

ARTICLE 3 – SUPPLEMENTAL USE STANDARDS

This Article provides for land use activities which may be included in the City of Goodyear, but because of their unique nature, potential for creating impacts on other uses, or pre-existing legal status, require particular consideration as to their proper location and/or maintenance in relation to adjacent established or intended uses, or to the planned development of the City. The conditions controlling the location and operation of such uses are established by the following provisions.

In addition to those uses specifically classified and permitted in each district, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public; and there may be uses or structures that were established prior to ordinances with which they do not conform and are, therefore, legally nonconforming.

3.1. General Requirements in All Districts

1. No person, firm or corporation shall strip, excavate or otherwise remove topsoil for sale or for use other than on the premises from which the same shall be taken (except in connection with the construction or alteration of a building on such premises and excavation or grading incidental thereto).
2. Every dwelling shall be located and maintained on a lot as defined herein.
3. No space needed to meet the width, yard, area, coverage, parking or other requirements of this Ordinance for a lot or building may be sold or leased away from such lot or building.
4. No parcel of land which has less than the minimum width and area requirements for the zone in which it is located may be cut off from a larger parcel of land for the purpose, whether immediate or future, of building or development as a lot.
5. Performance Standards. No use shall be established, maintained or conducted within any zoning district which may cause any of the following:
 - A. No use is permitted which will emit any offensive odor, dust, noxious gas, noise vibration, smoke, heat or glare outside the building in which the use is conducted; or with respect to a use that is not conducted within a completely enclosed building, any dissemination whatsoever.
 - B. Noise which exceeds levels listed in Table 3.1.5.A Noise Thresholds when measured at or beyond the property line:

Table 3.1.5.A: Noise Thresholds		
Receiving Property	Daytime (7:00 a.m.–10:00 p.m.)	Nighttime (10:00 p.m.–7:00 a.m.)
Industrial	70 dBA	65 dBA
Commercial	65 dBA	60 dBA
Residential or Noise-Sensitive Uses ¹	55 dBA	45 dBA

¹ Noise-sensitive uses include residential districts, homes, schools, churches, parks, hospitals, outdoor dining patios, hotels, or similar uses.

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1. Initial Sound Study Requirement: An initial sound study shall be required for any industrial use located within 600 feet of property zoned or used for residential or other noise-sensitive purposes.
 - a. The study shall be conducted by a qualified third-party acoustical engineer.
 - b. The study shall document existing ambient (baseline) sound levels on the project site and baseline sound levels measured at the property line of the nearest residential or noise-sensitive use.
 - c. If access to adjoining property is unavailable, sound modeling approved by the Development Services Director or their designee may be used.
 - d. The study shall demonstrate compliance with the maximum permissible sound levels listed above.
2. Ongoing Compliance and Monitoring: Upon request by the Development Services Director or their designee, the operator shall conduct a follow-up sound study performed by a qualified third-party acoustical engineer.
 - a. The study shall measure noise levels during peak routine operations at the property line of the nearest residential or noise-sensitive use.
 - b. If noise levels exceed the permitted limits stated in this Section, the operator shall submit a mitigation plan identifying corrective measures.
 - c. Mitigation measures (such as sound walls, equipment enclosures, silencers, operational adjustments, or other industry-standard controls) shall be implemented within 60 days of submitting the study, unless an alternative compliance schedule is approved by the Development Services Director or their designee.
 - d. Proof of compliance shall be provided to the Development Services Director or their designee upon completion of mitigation.
- C. Discharge of any waste material into any watercourse or ditch.
- D. Dissemination of glare or vibration beyond the immediate site.
- E. Potential hazards (fire, explosion, radioactive or any similar cause) to property in the same or any adjacent district.
- F. Conditions detrimental to the health, safety and general welfare of the community, as determined by the Zoning Administrator or his designee.
6. Encroachment: Every part of a required yard shall be open to the sky and unobstructed except for accessory buildings in a rear yard and except as otherwise permitted herein.

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- A. The projections of skylights, window sills, belt courses, cornices, chimneys, flues and other ornamental features and open or lattice enclosed fire escapes, fireproof outside stairways and balconies may project into a setback not more than five (5) feet except in the case of a side yard setback where it shall not come nearer than three (3) feet to the side lot line.
 - B. Bay windows, including their cornices and eaves, may project into any required yard not more than two (2) feet, provided, however, that the sum of such projections on any wall does not exceed one-third ($\frac{1}{3}$) the length of said wall.
 - C. Portals may project into a side yard up to the property line of a defined lot. No part of the portal structure shall encroach into an adjacent property.
 - D. A portal may encroach into the side yard setback and will not be counted as part of the main building in the determination of the size of yard or lot coverage.
7. Measurement Standards: Unless otherwise expressly stated, all distances required by this Ordinance shall be measured as a horizontal distance in a straight line.
- A. Required setbacks shall be measured from the nearest property line to the closest point of the building or structure.
 - B. Building height shall be measured in accordance with the definition of "Height" set forth in this Ordinance.
 - C. Where this Ordinance requires separation between uses, structures, or zoning districts, such separation shall be measured in a straight line from the nearest point of the property line of the subject site to the nearest point of the property line of the use or zoning district from which separation is required, unless otherwise specified.

Separation requirements shall apply only to uses or zoning districts located within the incorporated boundaries of the City unless expressly stated otherwise.
 - D. Measurements shall not follow street centerlines, pedestrian paths, or topographic features unless specifically required by this Ordinance.
8. There shall be an unobstructed opening or gate not less than three (3) feet wide into the rear or side yard from one (1) side of the house for emergency ingress.
9. No lot shall be divided in such a way that any division of such a lot shall contain more dwelling units than are permitted by the zoning regulations of the district in which such lot is situated.
10. On an interior lot, in any Residential District, having no access to an alley and where the garage or carport is not attached to the main building, required side yards shall be kept clear.
11. No building shall be erected and no existing building shall be moved, altered, added to or enlarged, nor shall any land be used, designed, or intended for any purpose, or in any manner other than is included among the uses as

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- permitted in the district in which located (provided that any building may be moved off any lot).
12. No building shall be erected, nor shall any required open space be encroached upon or reduced, except in conformity to the yard, lot areas, open space, building location, and off-street parking regulations designated for the district in which it is located.
 13. No yard or other space on one lot shall be considered as providing yard or open space for a building on any other lot.
 14. A mobile home, recreational vehicle, or similar vehicle shall not be considered a dwelling unit, nor occupied as such, unless located in a recreational vehicle or mobile home park or mobile home subdivision. A mobile home, recreational vehicle, or similar vehicle shall be prohibited as a facility for any non residential use permitted in this Ordinance, except as an office when construction is on going on a site.
 15. Any enclosed or roofed porch shall be considered a part of the main building in the determination of the size of yard or lot coverage.
 16. Where two (2) or more lots are used as a building site and where main buildings cross lot lines, then the entire area shall be considered as one (1) lot, except that the front of the parcel shall be determined to be the front of the individual lots as originally platted or laid out.
 17. In all zones which require a front yard, no obstruction to view in excess of three (3) feet in height shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points thirty three (33) feet from the intersection of the street lines, except trees pruned high to permit unobstructed vision for automobile drivers; and pedestal type identification signs and pumps at gasoline service stations.
 18. Mechanical equipment, including but not limited to heating/cooling equipment, pool pumps, electrical equipment and motors directly related to the primary use of the property, shall be restricted from locating in the front yard. All such equipment shall be fully screened from view when visible from a public or private roadway, common open space, or any other unit, suite, tenant space, or occupied area belonging to a separate individual or entity. These requirements apply to all property types, including residential, commercial, and industrial sites, as well as private developments such as apartment, condominium, or multi-tenant commercial or industrial complexes.
 19. All lighting shall be screened in a downward direction and directed away from adjacent properties and streets.
 20. There shall be no parking of recreational vehicles (trailers, boats, campers, etc.) on a public street when not attached to a vehicle. If attached to a vehicle, parking on a public street is permitted for a maximum period of forty eight (48) hours.
 21. Except when constructed within a recreational vehicle park, mobile home park, or mobile home subdivision, no structure greater than 100 square feet shall be constructed with an asphaltic shingle roof unless otherwise permitted by this ordinance, or when the structure constitutes an expansion of, or maintenance to, an existing structure already utilizing an asphaltic shingle roof.

This limitation is intended to ensure durability, fire-resistance, and long-term compatibility with the community's development standards.

22. All outdoor refuse enclosures that are not fully contained within an enclosed building shall be located at least fifty (50) feet from any existing or planned residential use or residential zoning district, except that this distance may be reduced to thirty (30) feet when a continuous thirty-foot-wide landscape buffer is provided and maintained along the adjacent residential property line. All distances shall be measured in a straight line from the exterior wall of the refuse enclosure to the nearest residential property line, including any platted single-family lot or constructed multi-family building. No outdoor refuse enclosure may be located along an arterial road, collector road, or main driveway. In residential zoning districts, outdoor refuse enclosures shall be set back a minimum of twenty (20) feet from single-story residential buildings and twenty-five (25) feet from multi-story residential buildings unless fully enclosed within a building.
23. The undergrounding of all utilities less than 69kV within and abutting the proposed development shall be completed prior to issuance of construction permits for the applicable phase of development, unless otherwise agreed to by the Zoning Administrator through an approved phasing plan.
24. Property Maintenance. All developed properties, whether occupied or vacant, shall be maintained in a safe, clean, and orderly condition. Buildings shall be kept weather-tight and structurally sound; exterior walls shall be maintained free of graffiti; landscaping shall be maintained in a healthy, weed-free condition with operational irrigation; and outdoor lighting and fire protection systems shall be kept in working order. For properties vacant for more than six (6) months, all building-mounted and monument signage shall be removed and replaced with color-matched blank panels, and affected wall surfaces shall be repaired and repainted.

3.2. Design Standards.

General design requirements, as set forth below and/or as may be supplemented by additional considerations promulgated by the City and approved by City Council, shall be addressed:

3.2.1. Residential Design Standards.

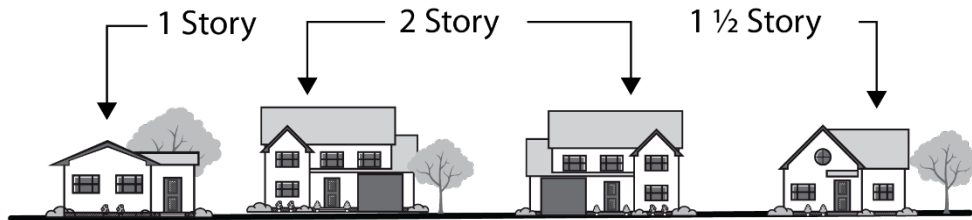
Neighborhood or individual lot layouts shall consider functional and visually-appealing features that contribute to residential livability and community sustainability appropriate to the district classification. Design solutions should address compatibility at the neighborhood, block and individual lot perspectives.

- A. Architectural themes. Masonry, stucco, and horizontal treated siding materials are preferred, with tile roofs in varied roofline treatments. Porches or deeply-shaded eaves are encouraged. Residential designs shall reflect a distinctly residential character through the incorporation of elements such as porches, stoops, pitched roof forms, articulated façades, residential-scale windows and doors, quality exterior materials, and other features that reinforce the visual identity and pedestrian-oriented nature of residential neighborhoods.
- B. Variety. Colored elevations shall illustrate that a minimum of three (3) different elevations are provided in each block face. Developments of forty (40) dwelling units or more should offer a minimum of five (5) different elevations.

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Two-story homes are discouraged on corner lots, on more than three (3) consecutive lots, or on lots abutting major or minor arterials (unless additional open space is provided).

Figure 3.2.1A – Residential Elevation Variety



- C. Street appearance. Landscaping plans establish street tree themes – recommended minimum two (2) trees, plus shrubs per lot. Garage fronts should not predominate; they should be recessed and/or constitute less than fifty (50) percent of the residential facade.
- D. Residential streets. Residential streets shall be designed to discourage through traffic. Street segments exceeding six hundred (600) feet in length shall incorporate a traffic calming feature such as a traffic circle, chicane, or curb extension. Cul-de-sacs shall provide a pedestrian connection to an adjacent street, trail, or open space unless infeasible as determined by the Zoning Administrator.
- E. Lot Orientation at T-Intersections. Residential lots shall not be designed with the primary building façade directly aligned with and centered on the right-of-way of a terminating street at a T-intersection. Where such configuration cannot be avoided due to site constraints, mitigation measures such as increased front setback, lot offsetting, enhanced landscaping, berming, fencing, or other design treatments approved by the Zoning Administrator shall be provided to minimize headlight glare and promote traffic safety.
- F. Residential private open space. All residential units are required to provide private open space which shall include, within multi-family development a patio with a dimension no less than six feet by six feet and within single-family residential a patio with a minimum covered dimension of no less than eight feet by eight feet with a minimum patio size of 100 square feet; the Zoning Administrator may administratively reduce the covered patio size for townhome, court home or clustered home products.

3.2.2. Non-Residential Use Design Standards.

Building elevations in landscaped settings are expected to project a positive image of the City's commercial, industrial and institutional development.

- A. Architectural themes. Colored elevation drawings shall indicate that structures are provided with appropriate surfacing, architectural detailing and roofline treatments from all sides visible from streets or residences.
- B. Streetscape. Landscaping and street furniture complement residential surroundings.

- C. Construction materials. Appearance compatibility with residential neighborhoods is stressed, discouraging metal-finished buildings and highly-reflective glass. Tilt-up slab construction should include vertical architectural elements.
- D. Rooflines and parapets on buildings exceeding one hundred (100) feet in horizontal length shall incorporate vertical variation in height or horizontal offsets at intervals not exceeding fifty (50) feet.

3.3. Supplemental Standards Applicable to All Agricultural, Single Family Residential, and Multi-Family Residential Districts.

The following standards apply to all agricultural, single family residential and multi-family residential districts:

- 1. Dedication of any necessary easements and rights-of-way, in form and substance acceptable to the City, prior to approval of any Site Plans or issuance of any construction permits on the rezoned land.
- 2. Separation of any production crops on ground owned by the property owner for whom the rezoning is sought or such owners and successors on the property herein zoned by not less than fifty (50) feet from occupied dwelling units, if applicable.
- 3. Use Permit and Special Use Permit uses shall comply with the regulations, standards and requirements in Article 6 of the Zoning Ordinance, and all Use Permit and Special Use Permit uses are subject to Site Plan review.
- 4. Parking Regulations, Standards and Requirements in Article 4 of the Zoning Ordinance.
- 5. Landscaping, Walls, Screening, Pools and Property Improvement Regulations, Standards, and Requirements in Article 4 of the Zoning Ordinance.
- 6. Sign Regulations, Standards and Requirements in Article 4 of the Zoning Ordinance.
- 7. Regulations, Standards, and Requirements contained within this Article.
- 8. Temporary office and/or construction fences, sheds and storage incidental to a construction project are permitted and shall be removed upon completion or abandonment of construction work.
- 9. Landscaping is required to be installed in accordance with City standards within collector and/or arterial rights-of-way.
- 10. Sidewalks shall be at least five (5) feet wide on both sides of all streets.
- 11. Each subdivision shall establish a Property Owner's Association and a Board of Directors to administer and enforce required covenants, conditions, and restrictions and to oversee the operation of common facilities.
- 12. Compliance with all applicable laws, codes, ordinances, rules, regulations, standards, guidelines, conditions of approval, which includes by way of example but not limitation: the Building Codes and Regulations (currently Chapter 9 of the Goodyear City Code), the Subdivision Regulations adopted by the City of Goodyear (currently Chapter 15 of the Goodyear City Code),

the City's Zoning Ordinance, the City of Goodyear's Design Guidelines Standards, the City of Goodyear Engineering Design Standards and Policies as they all may be adopted and amended from time to time ("Development Regulations"). If there are any inconsistencies between the Development Regulations, the more restrictive requirements apply. For instance, if a standard in the City of Goodyear's Design Standards is more restrictive than a provision in the Zoning Ordinance the on the same subject, the Design Standard would apply.

13. A residence shall not be used as the location of a yard sale, garage sale or carport sale (or any combination thereof) more than four times in any calendar year, nor longer than two (2) days for any single event.
14. No more than three (3) children, other than those residing therein, may be taken in for child care or baby sitting in a private residence.
15. No mobile home or house trailer shall be parked or stored in a residential zone district. A camping trailer, motor home or camper may be permitted within an owner's residential property, subject to compliance with Off-Street Parking and Loading criteria of the Zoning Ordinance. No mobile home, house trailer, camping trailer or camper shall be occupied or lived in other than in a mobile home or recreational vehicle park or mobile home subdivision as permitted.
16. Mechanical work on vehicles that may take more than seventy two (72) hours to complete must be done inside a garage, carport or rear yard in residential areas. Such work shall be restricted to vehicles licensed to the resident of the property upon which the work is being done.

3.4. Supplemental Standards Applicable to Agriculture and Single-Family Residential Districts

3.4.1. Animal Keeping

- A. In the AG district, there is no maximum number of animals. Dairies, egg and poultry farms are not permitted except through a Use Permit.
- B. In AU district, the number of animals allowed on a property shall be limited to a maximum of three (3) large animals and (5) small animals for each one (1) acre of lot area, or any combination thereof. Animals may only be kept for purposes of non-commercial gain.
 1. Animals under six (6) months old shall not be counted.
 2. Regulations do not pertain to domestic animals.
 3. Roosters are not permitted in the AU district.
- C. The maximum number of animals allowed on the property may be exceeded for an additional animal (or animals) that is being kept and raised in connection with participation in a Supervised Agriculture Experience (SAE) Project, or similar program, by obtaining a Temporary Use Zoning Permit, as described in Section 3.13, from the Zoning Administrator, and paying the required fee. Issuance of a temporary use permit for this purpose by the Zoning Administrator, may be withheld if the Zoning Administrator finds that allowing additional animals is contrary to the public health or safety.

