

ARTICLE 6 – APPLICATIONS & PROCEDURES

6.1. Purpose

The purpose of this Article is to establish the requirements and processes under which development, land use, and zoning-related requests are submitted, reviewed, and decided in accordance with this Ordinance. This Article specifies application types, submittal requirements, review authority, notice provisions, and decision-making procedures applicable to requests subject to zoning regulation.

The provisions of this Article are intended to ensure the orderly administration of the Ordinance, provide for consistent interpretation and implementation of zoning regulations, and ensure compliance with the City's General Plan and applicable state laws. This Article further establishes procedures necessary to support informed decisions and orderly growth while protecting the public health, safety, and general welfare.

6.2. Application Process Overview

Table 6.9.1: Application Procedures								
Review & Hearing Procedure: R = Review, Rec = Recommendation, D = Decision								
	Review & Hearing Body							
Application Type	Staff/Development Review Committee	Planning Commission	Board of Adjustment	City Council	Citizen Review	Owner Authorization Required	Application & Review Procedures	Public Notification Requirements
Zoning Amendment	R/Rec	Rec		D	R	Yes	See Sec. 6.9	See Table 6.13.2
PAD (Planned Area Development) – Overlay	R/Rec	Rec		D	R	Yes	See Sec. 6.8	
PAD (Planned Area Development)	R/Rec	Rec		D	R	Yes	See Sec. 6.8	
Special Use Permit (SUP)	R/Rec	Rec		D	R	Yes	See Sec 6.6	
Use Permit	R/Rec	Rec		D	R	Yes	See Sec. 6.5	
Variance	R/Rec		D		R	Yes	See Sec. 6.7	
Text Amendment (Non-Site Specific)				D		No	See Sec 6.9	

6.3. Site Plan Requirement and Review Process

6.3.1. Applicability.

Site Plan Review and approval is required prior to development activities on property located in zoning districts for which site plan review is required as specified in this Ordinance. This includes, by way of example, but not limitation: all uses within commercial and industrial zoning districts; all uses in certain residential districts such as multi-family residential district; manufactured home subdivision district; mobile home/recreational vehicle district; and uses in residential districts that require a Use

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Permit. Site Plan review for single-family, two-family uses and model home complexes shall be done concurrently with an application for a building permit for such uses.

6.3.2. Approval Authority.

Except as otherwise expressly provided in this Ordinance or as otherwise required by City Council as a stipulation in a zoning amendment, the Zoning Administrator shall have the authority to approve, conditionally approve, or deny any application seeking approval of Site Plan or an amended Site Plan. Violation of any conditions imposed by the Zoning Administrator shall be considered a violation of this Ordinance, and shall render any permit null and void.

6.3.3. Purpose.

The Site Plan review process promotes the health, safety and welfare of the citizens of the city and the general public by promoting safe, functional, attractive, harmonious, and compatible development within the city and insuring that structures, utilities, streets, parking, circulation systems, yards, and open spaces are developed in accordance with the goals and objectives of the City's General Plan and the requirements of this Ordinance, City of Goodyear Code of Ordinances, the Engineering Standards, and any other applicable federal, state, and/or local laws, ordinances, codes, rules, regulations, policies, and guidelines.

6.3.4. Application Process.

Site Plan applications will be processed and reviewed in accordance with the procedures generally described herein and more particularly described in City Codes, Ordinances and Engineering Standards.

Applications for a Site Plan shall be filed with the Development Services Department on form(s) provided by the Development Services Department and shall include all of the information identified in the: application form(s) related to Site Plans; in the Engineering Standards, and any other data that may be required by the Zoning Administrator which is needed to ensure compliance with applicable requirements.

Site Plan applications shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted.

6.3.5. Requirements.

A Site Plan and the development reflected therein shall be consistent with the goals and objectives of the City's General Plan; shall comply with the specific requirements for the zoning district in which it is located; shall comply with all Zoning Conditions attached to the property; and shall comply with the requirements set forth in:

- A. This Ordinance;
- B. The Subdivision Regulations;
- C. The Engineering Standards;
- D. The Flood Prevention Regulations;
- E. Any applicable Development Agreement;
- F. Any applicable Development Master Plan; and,
- G. All other applicable federal, state, and/or local laws, ordinances, codes, rules, regulations, policies and/or guidelines.

6.3.6. Review.

The Development Review Committee shall review the Site Plan for compliance with all applicable requirements. The review procedure is intended to be applied in a flexible manner to allow for creative designs, varying development concepts, locations and innovative response to applicable requirements. In the review, the Committee shall be guided by the following design review criteria and principles of development:

- A. The proposed development complies with all provisions of this Ordinance and all other ordinances, master plans, general plans, goals, objectives and standards of the City of Goodyear.
- B. The proposed development does not have any detrimental effect upon the general health, welfare, safety, and convenience of persons residing or working in the neighborhood, and shall not be detrimental or injurious to the neighborhood.
- C. The proposed development promotes a desirable relationship of structures to one another, to open spaces, and to topography both on the site and in the surrounding neighborhood.
- D. The height, location, materials, color, texture, area, setbacks, and mass of any structures, buildings, walls, signs, lighting, and landscaping is appropriate to the development, the neighborhood, and the community.
- E. Ingress, egress, internal and external traffic circulation, off-street parking facilities, loading and service areas and pedestrian ways, are so designed as to promote safety and convenience and to be aesthetically pleasing.
- F. The architectural character of the proposed structures is in harmony with, and compatible to, structures in the neighboring environment and the architectural character desired for the City; avoiding excessive variety or monotonous repetition.
- G. Mechanical equipment, appurtenances and utility lines are concealed from view or are otherwise integral to the building and site design.
- H. Street lights shall be installed along all perimeter streets and streets within the development in accord with City standards.

6.3.7. Approved Site Plan.

Following the approval of the Site Plan, the applicant shall prepare a Site Plan that conforms with the approved site plan and any conditions and/or terms of approval. Compliance with the approved Site Plan and all conditions of approval shall be reviewed and enforced through the building permit and/or civil permit review process, as applicable. Development activities shall substantially conform with the approved Site Plan and any conditions or restrictions attached thereto, and any substantial deviation from the approved Site Plan and any conditions or restrictions attached thereto is a violation of this Ordinance.

