiways and tie down areas, hangers and accessory buildings).

Alley. Public thoroughfare which affords only secondary vehicular **access to abutting** property and is not intended for general traffic circulation.

Amendment. Change in wording, context, or substance of this Ordinance (e.g., addition or deletion, or change in **district** boundaries or classifications on **district map**) which imposes any regulation not heretofore imposed, or removes or modifies any regulation heretofore imposed.

Amusement Park. An outdoor facility, which may include **structures** and **buildings**, where there are various devices for entertainment, including rides, booths for the conduct of games or sale of items, and **buildings** for show and entertainment.

Analogous Use. Comparable, similar, or resembling listed uses. **Analogous** uses shall not be any more deleterious, obnoxious, or harmful than uses permitted.

Animals. The following terms relate to definitions, distinctions, and types of animals.

Domestic Animals

Any animal customarily kept by humans for companionship including, but not limited to, dogs, cats, birds, rabbits, hamsters, mice, turtles, and the like.

Large Animals

Cattle, horses, mules, sheep, goats, pigs, beasts of burden, llamas, alpacas, or any other animal not listed weighing more than twenty (20) pounds, except Domestic Animals, unusual/exotic animals, or donkeys.

Small Animals

Any animal that does not reside in a home, including rabbits for agriculture purposes, chickens, roosters, fowl or any other animal weighing less than twenty (20) pounds, except domestic animals or unusual/exotic animals.

Apartment. Suite of rooms, with cooking facilities and private bath and toilet facilities, used for living purposes. Each **apartment** shall be considered a **dwelling unit**.

Assisted Living Facility. A facility, licensed by the State of Arizona to provide supervised care for more than ten (10) adults who are living together by reason of age, disability, illness, infirmity or companionship and for whom meals, recreation or other diversion, and general health care is provided.

Assisted Living Home. Assisted Living Home. A single family detached dwelling having common kitchen facilities that provides resident rooms and is shared as a primary residence by one (1) to ten (10) persons with a disability or by one (1) to ten (10) elderly persons living together as a single housekeeping unit, which is licensed by the State of Arizona and which the operator provides or contracts to provide 24-hour supervisory care services, personal care services or directed care services on a continuous basis.

Attached Building. **Building** with parts of exterior **wall** in common with another **building**, or connected to another **building** by roof.

Automatic Car Wash. A **structure** containing facilities for washing automobiles using chain conveyor or other method of moving the cars along, and automatic or semi automatic application of cleaner, brushes, rinse water and heat for drying.

Automobile Dealer, New. Franchised agency selling new motor vehicles and providing services commonly associated with motor vehicle sales. New **automobile dealership** may include sale of used motor vehicles.

Automobile Dealer, Used. Agency selling used motor vehicles not in conjunction with or on same site as new motor vehicle franchise and providing services commonly associated with motor vehicle sales.

Automobile Storage Facility. **Building** or **lot** designed or used for storing of four or more vehicles.

Automobile Repair. All aspects of repair of motor vehicles including, but not limited to, lubrication, tune up and preventive maintenance.

Awning. Structure of canvas or metal projecting above a window or door, or over patio as protection from sun and rain.

Balcony. Portion of **building** projecting into required **yard**, and floor height is four feet or more above grade.

Bar or Cocktail lounge. Business establishment devoted primarily to alcoholic beverage service to which food service is only incidental, i.e. where state sales tax receipts from the sale of alcoholic beverages equals or exceeds fifty-five percent (55%) of the total state sales tax receipts including food.

Bar/Microbrewery. Facility with provision for the brewing of beer for on-premises consumption only. Maximum of 25% of the floor area shall be devoted to the brewery.

Barrel. A barrel container that can hold no more than 31 gallons.

Basement. Portion of a **building** located partly underground but having not less than half its floor to ceiling height below the average **grade** of the adjoining ground.

Block. Property **abutting** one side of the **street**, and lying between two nearest intersecting streets or railroad rights of way, unsubdivided acreage, or waterway (but not an **alley** or utility easement), of sufficient width as to interrupt continuity of development on both sides of **block**.

Boardinghouse or Lodging house. **Building** where, for definite periods, lodging (with or without meals) is provided for three to twenty persons.

Body Piercing Studio. A business that as one of its principal uses implants, perforates, or pierces the skin or other body part to make a hole, mark or scar for a non-medical purpose. A **Body Piercing Studio** shall not include a Jewelry Store, Boutique, Beauty Parlor or similar establishment that uses a mechanized, pre-sterilized ear piercing system that penetrates the outer perimeter or lobe of the ear or both as an accessory use to a principal use.

Brewery. A facility for the brewing of beer and wholesale distribution of beer produced onsite.

Brewpub. A restaurant with facilities for the brewing of beer for onsite consumption and retail sale at the restaurant. A brewpub must derive at least 40% of its gross revenue from the sale of food.

Building. Any **structure**, including patio and similar type coverings for shelter, housing or enclosure of persons, animals, chattels, or property of any kind, (with the exception of dog houses, play houses, and similar **structures**). Each portion of a **building** separated by a dividing wall without openings may be deemed a separate **building** when issuing **building** permits.

Building Coverage. That portion of a **lot** occupied by any **building** or **structure**, including those **buildings** or **structures** not intended for human occupancy, calculated by dividing the total **building** ground floor area by the net site area. **Portals** to be excluded from the calculation.

Building Envelope. That area of a lot lying between the front, rear, and side **yard** setback lines and between ground level and the maximum allowable **building height** amounting to the three dimensional area available for potential **building** construction.

Building, Height of. Vertical distance measured from point of reference elevation (fourteen inches above average elevation at top of crown of roadway, if no curb) to the highest point of coping of a flat roof, or to the highest point of a mansard roof, or to the highest gable of a pitch or hip roof. When drainage considerations supersede this Ordinance, the point of reference elevation shall be subject to the approval of the Chief Building Official, or his designee.

Building Site. Area of **building**, plus associated parking areas and open space required by this Ordinance. **Building site** may encompass more than one lot.

Bungalow. A one-storied house with a low-pitched roof.