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- D. Any egg laying fowl maintained in the AU district shall be located fifty (50) feet from any lot line.
- E. Requirements for corrals, stables, and other similar structures used or required for the keeping of animals in both AG and AU Districts:
 - 1. Corrals, structures, pens, stables, shade structures and like enclosures for the keeping of animals shall be located in the rear yard and such facilities shall not be located any closer than fifty (50) feet from any dwelling or lot line, except when such lot line is located adjacent to another AG or AU property, in such cases the structure shall be located a minimum of (twenty five) 25 feet of the lot line provided it is not located closer than fifty (50) feet from the adjacent building setback.
 - 2. A stable or shade structure shall be provided for horses equal to a minimum of one hundred (100) square feet of cover per horse.
 - 3. Corrals, structures, pens, stables, shade structures and like enclosures shall be cleaned and waste material removed from the site no less than twice per week.
 - 4. Any open pasture area provided for the animals must be enclosed by a stock-tight fence which shall be located outside of the front setback.
- F. A resident of a single-family detached residence is permitted to keep Fowl on the property in the R1-10, R1-7, R1-6, R1-4, R1-C and MHS Districts, as well as any PAD zoning with an underlying land use of a similar nature, subject to the following:
 - 1. Fowl located on the property shall be limited to six (6) or fewer.
 - 2. Male Fowl, including Roosters, are not permitted.
 - 3. Fowl shall be kept in an enclosure and kept from running at-large.
 - 4. All Fowl enclosures shall be located in the rear or side yard of the property, all Fowl enclosures shall be kept at least twenty (20) feet from a neighboring property, all Fowl enclosures shall be a maximum of two hundred (200) square feet and no greater than eight (8) feet in height, provided that any enclosure shall be shorter than the fence line on the property.
 - 5. All Fowl enclosures shall be maintained and manure picked up and disposed of or composted at a minimum of twice weekly.
 - 6. All composted manure shall be kept in a way that prevents migration of insects.
 - 7. All Fowl water sources shall have adequate overflow drainage.
 - 8. All Fowl feed shall be stored in insect-proof and rodent-proof containers.

3.4.2. Agriculture, Intensive Operation

- A. May not be located closer than 500-feet from any dwelling located on or off the property.
- B. May not be located 200 feet from any lot line.

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- C. All activities shall be conducted and maintained in a manner that prevents noxious odors, noise, dust, insects, and other negative impacts from intruding upon residential enjoyment or reasonable use or properties in the vicinity.

3.4.3. Group Homes

- A. An application for a group home must be submitted, reviewed and approved by the Development Services Director or their designee in the form of a Zoning Permit signed from the City;
- B. A minimum separation distance of one thousand three hundred twenty (1,320) feet, one-quarter (1/4) mile for all group homes, from another group home within the City of Goodyear, unless a Use Permit is approved by the City Council. Distance between group homes shall be measured as indicated in Arizona Revised Statutes 9-462.09.
- C. Vehicles belonging to employees and residents are required to park onsite, in the garage or on an approved driveway.
- D. Deliveries or routine stops (exclusive of visitors) specific to a group home shall be restricted to day light hours only.
- E. The group home shall obtain and maintain an annual City Business License as required by City Code.
- F. The Development Services Director, or their designee, shall have the right to review, provide corrective action and if necessary, revoke any approval of a group home if it is found to be endangering the public health, welfare, or safety of the residents of the home or surrounding community.
- G. The group home shall meet all requirements of the prevailing City of Goodyear Building and Fire Codes to be determined by the Chief Building Official and the Fire Chief, or their designees.
- H. Prior to operating, the group home shall obtain and keep current all necessary licenses and certifications from the Arizona Department of Health Services and/or any other state agency responsible for licensing Group Homes.
- I. Zoning Permits issued to group homes shall be valid for a period of one hundred eighty (180) days from the date of issuance. A Zoning Permit, in the absence of obtaining all other required licenses, does not authorize the operation of a group home in the city of Goodyear. Only one (1) extension not to exceed an additional one hundred eighty (180) days may be granted at the discretion of the Development Services Director. Extension must be submitted prior to the expiration of the original Zoning Permit. A new Zoning Permit shall be required for a change in name, ownership, operator, occupancy or type of group home, prior to operating.

3.4.4. Home Business

A home-based business shall be conducted entirely and unobtrusively within the principal residence including an attached garage and shall not generate pedestrian or vehicular traffic beyond that normal to the district in which it is located and shall comply with the following.

- A. There shall be no buildings or structures other than those permitted in the district.
- B. No offensive noise, vibration, smoke, dust, odors, heat, or glare, shall be produced or caused by the business or the nature of the business.

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- C. Is conducted only by a resident or residents of the dwelling unit (no employees other than the family), no outside employees visit the site;
- D. Has no signs or other exterior evidence of its existence;
- E. Parking for the business shall be in driveway or garage only
- F. Activity shall be limited to the hours between 8:00 A.M. and 8:00 P.M.
- G. The home business shall obtain and maintain an annual city business license as required by City Code
- H. Shall not occupy more than twenty-five (25) percent of the living area

3.5. Supplemental Standards Applicable to Single-Family Residential Districts

The following requirements apply in all Single-Family districts:

3.5.1. Community Requirements for Subdivisions in Residential Districts (R1-6, R1-4, R1-A, R1-C, Planned Area Developments and Planned Area Development Overlays with applicable underlying zoning)

Each subdivision shall be designed with at least the number of Community Elements set forth Table 3.5.1.A.

- A. The minimum lot width may be reduced, administratively, up to five (5) feet in R1-6, R1-4 and R1-A if additional Community Elements are provided as set forth in Table 3.5.1.A.
- B. The Total Both Sides setback may be reduced to ten (10) feet in the R1-6 and R1-4 districts if additional Community Elements are provided as set forth in Table 3.5.1.A. Both the lot width and setback may be reduced by providing the Community Elements set forth in the table.
- C. The descriptions of the Community Elements for each category are listed below in Sections 3.5.1.D.1, 3.5.1.D.2, and 3.5.1.D.3.
- D. For example, if an owner of property zoned R1-6 wants to develop fifty (50) foot wide lots, the owner would need to comply with the requirements of Section 3.5.1.D and provide at least; one (1) Amenity Elements listed in Section 3.5.1.D.1, two (2) Connectivity Elements listed in Section 3.5.1.D.2, and two (2) Streetscape Element listed in Section 3.5.1.D.3.

Table 3.5.1.A: Lot Size and Minimum Number of Required Community Elements for Certain Lot Width and Side Yard Setback Reduction Requests

Zoning Designation	Minimum Lot Width (ft)	Minimum Lot Area (sq. ft.)	Total Both Sides Setback	Amenity Elements	Connectivity Elements	Streetscape Elements
R1-6	55	5,500	15	0	0	0
REDUCED R1-6	50	5,000	10	1	2	2
R1-4	45	4,500	15	1	2	2

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REDUCED R1-4	40	4,000	10	2	4	4
R1-A	35	2,800	N/A	1	2	1
REDUCED R1-A	20	1,600	N/A	2 ⁽¹⁾	2	2 ⁽²⁾
R1-C	40	3,200	N/A	1	2	1

¹ A minimum of two (2) Amenity Elements shall be required for all Reduced R1-A developments. For such developments planning more than fifty (50) Alley-Loaded Residential units with minimum lot widths of less than thirty (30) feet, at least one (1) of the required Amenity Elements shall be either an amenity described in Section 3.5.1.D.1.c.i. or an amenity described in Section 3.5.1.D.1.c.ii.

² A minimum of three (3) Streetscape Elements shall be required for all Reduced R1-A developments with a minimum lot width between twenty (20) and thirty (30) feet. All Reduced R1-A developments with a minimum lot width between twenty (20) and thirty (30) feet shall either be designed as Alley-Loaded Residential or shall not include a double-door front facing garage. ;one (1) of the required streetscape elements shall be the Alley-Loaded Residential Streetscape Element described in Section 3.4.1.D.3.d or an alternative garage configuration that reduces the predominance of garage forward design. Where a rear facing garage is provided with access via a private alley tract, the rear setback shall be reduced to zero (0) feet, provided fire separation requirements can be met

1. Amenity Elements. The purpose of providing amenity elements is to create diverse places within a community that are accessible to the surrounding residents. Smaller lots require additional amenities because of the smaller private yards that are provided.
 - a. Adjacent to Community Amenity. The project is adjacent to an open space amenity (e.g., Bullard Wash, Gila River, hillside preserve) or community facility (e.g., community park, recreation center) and reasonable access has been provided to the amenity. A clubhouse, pool, or other significant community amenity within a master planned community can count toward this requirement without being directly adjacent if the neighborhood is served by the amenity.
 - b. Additional Park Space. The development includes privately maintained park space at least thirty (30) percent greater in area than the minimum required useable open space.
 - c. Additional Internal Park Amenities. Meaningful and impactful additional amenities are provided within parks. For example, a horseshoe pit would not meet this threshold but pickle ball courts would; Simple outdoor grills would not meet this threshold but an outdoor fireplace with integrated grills would. Additional amenities are provided within the required park space:
 - i. A pool, splash pad, or similar active recreational infrastructure.
 - ii. A clubhouse, community room, or similar passive recreational gathering places.
 - iii. Restroom facilities.

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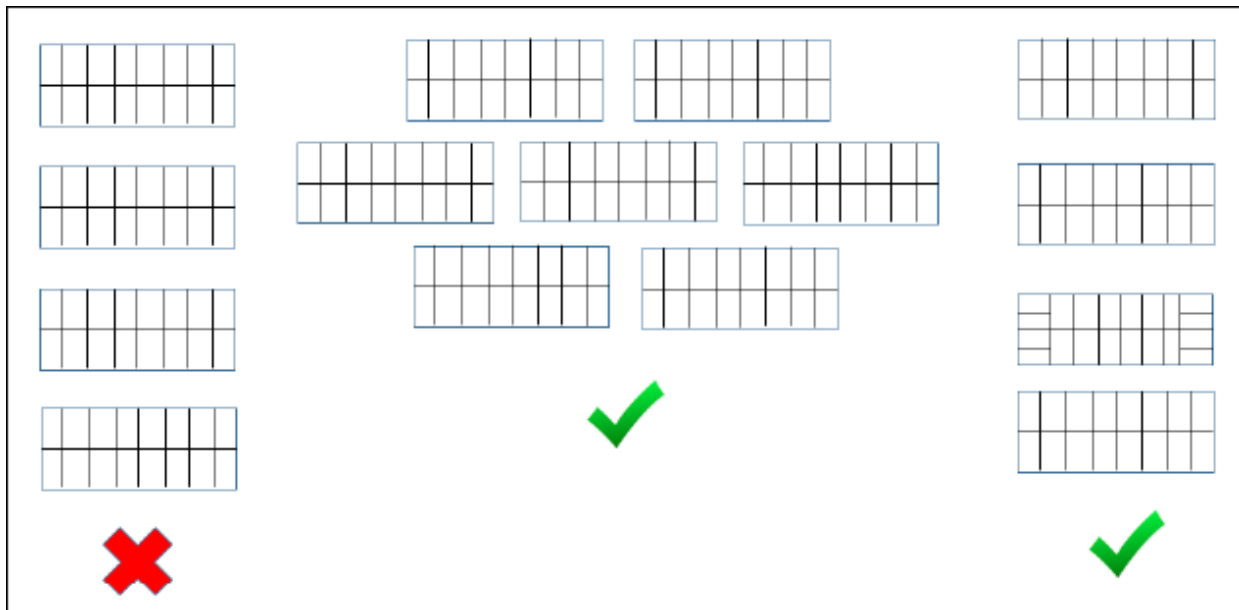
- iv. Active lighted recreation fields, including, but not limited to, basketball courts, soccer fields, baseball fields, or similar facilities, that are above and beyond the minimum Open Space Requirements found in Section 3.5.4.
 - v. Additional amenities that are not minimally required by the Parks, Recreation, Open Space, and Trails Master Plan as determined by the Zoning Administrator and that provide meaningful and impactful recreational opportunities for the community that as a general rule cannot be accommodated in a traditional ten thousand (10,000) square foot lot.
 - d. Integrated Commercial. A parcel zoned commercial is located within the development or directly adjacent that is integrated into the neighborhood and has the impact of serving as a gathering place and amenity to the community, subject to the following:
 - i. No subdivision perimeter wall separates the neighborhood from the commercial parcel or direct pedestrian connections are provided without leaving the development and walking along an arterial road.
 - ii. The residential neighborhood is not separated from the commercial amenity by an arterial roadway (i.e., a residential area receiving credit for this amenity must not have to cross an arterial roadway to get to the commercial amenity)
 - iii. The residential neighborhood is entirely contained within a one thousand three hundred twenty (1,320) foot radius of a commercial property. (i.e., the residential area receiving credit for this amenity must be within one thousand three hundred twenty (1,320) feet of the commercial area, residential lots outside of the radius would provide another amenity or not be eligible for lot reductions).
 - e. Additional Amenities. Other amenity elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.
- 2. Connectivity Elements. The purpose of connectivity elements is to create an inclusive community that promotes a sense of community and provides a walkable and bikeable community with easy and quick access to nearby amenities such as schools, commercial areas, trails, and parks.
 - a. Infill Development. The site is located in an area that is substantially surrounded on two or three sides by an existing, separate development and that will provide easy and quick access to nearby amenities such as schools, trails, and parks

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and that also have been identified as in a Growth Area or in a Village Center as defined by the General Plan.

- b. Trail System Connections. Publicly accessible trail connections are provided within the community and connect to larger comprehensive trail systems outside of the subdivision or development or have the ability to connect to any such future external trail systems. Trail alignments must not be limited to those living within the subdivision and shall follow logical and navigable routes that prioritize direct regional connectivity and avoid circuitous or indirect 'zig-zag' designs. All connections which are not direct connections to adjacent trails shall incorporate comprehensive wayfinding and guidestones to ensure seamless integration into the City's broader trail network.
- c. Smaller Blocks. Smaller blocks create a more walkable community. They should be designed in a way to reduce street lengths and foster neighborhood interactions. Maximum block lengths shall be no more than six hundred sixty (660) feet unless alternatives mid-block trails are provided. The maximum number of continuous blocks with side yards facing the street is limited to three. The blocks should be broken up with some homes facing the side street and/or should be staggered.

Figure 3.5.1A - Smaller Blocks



- d. No subdivision perimeter wall. The subdivision is designed and homes are oriented so that sub-division perimeter walls are not necessary in order to increase connectivity from the neighborhood to surrounding amenities.
- e. Lot Diversity. At least thirty (30) percent of the lots within the subdivision exceed the minimum lot width by five (5) feet. (e.g.,

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in a one hundred (100) lot subdivision in the R1-4 district seventy (70) homes are forty-five (45) foot wide and thirty (30) homes are fifty (50) foot wide).

- f. Additional Connectivity Elements. Other connectivity elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose of creating an inclusive community that provides easy access to amenities and services and provide the same impact to the community as the listed elements may be approved.
3. Streetscape Elements. The purpose of streetscape elements is to create a sense of place and ensure that smaller lot developments are of high quality.
- a. Additional front setback. Homes (and all elements of the homes and garages) have a minimum setback of thirty (30) feet.
 - b. Detached sidewalk. A detached sidewalk is utilized with a planter strip that is a minimum of five and one-half (5.5) feet wide. Planter strips shall be planted and irrigated with live plant materials and maintained by the applicable homeowners' association. A minimum of one (1) tree shall be planted in front of each residential unit.
 - c. Shared or Clustered Driveways. Driveways are paired so that there is a single curb-cut providing access to two (2) houses, and the total width for the paired driveway is not more than twenty (20) feet. Alternatively, driveways may be clustered (but need not share the same curb cut) so that there is at least thirty-six (36) feet of uninterrupted curb between the clustered driveways.
 - d. Alley – Loaded Residential. Homes with Private Alley loaded garages shall comply with the following.
 - i. Private-Alleys serving Alley-Loaded Residential shall not exceed four hundred fifty (450) feet unless either (A) the fronts of the Alley-Loaded Residential being served by the Private Alley are fronting along a public street (or private street built to public street standards) OR (B) lots adjacent to the Private Alley's entrance provide street frontage to a public street (or private street built to public street standards) that intersects the Private Alley. Any portion of the Private Alley adjacent to common area open space tracts shall not count towards the maximum four hundred fifty (450) foot Private Alley length.
 - ii. If the entry drive from a public or private street into a Private Alley at the T-intersection is less than two hundred (200) feet measured from the edge corner of the street to the T-intersection, it shall not be considered a

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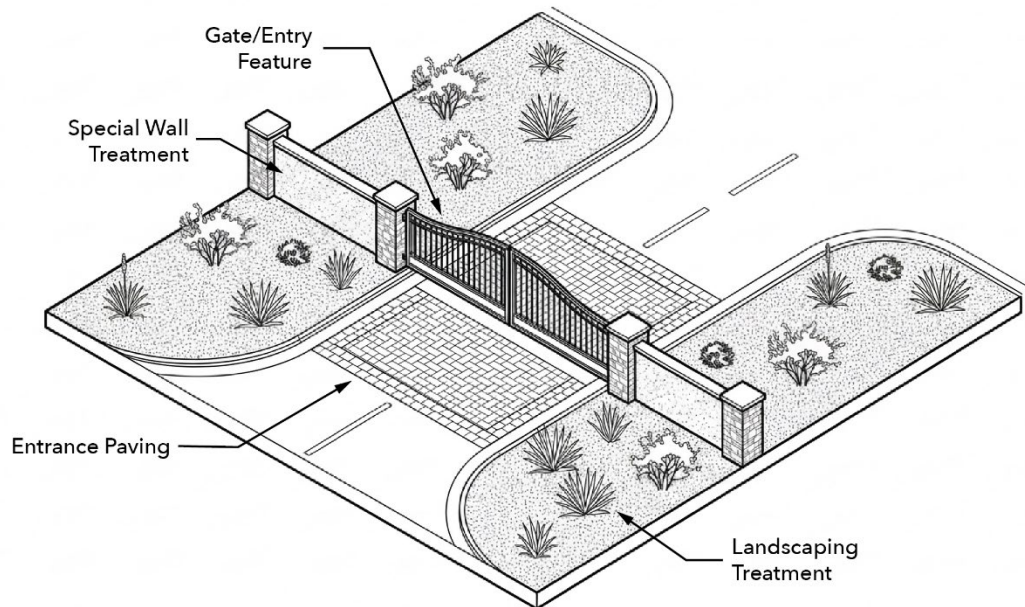
separate Private Alley for the purposes of the measurement above.