6.3.8. Period of Approval.

An approved Site Plan shall expire two (2) years from the date of approval unless either a building permit for the development reflected in the Site Plan has been obtained and construction has commenced or an extension has been obtained prior to the expiration date. A single one (1) year extension may be granted if the applicant demonstrates that circumstances beyond the owner's control prevented the owner

from obtaining a building permit and/or commencing construction within one (1) year of the date the Site Plan was approved and that no changes in City codes or ordinances (including changes in this Ordinance and the Engineering Standards) that would have significantly altered the requirements for the prior Site Plan approval. Requests for extensions hereunder shall be approved by the authority that approved the Site Plan for which the extension is being sought. Prior to the expiration of the extension, at the discretion of the Zoning Administrator, a temporary extension may be issued as long as substantial progress and good faith effort has been made through the submittal of a development application. Upon expiration of the Site Plan or any extension thereto, the property owner will be required to file a new application for Site Plan approval before undertaking any development activities on the site.

6.3.9. Amendments to an Approved Site Plan.

Following approval of a Site Plan, modifications may be approved in accordance with this Section.

- A. Minor Modifications. Minor modifications that do not materially alter the overall design, intensity of use, circulation, building placement, open space, landscaping, or compliance with conditions of approval may be reviewed and approved administratively through the building permit or civil permit review process, as determined by the Zoning Administrator.
- B. Administrative Amendments. Modifications that result in measurable but not substantial changes to building square footage, building footprint, parking layout, access points, landscaping configuration, or similar site elements, and that remain consistent with the original approval and all applicable standards, shall require an administrative Site Plan Amendment approved by the Zoning Administrator.
- C. Major Amendments. Any modification that materially alters the approved land use, increases building height beyond what was approved, increases overall building area or intensity of use beyond thresholds established by the Zoning Administrator, significantly modifies vehicular access or circulation, reduces required open space or landscaping below approved levels, or otherwise deviates substantially from the approved Site Plan shall require a new Site Plan application and approval by the original approving authority.

6.3.10. Appeal Procedure.

- A. An applicant may appeal the decision of the Zoning Administrator on any Site Plan application to the Planning and Zoning Commission. The appeal, along with any required processing fee, shall be filed in writing to the Development Services Department Director within fifteen (15) working days of the date of the decision is issued in writing. The appeal shall give reasons for the appeal and the relief requested.
- B. The Planning and Zoning Commission may approve, approve with modifications, conditionally approve, or deny the appeal. The decision of the Planning and Zoning Commission shall be in writing and shall be binding, unless such decision is appealed to the City Council.
- C. The applicant may appeal the decision of the Planning and Zoning Commission to the City Council. The appeal, along with any required processing fee, shall be filed in writing with the City Clerk within fifteen (15) working days from the date of the decision by the Planning and Zoning

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Commission. The appeal shall provide reasons for the appeal and the relief requested.

- D. The City Council may approve, approve with modifications, conditionally approve, or deny the appeal. The decision of the City Council shall be in writing and shall be final.
- E. Persons with standing who are aggrieved by a decision of the City Council hereunder may, within thirty (30) days after the Council rendered its decision, file a complaint for special action in the superior court of Maricopa County to review the Council's decision.

6.4. Zoning Permits

- A. Zoning Permits may be granted only when expressly permitted by this Ordinance. Approval of a Zoning Permit must be based on a finding that the Zoning Permit:
 - 1. Will not be materially detrimental to persons residing or working on the subject property or within the vicinity of the property, to the neighborhood, or to the public welfare; and,
 - 2. That the proposed use is reasonably compatible with uses permitted in the surrounding area.
- B. Applications for Zoning Permits shall be processed and reviewed in accordance with the procedures in this Ordinance and in the Engineering Standards if applicable.
- C. Applications shall be filed with the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.
- D. The applications shall include all of the information identified in the application form(s); the information identified in the City Codes and Ordinances; the information identified in Engineering Standards if applicable; and any other relevant data required by the Zoning Administrator that is needed for the review of the Zoning Permit Application. The application shall be signed by the property owner(s) or an authorized agent of the property owner(s).
- E. The Zoning Administrator shall review the application submittal, and may impose specific conditions or requirements as a condition of approval related to the property or operation of the requested Zoning Permit use.

6.5. Use Permits

- A. Use Permits shall be obtained for those specific uses as identified in Table 2.2.2 and Table 2.3.3 of this Ordinance. Applications for Use Permits are decided by City Council following receipt of recommendations from the Planning and Zoning Commission. Use Permits required hereunder may be approved or approved with conditions only upon a finding by City Council that the proposed development and/or use reflected in the application submittal for the Use Permit:
 - 1. Will not be materially detrimental to persons residing or working in the vicinity adjacent to the property, to the neighborhood, or to the public welfare; and

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2. That the proposed use is reasonably compatible with uses permitted in the surrounding area.

The applicant bears the burden of demonstrating to the City Council's satisfaction that the forgoing requirements have been met. In making this finding the City Council shall evaluate whether the application submittal addresses the concerns and potential problems associated with the use as identified in this Ordinance or whether the concerns and potential problems can be mitigated through the imposition of additional conditions, such as: imposing conditions to address potential impacts on surrounding properties that will result from noise, lighting, odors and/or placement of trash receptacles; imposing conditions that will ensure adequate parking, ingress and egress so as not to increase traffic congestion; limiting the hours of operation; imposing requirements for enhanced landscaping, screening, and buffering measures that will preserve reasonable use and enjoyment of adjacent properties.

- B. Applications for a Use Permit shall be processed and reviewed in accordance with the procedures generally described below and more particularly described in the Administrative Process Manual and in this Ordinance.
 1. Applications for a Use Permit shall be filed with the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.
 2. The application shall include all of the information identified in the application form(s), the information identified in the Administrative Process Manual, the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the Use Permit application.
 3. A Conceptual Site Plan shall be provided and shall provide sufficient detail to demonstrate that the concerns and potential problems associated with the use as identified in this Ordinance either do not exist at this site and/or can be adequately addressed through mitigation efforts.
 4. The application shall be signed by the property owner(s) or an authorized agent of the property owner(s).
 5. The Zoning Administrator shall process such application and shall adhere to the posting and publication requirements specified in Section 6.13 and as required by Arizona law and shall comply with the Citizen Review Process provided in Section 6.12 of this Ordinance prior to the public hearing before the Planning and Zoning Commission.
 6. The Development Review Committee shall review the application submittal. Following the completion of the Committee's review, the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review.
 7. Requests for a Use Permit shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to the City Council. Following a public hearing at which interested parties and

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citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to the City Council, recommending approval, approval with conditions or denial of the Use Permit application and the reasons for such recommendations. Such recommendation may or may not be consistent with the recommendations of the Development Review Committee.

8. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.
 9. The City Council may approve, approve with conditions or deny the application for Use Permit. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission.
 10. The City Council may decide the application for Use Permit without holding a second public hearing if City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by any person appearing in opposition to the Use Permit application at the Planning and Zoning Commission, or by any person who filed a written protest to the Use Permit application in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the Use Permit application. If the City Council does not intend to adopt the Planning and Zoning Commission's recommendation without change, the City Council shall continue the matter until a public hearing can be scheduled before City Council decides the matter. Notice of the date, time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Planning and Zoning Commission.
 11. A Use Permit may be granted for a designated period of time with a stated date of expiration or it may be granted for an indefinite period of time.
- C. The use authorized by the Use Permit shall be established within two (2) years of the date of the Use Permit was approved by the City Council, unless an extension is obtained as provided herein ("Establishment Period"). A Use Permit shall be considered established on the site upon commencement of the use, or commencement of construction pursuant to a valid building permit. If the use authorized by the Use Permit is not established within the Establishment Period and extension for the establishment of the use is not obtained prior to the expiration of the Establishment Period, the Use Permit approval shall become null and void, in accordance with the following provisions:
1. Upon expiration of the Establishment Period (initial two (2) year period plus and any subsequently granted extension), the Zoning Administrator shall send a notice by certified mail to the property owner and holder of the Use Permit advising that the Use Permit has expired. If after thirty (30) days the property owner or holder of the permit does not request an extension and provide evidence that the Use Permit is still being pursued, the Zoning Administrator shall send a second notice by

certified mail to the property owner or holder of the Use Permit declaring the Use Permit null and void. If an extension has been requested, the Zoning Administrator shall wait to send a final notice of expiration until the application for an extension has been decided. If the application for an extension is denied, the Zoning Administrator shall send a second notice by certified mail to the property owner holder of the Use Permit declaring the Use Permit null and void.

2. The Zoning Administrator may authorize a one (1) year extension upon a finding that the establishment of the Use Permit is actively being pursued; that special circumstances prevented the property owner or holder of the permit from obtaining a building permit and/or commencing construction; and that no significant changes have occurred either in City ordinances or the immediate area that might have altered the previous Use Permit approval.

6.6. Special Use Permits

- A. Special Use Permits shall be obtained for those specific uses as identified in Table 2.2.2 and Table 2.3.3 of this Ordinance. Applications for a Special Use Permit shall be processed in the same manner as an application to amend the boundaries of a zoning district as set forth in Section 6.9 of this Ordinance and as supplemented herein. Applications for Special Use Permits are decided by the City Council following receipt of recommendations from the Planning and Zoning Commission. Special Use Permits may be approved or approved with conditions only upon a finding that the proposed development and/or use reflected in the application submittal for the Special Use Permit:
 1. Will be desirable or necessary to the public convenience or welfare; and,
 2. Will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites;
 3. Is in conformance with the adopted General Plan and any adopted Area Plans; and,
 4. Will not be detrimental to surrounding properties or persons in the area due to:
 5. Impact on the circulation system of the adjacent neighborhood;
 6. Excessive noise or light generated from within the site;
 7. Excessive scale or height in relationship to surrounding properties;
 8. Hours of operation;
 9. Inadequate parcel size to provide adequate buffers or mitigation measures to surrounding properties;
 10. Inconsistency with the development character or architecture of the adjacent properties.
 11. The applicant bears the burden of demonstrating to the City Council's satisfaction that the forgoing requirements have been met.
 12. The Planning and Zoning Commission may recommend, and the City Council require, such conditions and restrictions, if necessary, upon the

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height and bulk and area of occupancy of any site approved for a Special Use Permit as may be reasonable under the particular circumstances to ensure compliance with this Ordinance.

- B. Applications for a Special Use Permit shall be processed and reviewed in accordance with the procedures set forth in Section 6.9 of this Ordinance for processing an application to amend the boundaries of a Zoning District as supplemented herein.
1. Applications for a Special Use Permit shall be filed the Development Services Department on form(s) provided by the Development Services Department and all applicable fees shall be paid when the application is submitted.
 2. The application shall include all of the information identified in the application form(s), the information identified in the Administrative Process Manual; the information set forth herein and specified elsewhere in this Ordinance including the information identified in Table 2.2.2 and Table 2.3.3 of this Ordinance; and any other data that may be required by the Zoning Administrator that is needed for the review of the Special Use Permit application.
 3. The application shall be signed by property owner(s) or an authorized agent of the property owner(s).
 4. The Zoning Administrator shall process such application and adhere to the posting and publication requirements specified in Section 6.13 and as required by Arizona law, except that the applicant may, at their option, complete the required on-site posting in accordance with Section 6.13. The Zoning Administrator shall ensure compliance with the Citizen Review Process provided in Section 6.12 of this Ordinance prior to the public hearing before the Planning and Zoning Commission.
 5. The Development Review Committee shall review the application submittal. Following the completion of the Committee's review, the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review.
 6. Requests for a Special Use Permit shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to City Council. Following a public hearing at which interested parties and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to the City Council, recommending approval, approval with conditions or denial of the Special Use Permit application and the reasons for such recommendations. Such recommendation may or may not be consistent with the recommendations of the Development Review Committee.
 7. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.

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8. The City Council may approve, approve with conditions or deny the application for Special Use Permit. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission.
 9. The City Council may decide the application for Special Use Permit without holding a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by any person appearing in opposition to the Special Use Permit application at the Planning and Zoning Commission, or by any person who filed a written protest to the Special Use Permit application in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the Special Use Permit application. If the City Council does not intend to adopt the Planning and Zoning Commission's recommendation without change, the City Council shall continue the matter until a public hearing can be scheduled before City Council decides the matter. Notice of the date, time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the Planning and Zoning Commission.
 10. A Special Use Permit may be granted for a designated period of time with a stated date of expiration or it may be granted for an indefinite period of time.
- C. The use authorized by the Special Use Permit shall be established within two (2) years of the date the Special Use Permit was approved by the City Council, unless an extension is obtained as provided herein ("Establishment Period"). A Special Use Permit shall be considered established on the site upon commencement of the use, or commencement of construction pursuant to a valid building permit. If the use authorized by the Special Use Permit is not established within the Establishment Period and an extension for the establishment of the use is not obtained prior to the expiration of the Establishment Period, the Special Use Permit approval shall become null and void, in accordance with the following provisions:
1. Upon expiration of the Establishment Period (initial two (2) year period plus any subsequently granted extension), the Zoning Administrator shall send a notice by certified mail to the property owner and holder of the Special Use Permit advising that the Special Use Permit has expired. If after thirty (30) days the property owner or holder of the permit does not request an extension and provide evidence that the Special Use Permit is still being pursued, the Zoning Administrator shall send a second notice by certified mail to the property owner or holder of the Special Use Permit declaring the Special Use Permit null and void. If an extension has been requested, the Zoning Administrator shall wait to send a final notice of expiration until the application for an extension has been decided. If the application for an extension is denied, the Zoning Administrator shall send a second notice by certified mail to the property owner holder of the Special Use Permit declaring the Special Use Permit null and void.