Carport. **Accessory building**, or portion of a main **building**, with two or more open sides, designated or used for parking of motor vehicles. Enclosed storage facilities may be a part of a **carport**.

Casita. A living area in an **accessory building** used as a bedroom, home office or other use that would be allowed and typically provided within the main **building**. The **casita** may also include a bathroom, but no kitchen facilities.

Cellar. That portion of the **building** between floor and ceiling wholly or partly below **grade** (vertical distance from **grade** to floor is equal to or greater than from **grade** to ceiling).

Church, Synagogue or Temple. Permanently located **building** commonly used for religious worship.

City Code or Goodyear City Code. The Goodyear Code of Ordinances as adopted and amended from time to time by the City Council.

Clinic. A place for group medical services not involving overnight housing of patients.

Club. An association of persons, whether or not incorporated, religious or otherwise, for social purpose, but not including groups which are organized primarily to render a service carried on as a business for profit.

Coin Operated Laundry and Cleaning Service. Establishments primarily engaged in the operation of a coin operated self service **laundry** and dry cleaning equipment for use on the premises.

College. Private or public places of general instruction (not including day **nursery schools**, dancing schools, riding academies, or trade or specialized vocational schools) authorized to award baccalaureate or higher degrees.

Commercial Use. Use operated for profit or compensation that provides **retail** of goods or rendering of service.

Committee. The Development Review **Committee** as described in Section [1-2-6](#) of this **Ordinance**.

Common Open Space. Useable open space, other than **private open space** or required setbacks, may include recreation oriented areas.

Community Development Department. The Development Services Department.

Community Development Director. The Development Services Department Director, or designee.

Condominium. Ownership in real property consisting of undivided interest in common in a portion of a parcel or real property, together with a separate, undivided interest in air space in residential, industrial or commercial **buildings** on such real property (e.g., **apartment**, office or store).

Convalescent Home or Nursing Home. Place or **institution** with provisions for bed care, or for chronic or **convalescent** care for one or more persons (exclusive of relatives). Persons with communicable diseases (including contagious tuberculosis) shall not be admitted or cared for in homes licensed under the State of Arizona as **convalescent** or **nursing homes**.

Convenience Use

Convenience uses include those **commercial uses** in which:

- a. Retail gasoline is sold.
 - b. The primary business is the sale of food or drink for consumption, either on or off premise, over a counter, or from an outdoor service window or automobile service window. Of the food or drink sold, at least twenty (20) percent is in disposable, carry out containers, or edible containers.
 - c. **Restaurants** where forty (40) percent or more of the total floor area is for food preparation.
 - d. Stores less than seven thousand five hundred (7,500) square feet where groceries, reading materials, personal or household goods, general merchandise, together with food and drink primarily for consumption off premises are sold.
 - e. Car washes (self service and/or automated), drive through **laundry**/dry cleaners, and drive through video stores.
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- f. The Community Development Director makes a determination that an establishment is a “**convenience use**” by virtue of being an **analogous** use to **retail** businesses described above.

Cul-de-Sac. Local **street** having one end open to vehicular traffic, and other terminated by a vehicular turnaround.

Curb Elevation. Average elevation of the curb **adjacent** to a development from which height of **building** is determined.

Day Care Facility. A facility not occupied as a residence that is used to provide day time care and supervision for more than ten (10) children or more than ten (10) adults not related to the proprietor.

Density. Ratio of the number of **dwelling units** to net land area in acres as provided in the Goodyear General Plan as amended from time to time.

Development Policy Committee. The Development Review **Committee** as described in Section [1-2-6](#) of this **Ordinance**.

District. An area classification as shown on zoning map, having uniform regulations governing use of **buildings** and premises, or height and area of **buildings**.

District Map. Official zoning map (part of Zoning Ordinance) of the City of Goodyear.

Donation Drop-Off Box. Any container, storage unit or structure, other than an accessory building or shed, that can or is used for the holding of charitable or for-profit donated items by the general public, including but not limited to clothing, toys, books, and newspapers, with the collection of those donated items made at a later date or time and which is located for such purposes outside an enclosed building.

Dust Free. Treatment of native soil with covering of asphalt, concrete, or masonry.

Dwelling Group. Two (2) or more **buildings** on the same lot, each containing one (1) or more **dwelling units**.

Dwelling Unit. A room or group of rooms within a **building** containing cooking accommodations and occupied exclusively by one (1) **family**. An **apartment** shall be considered a **dwelling unit**.

Dwelling, Multiple. A **building** containing three (3) or more **dwelling units**.

Dwelling, Single Family. A **building** containing only one (1) **family** unit.

Dwelling, Two Family. A **building** containing only two (2) units; a duplex.

Efficiency Apartment. **Dwelling unit** with only one combined living and sleeping room (may also have a separate room containing only kitchen facilities, and separate room containing only sanitary facilities).

Energy Generation Facility. A facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to **on-site electric generation equipment** as defined herein when such use is an accessory use to a principal permitted use.

Engineering Standards. The City of Goodyear Engineering Design Standards and Policies Manual as adopted and amended from time to time by the City Council.

FAMILY.

- a. Individual; or
- b. Two or more persons, including children, related by blood, marriage, or adoption and usual servants, living together as single housekeeping unit in **dwelling unit**; or
- c. No more than six persons not related, living together as a single housekeeping unit within a **dwelling unit**; or
- d. Persons with development disabilities and operators of a **residential facility** as defined in this section.

Farm. Area of five or more contiguous acres used for raising of farm animals and/or production of crops (e.g., vegetables, fruit trees, fiber or grain) and their storage.

Flood Prevention Regulations. Chapter 16 of the **Goodyear City Code** as adopted and amended from time to time by the City Council.

Floor Area Ratio (F.A.R.). Ratio of gross **building** floor area to gross **lot area** of a **building site**.

Frontage. All property on one side of a **street** between two intersecting **streets** (crossing or terminating) measured along the line of a **street** (if **street** is dead end, then all property abutting one side between an intersecting **street** and the **street's** termination), including property fronting on a **cul-de-sac**.

Garage, Repair. Building or portion thereof, other than a private or **storage garage**, designed or used for servicing, repairing, equipping, hiring, selling or storing vehicles.