- iii. Entries from a public or private street into a Private Alley that continues as a L-shaped or U-shaped Private Alley are not separate Private Alley's but shall be considered part of the L-shaped or U-shaped Private Alley.
 - iv. The Private Alley shall include either carriage lights on either side of the garage door or private HOA maintained lights/bollards to provide security lighting to the Private Alley.
- 4. Open Space Facing Homes. Homes do not have a traditional front yard but face onto a shared open space or courtyard.
 - 5. Paving Material. Decorative paving (i.e., pavers) are utilized for all horizontal paved surfaces between the house and sidewalk.
 - 6. Deep recessed garages. Garages are setback at least twenty (20) feet from the front part of the home which could include living space or a front porch but does not include a courtyard.
 - 7. Porches and Courtyards. One hundred (100) percent of homes have a front porch or courtyard with at least fifty (50) percent of the homes having a covered front porch that is at least forty-eight (48) square feet. Covered porch can include a slatted roof or other roof design alternative, if it is an integrated, significant architectural feature with columns that are complementary to the style of the home.
 - 8. Additional Streetscape Elements. Other streetscape elements not minimally required by any other regulation, ordinance, policy, standard or master plan adopted by the City that meet the stated purpose and provide the same impact to the community as the listed elements may be approved.
- E. Creation of a new lot that is less than the required minimum lot area requires approval of a Planned Area Development (PAD).

3.5.2. Entry Feature.

Each project shall have a unique entry feature at its primary entrance to provide individual identity to the development. Entry features are encouraged to be creative and may include elements such as: entrance paving, distinctive landscaping treatment, planters, special wall treatment, gates and other entry features.

Figure 3.5.2A - Entry Features



3.5.3. Parks.

A portion of the required open space shall be provided as park space or usable open space for recreation purposes. Facilities such as, but not limited to, pools and clubhouses can be counted toward usable open space. The following usable open space shall be provided:

- A. For complete developments less than 40 acres in size, 75% of required open space shall be usable open space. Phasing a larger project into 40 acre or less in order to avoid providing the neighborhood parks required for developments larger than 40 acres is not permitted.
- B. For developments that are 40 acres in size or larger, the following shall apply.
 1. There shall be a 5-acre neighborhood park within a $\frac{1}{4}$ mile walking distance of all dwelling units that shall remain open accessible to all residents within the $\frac{1}{4}$ mile distance during operating hours.
 2. Two parks totaling at least 5 acres may be provided in lieu of a single 5-acre park if additional amenities are provided above and beyond those listed in Section 3.5.4 and the parks are connected via a system of on or off-street connections. When two parks are provided it is highly encouraged to connect them via off-street trails.

3.5.4. Usable Open Space Design Standards.

The required usable open space (i.e., neighborhood parks) must meet the following standards:

- A. Parking shall be provided to the park either on-street or on-site.
- B. Residents shall not be separated by an arterial or freeway from the neighborhood park.
- C. At least one (1) structurally shaded tot lot shall be provided per park, or in age-restricted communities a recreation amenity of similar scope.

- D. Shaded seating areas and walking paths shall be provided.
- E. 50% of all neighborhood parks within one (1) square mile shall include active lighted recreation facilities that are fields with a minimum size of 75 feet by 105 feet and are a minimum of 10,000 square feet. If there is only one neighborhood park within the development, it shall include a lighted active recreation facility including, but not limited to, basketball courts, soccer fields, baseball fields, or similar facilities.

3.6. Supplemental Standards Applicable to Multi-Family Residential Districts

The following development standards apply to all Multi-Family Residential Districts:

3.6.1. Relationship of Project to Surrounding Land Uses.

The relationship between a multi-family, manufactured home or recreational vehicle park project and adjacent land uses shall take into account the type of adjacent uses, building scale, density, and building heights. Particular sensitivity shall be displayed to the relationship between a multi-family project and adjacent residential uses of lesser density to minimize the impact on those less dense areas.

Individual design situations may dictate additional conditions or considerations to minimize the impact of a multi-family, manufactured home or recreational vehicle park development on adjacent residential uses through the imposition of one or more of the following design considerations:

- A. Use of one (1) story buildings;
- B. Additional landscaping to serve as buffer area;
- C. Wider setbacks from property line;
- D. Modify orientation of buildings;
- E. Modify the orientation of windows and balconies;
- F. Provide screen walls
- G. Common recreation facilities in a project shall be located to minimize the intrusion of noise on adjacent residential areas.
- H. Pedestrian and visual linkages shall be made between a project and off-site amenities.
- I. The project shall be designed to minimize negative traffic impacts on the surrounding uses.

3.6.2. Open Space Requirements.

Recreational open space is that portion of a project site not divided into individual lots and made available to individual residents for the purpose of outdoor living space and may include recreational lawn/synthetic turf areas, trails, sitting areas, courtyards, pools, and outdoor recreation facilities. Buildings, structures, or other impervious surfaces devoted to recreation or common open space uses shall be considered as open space. This space shall be the central focus of the project and must be easily accessible by the residents. Driveways, parking areas, open space adjacent to walkways required specifically to access a unit and required yard areas shall not be considered as outdoor living area.

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- A. Private outdoor open space is that portion of the unit devoted to outdoor recreational use by the individual resident(s) of the unit or lot. This area is provided in addition to the recreational open space. Private outdoor space shall be provided in the form of private yards, patios, or balconies. The minimum length and the minimum width of patios and balconies shall be six (6) feet by six (6) feet. Ground floor patios should be walled for privacy.
- B. Required yards and landscaping setback areas fronting onto public streets shall be entirely landscaped except for necessary driveways and walkways. Parking is not permitted within the required setback area, including driveway area.
- C. No more than fifty (50) percent of the required front yard landscaped area or any other street frontage area may be used for storm water retention purposes. Side slopes of basins shall not exceed a 6:1 slope. The maximum side slope ratio shall be 4:1 ratio.

3.7. Supplemental Standards Applicable to MHS Districts

3.7.1. Regulations.

- A. One manufactured or conventional construction home shall be permitted on each approved manufactured home lot within the subdivision. No recreational vehicles shall be permitted on a manufactured home lot for dwelling purposes.
- B. Property Owner's Association – Each subdivision shall establish a Property Owner's Association and a Board of Directors to oversee the operation of common facilities.
- C. Permitted Accessory Uses:
 - 1. Community or recreational facilities to an extent not less than specified in the development requirements.
 - 2. Common facility service buildings (laundry facilities, accessory supplies, park maintenance, management, community buildings, and other uses of a similar nature). All such buildings shall be centrally located, and use shall be restricted to occupants.
 - 3. Dwelling for one manager, caretaker, and/or watchman employed on the premises, the total units not to exceed three (3).
 - 4. Any other uses of land or structures customarily incidental and subordinate to one of the principal permitted uses, unless otherwise excluded.
- D. Based on product availability and neighborhood character, the Zoning Administrator may waive the Residential Design Guidelines for any residential structures within this District.

3.7.2. Development Regulations.

- A. Exterior property lines abutting public streets shall have a six (6) foot masonry wall located on a fifteen (15) foot setback, landscaped and maintained by a Property Owner's Association. Masonry walls and/or landscaped strips may be required along other exterior property lines to ensure compatibility with adjacent land uses.
- B. Access to all lots shall be from interior, private streets.

ARTICLE 3 - SUPPLEMENTAL USE STANDARDS

- C. All dumpster type refuse collection facilities shall be screened on three (3) sides with a masonry wall, with the fourth side being an opaque gated entrance.
- D. The undergrounding of all utilities less than 69kV within and abutting the proposed development shall be completed prior to issuance of construction permits for the applicable phase of development.
- E. Boat, travel trailer or RV storage shall not occur on the same lot with a mobile home. Each development shall provide masonry walled, screened storage areas for such vehicles within the subdivision for use by the occupants of an area not less than three hundred (300) square feet for each mobile home lot.
- F. Each mobile home must be affixed with permanent tiedowns/anchors and skirting of a permanent, fire-retardant material, and installed to enclose the open space between the bottom of the floor and grade level of the stand.
- G. All additions, awnings, or covers shall be regulated by current building codes and the standards in Section 3.7.
- H. A detached storage building is permitted in the rear half of each lot. On lots with a six-foot high solid block wall, for every foot in building height (to the peak of a building) above the wall, one foot of setback shall be required on all sides of the building. If there is no wall the storage building shall be set back one foot from the lot line for every foot in height (to the peak of the building) above six feet.

3.8. Supplemental Standards Applicable to MH/RVP Districts

3.8.1. Regulations.

- A. One manufactured home shall be permitted on each approved manufactured home lot. No recreational vehicles or conventional construction units shall be permitted on a manufactured home lot for dwelling purposes.
- B. One recreational vehicle permitted on each approved recreational vehicle lot. No mobile home or conventional construction units shall be permitted on recreational vehicle lots for dwelling purposes. The same recreational vehicle shall not remain in a Recreational Vehicle Park for more than six (6) months in any one (1) year.
- C. Based on product availability and neighborhood character, the Zoning Administrator may waive the Residential Design Guidelines for any residential structures and recreational vehicles within this District.

3.8.2. Management Association.

Each park shall maintain a management association and full-time management to handle daily enforcement and property management for park residents with the express responsibility to administer and enforce required covenants, conditions and restrictions, oversee the operation of common facilities and ensure that the park is in current compliance with all City codes.

3.8.3. Permitted Accessory Uses.

- A. Community or recreational facilities to an extent not less than specified in the development requirements.

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- B. Common facility service buildings (laundry facilities, accessory supplies, park maintenance, management, community buildings, and other uses of a similar nature). All such buildings shall be centrally located, and use shall be restricted to occupants and their guests.
- C. Dwelling for one manager, caretaker, and/or watchman employed on the premises, the total units shall not exceed three (3) and shall not be counted toward the allowable density.
- D. Any other uses of land or structures customarily incidental and subordinate to one of the principal permitted uses, unless otherwise excluded.

3.8.4. Development Regulations.

- A. Exterior property lines abutting public streets shall have a six (6) foot masonry wall located on a fifteen (15) foot setback, landscaped and maintained by a Property Owner's Association. Masonry walls and/or landscaped strips may be required along other exterior property lines to ensure compatibility with adjacent land uses.
- B. Access to all lots shall be from interior, private streets.
- C. All dumpster type refuse collection facilities shall be screened on three (3) sides with a masonry wall, with the fourth side being a gated entrance.
- D. Boat, travel trailer or RV storage shall not occur on the same lot with a mobile home. Each development shall provide masonry walled, screened storage areas for such vehicles within the subdivision for use by the occupants of an area not less than three hundred (300) square feet for each mobile home lot.
- E. Each mobile home must be affixed with permanent tiedowns/anchors and skirting of a permanent, fire-retardant material, and installed to enclose the open space between the bottom of the floor and grade level of the stand.
- F. All room additions, awnings, or covers shall be regulated by current building codes and the standards in Section 3.7.
- G. All room additions shall be structurally independent of the MH/RV, but may be attached with weather stripping.
- H. A detached storage building is permitted in the rear half of each space. On spaces which have a six-foot high solid block wall, for every foot in building height (to the peak of a building) above the wall, one foot of setback shall be required on all sides of the building. If there is no wall the storage building shall be set back one foot from the lot line for every foot in height (to the peak of the building) above six feet.

3.9. Supplemental Standards Applicable to Commercial & Industrial Districts

3.9.1. Supplemental Development Regulations for All Commercial Districts.

Substantial additions to or remodeling fifty percent (50%) or more of existing buildings shall be subject to Site Plan review.

- A. Required yards fronting on a public street shall be entirely landscaped except for driveways and walkways. Parking and maneuvering areas shall not be permitted in required yard fronting on a public street.

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- B. A mobile home, recreational vehicle, or similar vehicle shall be prohibited as a facility for any commercial use permitted in this Ordinance except construction trailers and offices which are allowed while construction is being conducted on the site, or manufactured buildings that have staff-approved architectural treatments.
- C. Design Guidelines shall be submitted by the developer to the City for commercial and industrial subdivisions/centers.
- D. Commercial uses are restricted to closed buildings, except as otherwise permitted within this ordinance, including storage of materials and supplies, displays, and listings.
- E. Commercial uses located adjacent to or separated by an alley from any residential use or District shall provide:
 - 1. A ten (10) foot wide landscape strip, planted with one (1) two-inch caliper tree every (20) linear feet, shall be required along the common property line. Trees must be low water use, as approved by the Arizona Department of Water Resources.
 - 2. The following minimum building setbacks as determined by the proposed building height:

Commercial Building Height (1)	Minimum Building Setback Adjacent to Any Single-Family or Two-Family Residential Use or District	Minimum Building Setback Adjacent to Any Multi-Family Residential Use or District
20 ft. or less	30 ft.	30 ft.
21 ft. to 30 ft.	50 ft.	50 ft.
Greater than 30 ft.	50 ft. plus 5 feet of additional building setback for each foot of building height over 30 ft. at the point where such additional building height occurs	50 ft.

¹ For the purposes of this section, building height shall be measured exclusive of the additional height of parapet, tower elements, or any other architectural elements permitted by Article 3.

- F. Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades, or other architectural treatments and installation of landscaping to minimize the extent of metal surfaces visible from the street.
- G. All buildings located within a unified, planned development, such as a community or neighborhood commercial center shall be architecturally styled to achieve harmony and continuity of design. Building elevations shall be coordinated with regard to color, texture, materials, finishes, and form.
- H. All four sides of a building shall receive consistent architectural treatment
- I. In the Public Facilities District, buildings shall be oriented and designed with truck courts, loading docks, service bays, and bay doors on only one (1) side of the building and facing internally to the site, within an internalized court screened by other onsite primary buildings, and not visible from development boundaries unless an alternative is approved by the Zoning Administrator.

ARTICLE 3 - SUPPLEMENTAL USE STANDARDS

J.

3.9.2. Supplemental Development Regulations for the Business Park District

- A. Buildings shall be oriented and designed with truck courts, loading docks, service bays, and bay doors on only one (1) side of the building and facing internally to the site, within an internalized court screened by other onsite primary buildings, and not visible from development boundaries.

Intended Design Configuration

Figure 3.9.2A - Business Park District Design Configuration



- B. Development shall comply with the screening standards in the Development Standards for Commercial Districts set forth in Section 2.3.4 of this Ordinance, except to the extent those standards conflict with more stringent requirements set forth in this Section.
- C. As more strictly applied herein, above ground structures and equipment, such as silos, generators, chiller units, storage tanks, and other similar accessory structures, shall be located within internalized courts adjacent to the primary buildings on site and shall not exceed the height of the building. Such accessory uses and structures shall not be visible from adjacent properties or surrounding roadways.
- D. Developments within the Business Park (BPD) District shall provide a minimum of five (5) percent of the net site area as recreational open space, in conformance with the following:
1. Recreational open space shall include plazas, open turf areas, landscaping, and amenities, such as game areas, exercise stations, seating, benches, and tables.
 2. Shade shall be provided through a combination of trees and structures to ensure fifty (50) percent shade coverage.
 3. Recreational open space shall be visible to surrounding properties and streets adjacent to the development.

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4. Pedestrian scale lighting and security lighting shall be provided to ensure visibility during low light and nighttime hours.
 5. Sidewalks and pathways shall connect recreational open space areas to other open spaces, building entrances and all employee and customer/visitor gathering areas.
 6. For multi-phased developments, the required recreational open space shall be completed with the first phase of development, or in accordance with a phasing plan approved by the Zoning Administrator or designee.
 7. Recreational open space may not be used as a stormwater retention or detention basin.
 8. Recreational open space is included in the minimum fifteen (15) percent landscaping area requirement of Section 4.2.
 9. Artificial turf shall be used for all turf areas.
- E. Office and similar uses shall face the street that provides primary access or shall face a major collector or higher classification roadway.
- F. Where a lot in the Business Park (BPD) District abuts a residential district or an existing residential use, the existing landscape buffer requirements of Section 4.2 shall be increased by an additional twenty-five (25) feet, with a double row of trees planted within the buffer.
- G. All principal uses shall take place within entirely enclosed buildings located within the Business Park District.