2. The City Council may authorize a one (1) year extension upon a finding that the establishment of the Special Use Permit is actively being pursued; that special circumstances prevented the property owner or holder of the permit from obtaining a building permit and/or commencing construction; and that no significant changes have occurred either in City ordinances or the immediate area that would have altered the previous Special Use Permit approval.
3. If an application for a Special Use Permit is denied by the City Council, or the application is withdrawn after the Planning and Zoning Commission hearing, the Commission shall not consider an application for the same Special Use on the same property within one (1) year from the date of the original hearing.

6.7. Variances

- A. Applications for a variance from the terms of this Ordinance will be processed and reviewed in accordance with the procedures generally described herein and more particularly described in the Administrative Process Manual and in this Ordinance, which procedures shall comply with the posting requirements, publication requirements as required by law. Applications for a variance shall be filed with the Zoning Administrator upon form(s) provided by the Development Services Department. Applications for a variance shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. Applications for a Variance shall include all of the information and supporting documentation identified in the application, in this Ordinance and in the Administrative Process Manual. The application shall be accompanied by:
 1. Plans and description sufficient to indicate the nature of the proposed development and specific terms of this Ordinance from which relief is sought; and,
 2. Sufficient documentation and other evidence that will allow the Board to find all of the requirements necessary for the granting of a Variance, as set forth below, have been met; and,
 3. Evidence satisfactory to the Board of the applicant's ability and intention to proceed with actual construction within six (6) months of the issuance of a variance; and,
 4. Any other data that may be required by the Zoning Administrator necessary for review of the application.

6.7.1. Requirements.

A Variance shall not make any changes in the Use and/or densities permitted in any zoning district. A variance from terms of this Ordinance shall not be granted unless the Board finds, upon sufficient evidence, all of the following:

- A. existence of special circumstances or conditions applicable to the property, including its size, shape, topography, location or surroundings; and,
- B. that such special circumstances were not created by the property owner or former owner of the property or any agent thereof; and,

- C. the strict application of this Ordinance will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district; and,
- D. the variance will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare in general; and,
- E. the variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is located.

6.7.2. Approval.

The Board shall hold a public hearing for which due and proper notice has been provided in accordance with Section 6.13 and all interested persons shall be given the opportunity to be heard. The concurring vote of a simple majority of those members present of the Board shall be necessary to grant a variance. Any variance granted may be subject to such conditions deemed applicable by the Board. Variances shall be void if the subject property does not conform to all conditions, requirements, and standards prescribed by the Board as a condition for approval of the variance.

6.7.3. Time Limitations.

A variance shall expire one (1) year from the date the variance was granted unless either a building permit for the development for which the variance was granted has been obtained and construction commenced or an extension has been obtained prior to the expiration date. The Board may grant a single one (1) year extension if the applicant demonstrates that circumstances beyond the owner's control prevented the owner from obtaining a building permit and/or commencing construction within one (1) year of the date the variance was granted and that there have been no changes in the City codes or ordinances (including changes in this Ordinance and the Engineering Standards) that would have affected any of the Board's findings when it granted the variance as set forth above.

6.8. Planned Area Developments

An application for a Planned Area Development (PAD) may be filed as provided herein. A PAD can be used either as an overlay (PAD Overlay) to provide flexibility in an otherwise established land use district, or it can be used as an independent district (PAD). Prior to submitting an application for a PAD Overlay or PAD a pre-application meeting shall be held between the owner or owners representative(s) and the City to determine which process would be applicable to the proposed development.

6.8.1. Planned Area Development Overlay (PAD Overlay)

A. Application

An application for a PAD Overlay shall be filed on form(s) provided by the Development Services Department and shall include: the information identified on the application form(s); the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the application. Applications for a PAD Overlay shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. The application shall include all of the following:

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1. Location information including an area map showing adjacent property ownership and existing uses within six hundred (600) feet of the parcel.
2. A legal description of the metes and bounds of the parcel.
3. History and background of the property including prior zoning actions
4. Existing topographical features; potential constraints including any portions of the site that are subject to flooding (indicating the extent and frequency, retention areas, calculations and maintenance responsibility); proposed roadway or major utility line extensions which may impact development; areas within aircraft approach and holding patterns and such other impediments to the property's use and improvement as may be present or planned for the future.
5. Project Narrative providing a description of what is being proposed on the property including the following:
 - a. The reason(s) for the PAD request, how the amendment may impact adjacent properties, and any City policies supporting the proposal
 - b. Written summary that demonstrates compatibility with the approved General Plan
 - c. All proposed deviations from the Development Standards of the underlying Zoning District and justification for each.
 - d. Proposed development phasing and timing
6. Proposed Conceptual development plan that depicts the following:
 - a. The location and nature of the various buildings and their areas in square feet, total number of dwelling units and approximate percentage allocation by dwelling type, calculation of the residential density in dwelling units per gross acre as defined in the General Plan;
 - b. The proposed circulation, including any public or private improvements;
 - c. Required open space (including a general statement regarding ownership and maintenance) with indication of responsiveness to General Plan recreation/open space and perimeter treatments.

B. Review and Approval

Applications for a PAD Overlay shall be processed in the same manner as an amendment to the boundaries of a zoning district pursuant to Section 6.9 of this Article. The Planning and Zoning Commission shall conduct at least one (1) public hearing and make a recommendation to the City Council following receipt of a report and recommendation from the Development Review Committee.

The Planning and Zoning Commission may recommend approval, approval with conditions, or denial of a PAD Overlay. In making its recommendation, the Commission shall consider the standards applicable to zoning map amendments set forth in Section 6.9 and shall find that the proposed PAD

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Overlay is consistent with the General Plan and applicable provisions of this Ordinance.

Upon receipt of the Planning and Zoning Commission's recommendation, the City Council shall decide the application for an amendment without a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by a person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with state law.