Garage, Storage. Building, or portion thereof, designed or used exclusively for housing of four or more vehicles.

Golf Course. Facility, other than a miniature **golf course**, for playing of golf which includes a clubhouse with rest rooms and locker rooms as well as additional services customarily furnished (swimming, outdoor recreation and related **retail** sales, including **restaurant** and **cocktail lounge** if approved as part of required **Use Permit**).

Grade. (**Adjacent** ground elevation) Lowest point of elevation of finished surface of ground between the exterior **wall** of a **building** and a point five feet from the **wall**, or the lowest point of elevation of a finished surface of the ground between an exterior **wall** of a **building** and a property line, if less than five feet from a **wall**, or if **walls** are parallel to and within five feet of a public sidewalk, **alley** or public way, then the **grade** shall mean the top of the crown of a **street** (if no curb exists) established at the midpoint of a front of **lot**. For establishing heights of **walls**, fences or other screening devices, see Section [5-2](#). Walls, Fences.

Gross Floor Area. Sum of gross areas of several floors of a **building** or **buildings**, measured from the exterior **wall**, or from a center line of a **wall** separating two **buildings**. **Gross floor area** shall not include: underground **parking space**; uncovered steps; **portals**; or exterior balconies.

Gross Lot Area. Area of a **lot** including one half of all dedicated **streets** and **alleys abutting** the property.

Guest House. Attached or detached **accessory building** used to house guests of occupants of the principal **building**, which is never rented or offered for rent. Any **guest house** providing cooking facilities shall be considered a **dwelling unit**.

Guest Ranch. **Building** or group of **buildings** located on ten (10) or more contiguous acres, containing **guest rooms** or **dwelling units**, some or all of which share separate entrances leading directly from outside of a **building**, with garage or **parking space** located on the lot and designed primarily for accommodation of guests, but having not more than two (2) rental units per acre, and having outdoor recreational facilities (horseback riding, swimming, tennis courts, shuffle board courts, barbecue and picnic facilities). (See also: Resort).

Guest Room. Room designed to be occupied by one or more guests for sleeping purposes, having no kitchen facilities (not including dormitories for sleeping).

Hazardous Materials/Explosives. Any substance characterized as flammable solids, corrosive liquids, radioactive materials, oxidizing materials highly toxic materials, poisonous gases, reactive materials, unstable materials, hypergolic materials and pyrophoric materials and any substance or mixture of substances which is an irritant, a strong sensitizer or which generates pressure through exposure to heat, decomposition or other means.

Heliport. Area used or intended for landing and takeoff of helicopters; may include areas of **buildings** appropriate to accomplish these functions.

High Rise Building. **Building** which exceeds thirty six (36) feet in height.

Home Business

An occupation or profession carried on entirely within the confines of a Dwelling, Single Family, detached, including an attached garage, a manufactured home, or in a mobile home by a member of

a family residing on the premises, which is clearly incidental to the use of the structure for dwelling purposes and meets all of the following requirements:

- does not change the exterior character of the premises in any way;
- does not involve the direct sale or bartering of goods;
- does not involve the use of materials or mechanical equipment not recognized as part of normal household or hobby use
- does not involve manufacturing
- does not involve cabinet or furniture making;
- does not involve auto or appliance repair;
- does not involve the provision of services to animals at the dwelling, such as veterinary offices, and kennels;
- does not involve the sale or distribution of food products at the dwelling;
- does not include any sort of “waiting” area and that serves only one customer at a time.

Home Day Care. A residential dwelling used by persons residing on the premises to provide day time care and supervision for up to ten (10) children or up to ten (10) adults not related the residents. It is a form of Home Business.

Hospital. Facility for general and emergency treatment of human ailments, with bed care (e.g., sanitarium), but not a **convalescent** or **nursing home**.

Hotel. Building in which lodging is provided and offered to the public for compensation; open to transient guests.

Household Employee's Quarters. **Accessory building** located on the same premises with a **dwelling unit**, used solely as a dwelling for persons employed on the same premises as a **dwelling unit**, and having no cooking facilities.

Inert Material Landfill. An area in which construction debris that is neither chemically reactive nor biodegradable and will not decompose, such as concrete, brick, rocks and uncontaminated sands, soils and earth may be deposited to facilitate land reclamation for a **public project borrow pit**.

Institution. Building or **buildings** occupied by a nonprofit corporation or nonprofit establishment for public use.

Irrigation System. Underground watering system or access to water resource district lateral canal used for the purpose of sustaining and promoting plant life.

Junkyard. The use of more than two hundred (200) square feet of the area of any lot, whether inside or outside a **building**, for the dismantling or wrecking of automobiles or other motor vehicles or machinery, or for the storage or keeping of abandoned and/or inoperable vehicles, parts, and/or equipment resulting from such dismantling or wrecking, or for the storage or keeping of junk including scrap metal or other scrap materials.

Kennel. Premises where five (5) or more dogs or cats are bred, boarded and/or trained.

Landscaped Area. Area improved through harmonious combination of trees, shrubs, ground cover, and natural topping material (boulders, rock, stone, granite or other approved materials). The area shall be void of any asphalt or concrete pavement, except where walks are allowed or as approved by the **Zoning Administrator** as part of the **landscape plan**.

Landscape Plan. A plan drawn on twenty four (24) by thirty six (36) inch format, prepared to scale, showing elements such as trees, shrubs, ground cover, sculpture, **walls**, lighting, water features, walkways and other organic and inorganic materials. The plan shall include a plant list, indicating the size quantity, and name, both botanical and common, of all plant materials to be used.

Large Retail User. A singular **retail** user, who occupies no less than one-hundred thousand (100,000) square feet of floor area, typically requires high parking to building ratios, and/or has a regional sales market. The floor area shall include any associated tenant spaces having common access within the confines of the primary use. It shall also include any outside area, which provides associated services to the public such as, but not limited to, outdoor merchandise display or snack bar. Excluded from floor area shall be underground parking spaces, parking structures, uncovered steps, exterior balconies, and mezzanines so long as these areas are not used for the sale or display of merchandise. This definition does not extend to industrial land uses.