3.9.3. Supplemental Development Regulations for the Core Mixed-Use District

A. Purpose and Intent

The Core Mixed-Use (CMX) District is intended to provide for integrated residential, retail, office, civic, entertainment, hospitality, and service uses within a compact, walkable development pattern. The district shall function as a focal activity center and may be applied in multiple locations throughout the city. Development may include vertical mixed-use, horizontal mixed-use, or a combination of both.

B. Required Commercial Component

1. Horizontal Mixed-Use. When a development phase or project is horizontally mixed use, a minimum of 25% of the site plan area shall be designated for commercial uses. These commercial areas shall be planned and designed concurrently with the residential portions of the project.
2. Master Site Plan Requirement. A Master Site Plan shall be submitted prior to the issuance of construction permits or the submittal of any individual site plan, whichever occurs first. The Master Site Plan shall demonstrate how the 25% commercial requirement will be met for the entire zoning/property area, including phasing.
3. Combined Horizontal and Vertical Mixed-Use. If vertical mixed-use is incorporated within a phase of development, the Zoning Administrator may approve a reduction to the 25% horizontal commercial requirement if the development clearly meets the mixed-use, walkable,

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and integrated intent of the CMX District. Criteria for potential reduction may include:

- a. The percentage of dwelling units located within mixed-use buildings.
 - b. The extent of ground-floor commercial activation along primary pedestrian paths.
 - c. The continuity and strength of pedestrian linkages between uses.
 - d. The distribution of commercial uses to ensure activity near public streets and plazas.
 - e. Demonstrated integration of uses within a defined walkable radius.
 - f. Phasing commitments ensuring commercial delivery concurrent with or prior to residential occupancy.
4. Commercial Delivery Requirements. To ensure mixed-use functionality, commercial buildings shall receive a Certificate of Occupancy for a shell building, or be substantially under construction, prior to issuance of more than 50% of residential building permits for units within that approved development phase.
 5. Administrative Flexibility. The Zoning Administrator may authorize reasonable modifications to phasing, distribution of commercial floor area, and mixed-use configuration to ensure both flexibility and certainty while implementing the intent of the CMX District.
- C. Master Site Plan Requirements. The Master Site Plan shall be approved by the Zoning Administrator and shall include:
1. The location and design of all pedestrian connections, pedestrian plazas and greenspaces, trails, walls, and community features.
 2. The materials, colors, and design treatments of these features.
 3. The phasing of pedestrian infrastructure, open space, commercial components, and other shared improvements.
 4. A coordinated plan showing pedestrian access routes between residential and commercial areas and to adjacent public streets.
- D. Pedestrian Connectivity Standards
1. Overall Connectivity. The Master Site Plan shall include a significant number of both major and minor pedestrian connections throughout the property, establishing multiple direct routes between uses.
 2. Major Pedestrian Connections.
 - a. Minimum 8-foot width, paved.
 - b. Include shade elements such as shade trees and/or shade structures.
 - c. Where crossings occur at roadways, drive aisles, or drive-throughs, the crossing shall include decorative pavers

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and incorporate traffic-calming elements such as narrowed drive aisles, landscape medians, raised crossings, or similar design treatments.

3. Minor Pedestrian Connections.
 - a. Minimum 5-foot width, paved.
 - b. Provide shade elements wherever feasible.
4. Pedestrian Plaza. A major pedestrian plaza occupying at least 5% of the site plan area shall be provided. The plaza shall:
 - a. Include a major shade amenity and seating.
 - b. Be located within or adjacent to a street-side landscape setback or other centrally accessible location.
 - c. Be flanked by pedestrian paths, storefronts, patios, and/or a pedestrian loop.
 - d. Connect directly to the major pedestrian connections shown on the Master Site Plan.
5. Connection Between Residential and Commercial Areas. Developments with horizontal mixed use must provide a direct pedestrian path between residential buildings and commercial uses.
6. Residential Building Connections. Each residential building shall include at least one pedestrian connection to a public sidewalk or major pedestrian connection.
7. Ground-Floor Residential Patios. Residential patios adjacent to public roads shall include gates and sidewalks/paths that provide direct access to the adjacent pedestrian network.

E. Walls, Fencing, and Screening

1. View fencing shall be used between residential and commercial areas unless solid screening is required for mechanical equipment, loading, or refuse enclosures.
2. Walls shall be integrated into the overall materials and theme of the development.

F. Design and Community Identity Standards. All site lighting, landscaping, paving, signage, and community features shall complement the unified design of the development. The project shall maintain consistency in naming, branding, and overall identity across all phases.

3.9.4. Supplemental Development Regulations for All Industrial Districts.

All new buildings and uses of land or substantial additions to or remodeling twenty percent (20%) or more of the total building area of existing buildings shall be subject to Site Plan review.

- A. Required yards fronting on an arterial street shall be entirely landscaped except for driveways and walkways. Along all other public streets, a minimum landscaped area of thirty (30) feet per side shall be provided. Parking and maneuvering area shall not be permitted within the landscaped area.

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- B. Industrial uses located adjacent to or separated by an alley from any residential use or District shall provide:
1. A ten (10) foot wide landscape strip, planted with one (1) two-inch caliper tree every (20) linear feet, shall be required along the common property line. Trees must be low water use, as approved by the Arizona Department of Water Resources.
 2. The following minimum building setbacks as determined by the proposed building height:

Industrial Building Height (1)	Minimum Building Setback Adjacent to Any Single-Family or Two-Family Residential Use or District	Minimum Building Setback Adjacent to Any Multi-Family Residential Use or District
20 ft. or less	30 ft.	30 ft.
21 ft. to 30 ft.	50 ft.	50 ft.
Greater than 30 ft.	50 ft. plus 5 feet of additional building setback for each foot of building height over 30 ft. at the point where such additional building height occurs	50 ft.

¹ For the purposes of this section, building height shall be measured exclusive of the additional height of parapet, tower elements, or any other architectural elements permitted by Article 3.

- C. All principal buildings and all accessory buildings or structures, including loading and unloading facilities shall be located at least one hundred (100) feet away from any existing or planned residential use, except where adjoining a railroad right-of-way
- D. A mobile home, recreational vehicle, or similar vehicle shall be prohibited as a facility for any industrial use permitted in this Ordinance except construction trailers and offices may be allowed while construction is being conducted on the site, or manufactured buildings that have staff-approved architectural treatments.
- E. Industrial uses located adjacent to or separated by an alley from any existing or planned residential use shall provide:
1. A twenty (20) foot wide landscape strip, planted with one (1) two-inch caliper tree every (20) linear feet, shall be required along the common property line. Trees must be low water use, as approved by the Arizona Department of Water Resources.
 2. Walls which front onto a public street shall be constructed of masonry with stucco, slump block, or brick designed to match the main building on the site.
- F. Loading, delivery, roll-up/dock doors, and service and wash bays that front onto a public street or a limited access highway, provided all of the following circumstances are met:

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1. There is no existing or planned residential use within 500 feet of the right-of-way line on the opposite side of the public street or limited access highway;
 2. The loading, delivery, roll-up/dock doors, and service and wash bays occupy a maximum of 50% of the building width facing the public street (This 50% maximum may be increased to a maximum of 75% of the building width facing a public street if the site is a corner lot);
 3. The loading, delivery, roll-up/dock doors, and service and wash bays shall be screened from public view with a combination of a two (2) foot berm and a six (6) foot wall, or an eight (8) foot wall. Either wall is to be constructed of brick, slump block, or masonry with a stucco or mortar wash finish, or a similar finish, designed to match the main building on the site;
 4. Other than along a road designated as a scenic arterial, a minimum of two (2) continuous offset rows of two-inch caliper trees are planted twenty feet on center along the frontage of the public street or limited access highway, within the required 30-foot wide landscape area; and
 5. When loading, delivery, roll-up dock doors, and service and wash bays front on a scenic arterial, as designated on the Land Use and Transportation Map of the General Plan, a 40-foot wide landscaped area shall be required, and a minimum of two (2) continuous offset rows of trees shall be planted twenty feet on center along the frontage of the scenic arterial with the external of the two (2) rows being two-inch caliper trees and the interior of the two (2) rows being three-inch caliper trees. Clustering of trees to provide better screening may be approved at site plan review and approval.
- G. Buildings with metal or steel exteriors shall be architecturally altered through the construction of veneers, facades, or other architectural treatments and installation of landscaping to minimize the extent of metal surfaces visible from the street.
- H. All buildings located within a unified, planned industrial park development shall be architecturally styled to achieve harmony and continuity of design. Building elevations shall be coordinated with regard to color, texture, materials, finishes, and form.
- I. All four sides of a building shall receive consistent architectural treatment.
- J. Above ground silos, tanks, and other similar structures that are accessory uses to the primary building and are not occupied may be either freestanding or integrated into a building, up to a maximum height of 65 feet, exclusive of mechanical equipment, screening, and architectural embellishments, which shall be limited to five (5) feet above the height of the silo, tank, or structure. Notwithstanding the foregoing, the maximum height of any above ground silo, tank or similar structure provided for herein that will penetrate a slope of 100:1 from the runway centerline or runway end of an operating airport shall only exceed 40 feet upon a determination by the Federal Aviation Administration ("FAA") that the proposed height presents no hazard to air navigation as evidenced by the receipt of a Determination of No Hazard to Air Navigation issued by the FAA.

- K. Any part of the silos, tanks, and other similar structures visible from the public way shall be painted to match the primary building and shall be located at the side or rear of the primary building so as to be partially screened by the primary building.

3.10. Amenity Expectations for PAD

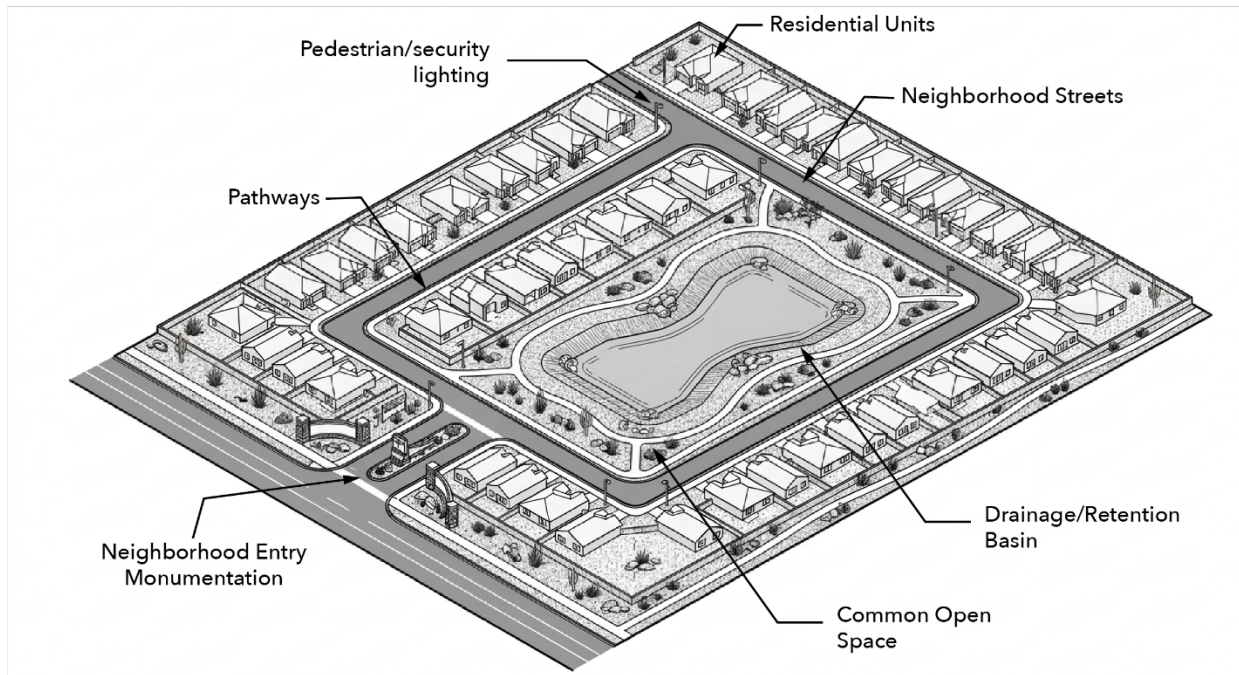
Development plans shall specifically address and provide positive response in terms of land improvement enrichments for the benefit of residents, or business users, their visitors and the entire Goodyear community, including, but not limited to, the following:

3.10.1. Residential Neighborhoods.

Safety, spaciousness, attractive appearance, streetscape, recreation, outdoor enjoyment, residential privacy and compatibility among land uses and housing types are among considerations to which development plans shall respond.

- A. Design. Planned neighborhoods' visual appearance shall be enhanced by creative, master planned response to Section 3.2.1, Design Standards.
- B. Facilities. Housing areas are expected to provide and maintain amenities to enhance neighborhood livability and sustainability for residents of all ages.
- C. Recreational facilities. Each dwelling should be located within one thousand (1000) feet of the nearest common open space or within five hundred (500) feet of a pathway linkage (sidewalk/bike path) to such facilities.
- D. Drainage structures. Open, flow-conducting swales, retention or detention basins, which may be coordinated with areas credited toward open space requirements, should be engineered to prevent safety hazard or creation of attractive nuisance.
- E. Community Integration. Neighborhood design contributes to City-wide enhancements as well as features which provide residential diversity and linkages among neighborhoods.
- F. Pathways. Bicycle and pedestrian connections to schools, parks, shopping and other neighborhood activity centers should be conveniently accessible from all dwellings.
- G. Neighborhood identity. Entry monumentation, banners, public art, variations in lighting fixtures or street furniture help to distinguish neighborhood units.
- H. Residential safety. Pedestrian and security lighting, non-access landscaping varieties, traffic visibility, elimination of lurking areas and public safety/emergency accessibility should be addressed.

Figure 3.10.1A - Residential Neighborhoods



3.10.2. Commercial, Employment or Institutional Uses.

Safety, reduction of traffic congestion, architectural excellence, compatible signage, landscaping/street furniture treatments in peripheral tracts and parking lots, integration of impacts on other properties in the vicinity are among considerations to which development plans shall respond.

- A. Design. Planned neighborhoods' visual appearance shall be enhanced by creative, master planned response to the guiding considerations of Section 3.2.2.
- B. Facilities. Community-benefiting spaces, fixtures and conveniences should be installed and maintained in accessible, secure locations.
- C. Activity centers. Gathering places (including performance sites, outdoor dining, recreation or relaxation areas) shall be provided for customers, business invitees, employees and residential neighbors' use at appropriate times.
- D. Joint use facilities. Parking, playing fields, restrooms, drinking fountains, plazas, walkways and other facilities shall be installed and maintained for community use.
- E. Transportation amenities. Bicycle and pedestrian convenience should be stressed, with consideration of bus stop improvements, park-and-ride lots, employee shuttle services and the like.
- F. Community integration. Non-residential development should seek to relate, both visually and functionally, with its surrounding neighborhood.

- G. Open space connection. Recreation space and multi-purpose pathways are employed as means to allow employees or customers from the adjacent neighborhood to access shopping or jobs and interact with business people.
- H. Transitional buffering. Separation distance, landscaping, walls or joint-use areas are provided to protect residential privacy and soften the impacts and edges between non-residential and housing areas.
- I. Impact mitigation. Noise, glare, dust, and industrial emissions should be abated to acceptable residential levels at residential property lines. Exposure to hazardous materials of any type is prohibited outside of enclosed, controlled-environment structures.

3.11. Additional Use Specific Regulations

3.11.1. Adult Businesses.

Adult business uses, such as adult bookstore, adult novelty store, adult theater, adult live entertainment establishment, erotic dance or performance studio, are subject to the following regulations.

- A. General Requirements.
 - 1. These provisions shall not be construed as permitting any use or act which is otherwise prohibited or made punishable by law.
 - 2. Notwithstanding another provision of this Ordinance, an adult bookstore, adult novelty store, adult theater, adult live entertainment establishment, or erotic dance or performance studio which is a nonconforming use or which does not conform to the separation standards set forth in this section shall not be:
 - a. Converted to another of the above-listed adult uses; or
 - b. Be expanded beyond the floor area devoted to such adult use on the effective date of this Ordinance.
 - 3. Neither the Zoning Administrator nor the Planning Commission shall have jurisdiction to grant variances from these provisions.
 - 4. Locational Regulations. Adult bookstore, adult novelty store, adult theater, adult live entertainment establishment, erotic dance or performance studio, are subject to the following conditions or limitations:
 - 5. None of the above-listed uses may be located within one thousand (1,000) feet of the same type use or any of the other uses listed above. The distance shall be measured from the exterior walls of the buildings or portions thereof in which the businesses are conducted or proposed to be conducted to the property line of the property upon which the other above-listed use sits; and
 - 6. None of the above-listed uses may be located within five hundred (500) feet of a preschool, kindergarten, elementary or secondary school, church or similar place of worship, park, playground or any of the following use district classifications: R1-10, R1-7, R1-6, R1-4, R1-A, R1-C, R-2, MF-12, MF-18, MF-24, MHS, MH/RVP, C-1, or PAD and PAD Overlay with an underlying land use of similar nature. This distance shall be measured

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from the exterior walls of the building or portion thereof in which the adult business is conducted or proposed to be conducted to the property line of the above-listed use or use restriction.

