

ORDINANCE NO. 2020-1477

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 3 OF THE CITY OF GOODYEAR DESIGN GUIDELINES DATED JUNE 9, 2014; PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR PENALTIES.

WHEREAS, pursuant to section 1-4-1 of the Goodyear Zoning Ordinance, the Mayor and Council of the City of Goodyear passed and adopted Ordinance 2014-1292 adopting the City of Goodyear Design Guidelines dated June 9, 2014 (the “Design Guidelines”); and

WHEREAS, the Design Guidelines provide standards and guidelines for the design and review of development within the City of Goodyear; and

WHEREAS, the Mayor and Council of the City of Goodyear, Arizona passed and adopted Ordinance 2020-1476 amending the Goodyear Zoning Ordinance to create a new type of multi-family residential district known as MF-12; and

WHEREAS, the MF-12 Multi-Family Residential District will allow for the construction of a variety of different styles residential units, including detached and attached single-family residential units, within a single lot or parcel; and

WHEREAS, amendments to the Design Guidelines are needed because of the blending of both multi-family and single-family elements in this new zoning district; and

WHEREAS, public notice that this amendment to the Design Guidelines was to be considered and reviewed at a public hearing held before the Planning and Zoning Commission on September 16, 2020 appeared in the Arizona Republic Southwest Valley edition on August 28, 2020; and

WHEREAS, a public hearing was held before the Planning and Zoning Commission on September 16, 2020 to consider amendments to the Design Guidelines;

WHEREAS, at that hearing, the Commission voted 7-0 to recommend approval of various proposed amendments to the Design Guidelines; and

WHEREAS, public notice that the amendments to the to the Design Guidelines were to be considered and reviewed at a public hearing held before the City Council on September 28, 2020, appeared in the Arizona Republic Southwest Valley edition on August 28, 2020;

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

SECTION 1. AMENDING CHAPTER 3 OF THE CITY OF GOODYEAR DESIGN GUIDELINES

Chapter 3 – Multi-Family Residential of the City of Goodyear Design Guidelines dated Jun 9, 2014 adopted by Ordinance 2014-1292 is hereby amended as follows:

The text in Section 1. Introduction is amended to read:

The multi-family design guidelines are intended to promote quality developments and to provide a pleasant residential environment within the context of higher density.

Multi-family buildings in Goodyear should contribute to the sense of community by carefully relating to the scale and form of adjacent properties, and by designing street frontages that create architectural and landscape interest for the pedestrian and neighboring residents. As defined for purposes of this section, multi-family includes all “attached” dwelling units, including duplexes, cluster townhomes, attached court homes, apartment complexes, and detached and attached single family units within the MF-12 Zoning District.

Section 4 is hereby added as follows:

4. Additional MF-12 Zoning District.

A. MF-12 Zoning District Design Guidelines.

In addition to complying with the design guidelines for multi-family residential developments set forth above, all development within the MF-12 Zoning District shall comply with the following additional design guidelines:

- ¶ At least two (2) different elevation styles shall be provided for each floor plan.
- ¶ Elevations shall be structurally different with varied roof types facing street frontages.
- ¶ A minimum of three (3) alternative color schemes for each elevation shall be provided and shall contain related hues to present a unified design. Homes with adjacent facing walls shall not utilize the same color scheme. Homes located diagonally from one another may share common color schemes.
- ¶ Perimeter units within a MF-12 Zoning District shall be varied in orientation toward street frontages to create architectural diversity and visual interest.