Loading Space. An off **street** space or berth on the same **lot** with a **building**, or contiguous to a group of **buildings**, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and for which appropriate means of **access** is provided.

Lot. Legally created parcel of land occupied, or intended for occupancy by one (1) main **building**, with its **accessory building(s)**, and uses customarily incidental to it, including open spaces required by this Ordinance, and having its principal **frontage** upon a **street**.

Lot Area. Net area included within **lot lines** after all rights of way dedications have been made.

Lot, Corner. **Lot** adjoining two (2) or more **streets** at their intersections.

Lot Depth. Horizontal distance between front and rear **lot lines**.

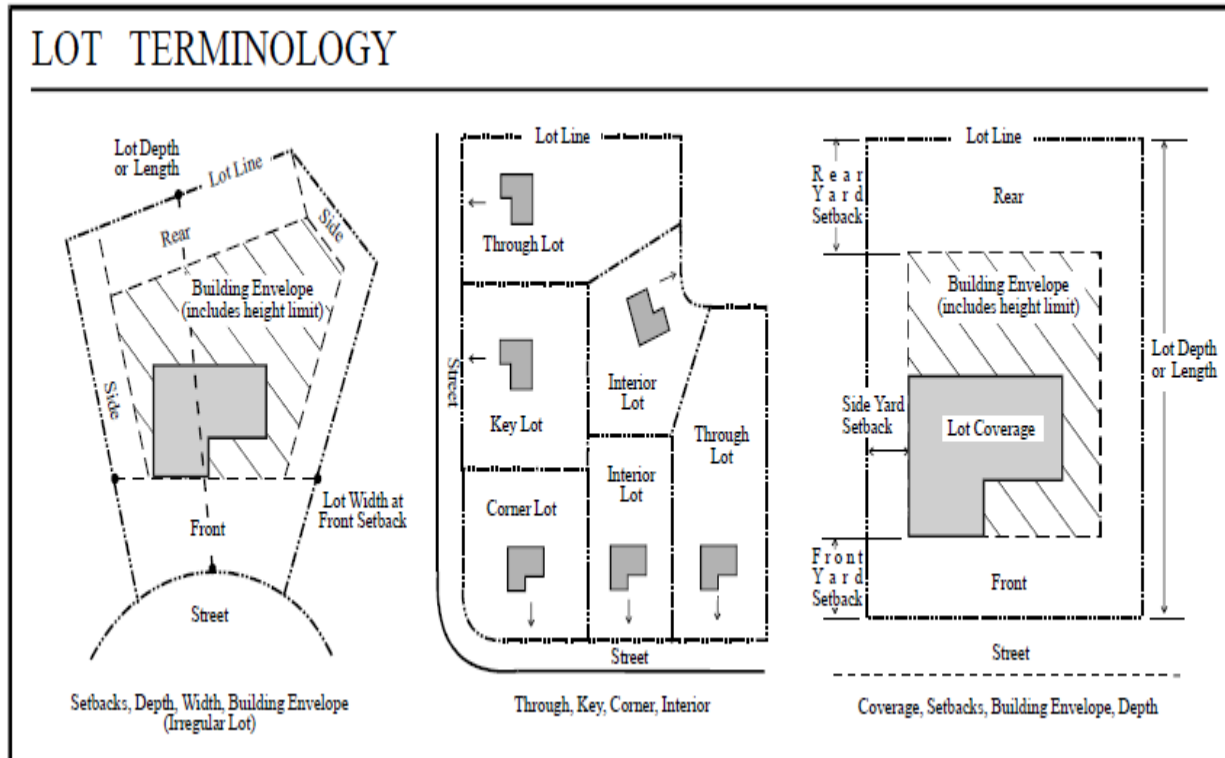
Lot, Through lot, Double Frontage. **Lot** having **frontage** on two non intersecting parallel (or approximately parallel) **streets**.

Lot, Interior. Lot other than a **corner lot** or **key lot**.

Lot, Key. Lot adjacent to a **corner lot**, having its side **lot line** in common with rear **lot line** of a **corner lot**, and facing on a **street** which forms a side boundary of a **corner lot**.

Lot Lines. Property lines bounding a **lot**.

Figure 5



Lot Line (Front)

Front **lot line** shall be determined as follows:

a. Corner Lot

Shorter of two (2) **lot lines adjacent** to **streets** as originally platted or laid out. Where **lot lines** are equal, the front lot line shall be that **lot line** obviously front by prevailing custom of other **buildings in block**. If such front is not evident, then either may be considered the front of lot, but not both.

b. Interior Lot

Lot line bounding a **street frontage**.

Lot Line (Rear). Rear **lot line** shall be determined as the **lot line** opposite to the front **lot line**. Where side **lot lines** meet in a point, the rear **lot line** shall be the line not less than ten (10) feet long, lying within the **lot** and parallel to the front **lot line**. If the front **lot line** is curved, then the rear **lot line** shall be a line not less than ten (10) feet long, lying within the lot and parallel to a line tangent to the front **lot line** at its midpoint.

Lot Line (Side). Side **lot lines** are those lines connecting the front and rear **lot lines**.

Lot Length

Length (depth) of a **lot** shall be:

- a. The shortest distance between such lines where front and rear lines are parallel.
- b. If front and rear lines are not parallel, the shortest distance between the midpoint of a front line and midpoint of a rear **lot line**.
- c. If the **lot** is triangular, the shortest distance between the front **lot line** and a line parallel to the front **lot line**, not less than ten (10) feet long lying wholly with the lot.

Lot, Zoning. Single tract located within a **block**, designated by the owner or developer as a tract to be used, developed, or built on as a unit, under single ownership or control.

Maneuvering Area. Any portion of a lot that is used for the circulation of vehicles into or from **off-street parking spaces** or **loading spaces**, including but not limited to, **off-street parking spaces** or **loading spaces**, driveways, drive aisles, and fire lanes.

Manufactured Housing. Dwelling that has been certified as a **manufactured home** by the applicable State of Arizona or United States government agency, which may be fabricated, in whole or in part, off the site and delivered to the site for final assembly and construction in compliance with applicable **building** and fire codes.