3.11.2. Animal Kennel/Shelter

All animals must be kept indoors, and no outside runs are permitted unless otherwise stated below.

- A. The kennel structure or facility must not be any closer than one hundred (100) feet to any residential or agricultural zoning district unless waived by the Zoning Administrator.
- B. The kennel structure or facility shall be designed, constructed, and maintained so that sound emitted to exterior walls and roofs shall not exceed forty-five (45) decibels. Building plans submitted for a kennel/shelter shall include a certified statement from a registered architect or engineer that the building will meet the forty-five (45) decibel requirement.
- C. If the kennel/facility offers outdoor boarding or animal training, then it shall comply with the following standards:
 - 1. Outdoor uses shall be no less than one hundred (100) feet from any residential use and shall not be in use between 9:00 p.m. and 7:00 a.m, unless amended through the Use Permit process.
 - 2. Special events such as shows, exhibitions, and contests shall only be permitted when a temporary use permit has been secured.

3.11.3. Animal Pet Daycare Facility

- A. The facility must not be any closer than one hundred fifty (150) feet to any residential use.
- B. Outdoor uses/runs shall be no less than one hundred fifty (150) feet from any residential use and shall not be in use between 9:00 p.m. and 7:00 a.m, unless amended through the Use Permit process.
- C. In the C-1 and C-2 zoning districts, outdoor animal runs shall require a Use Permit.

3.11.4. Assisted Living Facilities

- A. All facilities shall comply with all applicable federal, state and local requirements for the location and operation of such facilities and the provision of safe outdoor recreation areas and gross floor areas for every person that the facility is licensed to accommodate.
- B. The facility shall have direct access from an arterial or collector street. A Use Permit shall be required for access to local streets.
- C. Facilities within any residential district shall not be located within 1,200 feet (as measured from the property lines) of a child care facility, a nursing home, or a group home facility that are also located within any residential district.
- D. Notwithstanding the foregoing, if the State has adopted laws or rules for the regulation of an assisted living facility, then any such State law or rule shall apply in addition to the conditions listed herein and shall preempt any conflicting condition listed herein.

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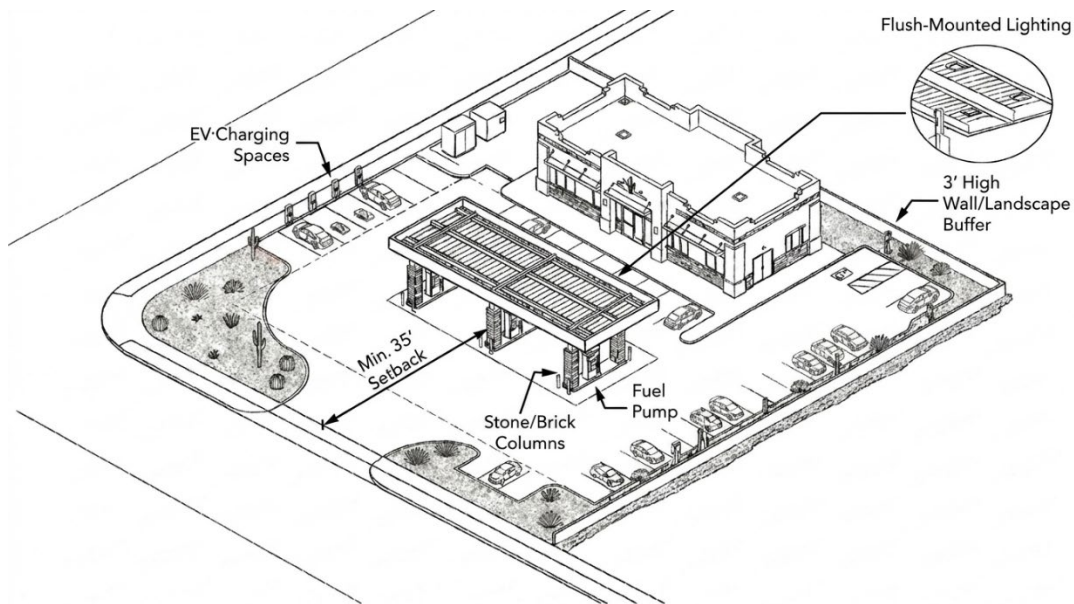
3.11.5. Automobile Fueling Station (Gas Stations).

Automobile Service station (Gas Stations) uses require specified, additional conditions and design criteria.

A. Design Criteria.

1. The design of the service station building and site shall be compatible with the type of development surrounding the station.
2. All fuel pumps and/or pump islands shall be covered by a canopy that matches or complements the design of the principal building.
3. Service stations which are situated within a larger commercial development shall be separated from adjacent property by a three (3) foot high wall, landscaping, or curbing, except for necessary driveways, in order to control vehicular movements and circulation.
4. The width or depth of any service station site shall be a minimum of one hundred-fifty (150) feet.
5. Pump islands shall be located at least thirty-five (35) feet from the street right-of-way line.
6. Service stations shall be subject to all landscaping and design standards including screening of parking and maneuvering areas with walls and landscaping.
7. Facilities located on the same side of a street shall be no less than 500 feet from a similar facility unless such facility is accessory to a retail user that is a minimum of 50,000 square feet in size.
8. If located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two arterials (including parkways) or within three hundred (300) feet of an existing or planned signalized intersection, the service station shall incorporate enhanced streetscape elements at the corner frontage, which may include public art, shade structures, pedestrian amenities or similar features designed to improve the visual character and pedestrian environment, subject to approval by the Zoning Administrator.
9. Refueling pumps and associated equipment shall be no less than 150 feet from a residential use.
10. Canopy lights shall be flush mounted, and the light source shall not be visible from any property line.
11. A use may combine a fueling station with a convenience store, restaurant, drive-through facility, and/or car wash only if said uses are permitted or conditionally permitted in that district, in all other instances the more restrictive of the approval processes shall prevail.

Figure 3.12.3A - Automobile Fueling Station



12. On-site semi-truck parking or overnight parking accommodations are prohibited in the C-1 Neighborhood Commercial District, the C-2 General Commercial District, and the I-1 Light Industrial Park district.
13. In no event shall the Automobile Fueling Station (Gas Station with semi-truck fueling) contain a Truck Stop/Travel Center, which is defined as a building or buildings providing facilities used for commercial truck drivers during stopovers at the facility and may include overnight parking, maintenance of semi-trucks or commercial vehicles, showering facilities and laundry facilities unless the facility is located within the I-2 General Industrial Park district, outside of the Luke Airforce Base or Phoenix Goodyear Airport Noise 65 DNL contour area and a Special Use Permit is obtained in conformance with the Procedure and Conditions of Approval described in Section 6.6.

3.11.6. Automobile Repair, Major

- A. All repair, fabrication, welding, sanding, painting, and restoration activities shall occur entirely within an enclosed building.
- B. Spray painting shall occur only within properly ventilated and filtered spray booths compliant with applicable fire and building codes.
- C. Outdoor storage of vehicles shall be limited to customer vehicles actively awaiting repair or pick-up.
- D. Vehicles stored outdoors shall be screened from public view and from adjacent residential properties by a solid wall, fence, or landscaping in accordance with Article 4.
- E. No dismantling or salvaging operations shall be permitted.
- F. All hazardous materials, fluids, and waste products shall be stored and disposed of in accordance with applicable federal, state, and local regulations.

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- G. Where adjacent to a residential district, a solid wall not less than six (6) feet in height shall be provided along the shared property line.
- H. Outdoor repair work shall not be conducted between the hours of 10 p.m. and 6 a.m. when located within 100 feet of a residential district.

3.11.7. Automobile Repair, Minor

- A. All repair and service activities shall occur within fully enclosed service bays.
- B. No vehicle under service shall be stored outdoors overnight.
- C. No outdoor dismantling, engine removal, body work, welding, or spray painting shall be permitted.
- D. All parts, tires, equipment, and materials shall be stored within an enclosed building.
- E. No inoperable or abandoned vehicles shall be stored on the premises.
- F. The use shall not include vehicle sales, salvage operations, or tire re-treading or recapping.
- G. Where located adjacent to a residential district, service bay doors shall not face the residential property line unless separated by a minimum fifty (50) foot landscaped setback or a solid wall.
- H. Automobile repair or service uses designed to provide service to vehicles in a drive-through configuration shall be permitted only upon approval of a Use Permit.

3.11.8. Automobile Rental

- A. When ancillary to a Permitted principal use, six (6) or fewer vehicles may be made available for rent; for-rent vehicles shall not occupy required parking spaces.
- B. On-site storage, maintenance, and washing of rental vehicles shall occur no closer than 150 feet from a residential use and shall not be conducted between any adjacent street and the front of the principal building.

3.11.9. Automobile Sales, New or Used

- A. Such use shall be located no less than 150 feet away from a single-family residential use.
- B. All repairs, testing and tuning activities shall occur indoors.
- C. Outdoor sound systems, including PA systems, shall be prohibited.
- D. Automotive rental facilities associated with a dealer shall be considered an allowed accessory use.

3.11.10. Battery Energy Storage System (BESS)

Battery Energy Storage Facility regulations are intended to protect the health, welfare, safety, and quality of life for the public, to ensure compatible land uses in the areas close to energy storage facilities, and to mitigate the potential impacts of these facilities on the environment.

- A. Applicability. The requirements of this Section shall apply to all utility-scale BESS facilities permitted, installed, or modified after the effective date, excluding

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general maintenance and repair. Utility-scale BESS facilities constructed or installed prior to the effective date are not required to meet the requirements of this Section. Modifications to, retrofits or replacements of an existing BESS that increases the total energy storage system designed discharge duration or power rating shall be subject to the requirements of this Section. Behind the meter BESS systems are exempt from the requirements of this Section.

1. **Principal Use.** BESS uses shall be administered through the Special Use Permit Process and may operate as a principal use in Industrial Districts (I-1 and I-2) subject to the requirements of this section.
2. **Accessory Use.** A BESS use that is part of an approved Energy Generation Facility and occupies no more than 10% of the total land within the Special Use Permit boundary for the Energy Generation Facility or that meets all of the criteria below may be considered an accessory use and is not subject to the requirements of this Section.
 - a. The BESS exclusively serves the enterprise functions of the on-site property owner or tenant. For BESS associated with an Energy Generation Facility, this shall mean the BESS is interconnected to the Energy Generation Facility for energy storage and distribution purposes related to the on-site Energy Generation Facility.
 - b. The BESS, unless associated with an Energy Generation Facility, does not discharge energy for use off-site.
 - c. The BESS, unless associated with an Energy Generation Facility, occupies no more than 10% of the total gross floor area of all buildings on the site, excluding the dimensions of any enclosure.

B. Development Standards

1. **Setbacks.**
 - a. All BESS modules and/or equipment will be separated from any existing or planned residential properties by a minimum 330 feet measured from the BESS modules to one of the following:
 - i. The property line of any existing residential use;
 - ii. The property line of any residentially zoned property which is not platted; or
 - iii. Any church, park, school, fire station, public works facility or other similar sensitive use as determined by the Development Services Director.
 - b. An applicant may request a reduction in the required separation distance from any existing or planned residential property, provided that the distance is not reduced to less than 150 feet from any BESS module. Any such request shall be supported with provision of a Toxic and Flammable Gas Plume Dispersion Analysis as outlined in Section 3.11.7(D)(2)(a) and included as part of an Emergency Response Plan as specified in section 3.11.7(D)(1).

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- c. A minimum distance of 150 feet shall be maintained from any BESS module to the nearest property line of any property zoned for commercial.
 - d. A minimum distance of 100 feet shall be maintained from any BESS module to the nearest property line of any property zoned for industrial.
- 2. Landscaping
 - a. The project must be planned and developed in a way that maximizes retention of existing native vegetation, topsoil, and landforms. Landscaping on property must comply with underlying zoning district regulations.
 - b. Any tree removed within the City as a direct result of powerline installation, relocation, or associated utility construction required to serve the facility shall be replaced at a minimum one-for-one ratio. Replacement trees shall be located on-site outside of the perimeter wall or, where on-site planting is not practicable due to utility clearance requirements or access easements, at an approved off-site location within the City as close as reasonably practicable to the removal site, and shall comply with the minimum size, species, and planting standards set forth in Section 4.2. Where tree replacement is not practicable, the Development Services Director may approve permanent on-site structural shade improvements in lieu of some or all required replacement trees, provided the shade area is reasonably comparable to the required replacement.
 - c. Areas located beneath and adjacent to new or relocated overhead powerlines shall be landscaped with utility-compatible vegetation, including shrubs, low-growing trees, groundcovers, and other species approved by the City. Plant material shall be selected and arranged to ensure compliance with utility clearance requirements, provide visual screening of data center structures, and contribute to the overall landscape quality of the site. Vegetation shall be maintained to prevent encroachment into utility safety zones while preserving intended aesthetic and screening functions.
- 3. A minimum 26-foot-wide fire rated access road must encircle the entire BESS facility inside a security perimeter fence. The access road may be located within the required setback area. There must be a minimum of two entrances to the access road.
- 4. Screening. All BESS facilities, substations and related equipment, whether private or public, shall meet all of the following screening standards:
 - a. BESS modules shall be fully screened to a minimum height of nine (9) feet.
 - b. Substations shall be screened to a height of at least one (1) foot above the tallest piece of ground-mounted equipment excluding poles, towers, or other vertical interconnecting

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structures that are not considered ground-mounted equipment.

- c. If the required screen wall exceeds nine (9) feet in height, vertical articulation is permitted.
- d. The Development Services Director or their designee may approve a plan to allow phased installation of screening or landscaping based on special or unique conditions of the use or site.

5. Utilities.

- a. The BESS Facility shall comply with the underground utility requirements set forth in Section 3.1.23 of this Code and shall bear all costs associated with required undergrounding of applicable electrical infrastructure, subject to approval by the applicable utility provider.
- b. The BESS Facility may be subject to other requirements from the applicable utility provider.

6. Public Art. For facilities where BESS is the principal use a minimum of one public art element such as a mural or sculpture shall be provided. Where applicable, public art shall be located to provide visual enhancement of the site's street-facing frontage.

7. Deviations from the development standards set forth in Section 3.1.23 above may be requested as part of the Special Use Permit process.

C. Security & Monitoring

BESS facilities shall comply with the following security and monitoring requirements:

- 1. The facility shall be equipped with a commercial-grade security system, including a perimeter wall, controlled access, lighting, and video surveillance, that is designed to deter unauthorized entry. The BESS Facility must be monitored 24 hours a day, seven days a week, with any threats immediately reported to appropriate emergency responders or law enforcement.
- 2. The site perimeter wall shall have at minimum two entrance gates equipped with a rapid access system chosen in consultation with the Goodyear Fire Department.
- 3. The BESS Facility shall provide a human machine interface (HMI) capable of viewing the live thermal imaging camera feeds and operating the thermal imaging camera software. Live camera feed operation may be done remotely at facility owner's operation center under the telephonic command of on-site personnel.
- 4. Lighting used on-site shall be limited to the requirements outlined in the National Electrical Safety Code (NESC) Section 111 – Protective Arrangements in Electric Supply Stations and Table 111-1 – Illumination Levels, which requires lighting in occupied areas. To prevent light spillage offsite, lighting used shall be fully shielded and of the lowest intensity level, in compliance with applicable regulations (including Section 4.5

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Outdoor Lighting of the City of Goodyear Zoning Ordinance), measured at the property line after dark.

D. Safety

The following must be provided prior to site plan approval or permit issuance for a BESS facility:

1. All proposed Battery Energy Storage System (BESS) facilities shall comply with all applicable fire, life safety, and building codes and standards in effect at the time of application submittal. Compliance shall include, but not be limited to, all requirements of the latest published editions of NFPA 855 *Standard for the Installation of Stationary Energy Storage Systems*, UL 9540 *Energy Storage System Requirements*, and other referenced standards such as NFPA 68, NFPA 69, and NFPA 72, as adopted and enforced by the City of Goodyear Fire Department and Development Services Department. Applicants must demonstrate that facility design, installation, emergency response planning, hazard mitigation, fire protection systems, and ongoing maintenance meet the intent and requirements of these codes and standards. All required documentation, engineering plans, fire protection features, and emergency response coordination shall be subject to review and approval by the City of Goodyear Fire Department prior to the issuance of any building permits. Once an application is accepted for review, any updated submittals during the period of review, installation and final inspections must either be signed and sealed by the design professional of record, or a cover letter signed and sealed by the design professional of record shall accompany the submittal, attesting that the updated information conforms to the overall design and code requirements.
2. Applicants must submit technical studies prepared by a third-party subject matter expert as follows:

- a. A hazard and compatibility analysis prepared by an independent qualified professional with expertise in fire protection engineering, hazardous materials analysis, atmospheric dispersion modeling, or a related discipline. A qualified professional may include, but is not limited to, a licensed professional engineer (P.E.), certified fire protection engineer (CFPE), hazardous materials specialist, or similarly qualified expert.

The analysis shall evaluate reasonably foreseeable fire, thermal runaway, explosion, or hazardous materials release scenarios and assess potential impacts to surrounding properties, public health and safety, critical infrastructure, and emergency response operations, including smoke plume behavior and gas dispersion under representative local weather conditions.

For facilities located within the territory in the vicinity of a public or military airport as defined by A.R.S. §§ 28-8486 and 28-8461, the analysis shall also address potential impacts to aircraft operations, navigable airspace, flight paths, and military missions. The City may require reasonable mitigation measures if material risks are identified.