The City Council shall hold a public hearing if requested by a party aggrieved, any member of the public, or any member of the City Council, or if a public hearing was not held by the Planning and Zoning Commission.

Upon City Council adoption of the Planning and Zoning recommendation of an application for PAD Overlay, the zoning of the property shall be, by Ordinance, reflected on the City zoning map as being a PAD Overlay.

6.8.2. Planned Area Development (PAD)

A. Application.

An application for a Planned Area Development (PAD) district shall be filed on form(s) provided by the Development Services Department and shall include: the information identified in the application form(s); the information set forth herein and specified elsewhere in this Ordinance; any other data that is required by the Zoning Administrator that is needed for the review of the application. Applications for an amendment shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted. The application shall include:

1. Location information including an area map showing adjacent property ownership and existing uses within one thousand two hundred (1,200) feet of the parcel.
2. A legal description of the metes and bounds of the parcel.
3. History and background of the property including prior zoning actions
4. Existing topographical features, potential constraints, including any portions of the site that are subject to flooding (indicating the extent and frequency, retention areas, calculations and maintenance responsibility); proposed roadway or major utility line extensions which may impact development; areas within aircraft approach and holding patterns and such other impediments to the property's use and improvement as may be present or planned for the future.
5. Project Narrative providing a description of what is being proposed on the property including the following:
 - a. The reason(s) for the PAD request, how the amendment may impact adjacent properties, and any City policies supporting the proposal

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- b. Written summary that demonstrates compatibility with the approved General Plan
 - c. A statement of intended design philosophy and quality (text, graphics, or photographic examples)
 - d. All proposed deviations from the provisions of the Zoning Ordinance, City Code, and Engineering Standards (enhanced or reduced) and justification for each.
 - e. Proposed development phasing and timing
6. Proposed conceptual development plan that depicts the following:
- a. The location and nature of the various buildings and their areas in square feet, total number of dwelling units and approximate percentage allocation by dwelling type, calculation of the residential density in dwelling units per gross acre as defined in the General Plan;
 - b. The proposed circulation, including any public or private improvements;
 - c. Required open space (including a general statement regarding ownership and maintenance) with indication of responsiveness to General Plan recreation/open space and perimeter treatments.
7. A conceptual development plan, which includes, at a minimum, plans showing location and type of all improvements including schematic grading plans with proposed treatment of sloped retention areas; and the following explanatory, supporting details:
- a. Traffic analysis, including interior roadways, typical development envelopes for residential uses and building arrangements for recreational, employment, commercial or institutional uses; and,
 - b. Standards including demand and capacity analyses for municipal systems such as transportation, water supply, sewage disposal, and other community facilities, such as schools, public safety, cultural and social services (such as libraries or multi-generational activity centers); and,
 - c. If the development is to be phased, a general indication, with chronology of the intended total project's staging; and,
 - d. Conceptual plans and elevations of building types, materials, and colors, to be developed within the PAD district; and,
 - e. The number of dwelling units by type with estimated school enrollment to be generated within the entire PAD district.
8. Conceptual water, sewer and drainage plans that conform to the requirements of all applicable federal, state, and local laws, ordinances, codes, rules, regulations, policies, and guidelines, including, but not limited to, this Ordinance, the Subdivision Regulations, the Engineering Standards, the Flood Prevention Standards and the City's General Plan.

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B. Review and Approval.

1. Applications for a PAD District shall be decided by the City Council following receipt of recommendations from the Planning and Zoning Commission. Such applications shall be processed pursuant to the procedures set forth in Section 6.9 of this Ordinance for processing an application to amend the boundaries of a Zoning District as supplemented herein. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the same considerations set for in Section 6.9 of this Ordinance that are to be considered in their review of an application to amend the boundaries of a Zoning District.
2. The City Council may approve, approve with conditions, or deny an application for a PAD District.
3. City Council may approve a PAD District only upon finding that the proposal meets the intent, objectives and general requirements of the PAD and is in conformance with all applicable federal, state, and local laws, ordinances, codes, rules, regulations, policies, and guidelines, including, but not limited to, this Ordinance, the Subdivision Regulations, the Engineering Standards, the Flood Prevention Standards and the City's General Plan.
4. The Council may, as necessary, attach conditions to the PAD approval, which may include but are not limited to the following considerations: intensities and densities; use limitations; landscaping; screen planting; setback and height of building; paving, location of drives and parking areas; storm drainage and storm water retention; public and/or private open space; shape and size of lots; grouping and uses of buildings; maintenance of grounds; regulation of signs; fences and walls; adequacy of vehicle and pedestrian circulation and access; timing and phasing; elevations and architectural theme; or any other reasonable considerations the Council finds germane to maintain community character and neighborhood quality.
5. Development of property within a PAD shall meet all applicable standards of design and construction required by applicable federal, state, and local laws, ordinances, codes, rules, regulations, policies, and guidelines, including, but not limited to, this Ordinance, the Subdivision Regulations, the Engineering Standards, the Flood Prevention Standards and the City's General Plan, unless modifications are accepted by the City Council when approving the PAD. The applicant shall submit and the Development Services Department shall make a part of the case file record statements regarding any and all approved deviations from the provisions of the Zoning Ordinance.
6. Upon City Council approval of an application for PAD, the zoning of the property shall be, by Ordinance, reflected on the City zoning map as being in the PAD District.

6.8.3. PAD Amendments

A. Purpose

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This Section establishes the procedures and criteria for amendments to an approved Planned Area Development Overlay (PAD Overlay) or Planned Area Development District (PAD), including amendments to the associated Development Plan.

B. Major Amendments

A major amendment shall be processed in the same manner as the original PAD Overlay or PAD approval, including public hearings and final action.

A major amendment shall include any modification that:

1. Increases approved residential density;
2. Increases maximum building height;
3. Modifies permitted or conditional land uses (PAD only);
4. Substantially alters the approved land use plan, circulation plan, open space configuration, or development concept;
5. Modifies approved development standards in a manner not previously evaluated; or
6. May create a substantial impact on adjacent properties.

C. Minor Amendment

1. The Zoning Administrator may approve minor amendments to an approved PAD Overlay or PAD Development Plan.
2. A minor amendment is any modification that does not meet the definition of a Major Amendment in this Section.
3. If the Zoning Administrator determines that a proposed amendment qualifies as a Major Amendment, the request shall be processed in accordance with the procedures for Major Amendments.
4. Approval of a minor amendment shall be documented in writing and maintained as part of the official project record.