Manufactured Home Lot. Parcel of land within an approved **manufactured home subdivision**, shown in the records of the Maricopa County Recorder's Office and designed and intended for accommodation of one **manufactured home** or pre-existing **mobile home**.

Manufactured Home Park. Approved residential development shown on the City records, with **accessory buildings** and uses for enjoyment and benefit of residents, in which individual spaces are provided for placement of **manufactured homes** or pre-existing **mobile homes** or recreational vehicles for **dwelling units** or sleeping purposes, whether or not a charge is made for accommodation.

Manufactured Home Space. Parcel within an approved **manufactured home park**, shown on the City records, and designed and intended for accommodation of one **manufactured home**.

Manufactured Home Subdivision. Residential subdivision shown on the records of the Maricopa County Recorder's Office, with **accessory buildings** and uses for enjoyment and benefit of residents, in which the individual ownership of a **lot** is permitted, for placement of a **manufactured home** or pre-existing **mobile home** for a **dwelling unit** or sleeping purposes.

Manufacturing. Fabricating or assembling of materials into finished or partially finished products by hand or machinery.

Massage Establishment. Any building, room, place, or establishment where non-medical or non-surgical manipulative exercises or devices are practiced upon the human body manually or otherwise by a state licensed massage therapist with or without the use of therapeutic, electrical, mechanical or bathing devices. **Massage establishments**, as established herein, shall not include the activities of a licensed physician, surgeon, dentist, occupational or physical therapist, chiropractor, osteopath or a regularly licensed and established hospital or dispensary, and shall not include uses, including but not limited to, beauty parlors, salons, spas and health and exercise facilities where massage services may be available as an accessory use to a permitted principal use.

Mature Trees

Healthy, full bodied trees with a shape characteristic of the species, and of the following minimum sizes:

Ten (10) to twelve (12) feet in height with two (2) inches single trunk caliper, or one (1) inch average trunk caliper for multiple trunk tree, or eight (8) foot height for palms. For each **building story** over one (1):

- a. Required **mature trees** shall be increased in size by one half (1/2) inch caliper for multiple trunk trees, and one (1) inch caliper increase for single trunk trees, except that palms shall be increased by four (4) feet in height; or
- b. In lieu of increasing sizes of required **mature trees**, provide additional trees at a rate of one and one half (1.5) times the number otherwise required.

Medical Marijuana. All parts of any plant of the genus cannabis, whether growing or not, and the seeds of such plant used to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition, as defined in A.R.S. §[36-2801](#).

Medical Marijuana Designated Caregiver Cultivation. The cultivation of marijuana by a registered designated caregiver for a registered qualifying patient, as defined in A.R.S. §[36-2801](#) which is conducted as an accessory use to the primary residence of the registered designated caregiver and in conformance with the standards in Article [4-2-13](#).

Medical Marijuana Dispensary Cultivation Location. An enclosed, locked facility used for the cultivation of medical marijuana for a registered medical marijuana dispensary and medical marijuana infusion using the product of such cultivation.

Medical Marijuana Dispensary. A building used by a not-for-profit entity that acquires, possesses, cultivates, manufactures (including **medical marijuana infusion**), delivers, transfers, transports, supplies, sells or dispenses marijuana or related supplies and educational materials to a registered qualifying patient, registered designated caregiver, or a registered nonprofit **medical marijuana** dispensary agent.

Medical Marijuana Infusion. The process by which **medical marijuana** is incorporated into consumable or edible goods by means of blending, cooking, processing or other means of incorporation.

Medical Marijuana Qualifying Patient Cultivation. The cultivation of marijuana by a registered qualifying patient, as defined in A.R.S. §[36-2801](#) which is conducted as an accessory use to the primary residence of the registered qualifying patient and in conformance with the standards in Article [4-2-13](#).

Microbrewery. A facility for the brewing of beer for onsite consumption as well as wholesale and retail sale. Food and/or other alcoholic beverages may also be served.

Mobile Home. Factory assembled portable **structure** exceeding eight (8) feet wide and/or forty (40) feet long, containing bathroom and kitchen facilities and service connections, and readily movable as a unit on its own chassis and running gear, and designed as **adwelling unit** without a permanent foundation.

Mobile Home Room Addition. Building addition or alteration to a mobile home, other than factory designed and assembled.

Motel. **Building** or group of buildings containing **guest rooms** or **dwelling units**, some with separate entrances leading directly from the outside, with garage or **parking space** located on lot, designed or used for accommodation of automobile travelers (motor court, motor lodge and tourist court, but not **mobile home park**).

Motor Home. Vehicular unit built on or permanently attached to a self propelled vehicle chassis, van or chassis cab, as an integral part of the complete vehicle, to provide temporary living quarters for recreational, camping or travel use.

Net Floor Area. For determining parking requirements, total floor area of a **building** measured from interior faces of load bearing **walls** (excluding air shafts, stair wells, elevator shafts, rest rooms, and mechanical equipment rooms).

Non-Chartered Financial Institutions. Business, other than a state or federally chartered bank, credit union, mortgage lender, or savings and loan association that receives more than 25% of its net income from providing any of the following services or any combination of the following services: (1) check cashing services provided for a percentage fee or for a flat fee that varies on the amount of the check; (2) loans provided for periods of less than six months that are secured by an assignment of wages, the assignment of an auto title, or the holding of an auto title and for which the borrower pays a flat percentage fee, a flat fee that varies on the amount being advanced, or any other fee or interest that is not based on a disclosed annualized percentage rate for the transaction and; (3) pawn brokerage services; and/or (4) deferred present services under which a party accepts a check and agrees for a percentage fee or flat fee that varies on the amount of the check to hold the check for at least five days before presentment for payment or deposit.

Non-Climbable. Not easily climbed by a young child, not having a ladder or horizontal rung effect by which a young child can gain uninvited **access** to the top, nor having vertical openings through which a four (4) inch sphere can pass.

Nonconforming Building. **Building** or portion thereof which was lawful when established, but which does not conform to subsequently established **district** or regulations.

Nonconforming Lot. Parcel which was lawful when established, but having less area, **frontage** or dimensions than now required in the **district** in which it is located.