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- b. Technical studies analyzing the chemical composition of BESS fire emissions and associated human, wildlife and environmental hazards, specifically at which distances emission impacts will be hazardous.
 - c. Technical studies prepared must analyze runoff of water and fire suppression liquid associated impacts to groundwater, wildlife, waterways, and the environment. If determined to be required by the studies, the site plan shall include a geosynthetic-lined (geo-lined) retention basin designed to capture and contain any water or fire-suppressant liquid used by first responders during a thermal runaway incident, with the basin size established through the technical studies in consultation with the Goodyear Fire Department. Additionally, an impermeable geo-lined layer shall be installed beneath all BESS modules to direct runoff to the basin. The retention basin shall be emptied the same day if filled by rain or flood water to ensure full containment capacity. In the event of a thermal runaway incident, a third-party subject matter expert shall collect five representative samples of the water or fire-suppressant liquid for analysis and shall implement any necessary mitigation measures to reduce adverse impacts, with all associated costs paid by the site owner.
- 3. Preliminary Decommissioning Plan. A preliminary decommissioning plan describing the anticipated life of the BESS Facility, the steps required for the complete physical removal of BESS components, and the method for removal and disposal of all solid and hazardous waste shall be provided at the time of application. A final decommissioning plan shall be submitted to the City for review and approval 60 days prior to commencing decommissioning activities or within 90 days after the facility permanently ceases operation or no longer stores energy
- 4. Community Liaison. All BESS facilities shall provide contact information for the designated Community Liaison to the City Development Services and Fire Department and shall prominently post the same information at every vehicular and pedestrian entrance to the facility. The information shall include a telephone number monitored 24 hours per day and instructions for reporting emergencies or safety concerns. All posted signage shall be weather-resistant, clearly visible from the point of access, and maintained in good condition. Any change in the Community Liaison's contact information shall be provided to the City Development Services and Fire Departments and updated on all required signage within five (5) business days of the change.
- E. Application Requirements
 - 1. Project Narrative. In addition to the application requirements specified in Section 3.11.10, a project narrative that includes all of the following:
 - a. A description of how the BESS Facility is consistent with the General Plan and any other applicable City plan or policies, and is compatible with surrounding land uses and the community.

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- b. A detailed compliance review that demonstrates compliance with all applicable zoning, building, and fire safety regulations, and federal, state, and local environmental laws.
- F. Operational Requirements.
 - 1. Augmentation. All long-term augmentation needs shall be accounted for in the original approval through an approved site plan, and phasing plan.
 - a. Permitted Augmentation. Augmentation of a BESS or BESS Facility is permitted and does not require a modification to original entitlements if it complies with the approved site plan and phasing plan.
 - b. Approval Required.
 - i. Augmentation that requires modification to the approved site plan or phasing plan shall follow the procedures in Article 6 of this Ordinance
 - ii. Augmentation that results in any of the following shall require City Council review and approval in accordance with this Ordinance:
 - 1) An expansion of the approved facility footprint or fenced area;
 - 2) The construction of new buildings or enclosures not shown on the approved site plan;
 - 3) An increase in the maximum export capacity at the point of interconnection; or
 - 4) A material increase in site impacts, including noise, traffic, or visual impacts, beyond those analyzed and approved.
 - iii. Internal equipment replacement or augmentation that does not result in the conditions listed above, including changes to installed battery energy capacity, shall be permitted and shall not require City Council approval.
 - iv. The Development Services Director may require confirmation that an augmentation complies with the approved site plan and applicable permit conditions; however, such confirmation shall not constitute a permit amendment.
 - 2. Ownership or Operator Changes.
 - a. If the owner or operator of a BESS Facility changes or the owner of the property changes, the new owner or operator of the BESS Facility or property shall notify the Development Services Department within 30 days of the change.
 - b. Project approvals will remain in effect; however, the successor owner or operator assumes all obligations of the project, site

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plan approval, and permitting approvals, and all required documentation shall be updated with the new owner or operator information.

3.11.11. Brewery.

Brewery as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements.

1. The building containing the brewery must be at least 300 feet from the property line of any property zoned for single family residential use and at least 300 feet from any building containing a school, nursery school or place of worship.
2. A tasting room to sample beer produced onsite or off-site at a facility under common ownership is considered an accessory use to the brewery. However, no food or other alcoholic beverages may be served to the public in the tasting room or anywhere else within the brewery.
3. Live music and entertainment are not permitted except with a Special Use Permit.
4. The brewery shall not produce odors, gas, dust or any other atmospheric pollutant detrimental to the health, safety or general welfare of persons living or working in the surrounding area.
5. If requested by the Development Services Director, the owner of the brewery shall provide documentation to the Development Services Director on the quantity of beer produced onsite for the calendar year. Documentation will be required to be submitted to the Department by January 31st of the following year.

3.11.12. Brewpub.

A brewpub as defined in Article 8 of this Ordinance is subject to the following regulation:

A. General Requirements.

1. At least 40% of the brewpub's gross revenue shall be derived from the sale of food. If requested by the Development Services Director, the owner of the brewpub shall provide to the Department documentation on the facility's gross revenue and the percentage of gross revenue derived from the sale of food for the calendar year. Documentation will be required to be submitted to the Department by January 31st of the following year.
2. Live music or entertainment shall only be allowed as an accessory use if the facility is located a minimum of three hundred feet (300') from the property line of any residentially zoned or designated property. The area within the facility designated for music or entertainment activities, including patron dancing, shall not exceed 5,000 square feet. All noise generated by live music or entertainment activities shall be fully contained within the indoor space occupied by the brewpub.
3. The area devoted to patron dancing shall not exceed twenty-five percent (25%) of the total floor area.

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4. The brewpub shall not be open after hours as defined by State law (generally, closing time of the dance floor is later than that of the bar).

3.11.13. Car wash (Hand or Automatic)

- A. Location.
Car Wash, as a primary use, is only allowed on sites with at least one frontage on an arterial Street.
- B. Setbacks.
No building, structure, vacuum equipment, or vehicle queuing area shall be located within seventy-five (75) feet of any residential zoning district.
- C. Drive-up Aisles.
Drive-up aisles shall be at least 12 feet wide and shall be screened as specified in Section 3.11.19, Drive-through.
- D. Required Queuing Area.
The drive-up aisle shall provide queuing space as specified in Section 3.11.19, with no encroachment into required landscape areas.
- E. Landscaping.
In addition to Landscaping requirements in Section 4.2, Landscaping shall comprise an additional 10 percent of the gross site area.
- F. Noise.
Sound attenuating measures shall be incorporated into the building design and construction to absorb noise such that the sound level readings at the Street and at interior property lines are no more than 55 decibels. Mechanical equipment for centralized vacuum equipment shall be housed in an enclosed room.
- G. The wash tunnel exit shall be oriented away from any adjacent residential uses.
- H. All loading, delivery and carwash service bays shall not front onto a public street and shall be screened from public view with at least a six (6) foot wall, constructed of brick, slump block, or masonry with a stucco or mortar wash finish, or a similar finish, designed to match the main building on the site.
- I. All wash water disposal facilities including sludge, grit removal and disposal equipment shall be subject to the approval of the City Engineer or their designee and shall conform to all city ordinances regarding sewage and health and shall be designed so as not to detrimentally affect the city sewer system.

3.11.14. Cemeteries/mausoleums (incl. pets)

- A. Location
Cemeteries shall be located on arterial streets and have a minimum frontage of 300 feet.
- B. Minimum Lot Area

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Cemeteries intended for human burial shall contain a minimum of twenty (20) acres. Cemeteries intended for small animal burial shall contain a minimum of five (5) acres.

C. Accessory Uses

1. Uses and structures accessory to a cemetery use may include a business office, chapel, columbarium, mausoleum, and equipment storage.
2. A crematorium may only be an accessory use if the cemetery /mausoleum is located in a district where a crematorium is permitted by right.
3. Accessory uses and structures shall be set back at least 50 feet from any property line.

D. No required setback shall be occupied by graves. There shall be a minimum of a fifty (50) foot landscaped buffer between the property line or roadway right-of-way; and any building, structure, or gravesite. The fifty (50) foot setback shall not apply to roads designed for internal circulation within the cemetery.

3.11.15. Convenience Store.

A. Required Information

B. A Use Permit and separate Site Plan approval are required for convenience stores except where the convenience store is either structurally attached as part of a larger retail center (at least fifty thousand (50,000) square feet) located on an arterial corner, or when not associated with an Automobile Fueling Station (Gas Stations), or when permitted as an accessory use to another Principal Permitted use.

1. Where free-standing convenience stores are part of a larger center (at least fifty thousand [50,000] square feet), such use should not be located on an arterial corner building pad site unless, through the Use Permit process, in the judgment of the City Council the findings support the proposal and stipulations designed to mitigate potential problems are attached to the property.
2. When an application is made for a Use Permit for a convenience store, accompanying the application must be a Site Plan, drawn at an appropriate scale by a registered civil engineer which includes the following:
 - a. Size and location of the parcel.
 - b. Location, size, area, and orientation of all structures, including any gas pumps and canopies when applicable.
 - c. Property lines.
 - d. Existing and future right of way lines.
 - e. Existing and proposed curb cuts.
 - f. Location of any drive through windows and queuing lanes.
 - g. On site vehicular and pedestrian circulation plan.
 - h. All parking spaces.

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- i. Within three hundred (300) feet of the site show the following:
 - i. Access from streets to business and vice versa.
 - ii. Existing land use.
 - iii. Driveways.
 - iv. Existing street system with roadways, curbs, gutters, medians, turn lanes and sidewalks.
 - v. Circulation pattern.
 - vi. Description and location of traffic lights and signs.
- C. Evaluation Criteria.
- D. Prior to a convenience store use permit being considered by the Planning and Zoning Commission or Administratively by the Development Review Committee, the Development Review Committee will review and evaluate the proposed Site Plan and report to the Development Services Department. The Development Services Department's report to the Commission will include, but not be limited to, findings on the following:
 - 1. Adequacy of the parcel size and configuration to provide for proper access and internal circulation.
 - a. Compatibility of proposed hours of operation with adjacent residential areas (hours of operation to be indicated in narrative).
 - b. Required traffic and access mitigation measures, if any, which may include:
 - i. Additional right of way.
 - ii. Off site traffic mitigation measures.
 - iii. Restriction of some traffic movements through signs or other measures.
 - iv. Segregation of queuing lanes, vehicle access and pedestrian circulation areas.
 - v. Cross access easements.
 - vi. Driveway locations.
 - vii. Other concerns which may place the advisability of the proposed convenience store in question.

3.11.16. Data Centers

- A. Applicability.
 - 1. **Principal Use.** Data centers are permitted to operate as a principal use in Industrial Districts subject to the requirements of this section.
 - 2. **Accessory Use.** A Data Center that meets all of the criteria below may be considered an accessory use and is not subject to the requirements of this Section.

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- a. The Data Center exclusively serves the enterprise functions of the on-site property owner or tenant.
 - b. The Data Center does not lease data storage or processing services to third parties.
 - c. The Data Center occupies no more than 10% of the total gross floor area of all buildings on the site.
- B. Supporting Documentation. In addition to the requirements outlined in Section 6.3 Site Plan Requirement and Review Process, an application for a data center use or development shall include the following information:
 - 1. Narrative. An explanation regarding how the development complies with each of the requirements of this section.
 - 2. Operational Plan. An operational plan that provides evidence of compliance with all zoning, building, and fire safety regulations.
 - 3. Electric Service Documentation
 - a. Prior to site plan or building permit approval as determined by the Development Services Director:
 - i. The intended source of electric power for the development and documentation from the electric utility provider affirming sufficient power exists to serve the site.
 - ii. For multi-phased developments, the Electric Service Documentation requirements may be waived or amended by the Zoning Administrator.
 - 4. Water Usage Documentation
 - a. Prior to site plan, building permit or tenant improvement approval, as determined by the Development Services Director:
 - i. The intended source of water for the development, and documentation from the water provider affirming sufficient water resources exist to serve the site.
 - ii. An estimate of annual water consumption for the site.
- C. Development Standards
 - 1. Setbacks. Any data center building, equipment for cooling, ventilating, or otherwise operating the facility, power generator, back up power generator, or other power supply equipment must be located:
 - a. A minimum setback of three hundred (300) feet shall be provided from any property that is zoned for residential use or from any property containing an existing residential dwelling unit or other existing noise-sensitive use, as determined by the Development Services Director.
 - 2. Building and Site Design
 - a. Noise. The Data Center shall comply with the noise standards, analysis requirements, and mitigation provisions set forth in

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Section 3.9.3 of this Code. Any required mitigation measures shall be incorporated into the approved site and building plans prior to issuance of a building permit.

b. Landscaping.

- i. Any tree removed within the City as a direct result of powerline installation, relocation, or associated utility construction required to serve the facility shall be replaced at a minimum one-for-one ratio. Replacement trees shall be located on-site outside of the perimeter wall or, where on-site planting is not practicable due to utility clearance requirements or access easements, at an approved off-site location within the City as close as reasonably practicable to the removal site, and shall comply with the minimum size, species, and planting standards set forth in Section 4.2. Where tree replacement is not practicable, the Development Services Director may approve permanent on-site structural shade improvements in lieu of some or all required replacement trees, provided the shade area is reasonably comparable to the required replacement.
- ii. Areas located beneath and adjacent to new or relocated overhead powerlines shall be landscaped with utility-compatible vegetation, including shrubs, low-growing trees, groundcovers, and other species approved by the City. Plant material shall be selected and arranged to ensure compliance with utility clearance requirements, provide visual screening of data center structures, and contribute to the overall landscape quality of the site. Vegetation shall be maintained to prevent encroachment into utility safety zones while preserving intended aesthetic and screening functions.

3. Screening of Mechanical Equipment and Substations

a. Mechanical Equipment.

- i. Rooftop mechanical and electrical equipment shall be fully screened from view of public rights-of-way and adjacent properties. Screening shall consist of a parapet wall or architectural screen built of materials compatible with the principal building and sufficient to conceal the equipment from the public right-of-way.
- ii. Ground-mounted equipment, generators, and service areas shall be screened from public view by a solid wall or architectural enclosure constructed of materials matching or complementing the building façade. Screening shall be at least ten feet high or tall enough to fully obscure such elements. Chain link or

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slatted fencing is not permitted; landscaping may be used to soften views where appropriate.

- b. Substation Screening. All substations and related equipment, whether private or public, shall meet all of the following standards:
 - i. The substation and related equipment shall be fully screened to a height of at least one (1) foot above the tallest piece of ground-mounted equipment
 - ii. If the required screen wall exceeds 10 feet in height, vertical articulation is permitted, provided that the tallest piece of ground-mounted equipment is fully screened from public viewpoints at multiple angles.
- 4. Utilities. The Data Center shall comply with the underground utility requirements set forth in Section 3.1.23 of this Code and shall bear all costs associated with required undergrounding of applicable electrical infrastructure, subject to approval by the applicable utility provider.
- D. Post Construction Operational Requirements
 - 1. Backup Generators. If the Data Center operator intends to use backup power generators on the parcel, the operator shall maintain a public website announcing the times when the generators will be in operation.
 - a. Any operation of the backup generators for testing purposes shall be announced on the website at least 24 hours in advance.
 - b. The operator shall also notify the City of Goodyear Development Services Department at least 24 hours in advance of a test.
 - c. Unless the generators are supplying backup electrical supply during a power outage, backup generators may only operate between the hours of 9:00 a.m. and 5:00 p.m., unless such generators are located more than 1,000 feet from a residentially zoned property.
 - d. Routine testing and maintenance of backup generators associated with a data center shall be limited to no more than twenty (20) days per calendar month.
 - e. Upon request by City staff, the Data Center operator shall provide the address of the website where the notices required by this Section are published.

3.11.17. Day Care, Facility

Day care facilities shall be located, developed, and operated in compliance with the following standards:

A. Structures.

Day care facilities shall conform to all development standards of the zoning district in which they are located unless otherwise provided in this section. They

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must be in a stand-alone facility and cannot be co-located in a single-family residence.

B. Hours of Operation.

When the site is located within a residential single-family district, day care facilities shall operate only Monday through Friday. No outdoor play is allowed before 7:00 a.m. or after 8:00 p.m.

C. Pick-Up and Drop-Off.

A plan and schedule for the pick-up and drop-off of children or clients shall be provided and approved by the city prior to approval of the facility. The plan shall demonstrate that adequate parking and loading are provided to minimize congestion, and it shall demonstrate that the plan for pick-up and drop-off of children or clients does not require passing through traffic.

D. Outdoor Play Areas.

Outdoor play areas shall not be located along major arterials or adjacent to industrial uses.

E. Screening of Outdoor Play Areas.

Outdoor play areas shall have a screening feature around the perimeter adjacent to the public right-of-way, outside of the minimum front and street side setbacks. Screening shall add to the visual diversity of the use.

F. State and Other Licensing.

All day care facilities shall be state licensed and operated according to A.R.S. Title 36, Chapter 7.1 et seq. and all other applicable regulations.

3.11.18. Day Care, Home

In-home day care facilities shall be considered a home business and shall be managed in accordance with Section 3.4.4 Home Business and the following:

- A. The family day care use shall be incidental to the principal use of the dwelling unit for residential purposes.
- B. All outdoor play areas shall be screened and enclosed by a minimum five-foot-high solid masonry fence with solid, self-closing and self-latching gates.
- C. The minimum separation between Home Day Care uses on the same street shall be 500 feet, measured from the lot lines.
- D. Existing garages, carport structures, or driveways shall not be expanded, modified, displaced or otherwise altered for the purposes of accommodating the home day care use.
- E. State and Other Licensing. All day care facilities shall be state licensed and operated according to A.R.S. Title 36, Chapter 7.1 et seq. and all other applicable regulations.