- § Roofline variation shall be employed to avoid monotonous roofline at the same or similar elevation. A variety of roof forms and ridgelines shall be provided. Elevations shall be structurally different, with emphasis of varied roof types along street frontages.
- § Deep-set or pop-out windows and doors along with other architectural projections and recesses shall be used to provide individuality of units.
- § The entry shall be the focal point of the home through the use of roof elements, columns, porticos, recesses, or pop-outs, and/or other architectural features.
- § The height, mass, and appearance of adjacent residential units within the development shall be varied with significant variation to provide visual interest along street frontages.
- § Materials, color, and/or other architectural treatments shall be used to unify the design and establish identifiable character.
- § MF-12 development is intended to be developed with a complementary blend of residential units at a scale compatible with adjacent lower density residential uses, for instance, if adjacent residential developments are developed with heights of 20 feet, the residential units within the MF-12 development shall be of a similar scale, i.e. at or below 20 feet.
- § To ensure that natural light is accessible to each building, at least one side of each building within the development shall be adjacent to a community open space type amenity such as landscaped walking paths, community parking lots, court yards, landscaped retention areas, play grounds and other open space area
- § Perimeter units shall maintain a minimum building separation of 15 feet. Non-perimeter units shall maintain a minimum building separation of 10 feet. All buildings shall maintain a minimum distance of 10 feet from any fencing, wall, barrier, or common open space along the perimeter of the property.
- § A consistent level of architectural detailing shall be provided on all building facades to present a cohesive and unified design.
- § To modulate building scale and to create interesting and varied building facades, all building facades shall include horizontal and vertical articulation in the design of residential units, using such devices as building recesses, projections, and building elements

like wall plane changes, fenestration placement, building form recesses and projections, overhangs, and other architectural elements.

- § Building materials, including natural stone, brick, adobe, and textured concrete should predominate and be used to balance stucco facades.
- § The number of parking spaces required for each residential unit within the MF-12 Zoning District shall be the minimum number of spaces required by the Zoning Ordinance for a detached single-family unit. Parking spaces may be provided by community parking lots, paved driveways, covered carports and/or enclosed garages. . The required parking spaces for each residential unit shall be located no farther than 90 feet from the private entrance of the residential unit it serves as measured by a straight line from the curb or backstop, or as otherwise approved by the Development Services Director upon a determination that the proposed deviation meets the intent of this section.
- § Pedestrian connectivity within the development shall be provided through the use of walkways, paths, and/or sidewalks all of which shall include amenities to provide shade and visual enhancements. For any MF-12 development located adjacent to developments open to the public such as retail, schools, and public parks, pedestrian connectivity to such developments meeting the requirements described above shall be provided.

SECTION 2. CORRECTIONS

The Zoning Administrator, City Clerk, and the codifiers of this Ordinance are authorized to make necessary clerical corrections to this Ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

SECTION 3. SEVERABILITY

If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining provisions of the ordinance or parts thereof.

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective as prescribed by law. The provisions of the city of Goodyear Zoning Ordinance being amended by this Ordinance shall remain in full force and effect until the effective date of this Ordinance.

SECTION 5. PENALTIES

Any person who violates any provision of this Ordinance shall be subject to penalties set forth in Section 1-2-3 of the city of Goodyear Zoning Ordinance as it may be amended from time to time and which currently provides:

Section 1-2-3 Violations and Penalties

- A. It is unlawful to construct, erect, install, alter, change, maintain, use or to permit the construction, erection, installation, alteration, change, maintenance, or use of any house, building, structure, sign, landscaped area, parking lot or fence, or to permit the use of any lot or land contrary to, or in violation of any provisions of this Ordinance, or of any conditions, stipulations or requirements included as a condition of any applicable approval. Any land use that is specifically prohibited by this Ordinance or is unspecified and not classified by the Zoning Administrator is prohibited in any district.
- B. Responsible Party. The responsible party for any violations hereunder is the owner of personal property improvements or real property and/or person in possession or control of any personal property improvements or real property (Person). The responsible party shall be responsible for any violations hereunder whether or not the responsible party or its agent committed the prohibited act(s) or neglected to prevent the commission of the prohibited act(s) by another.
- C. Every Responsible Party shall be deemed responsible or guilty of a separate offense for each and every day during which any violation is committed or continued.
- D. Penalty. Any Person who violates any of the provisions of this Ordinance and any amendments there to and/or any conditions, stipulations or requirements included as a condition of any applicable approval shall be:
 - 1. Subject to civil sanctions of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) per offense; or
 - 2. Guilty of a class 1 misdemeanor, punishable by a fine not exceeding two thousand five hundred dollars (\$2,500), or by a

term of probation not exceeding three (3) years, or imprisonment for a term not exceeding six (6) months, or punishable by a combination of fine, probation or imprisonment. The City Prosecutor is authorized to file a criminal misdemeanor complaint in the City of Goodyear Municipal Court for violations hereunder.

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 Ordinance No. 2020-1477 is a true, correct and accurate copy of Ordinance No. 2020-1477, 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 ordinance.

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

seal

City Clerk