6.9. Zoning Amendments

Regulations set forth in this Ordinance and boundaries of Zoning Districts established by the City may be amended, supplemented, changed, modified or repealed when deemed necessary to best serve the public interest, health, comfort, convenience, safety and general welfare of the citizens of the City.

6.9.1. Approval Authority.

Amendments of this Ordinance; and amendments establishing or changing the zoning district applicable to property within the City through the amendment of the boundaries of a Zoning District ("Rezoning Ordinances") and any amendments of any terms, conditions, stipulations or other type of requirements set forth in an ordinance amending the boundaries of a Zoning District (collectively referred to as "amendments" and individually referred to as "amendment") shall be decided by the City Council following receipt of recommendations from the Planning and Zoning Commission.

6.9.2. Initiation of Amendment.

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- A. An application to amend the boundaries of a Zoning District or to amend or enforce any terms, conditions, stipulations or other type of requirements set forth in an ordinance amending the boundaries of a Zoning District may be initiated by any of the following:
- B. All of the owners of the subject property by application executed by all of the owners of the subject property; or, an agent of all of the property owners authorized to sign on behalf of all of the property owners, when the authority is in writing and filed with the application;
- C. The Planning and Zoning Commission or City Council by its own motion at a public meeting; or,
- D. Zoning Administrator for the purpose of rezoning property to bring such land into conformance with the General Plan; rezoning of City-owned property; or reversion of the zoning on any property which fails to comply with a condition of approval or schedule of development.
- E. An application for an amendment to the text of this Ordinance may be initiated by any of the following:
 - 1. The Planning and Zoning Commission or City Council by its own motion at public meeting; or,
 - 2. The Zoning Administrator to promote implementation of goals and objections of the City's General Plan; to respond to changes in the law, statutory or case law; to address zoning and/or development issues or processes; to address inconsistencies in terms of the Ordinance or problems and/or conflicts in implementation of specific sections of the Ordinance; or to implement new standards or practices that would benefit the community.

6.9.3. Application Process.

Applications for amendments shall be processed and reviewed in accordance with the procedures generally described below, which procedures shall comply with the posting requirements, publication requirements and Citizen Review Process as required by law.

- A. Applications for an amendment shall be filed with the Development Services Department on form(s) provided by the Development Services Department and shall include all of the information identified in the application form(s) and in the Administrative Process Manual and any other data that may be required by the Zoning Administrator needed for the review of the application.
- B. Applications for an amendment shall be signed by the property owner(s) or an authorized agent of the property owner(s) and all applicable fees shall be paid when the application is submitted.

6.9.4. Review Process For Amendments To Zoning Map.

- A. The Development Review Committee shall review the application submittal for an amendment of the boundaries of a Zoning District. Following the completion of the review by Development Review Committee and the Citizen Review Process specified in Section 6.12 the Zoning Administrator shall forward the application submittal with a recommendation for approval, approval with conditions or denial to the Planning and Zoning Commission for review at a

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public hearing for which due and proper notice has been provided in accordance with Section 6.13.

- B. Requests for amendments shall be considered by the Planning and Zoning Commission at a public hearing for the purpose of making a written recommendation to City Council. Following a public hearing at which parties of interest and citizens have been heard, the Planning and Zoning Commission shall issue a recommendation to be forwarded to City Council recommending approval, approval with conditions or denial of the amendment and the reasons for such recommendations. Such recommendation may or may not be consistent with the Committee's recommendations.
- C. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the following considerations:
 - 1. Consistency with the goals, objectives, policies and future land use map of City's General Plan; consideration of current market factors, demographics, infrastructure, traffic, and environmental issues; and if conditions have changed significantly since the Plan was adopted;
 - 2. Suitability of the subject property's physical and natural features for the uses permitted under the proposed zoning district;
 - 3. Compatibility of all potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of such things as land suitability, environmental impacts, density, nature of use, traffic impacts, aesthetics, infrastructure, and potential impact on property values;
 - 4. Proposed zoning district's consistency with other land uses within the immediate area and whether uses allowed under proposed zoning district would be better suited to the subject property than the uses allowed under current zoning;
 - 5. Demand for the types of uses permitted in the proposed zoning district in relation to amount of land currently zoned and available to accommodate the demand;
 - 6. Demands for public services that will be generated by the uses permitted in the proposed zoning district and requirements for meeting such demands in terms of public infrastructure and facilities and other capital equipment, such as water supplies, water treatment, storage, and distribution facilities, wastewater treatment, recharge and distribution facilities, streets, bridges, schools and emergency services facilities and equipment;
 - 7. Potential adverse fiscal impacts that will result from providing services to areas not in proximity to where existing public services are provided;
 - 8. General public's concerns;
 - 9. Whether the amendment promotes orderly growth and development; and
 - 10. Any other factors related to the impact of the amendment on the general health, safety and welfare of the citizens of the City and the general public.

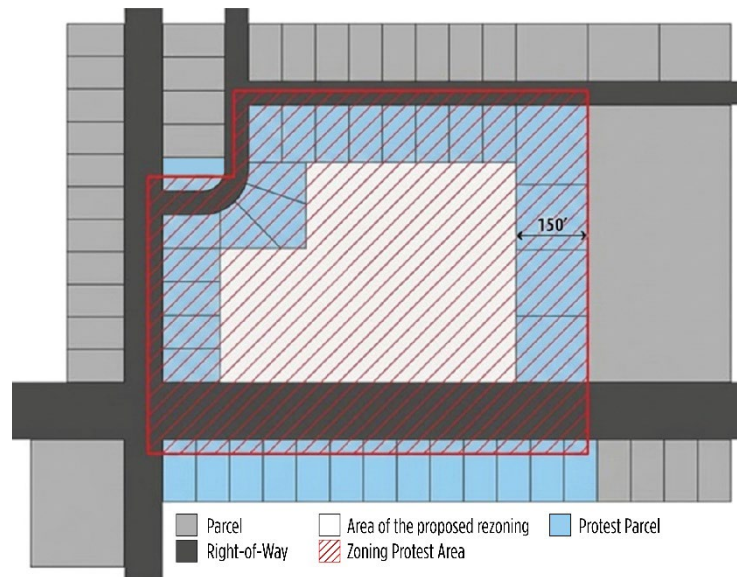
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- D. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.
- E. The City Council may approve, approve with conditions, or deny the application for amendment. Such recommendation may or may not be consistent with the recommendations of the Planning and Zoning Commission. The City Council may decide the application for an amendment without a second public hearing if the City Council intends to adopt the recommendations of the Planning and Zoning Commission without change and there has been no written request for a public hearing by the applicant, by a person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with state law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the application for amendment. If the City Council does not intend to adopt the recommendations of the Planning and Zoning Commission without change, the City Council shall continue the matter until a public hearing can be scheduled before the City Council decides the matter.
- F. Adoption of an amendment may be subject to such conditions as the City Council deems applicable to enforce this Ordinance. If one condition is a schedule for development of specific uses for which zoning is requested, and at expiration of that period the property has not been developed according to said schedule, it may cause a Recession of Zoning and be reverted to its former zoning classification by action of the City Council after conducting a public hearing for which public notice has been posted and published in accordance with the requirements of Arizona law.
- G. If the owners of twenty (20) percent or more of the property by area and number of lots, tracts and condominium units within the zoning area of the affected property file a protest in writing against a proposed amendment, the change shall not become effective except by the favorable vote of three-fourths (3/4) of all members of the Council. If any members of the Council are unable to vote on such a question because of a conflict of interest, then the required number of votes for passage of the question shall be three-fourths (3/4) of the remaining membership of the Council, provided that such required number of votes shall not be less than a majority of the full membership of the Council. For the purposes of this subsection, the vote shall be rounded to the nearest whole number. A protest filed pursuant to this subsection shall be signed by the property owners opposing the proposed amendment and filed in the office of the City Clerk not later than 12:00 noon one (1) business day before the date on which the Council will vote on the proposed amendment.