3.11.19. Drive-Through

All Drive-Throughs shall comply with the following requirements:

- A. Drive-through facilities (i.e. drive-through lane, associated stacking area and service window) shall be located a minimum of twenty-five (25) feet from a public right-of-way.

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- B. Drive-through facilities less than five hundred (500) feet from a residential zoning district shall require a Use Permit.
- C. The entry to each drive-through, located less than five hundred (500) feet from a residential zoning district, shall be separated by a minimum of three hundred (300) feet driving distance and should be separated by a drive aisle so as to avoiding stacking conflicts.
- D. All drive-through restaurants located less than five hundred (500) feet from a residential zoning district, shall be separated by a minimum of one hundred and fifty (150) feet from the parcel or site area of another drive-through unless such drive-through is attached by a plaza, trellis, or roofline to a multi-tenant building with three (3) or more tenant spaces (end-cap drive-through/multi-tenant building drive-through), does not occupy more than fifty percent (50%) of the multi-tenant buildings or is separated by an arterial or greater roadway.
- E. Each drive-through lane shall have a minimum width of twelve (12) feet and a minimum interior turning radius of twenty-five (25) feet.
- F. Waiting vehicles in drive-through lanes shall not:
 - 1. Block parking stalls;
 - 2. Block fire lanes;
 - 3. Impede emergency access;
 - 4. Interfere with the movement of traffic (on or off-site); or
 - 5. Interfere with the movement of pedestrians (on or off-site).
- G. Drive-Throughs shall provide safe, unimpeded movement of vehicles at street access points, in drive-through aisles, and in parking areas.
- H. Clearly marked pedestrian crosswalks with pavers, scored/stamped concrete or other approved markings, shall be provided for each walk-in customer access point to the facility that is located adjacent to a drive-through lane(s).
- I. A pedestrian path from the nearest adjacent roadway shall be provided to either the nearest door of the drive-through or the nearest pedestrian pick-up window.
- J. Speakers shall not be audible from residentially zoned property. Sound shall be mitigated using sound attenuation walls, landscaping, or other measures acceptable to the Zoning Administrator or designee.
- K. Drive-through lanes shall be screened from public and private streets, internal drive-aisles, interior ingress/egress driveways, off-site public parks, plazas, and sidewalks, and residential uses. Screening shall be by one (1) of the following, except as noted herein:
 - 1. A decorative opaque wall or fence constructed at a minimum height of three (3) feet and a maximum height of four (4) feet as measured from the adjacent grade. Solid walls shall be required along all public and private streets.
 - 2. If screening internal drive-aisles, a continuous non-deciduous landscape hedge maintained at a minimum height of three (3) feet.

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3. A combination of an opaque wall and a non-deciduous landscape hedge.
- L. A planted landscape area of not less than three (3) feet in width shall be provided on each side of each drive-through screen wall.
- M. Drive-throughs located within three hundred (300) feet of an existing or planned signalized intersection shall incorporate enhanced streetscape elements at the corner frontage, which may include public art, shade structures, pedestrian amenities or similar features designed to improve the visual character and pedestrian environment, subject to approval by the Zoning Administrator.
- N. A solid canopy shall cover a length not less than one (1) car length (at least twenty (20) feet) over the pick-up window and the portion of the drive-through facility located adjacent to the pick-up window. When the pick-up window faces a public or private street, then the solid canopy shall cover a length of at least thirty (30) feet over the pick-up window and the portion of the drive-through facility located adjacent to the pick-up window.
- O. Drive-through lanes may have full or partial canopies at the order box.
- P. Drive-Through Speaker Canopies (Detached)
 1. Commercial Use in a Commercial District
 - a. Drive-through speaker canopies that are not attached to or integrated into a drive-through menu board shall be subject to the following standards:
 - i. Monument-Style Design Required. Detached drive-through speaker canopies shall be designed as monument-style structures and shall incorporate a permanent base constructed of masonry, concrete, or similar durable material.
 - ii. Base Width Requirement. The base of the speaker canopy structure shall have a width of not less than fifty (50) percent of the width of the canopy or supporting structure.
 - iii. Architectural Compatibility. Detached speaker canopies shall be architecturally compatible with the associated drive-through menu board and the primary building in terms of materials, colors, and architectural style, and shall be consistent with an approved Comprehensive Sign Package where applicable.
 - iv. Prohibited Support Structures. Exposed metal poles, prefabricated metal canopy structures, and temporary or portable canopy structures shall be prohibited unless fully screened by an approved monument-style base or screen wall.
 - v. Height. Detached speaker canopies shall not exceed nine (9) feet in height as measured from adjacent grade to the highest point of the structure.

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- vi. Landscaping. The area surrounding the base of the detached speaker canopy shall be landscaped in a manner consistent with the landscaping provided for the drive-through menu board.
- vii. Location. Detached speaker canopies shall be located a minimum of forty-five (45) feet from any public right-of-way and residential property line and shall be oriented away from residential property lines.
- viii. Lighting and Audio. Any lighting associated with the speaker canopy shall be shielded and directed downward. Speaker volumes shall be adjusted so that sound is not audible from adjacent residential property lines.
- ix. Integration with Menu Board Design. Detached speaker canopies shall be designed as part of the overall drive-through menu board design and shall utilize the same or similar materials, colors, and architectural elements as the menu board structure.

Q. Drive-Through Clearance Bars

1. Commercial Use in a Commercial District

- a. Drive-through clearance bars shall comply with the following standards:
 - i. Design Compatibility. Clearance bars shall be designed to be architecturally compatible with the primary building, drive-through menu board, and speaker canopy in terms of materials, colors, and overall design.
 - ii. Support Structure. Clearance bars shall be supported by permanent posts or columns of masonry, concrete, or metal posts with an architectural finish. Exposed unfinished metal poles are prohibited.
 - iii. Height Bar. The clearance bar shall be suspended from a permanent crossbeam or decorative support structure. The use of chains attached to temporary or freestanding poles is prohibited unless integrated into an architecturally designed feature.
 - iv. Color and Materials. Clearance bars shall be painted or finished in colors that are complementary to the primary building. High-visibility striping may be used on the bar itself for safety purposes.
 - v. Landscaping. Where feasible, the base of the support structure shall be integrated into a landscaped area consistent with the drive-through lane landscaping.
 - vi. Location. Clearance bars shall be located within the drive-through stacking lane and shall not be located within the public right-of-way.

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- vii. Height Clearance. The minimum clearance height shall be posted on the clearance bar and shall match the clearance height of the drive-through canopy or structure.
- viii. Illumination. Drive-through clearance bars may be illuminated for safety purposes. Illumination shall be shielded and directed downward onto the clearance bar only and shall not produce glare onto adjacent properties or public right-of-way. Flashing, animated, or color-changing lighting and exposed LED strip lighting are prohibited. Illumination shall comply with Outdoor Lighting Standards of this Ordinance.

R. Vehicular queuing shall be provided in accordance with the following table.

Use Classification	Minimum Queuing Requirement ¹
Banks and Other Financial Institutions	3 Spaces per teller or ATM drive-through
Restaurants	6 Spaces per window/menu board in 1 or more lanes
Retail	
Dry Cleaning	2 spaces
Pharmacy	2 spaces per aisle
Automotive Uses	
Car Wash, Automated or Self-service	3 spaces per bay
Car Wash, Full Service	8 spaces minimum
Fueling Station	1 space on each end of each side of each fuel pump island (one-way facilities require 2 spaces on approach end of each island)
Automobile/Vehicle Repair, Minor	3 spaces per bay

¹ Queuing is measured from the drive through entry to behind the first stopping point/point of order or service space (i.e. menu/order board, window or service bay) and shall not include the first stopping point/point of order or service space.

- S. For unique uses or uses not stated in this document the Development Services Director or their designee may modify the point of order and the number of stacking spaces and their location on either side of the point of order. However, at no time shall the total number of required spaces be reduced.
- T. Where warranted, the Development Services Director or their designee may require a queuing memorandum or study be prepared to establish the required drive-through queuing length.
- U. In addition to the requirements in subsection 3.11.19(R), Drive-Through where a Restaurant is the primary use shall adhere to the following:
 - 1. Each drive-through lane shall have the following minimum distances:
 - a. Eighty (80) feet between the ordering facility (i.e. restaurant menu board ordering window) and the pick-up point for single lane facilities and forty (40) feet per lane

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between the ordering facility and the pick-up point for double lane facilities.

- b. One hundred twenty (120) feet between entry point and pick-up/service window if no ordering facility is present.
2. Drive-Through Restaurants that utilize exterior employees as the point of order shall provide safe walkways and shade for the employees adjacent to each vehicular drive-through lane.

3.11.20. Entertainment Venue, Indoor

- A. All performances, sporting events, and spectator activities shall occur entirely within an enclosed building.
- B. Outdoor amplified sound is prohibited unless separately permitted.
- C. Accessory restaurants, bars, concessions, and similar uses shall be clearly subordinate to the principal entertainment use and shall not operate independently except during scheduled events, unless otherwise permitted by the underlying zoning district.
- D. Where abutting a residential district, service areas, loading docks, and refuse collection areas shall not be located adjacent to the residential boundary.
- E. Building entrances and primary pedestrian access shall be oriented toward arterial or collector streets where feasible.
- F. A Traffic Impact Analysis may be required where determined necessary by the City Engineer or their designee.

3.11.21. Entertainment Venue, Outdoor

- A. An Entertainment Venue where live entertainment is provided outdoors shall meet the following criteria:
 1. The property shall be located a minimum of one thousand three hundred twenty (1,320) feet from a residentially zoned property. Said distance shall be measured from the closest exterior wall or fence of any outdoor space occupied by the subject establishment to the closest property line of a residentially zoned property.
- B. The following potential impacts to residential properties shall be evaluated and mitigated as part of the Use Permit process, where applicable:
 1. Outdoor areas, including patios and/or performance areas.
 2. External speakers and/or televisions utilized to amplify or broadcast entertainment, recorded music, and/or events.
 3. Entertainment hours.

3.11.22. Hospitals Located in Multi-Family

A hospital located within a Multi-Family Residential (MF) zoning district shall comply with the following supplemental regulations:

- A. Site Design and Buffers
 1. A minimum landscaped setback of twenty (20) feet shall be provided along any property line abutting a residential zoning district.

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2. An eight (8) foot solid masonry wall shall be provided along any property line abutting a residential zoning district.
3. Building façades facing residential property shall incorporate architectural articulation and materials compatible with residential scale and character.

B. Building Height

Where adjacent to property zoned residential, building height shall not exceed the maximum height permitted in the underlying district within fifty (50) feet of the shared property line, unless additional setbacks are provided at a ratio of one (1) foot of additional setback per one (1) foot of height above the district maximum.

C. Loading and Service Areas

1. Loading docks, service areas, generators, and mechanical equipment shall not be located between the principal building and a public street.
2. Service and loading areas shall be screened from adjacent residential property.
3. Deliveries, trash collection, and service operations shall be limited to the hours between 6:00 A.M. and 10:00 P.M., except for emergency operations.

D. Noise

Emergency generators, mechanical equipment, and other stationary noise sources shall comply with the noise regulations in Section 3.1. Routine public address systems shall not be audible beyond the property boundary.

E. Traffic and Access

A Traffic Impact Analysis may be required as determined by the City Engineer or their designee. Access points shall be designed to minimize traffic intrusion into adjacent residential neighborhoods.

F. Helipad.

1. Any helipad accessory to a hospital located in a Multi-Family Residential (MF) zoning district shall require approval of a Use Permit.
2. No helipad shall be located within two hundred fifty (250) feet of any property line abutting a residential zoning district.
3. The applicant shall demonstrate compliance with all applicable Federal Aviation Administration (FAA) regulations and provide documentation of coordination with appropriate emergency service providers.
4. Helipad lighting shall be limited to that required for aviation safety and shall be designed to minimize glare onto adjacent residential properties.

G. Emergency Operations

Nothing in this Section shall be construed to limit emergency medical operations necessary to protect life and safety.

3.11.23. Large Retail Users.

A. Applicability.

All Large Retail Users shall require Site Plan approval and shall comply with the additional requirements set forth herein.

B. Area Requirement.

The minimum area for a commercial center containing more than one (1) Large Retail User shall be ten (10) acres.

C. Location Criteria.

All Large Retail Users shall meet one (1) of the following four (4) criteria:

1. Be located within a development that is at the intersections of two (2) scenic and/or major arterials as designated in the City of Goodyear General Plan and/or the Transportation Master Plan, or
2. Be located within a development that is at the intersection of an existing or proposed freeway and scenic or major arterial as designated in the City of Goodyear General Plan and/or the Transportation Master Plan, or
3. Be located within a development that is at the intersection of two (2) existing or proposed freeways as designated in the City of Goodyear General Plan, or
4. Be located no more than one (1) mile from an existing or proposed freeway interchange.

D. Building Setback.

The following building setbacks are required for Large Retail Users. The Planning and Zoning Commission and City Council may increase the building setback due to the operational characteristics of the Large Retail User such as, but not limited to, hours of operation and the location of mechanical equipment and loading areas.

1. A minimum building setback of one hundred (100) feet is required from proposed and/or existing residential uses. This setback shall be measured from the property line of the nearest residential lot or occupied parcel to the nearest exterior wall of the Large Retail User. Intervening streets or other man-made, natural land use, or landscape features may be included within the setback.
2. A minimum building setback of one hundred (100) feet is required from proposed and/or existing public or private elementary, middle, junior high, or high schools. This setback shall be measured from the nearest occupied building on the school parcel to the nearest exterior wall of the Large Retail User. Intervening streets, other man-made, natural land use, or landscape features may be included within the setback.
3. When a Large Retail User is developed directly adjacent to a lot or parcel developed as or proposed for residential use, a landscape buffer with a minimum width of forty (40) feet shall be included within the building setback. Said buffer shall be located along the property line and improved with one (1) twenty-four (24) inch box tree per ten (10)

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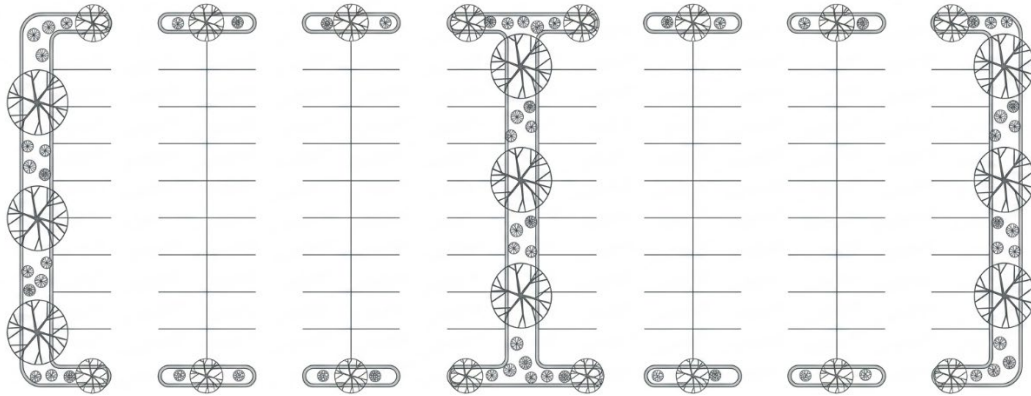
feet of length. Trees shall be staggered to achieve maximum buffering of the two (2) uses.

E. Site Design Standards.

1. Large Retail Users shall comply with the guidelines contained in the City of Goodyear Design Guidelines in addition to those contained herein.
2. The Large Retail User shall provide at least one (1) percent of the net site area of the parcel in which it is located as pedestrian oriented open space. This open space can include plazas, courtyards, patios, and outdoor seating areas. Sidewalks shall connect open space areas and contain pedestrian scale lighting, signage, and landscaping.
3. Parking lots for a standalone Large Retail User shall not occur entirely in front of the building. A minimum of fifteen (15) percent of the overall parking for the Large Retail User shall be located to the side and/or rear of the building. This requirement can be reduced by two and one-half (2.5) percent for each of the following design features that are incorporated into the project. However, said fifteen (15) percent requirement may not be reduced below five (5) percent.
 - a. The provision of one and one-quarter (1.25) percent of additional total landscape area above the minimum required for the site. Multiple increments of additional landscaping may be counted towards reducing the fifteen (15) percent requirement. The use of this additional landscaped area for stormwater retention purposes is prohibited.
 - b. The provision of an additional one (1) percent of the net site area as pedestrian oriented open space above the minimum required for the site.
 - c. The provision of public art as an integral and significant feature of the site. Public art shall be dispersed throughout the site and deployed in concert with the projects pedestrian amenities and plazas.
 - d. The creation of an enhanced entry to the property that is comprised of a landscaped boulevard with a landscaped median, decorative pavement, and architecturally enhanced signage, lighting and pedestrian paths. Parking spaces located along and directly accessible by the boulevard are prohibited. The minimum length of the boulevard shall be one hundred fifty (150) feet measured from the property line to the first drive aisle.
 - e. The creation of an overall theme for the site that is incorporated into the building architecture, landscaping, light fixtures, signage, and open space areas.
4. Parking lots for a Large Retail User shall be organized into interconnected parking lots containing no more than seventy-five (75) spaces each. A landscaped strip with a pedestrian pathway shall be provided at least every third row of parking to create safe and continuous pedestrian circulation. Landscaped strips shall be a minimum of six (6) feet in width, exclusive of curbs, and shall contain shade trees. Where a pedestrian

pathway is located within the strip, the landscaped strip shall be a minimum of ten (10) feet in width.