Nonconforming Use. Use of a **building** or land which does not conform after passage of this Ordinance (or **amendment** thereto) with the use regulations of the **district** in which it is located.

Nursery School. **Institution** for care of children of **preschool** age. Even though some instruction may be offered, it shall not be considered a "school".

Off-Street Parking Area. Reserved for transient storage of motor vehicles, including **parking spaces**, maneuvering areas, aisles and driveways completely located on the property it serves. (For further information on standards and requirements please see Article 6, **Off-Street Parking.**)

Office Building

A place where a particular kind of business is transacted or a service is supplied, excluding retailing, according to the following:

- a. A place in which functions such as consulting, record keeping, or clerical work are performed, or
- b. A place in which a professional occupation is performed.

On-Site Electric Generation Equipment. Equipment located on-site which is an accessory use to the principal permitted use on the premises and supplies electricity predominantly for use on the

same site from backup generators for emergency use only or alternative energy sources, such as solar or wind, provided such equipment otherwise complies with adopted design guidelines and development standards.

Open Space. Land area devoted to passive or active outdoor enjoyment for purposes of recreation, leisure, scenic and visual enjoyment. (Golf courses, desert land, portions of natural washes and preserved agricultural land may contribute to a portion of required common open space. See: District Development Standards, e.g., Section 3-2-12-B-2.)

Ordinance. The **Zoning Ordinance** of the City of Goodyear, Arizona as adopted and amended from time to time by the City Council.

Parking Lot. A parcel or portion of a parcel of land in which members of the general public may park their motor vehicles for the purpose of utilizing an **adjacent** use or facility. (For further information on standards and requirements please see Article [6](#), **Off-Street Parking**.)

Parking Lot, Commercial. Lot upon which public operating vehicles and parking thereon may be charged for usage of the lot.

Parking Space. Permanently surfaced area, enclosed or unenclosed, having a minimum width of nine (9) feet and an area of 180 square feet, which will accommodate a car. Parking is **off street**, with **access** from **streets** or secondary means.

Parking Structure. A parking garage consisting of one or more levels, including other primary or accessory uses. A parking structure may be located above or below ground.

Paved. A surface covered in hard materials such as concrete, masonry, bricks, pavers, cobblestone, asphalt and the like.

Permitted Use. Use specifically permitted, or use **analogous** to those specifically permitted.

Portable Storage Container. A readily mobile prefabricated structure transported to a site for the purpose of temporary and/or periodic storage of merchandise, goods, or materials related to the primary permitted use. The term shall include any such structure whether placed directly on the ground or having an attached axle and wheels.

Portal. An architecturally defined covered pedestrian entry into a **yard** within a defined **lot**.

Preschool. Public or private establishment providing supervision and educational training for four or more children two years of age or older, not related to proprietor.

Private Open Space. Usable area intended for exclusive use of the occupant(s) of a **dwelling unit** to which it is **adjacent**.

Private Use. Restricted to occupants of a **lot** or **building** with their guests, where compensation for use is not received, and where no business or commercial activity is associated with the use or **building**.

Professional Use

The rendering of a service of a professional nature by:

- a. Architects, engineers and surveyors, who are licensed by the Arizona State Board of Technical Registration.
- b. Doctors, osteopaths and dentists, who are licensed by the State of Arizona.
- c. Lawyers who are admitted to practice before the courts of the State.
- d. Accountants who are members of the Arizona Society of Certified Public Accountants or the Arizona Association of Accountants, Incorporated.
- e. Consultants and practitioners who are recognized by the appropriate above licensed professions.
- f. Chiropractors, chiropodists, optometrists and naturopaths.

Prohibited Use. Use not specifically permitted, or a use **analogous** to those not specifically permitted.

Public project borrow pit. An area where material has been removed from the ground for use in a public construction project.

Public Utility Facilities. Buildings, structures, or equipment used by a public utility for delivery of utility service including, but not limited to, electric substations, gas pressure regulating stations, water production, water treatment and water storage facilities and equipment, office buildings, and maintenance and storage yards, but not including water reclamation facilities, wastewater treatment plants or energy generation facilities.

Ranch. Area of ten (10) or more contiguous acres used for the raising of livestock on a commercial basis (does not include commercial pen feeding/feed lots). **Ranch** includes horse breeding and training, but not riding stables.

Recreational Vehicle

The following definitions delineate different types of **Recreational Vehicles**:

- a. Vehicular or portable unit mounted on chassis and wheels, not more than eight (8) feet wide and forty (40) feet long, primarily designed to provide temporary living quarters for recreational, camping or travel use, and either has its own motive power, or is mounted on or drawn by
-

another vehicle (e.g., trailer coach, travel trailers, truck campers, camping trailers and **motor homes**). Total width of a **recreational vehicle** once sited for occupancy, including all tip outs and/or slide outs, shall not exceed fourteen (14) feet. For purposes of measuring length, the trailer hitch and/or tongue shall not be excluded.

b. All all-terrain cycles, motorcycles, motorbikes, jet skis, boats, trailers (for transporting said vehicles) which are used for leisure activity and not for work.

Recreational Vehicle Awning. Light weight overhead **structure** used in conjunction with a **recreational vehicle**, for shading or weather protection of **carports**, patios, porches, and windows. **Awnings** shall not be permitted to have attached siding.

Recreational Vehicle Park. Approved residential development shown in City records, with **accessory buildings** and uses for enjoyment and benefit of the patrons, in which individual spaces are provided for parking of **recreational vehicles** for temporary portable housing and sleeping purposes, whether or not a charge is made for accommodation.

Recreational Vehicle Space. Parcel within an approved **recreational vehicle park** shown in the City records, designed for accommodation of one **recreational vehicle**.

Residential Facility. Home in which persons with development disabilities live; licensed, operated, supported, or supervised by the State of Arizona. Developmental disability shall mean autism, cerebral palsy, epilepsy or mental retardation.

Residential facility serving six (6) or fewer persons shall be considered a residential use property if the facility provides care on a twenty four (24) hour per day basis. Residents and operators of the facility shall be considered a **family**. Limitation of six (6) or fewer persons does not include the operator of the **residential facility**, members of the operator's **family**, or persons employed as staff (except that the total number of all persons living at the **residential facility** shall not exceed eight (8)).