For the purposes of this Section, "zoning area" means both of the following:

- 1. The area within one hundred fifty (150) feet, including all rights-of-way, of the affected property subject to the proposed amendment or change.
- 2. The area of the proposed amendment or change.

Figure 6.9.4A - Protest Area



- H. If an application for amendment to amend the boundaries of a Zoning District or to amend any terms, conditions, stipulations or other type of requirements set forth in and ordinance amending the boundaries of a Zoning District is denied by the City Council, or the application is withdrawn after the Planning and Zoning Commission hearing, the Planning and Zoning Commission shall not consider an application for the same amendment within one (1) year from the date of the original hearing.
- I. Vertical construction in the rezoned area shall commence within two (2) years of City Council approval of the rezone request, or the City Council may rescind the zoning unless an extension of time is granted.
- J. Approval of a rezoning, Planned Area Development (PAD), Planned Area Overlay, or other land use entitlement shall not constitute a guarantee of the availability or adequacy of public infrastructure, including but not limited to water, wastewater, storm drainage, transportation, or utility services. All development remains subject to the availability of public facilities and services necessary to support the proposed use, and to compliance with all applicable City codes, standards, and infrastructure requirements in effect at the time of development.

6.9.5. Review Process for Text Amendment.

- A. The Development Review Committee shall review the application submittal for an amendment to this Ordinance. Following the completion of the review by Development Review Committee, the Zoning Administrator shall forward to the Planning and Zoning Commission the application submittal along with a recommendation to approve, to approve subject to modifications, or to deny the application for the Planning and Zoning Commission's review at a public hearing for which due and proper notice has been provided in accordance with Section 6.13.

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- B. Requests for amendments to this Ordinance shall be considered by the Planning and Zoning Commission for the purpose of making a written recommendation to City Council. Following a public hearing, the Planning and Zoning Commission shall issue a recommendation to be forwarded to City Council recommending approval of the amendment as proposed, recommending approval of the amendment subject to modifications or recommending denial of the amendment. Such recommendation may or may not be consistent with the Committee's recommendations.
- C. The Development Review Committee's and Planning and Zoning Commission's reviews and recommendations shall be guided by the following considerations:
 - 1. Documentation indicating inconsistencies in terms of the Ordinance or problems and/or conflicts in implementation of specific sections of the Ordinance that will be resolved by the amendment;
 - 2. Whether amendment is needed to respond to changes in the law, statutory or case law;
 - 3. Whether amendment is needed to address zoning and/or development issues or to improve processes for addressing such issues;
 - 4. Whether amendment will promote implementation of goals and objectives of the City's General Plan;
 - 5. Any other factors related to the impact of the amendment on the general health, safety or welfare of the citizens of the City and the general public.
- D. Following the completion of the Planning and Zoning Commission's review, the Zoning Administrator shall forward the application submittal and the Planning and Zoning Commission's recommendation to the City Council for final review and decision.
- E. The City Council may decide the application for amendment without a second public hearing unless a public hearing is requested in writing by the applicant, by any person appearing in opposition to the amendment at the Planning and Zoning Commission or by any person who filed a written protest to the amendment in accordance with Arizona Law. If a public hearing is requested as provided herein, the City shall hold a public hearing before deciding the application for amendment.
- F. Following consideration of the application submittal and public hearing, if held, the City Council shall render a decision on the application for amendment and either approve, approve with modifications, or deny the application for amendment. Such action may or may not be consistent with the Planning & Zoning Commission's recommendation.

6.10. Building Permits and Certificates of Occupancy

Neither building permits nor certificates of occupancy may be issued until the use of building(s) and land conform with this Ordinance and all other applicable codes and ordinances, including conditions of approval for any Ordinance amending the zoning district of the subject property and conditions of approval for any permit or authorization approved pursuant to the requirements of this Ordinance or the Subdivision Regulations. No building or construction permits shall be issued without

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having first obtained approval of a site plan review application and design review application in conformance with this Ordinance.

6.11. Applications and Fees

6.11.1. Applications.

- A. All Land Use and Development Applications Required Under the Zoning Ordinance shall be filed in the office of the Zoning Administrator on forms provided by the Development Services Department. Applications shall include: the information identified on the application form(s); the information identified in the Administrative Process Manual and Engineering Standards, if applicable; the information set forth herein and specified elsewhere in this Ordinance; and any other data required by the Zoning Administrator that is needed for the review of the application.
- B. Applications will be processed and reviewed by the Zoning Administrator in a manner that is consistent with the procedures generally described in this Ordinance and as more particularly described in the Administrative Process Manual and Engineering Standards, if applicable.
- C. Except as otherwise expressly provided in the Administrative Process Manual, all applications referred to herein shall be executed by all of the owners of the subject property and their respective spouses, if any, or an agent of all of the property owners authorized to sign on behalf of all of the property owners and their respective spouses when such authorization is in writing and filed with the application. An application must be made by the property owner or authorized agent, unless otherwise specified in this Ordinance.
- D. All applications shall be actively pursued to a decision. If a complete and full submittal of all documents and information requested in the staff written review comments has not occurred within one hundred eighty (180) calendar days from the date of staff's written review comments, the application will be deemed inactive and shall expire. The applicant may file a request for an extension. Any and all requests for an extension shall be made in writing and received prior to the expiration date. The Zoning Administrator may authorize, in writing, no more than one extension of one hundred eighty (180) days for good cause if there is a reasonable belief that the application will be actively pursued during the extension period. This provision applies to all land use and development applications required under the Zoning Ordinance.