Residential Uses. Single, two and multiple **family dwelling units**, **hotels**, **motels**, dormitories, **mobile homes**, and residential facilities.

Resort. Group of **buildings** containing more than five (5) **dwelling units** and/or **guest rooms**, and providing outdoor recreational activities (e.g., golf, horseback riding, swimming, shuffleboard, tennis). May furnish services customary to **hotels** (e.g., **restaurant**, **cocktail lounge**, and convention facilities).

Rest Home. Premises used for the housing of and caring for the ambulatory, aged or infirm. There shall be only incidental **convalescent** care not involving either trained nurse or physician residing on the premises. There shall be no surgery or other activities as are customarily provided in **hospitals**.

Restaurant. Establishment whose primary business is serving food to the public.

Restaurant, Drive-in. Building where food and drink are served for consumption on the premises, by order from and service to vehicular passengers.

Restaurant, Drive-thru. Building where food and drink are served for consumption within a **building** or off premises, by order from vehicular passengers outside a **structure**, including but not limited to, service from an outdoor service window.

Retail. Sale of tangible personal property for any purpose other than for resale.

Rooming House. See “Boarding house”.

School. Private or public places of general instruction (not day **nursery schools**, dancing schools, riding academies, or trade or specialized vocational schools).

Screening Wall. A solid masonry **wall** designed and constructed so as to conceal areas used for refuse, mechanical equipment, parking, storage, and service and loading bays from **street** and public view, and to separate potential incompatible land uses.

Service Station, Automotive. Retail business engaged primarily in the sale of motor fuels, but also in supplying goods and services generally required in the operation and maintenance of automotive vehicles (sale of petroleum products; sale and servicing of tires, batteries, automotive maintenance and repair; and supplying of incidental customer services and products). Major automotive repairs, painting and body and fender work, rental and sales of motor bikes, automobiles, boats, trailers, trucks, and any other type of sales or services not specifically approved as part of the original **Use Permits** must be approved prior to an area being used for these purposes.

Shopping Center. Group of facilities for **retail commercial use**, planned and designed for a site on which built, functioning as a unit, with **off-street parking**, **landscaped areas** and pedestrian malls or plazas provided on the property as an integral part of a unit.

Signs. Any identification, description, illustration, symbol or device which is affixed directly or indirectly upon a building, vehicle, structure or land and which identifies or directs attention to a product, place, activity, person, institution or business.

Additional definitions related to signs may be found in Article [7-5](#).

Site Area, Gross. The total area of a development site including, where applicable, dedicated portions of **abutting streets**.

Site Area Net. Developable portions of a site not including **abutting streets**.

Site Plan. A plan of development showing proposed and existing **structures**; circulation, access and maneuvering areas; open space, landscaping, **parking lots** and other amenities and or required features. The plan is submitted for evaluation by the **Site Plan Review** Committee as described in Section [1-2-7](#).

Site Plan Review Committee. The Development Review **Committee** as described in Section [1-2-6](#) of this **Ordinance**.

Sleeping Room. Room, other than a **guest room**, in which no cooking facilities are provided.

Specified Anatomical Areas

(See: Adult Business). Areas that depict, describe or relate to:

- a. Less than completely and opaquely covered:
 1. human genitals, pubic region;
 2. buttock; and
 3. that portion of the female breast constituting the nipple and areola (the more darkly pigmented portion of the breast encircling the nipple).
- b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities

(See: Adult Business). Activities that depict, describe, or relate to:

- a. Human genitals in a state of sexual stimulation or arousal;
- b. Acts of human masturbation, sexual intercourse or sodomy; and
- c. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

Stable, Private. Detached **accessory building** for the keeping of horses, mules or ponies owned by the occupants of the premises (not kept for remuneration, hire or sale).

Stable, Commercial. Area of ten (10) or more contiguous acres containing **stables** for horses, mules or ponies which are bred, hired, shown or boarded on a commercial basis.

Story. Portion of a **building** between the upper surface of a floor and the upper surface of the floor next above; the top most **story** shall be a portion of the **building** included between the upper surface of the top most floor and the ceiling or roof above. If the finished floor level directly above a **basement**, **cellar** or unused underfloor space is more than six (6) feet above **grade** or more than fifty (50) percent of the total perimeter, or is more than twelve (12) feet above **grade** at any point, the basement, cellar or unused underfloor space shall be considered a **story**.

Street. Dedicated public or private passageway which affords the principal means of **access** to **abutting** property.

Street, Centerline. Centerline of a **street** right of way determined by the City Engineer.

Street, Line. Dividing line between a lot, tract or parcel and a contiguous **street** (right of way).

Structural Alterations. Change in supporting members of a **building** (bearing **walls**, or partitions, columns, beams, or girders) or the complete **rebuilding** of a roof.

Structure. Piece of work constructed or erected, use of which requires location on the ground or attached to something having location on the ground (not a tent, vehicle, trailer coach or **mobile home**).

Structure, Temporary. Piece of work readily movable and used or intended for a period not to exceed ninety (90) consecutive days. **Structure** shall be subject to applicable property development standards for the **district** in which it is located.

Subdivision Regulations. Chapter 15 of the **Goodyear City Code** as adopted and amended from time to time by the City Council.

Swimming Pool, Private. A contained body of water used for bathing or swimming purposes either above or below ground level with the container being eighteen (18) inches or greater in depth at any point.

Swimming Pool, Public. Same as private pool, but operated as a commercial business. **Public swimming pools** shall conform with Maricopa County health requirements.

Tattoo Studio. A business that marks the skin with any indelible design, letter, scroll, figure, symbol or any other mark that is placed by the aid of needles or other instruments upon or under the skin with any substance that will leave color under the skin and that cannot be removed, repaired or reconstructed without a surgical procedure. A **Tattoo Studio** may or may not be operated in conjunction with a **Body Piercing Studio**.

Teen Entertainment Center. Facility at which no alcoholic beverages are served and is open to persons from fifteen (15) through twenty (20) years of age unaccompanied by adults at which entertainment activities are furnished including, but not limited to social dancing, billiards, arcade games, etc.