6.11.2. Fees.

- A. Fees for all matters pertinent to the administration of this Ordinance will be set from time to time by Resolution of the City Council.
- B. All application fees shall be paid when the application is submitted. Application fees shall not be refundable.

6.12. Citizen Review Process

- A. Prior to any public hearing, as required under Article 6 of this Zoning Ordinance, on any application for any zoning ordinance that changes any property from one zoning district to another, including those for PAD Overlay and PAD district approval; for a Use Permit; and for a Special Use Permit application that imposes any regulation not previously imposed, or that removes or modifies any

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such regulation previously imposed, the Zoning Administrator shall require the applicant to conduct a neighborhood meeting or an acceptable alternative prior to a public hearing to consider the proposal. A written notice of the application shall be sent by first class mail to the owners of all properties within six hundred (600) feet of the property that is subject to a rezoning, Planned Area Development Overlay, Use Permit or Special Use Permit application; one thousand two hundred (1,200) feet of the property that is subject to a Planned Area Development application; and to such other persons as the Zoning Administrator reasonably determines to be potentially affected citizens. In determining the number of potentially affected citizens, the Zoning Administrator shall review the density and intensity of residential development in the general vicinity, the existing street system, and other factors that may be related to the impact of the proposed zoning amendment, Use Permit, or Special Use Permit on the character of the neighborhood.

- B. The written notice shall also include a general explanation of the substance of the proposed zoning amendment, Use Permit or Special Use Permit application and shall state the date, time and place scheduled for a neighborhood meeting, at which any adjacent landowner(s) or those other potentially affected citizens, will be provided a reasonable opportunity to express any issues or concerns that the landowner or citizen may have with the proposed zoning amendment, Use Permit or Special Use Permit application before any public hearing required by this Ordinance is held.
- C. The written notice shall be given at least fifteen (15) days before the neighborhood meeting in one or more of the following manners:
 - 1. The notice shall be published once in a newspaper of general circulation published or circulated in the City of Goodyear; or,
 - 2. The notice shall be posted upon the sign required in Section 6.13.2 Notice of Public Hearing, unless waived by the Zoning Administrator; or,
 - 3. The notice shall be mailed in accordance with the procedures required in Section 6.13.2 Notice of Public Hearing.
- D. The Zoning Administrator, upon consultation with the applicant, shall establish a time, date and place for the neighborhood meeting that provides a reasonable opportunity for the applicant, adjacent landowners and those other potentially affected citizens to discuss and express their respective views concerning the application and any issues or concerns that they may have with the proposed zoning amendment, Use Permit or Special Use Permit application. The Zoning Administrator shall attend the meeting but is not required to conduct the meeting. The Zoning Administrator shall report the results of the neighborhood meeting to the Planning and Zoning Commission and Mayor and City Council when such body considers taking action on the application.
- E. At the discretion of the Zoning Administrator, an alternative citizen review process may be used that does not involve a neighborhood meeting. The alternative process shall consist, at a minimum, of the following:
 - 1. The written notice described in Section 6.13, except that the notice shall only indicate the name, address and phone number of the member of the planning staff whom adjacent landowners, or other potentially affected citizen, may contact to express any issues or

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concerns that the landowner or citizen may have with the proposed zoning amendment, Use Permit or Special Use Permit applications.

2. A staff report summarizing any issues or concerns expressed by adjacent landowners shall be presented to the Planning and Zoning Commission and Mayor and Council when such body considers taking action on the application.

6.13. Public Hearings

6.13.1. General Provisions.

Applications for amendments, including those for Preliminary PAD district and Final PAD district approval, Special Use Permits, and Use Permits shall require a public hearing before the Planning and Zoning Commission. Prior to the public hearing before the Commission, the application shall adhere to the citizen review process set forth in this Ordinance.

6.13.2. Notice of Public Hearing.

Table 6.13.2. Application Notification Requirements

Request	Public Hearing Required	Mailed Notice	Site Posting	Newspaper Notice	Notification Radius	Timing Notice
Neighborhood Meeting	N/A	Yes	Yes	No	Property owners within 600 feet or 1200 feet for PAD	At least 15 days prior to neighborhood meeting
Zoning Map Amendment	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing
Planned Area Development Overlay (PAD Overlay)	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing
Planned Area Development (PAD)	Yes	Yes	Yes	Yes	Property owners within 1200 feet	At least 15 days prior to hearing
Special Use Permit (SUP)	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing
Use Permit	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing
Variance	Yes	Yes	Yes	Yes	Property owners within 600 feet	At least 15 days prior to hearing (per public notice requirements)
Zoning Text Amendment	Yes	No mailed notice	No posting	Yes	N/A	At least 15 days prior to hearing

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Notification of a public hearing shall comply with State Statutes governing public hearings and this Ordinance:

- A. At least fifteen (15) days prior to the scheduled public hearing, a notice of the public hearing shall be posted on the subject property; published in a newspaper of general circulation in the City; and provided by first class mail to all property owners within distance from the subject properties specified in Table 6.13.2 Application Notification Requirements.
- B. Notice shall include, where applicable, the location and general explanation of the proposed action, a general description of the affected area, and the date, time and location of the scheduled public hearing. If the matter to be considered applies to territory in a high noise or accident potential zone as defined in ARS Section 28-8461, the notice shall also include a general statement that the matter applies to property located in the high noise or accident potential zone.
- C. When the proposed amendment involves land that abuts other municipalities or unincorporated areas of Maricopa County or a combination thereof, notice of the public hearing shall be sent to the planning agency of the adjacent governmental unit.
- D. When the proposed amendment involves land that is located within the territory in the vicinity of a military airport or ancillary military facility as defined in ARS Section 28-8461, notice of the public hearing shall be sent to the military airport.
- E. Failure of any person or entity to receive notice shall not constitute grounds for any court to invalidate the action for which the notice was given.
- F. Amendments to the text of this Ordinance, which are of a general nature and are not directed at a specific real property, shall require a notice to be published once in a newspaper of general circulation in the City at least fifteen (15) days prior to the scheduled public hearing.