Temporary Use. A use, business, sale, display, or event which is conducted for a specified, limited amount of time that are generally related to a particular seasonal, cultural, traditional or community activity.

Townhouse. Single **family** dwelling with party **walls** and no side **yards** between **abutting** dwellings.

Tip out or Slide out. **Recreational vehicle** component which rides within the main **structure** of a **recreational vehicle** while traveling, and either tips or slides out at the site for the use as a living area. Tip out or slide outs shall meet the requirements of the Arizona State Division of **Building**

Codes when installed as an after market modification, and shall not be permanently anchored to the ground.

Trailer, Accessory. Vehicle used or designed for temporary living or sleeping purposes, having axles and wheels (one or more). **Dwelling unit** for **density** and parking requirement purposes, but not considered a single or multiple **family** dwelling, **apartment**, **efficiency apartment**, rooming unit or **guest room**.

Trailer, Travel. Vehicle or portable unit mounted on a chassis and wheels, not exceeding eight (8) feet wide and/or forty (40) feet long, and is drawn by a motor vehicle to provide temporary living quarters for recreational, camping, or travel use.

Trailer, Work. Portable vehicular attachment with axle and wheels used exclusively for business or occupational purposes.

Truck, Camper. Portable unit, consisting of a roof, floor, and sides designed to be loaded onto and unloaded from the bed of a pickup truck, to provide temporary living quarters for recreational, camping, or travel use.

Use. Purpose for which land or a **building** is occupied or maintained, arranged, designed or intended.

Use, Accessory. Subordinate use customarily incidental to, and conducted on the same lot with, a principal use of a **building**, including household employee's quarters.

Used Car Dealer. Operation of a used car sales business not connected with a franchised new car dealership.

Use Permit. Permit granted to a property owner by the Council to conduct a **permitted use** in a zoning **district** subject to a **Use Permit**. **Use permit** may be granted at the discretion of Council after receiving a recommendation from the Planning Commission.

Use Permit Use. A **Use Permitted** in a particular zoning **district** only upon showing that such use will comply with all the conditions and standards for the location and/or operations of such use as specified in this Ordinance and authorized by the City Council.

Variance. Modification of the literal provisions of the Zoning Ordinance, granted by the Board of Adjustment upon finding that the strict enforcement would cause undue hardship, owing to circumstances unique to an individual property for which the **variance** is granted, and not caused by the applicant.

Ventilation Court. An area provided within a **building site**, open to the sky, for the purpose of providing light and air to rooms intended for human habitation which do not otherwise have window

exposure to a **street**, **alley** or other open space. The width of a court shall be its least horizontal dimension.

Veterinary Hospital. Facility maintained by a licensed doctor of veterinary medicine where all types of animals are given medical and surgical treatment and are cared for during the time of treatment.

Veterinary Office. An office maintained by a licensed doctor of veterinary medicine for the treatment and care of small animals, namely the usual household pets and other animals of a similar size and nature but not livestock.

Volume. **Volume** of a **building** occupying a particular site (determined by multiplying **gross floor area** of individual floors, by height of each **story**).

Volume Ratio. Ratio of **building** volume to net lot area of a **building site**.

Wall. **Structure** or device required by this Ordinance for screening purposes, forming a physical barrier, so constructed that fifty (50) percent or more of the vertical surface is closed and prevents passage of light, air and vision (concrete, concrete block, wood or other materials that are solids, and are assembled to form a screen). Where a solid **wall** is specified, one hundred (100) percent of the vertical surface shall be closed, except for approved gates and other **access ways**. Where a masonry **wall** is specified, the **wall** shall be concrete block, brick, stone or other similar material, and one hundred (100) percent of the vertical surface shall be closed, except for approved gates or other **access ways**.

Warehouse. **Building** used for the storage of goods of any type, and where no **retail** operation is conducted.

Wholesale. Sale of tangible personal property for resale by a licensed retailer, for consumption by an ultimate purchaser.

Wireless Communications Facilities. Any facility used for wireless communications, usually consisting of a support **structure** for antenna(e), an equipment shelter or cabinet, and/or other transmission and reception devices used for business or commercial purposes.

Xeriscape. A creative landscaping program designed to save water. The word **Xeriscape** comes from "xeros," the Greek word for "dry," but the look of a **Xeriscape yard** is interesting and colorful.

Yard. Open space at **grade** level between a **building** and adjoining **lot lines**, unoccupied and unobstructed by any portion of a structure from the ground upward. Width of side **yard**, depth of front **yard**, or depth of rear **yard** measured as a minimum horizontal distance between **lot lines** and a main **building**.

Yard, Front. Open, unoccupied space on the same **lot** with a main building, extending the full width of the **lot**, and situated between a **street** line and the front line of the building projected to the side

lines of the lot. Front **yard** on a residential **corner lot** is the **yard adjacent** to the shorter street frontage; front **yard** of a commercial **corner lot** is the **yard adjacent** to the major **street**, as determined by the **Zoning Administrator**.

Yard, Rear. Open space on the same **lot** with a main **building**, between the rear line of the principal **building** and the rear line of the lot, extending the full width of the **lot**.

Yard, Side. Open, unoccupied space on the same **lot** with a main **building** situated between the **building** and the side line of the **lot**, and extending from the front **yard** to the rear **yard**. Any **lot line** not a rear line or a front line shall be deemed a side line. Interior side **yard** is defined as a side **yard** adjacent to a common **lot line**.

Zoning Administrator. The Development Services Department Director, or designee.

Zoning Conditions. Conditions and/or stipulations imposed by the City Council as a condition of approval of a zoning **amendment**.

Zoning Ordinance. The **Zoning Ordinance** of the City of Goodyear, Arizona as adopted and amended from time to time by the City Council.

Zoning Permit. Permit granted to a property owner through the Community Development Department upon a finding that the allowed activity is in conformance with the intent of this Code. Such permit may be limited by specific conditions, restrictions, terms, or time period.

Disclaimer: The City Clerk's Office has the official version of the Goodyear Zoning Ordinance.

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City Website: www.goodyearaz.gov

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