Figure 3.12.16A: Large Retail User Parking Lots



5. The major entry aisle serving the Large Retail User should be aligned with the main entry of the building or aligned with a major focal point such as a plaza, monument, or fountain.
 6. Pedestrian walkways serving the Large Retail User shall be differentiated from driving surfaces through a change of materials, such as decorative concrete, scored concrete, stone, brick, granite pavers, or exposed aggregate, and/or by a change of grade.
 7. The front and any side exposed to public view of the Large Retail User building are to be improved with landscaping and enhanced pedestrian pathways.
 8. Overnight parking of semi-trucks, trailers, or recreational vehicles (RVs) is prohibited.
- F. Architectural Design Standards.
1. If the Large Retail User is located within a master planned commercial center containing multiple buildings, then all buildings within the center shall be architecturally unified. This provision shall apply to new construction, additions, and remodeling. Architectural unity means that buildings shall be related in architectural style, color scheme, and building materials.
 2. The Large Retail User building shall contain an identifiable base, extending two (2) or more feet up from the finished grade. This base will incorporate texture variations, a projection or break in the wall color or material, or some other form of architectural enhancement. The base material shall be highly resistant to damage, defacing, and general wear and tear. Pre-cast decorative concrete, stone masonry, brick, and commercial grade ceramic tile are examples of acceptable base materials.
 3. Flat, monolithic facades are not permitted. A building facade shall employ both vertical and horizontal articulation. To ensure a minimal amount of horizontal articulation and undulation, no building wall of the

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Large Retail User should run more than approximately fifty (50) feet without employing one (1) or more of the following:

- a. A minimum twelve (12) inch offset in wall plane.
 - b. A column or pier at least twelve (12) inches wide and eight (8) inches deep.
 - c. A building corner or projection.
 - d. Some other form of significant architectural enhancement.
4. Building wall articulation is required for Large Retail Users. Exterior wall treatments can be used to successfully mitigate the appearance of the typical Large Retail User building. These treatments shall include one (1) or more of the following: arcades, porticos, insets, colonnades, lower shed roof structures, and wing walls.
 5. Distinct and interesting rooflines shall be required. On flat roofed structures, a parapet wall with a substantial cornice or other design feature should be used to provide a distinctive cap to the building facade.
 6. Large Retail Users that have outdoor storage areas shall incorporate the outdoor storage area into the architecture of the primary building. Screening materials and colors shall be consistent with the overall theme of the building.

3.11.24. Microbrewery & Craft Distillery.

A microbrewery or distillery as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements.

1. The building or suite containing the microbrewery or craft distillery must be at least 300 feet from the property line of any property zoned for single family residential use and at least 300 feet from any building containing a school, nursery school or place of worship.
2. The microbrewery or craft distillery shall not produce odors, gas, dust or any other atmospheric pollutant detrimental to the health, safety or general welfare of persons living or working in the surrounding area.
3. At the request of the Development Services Director the owner of the microbrewery or craft distillery shall provide documentation to the Development Services Director on the quantity of beer produced onsite and the amount of beer sold and delivered to other retailers for the calendar year. Documentation will be required to be submitted to the Department by January 31st of the following year.
4. The uses authorized in this section are limited to the production, storage, tasting, and sale of product made or bottled at the site. Retail and wholesale sales of product must comply with State licensing requirements. Related items may be sold, provided they do not make up more than 25% of retail sales receipts. Food sales and food preparation that require a Commercial Kitchen are prohibited.

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5. Live music or entertainment shall only be allowed as an accessory use and shall meet the requirements in Section 3.11.35. The area within the facility designated for music or entertainment activities, including patron dancing, shall not exceed 5,000 square feet and/or twenty-five percent (25%) of the total floor area..
6. The microbrewery or craft distillery shall not be open after hours as defined by State law (generally, closing time of the dance floor is later than that of the bar).
7. Craft distilleries involving the production, processing, storage, or handling of high-proof alcohol shall obtain review and approval from the Goodyear Fire Department prior to issuance of any building permit or certificate of occupancy. The storage and handling of flammable or combustible liquids shall not exceed the maximum allowable quantities established by the adopted Fire Code unless approved by the Fire Marshal and designed in accordance with applicable high-hazard occupancy requirements.

3.11.25. Marijuana Dual Facility.

A marijuana dual facility as defined in Article 8 is subject to the following regulations:

A. General Requirements.

An application for the establishment of a marijuana dual facility must be submitted, reviewed and approved by the Development Services Department Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.

The application shall include:

1. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a marijuana dual facility.
2. The address and legal name of the marijuana dual facility.
3. The name and address of each of principal officer and board member of the marijuana dual facility, including their contact information and the emergency contact information.
4. A floor plan showing the layout and dimensions of the marijuana dual facility to demonstrate compliance with the development standards contained herein.
5. Any other documents necessary to ensure conformance with applicable codes and regulations.

A marijuana dual facility shall adhere to all applicable state, county and municipal laws, codes, ordinances, rules, and regulations and shall be operated in conformance with any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Separation Standards.

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1. A marijuana dual facility shall not be located within five hundred (500) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of any property in a residential district (not including residentially-zoned public street right-of-way), as described in Section 2.2.
 2. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.
 3. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a licensed preschool, day care or childcare center.
 4. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of a public park, library or public community center.
 5. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of any church or place of worship.
 6. A marijuana dual facility shall not be located within two thousand (2,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property line of any licensed residential substance abuse diagnostic and treatment facility or other licensed drug or alcohol rehabilitation facility.
 7. A marijuana dual facility shall not be located within one thousand (1,000) feet measured in a straight line in any direction from the closest exterior building wall of the marijuana dual facility to the closest property
- C. Development Standards.
- Unless otherwise exempted by Arizona state law, the following standards shall apply:
1. If the marijuana dual facility contains a medical marijuana dispensary, the separation and development standards set forth in Section 3.11.27 also apply to the marijuana dual facility.
 2. If the marijuana dual facility contains a medical marijuana cultivation location, the separation and development standards set forth in Section 3.11.27 also apply.
 3. The marijuana dual facility must be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.
 4. The maximum gross floor area of a marijuana dual facility shall not exceed five thousand five hundred (5,500) square feet.

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5. The secure storage area for the marijuana stored at the marijuana dual facility shall not exceed twenty (20) percent of the maximum gross floor area of the marijuana dual facility.
6. The permitted hours of operation of a marijuana dual facility shall be limited to between 8:00 A.M. and 7:00 P.M.
7. The marijuana dual facility shall not have a drive-through service.
8. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any..
9. The marijuana dual facility shall not provide outdoor seating areas.
10. The operator of the marijuana dual facility shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.
11. Within the marijuana dual facility there shall be a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight (8) inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.
12. All marijuana products shall be placed within the secure storage area at any time when the dispensary is not open for business.
13. The operator of the marijuana dual facility shall provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.
14. The operator of the marijuana dual facility shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the dispensary.
15. The operator of the marijuana dual facility shall not allow on-site consumption of marijuana.
16. The marijuana dual facility shall have only one (1) secure entrance to the dispensary and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.
17. The marijuana dual facility shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.
18. The marijuana dual facility shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.
19. The operator of the marijuana dual facility shall post and maintain "No Loitering" sign(s) in sufficient quantity, size and location so that they are clearly visible by anyone in the immediate vicinity of the entrance or premises.
20. The marijuana dual facility shall have adequate exterior security lighting, which also complies with Section 4.5.

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21. The operator of the marijuana dual facility shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.26. Medical Marijuana Cultivation Location.

A Medical Marijuana Cultivation Location as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements:

An application for the establishment of a medical marijuana cultivation location must be submitted, reviewed and approved by the Community Development Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.

The application shall include:

1. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a medical marijuana cultivation location.
2. The address and legal name of the medical marijuana cultivation location.
3. The name(s) and location(s) of any medical marijuana dispensary associated with the medical marijuana cultivation location.
4. The name and address of each of principal officer and board member of any medical marijuana dispensary associated with the medical marijuana cultivation location, including their contact information and the emergency contact information for one or more registered dispensary agents responsible for the operation of said cultivation location.
5. A copy of the operating procedures for the medical marijuana cultivation location adopted in compliance with A.R.S. §36-2804(B)(1)(c).
6. A floor plan showing the layout and dimensions of the medical marijuana cultivation location to demonstrate compliance with the development standards contained herein and show the security measures proposed to comply with A.R.S. §36-2806 and the standards contained herein.

All medical marijuana cultivation locations shall adhere to all applicable state, county and municipal laws, codes, ordinances, rules, and regulations and shall be operated in conformance with the provisions of A.R.S. §36-2801, et. seq. and any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Separation Standards.

1. A medical marijuana cultivation location shall not be located within five thousand two hundred and eighty feet (5,280') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest exterior building wall of any

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medical marijuana dispensary or other medical marijuana cultivation location, unless the cultivation facility is associated with said dispensary, in which case no separation is required.

2. A medical marijuana cultivation location shall not be located within five hundred feet (500') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of any property in a residential district (not including residentially-zoned public street right-of-way), as described in Section 2.2 of this ordinance.
3. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.
4. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of a licensed preschool, day care or childcare center.
5. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of a public park, library or public community center.
6. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of any church or place of worship.
7. A medical marijuana cultivation location shall not be located within two thousand feet (2,000') cultivation location to the closest property line of any licensed residential substance abuse diagnostic and treatment facility or other licensed drug or alcohol rehabilitation facility.
8. A medical marijuana cultivation location shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana cultivation location to the closest property line of any adult businesses as defined in Article 8 of this ordinance.

C. Development Standards.

1. The medical marijuana cultivation location must be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.
2. The maximum gross floor area of a medical marijuana cultivation location shall not exceed five thousand (5,000) square feet.

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3. The secure storage area for the medical marijuana stored at the medical marijuana cultivation location shall not exceed one thousand (1,000) square feet of the five thousand (5,000) square feet maximum gross floor area of the medical marijuana cultivation location.
4. The operator of the medical marijuana cultivation location shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.
5. The medical marijuana cultivation location shall be an enclosed, locked facility which is secured by four solid walls and barrier covering the top of the area that are constructed of materials (eight-inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.
6. Within the medical marijuana cultivation location there shall be a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight-inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.
7. All marijuana being processed shall be placed within the secure storage area at all times when the cultivation location is not open for business.
8. The operator of the medical marijuana cultivation location shall provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.
9. The operator of the medical marijuana cultivation location shall ensure that there is be no emission of dust, fumes, vapors, or odors into the environment from the cultivation location.
10. The operator of the medical marijuana cultivation location shall not allow on-site consumption of medical marijuana.
11. The medical marijuana cultivation location shall have only one secure entrance to the dispensary and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside.
12. The medical marijuana cultivation location shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.
13. The medical marijuana cultivation location shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.
14. The medical marijuana cultivation location shall have adequate exterior security lighting which also complies with Section 4.5 of this ordinance.
15. Entry to the medical marijuana cultivation location shall be limited only to the principal officers, board members and designated agents of the medical marijuana dispensary associated with the medical marijuana

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cultivation location or persons who need access to perform their duties in enforcing local, state or federal laws or regulations.

16. The medical marijuana cultivation location shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.27. Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation.

Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation as defined in Article 8 of this Ordinance are subject to the following regulations:

A. General Requirements:

Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation is permitted in all residential zoning district as a permitted accessory use provided the primary residences of the registered designated caregiver and registered qualifying patient, for whom the medical marijuana is being cultivated, are more than twenty-five (25) miles from an operating medical marijuana dispensary and is done in conformance with the development standards contained herein.

All Medical Marijuana Designated Caregiver Cultivation and Medical Marijuana Qualifying Patient Cultivation shall be conducted in conformance with the provisions of A.R.S. §36-2801, et. seq. and any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Development Standards.

Medical Marijuana Designated Caregiver Cultivation.

1. Medical Marijuana Designated Caregiver Cultivation shall only be conducted at the primary residence of a registered designated caregiver provided the residence is more than twenty-five (25) miles from an operating medical marijuana dispensary.
2. Medical Marijuana Designated Caregiver Cultivation shall be conducted in an enclosed, locked facility such as a closet, room greenhouse or other building that does not exceed two hundred and fifty (250) square feet.
3. The Medical Marijuana Designated Caregiver Cultivation shall be conducted in a manner that it is not detectable from the exterior of the building in which the cultivation takes place.

Medical Marijuana Qualifying Patient Cultivation.

1. Medical Marijuana Qualifying Patient Cultivation shall only be conducted at the primary residence of a registered qualifying patient provided the residence is more than twenty-five (25) miles from an operating medical marijuana dispensary.
2. Medical Marijuana Qualifying Patient Cultivation shall be conducted in an enclosed, locked facility such as a closet, room greenhouse or other building that does not exceed fifty (50) square feet.

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3. The Medical Marijuana Qualifying Patient Cultivation shall be conducted in a manner that it is not detectable from the exterior of the building in which the cultivation takes place.

3.11.28. Medical Marijuana Dispensary.

A Medical Marijuana Dispensary as defined in Article 8 of this Ordinance is subject to the following regulations:

A. General Requirements:

An application for the establishment of a medical marijuana dispensary must be submitted, reviewed and approved by the Community Development Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.

The application shall include:

1. If the application is by someone other than the owner of the property, an authorization signed by the property owner must be submitted with the application and include an explicit acknowledgement that the property owner knows that the proposed use of the property is for a medical marijuana dispensary.
2. The address and legal name of the medical marijuana dispensary.
3. The name and address of each of principal officer and board member of the medical marijuana dispensary, including their contact information and the emergency contact information for one or more registered dispensary agents responsible for the operation of said dispensary.
4. The name(s) and location(s) of any medical marijuana cultivation location associated with the medical marijuana dispensary.
5. A copy of the operating procedures for the medical marijuana dispensary adopted in compliance with A.R.S. §36-2804(B)(1)(c).
6. A floor plan showing the layout and dimensions of the medical marijuana dispensary to demonstrate compliance with the development standards contained herein and show the security measures proposed to comply with A.R.S. §36-2806 and the standards contained herein.

All medical marijuana dispensaries shall adhere to all applicable state, county and municipal laws, codes, ordinances, rules, and regulations and shall be operated in conformance with the provisions of A.R.S. §36-2801, et. seq. and any rules adopted by the Arizona Department of Health Services pursuant said statutes.

B. Separation Standards.

1. A medical marijuana dispensary shall not be located within five thousand two hundred and eighty feet (5,280') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest exterior building wall of any other medical marijuana dispensary or any medical marijuana cultivation location, unless the cultivation facility is associated with said dispensary, in which case no separation is required.

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2. A medical marijuana dispensary shall not be located within five hundred feet (500') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any property in a residential district (not including residentially-zoned public street right-of-way), as described in Section 2.2 of this ordinance.
 3. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of a public, private, parochial, or charter kindergarten, elementary, secondary or high school.
 4. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of a licensed preschool, day care or childcare center.
 5. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of a public park, library or public community center.
 6. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any church or place of worship.
 7. A medical marijuana dispensary shall not be located within two thousand feet (2,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any licensed residential substance abuse diagnostic and treatment facility or other licensed drug or alcohol rehabilitation facility.
 8. A medical marijuana dispensary shall not be located within one thousand feet (1,000') measured in a straight line in any direction from the closest exterior building wall of the medical marijuana dispensary to the closest property line of any adult businesses as defined in Article 8 of this ordinance.
- C. Development Standards.
1. The medical marijuana dispensary must be located in a permanent building and shall not be located in a trailer, cargo container, mobile or modular building, mobile home, recreational vehicle or other motor vehicle.
 2. The maximum gross floor area of a medical marijuana dispensary shall not exceed two thousand five hundred (2,500) square feet.
 3. The secure storage area for the medical marijuana stored at the medical marijuana dispensary shall not exceed five hundred (500) square feet of the total of the two thousand five hundred (2,500) square feet maximum gross floor area of the medical marijuana dispensary.

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4. The medical marijuana dispensary shall have an interior customer waiting area of at least twenty-five percent (25%) of the gross floor area.
5. The permitted hours of operation of a medical marijuana dispensary shall be limited to between 8:00 a.m. and 7:00 p.m.
6. The medical marijuana dispensary shall not have a drive-through service.
7. Off-site delivery is permissible only if the dispensary maintains and accurately practices procedures and policies that fully comply with A.R.S. Title 36, Chapter 28.1 and Arizona Administrative Code Title 9, Chapter 17, or their successor statutes and rules, if any.
8. The medical marijuana dispensary shall not provide outdoor seating areas.
9. The operator of the medical marijuana dispensary shall provide unrestricted access to City code enforcement officers or police officers who request admission for the purpose of determining compliance with these standards.
10. The dispensary must comply with the security requirements of A.R.S. Title 36, Chapter 28.1
11. Within the medical marijuana dispensary there shall be a secure storage area which has a single point of access and whose walls and roof are constructed of materials (eight-inch concrete block or equal) sufficient to deter and prevent theft of marijuana being processed.
12. All marijuana shall be placed within the secure storage area at any time when the dispensary is not open for business.
13. The operator of the medical marijuana dispensary shall provide for the proper disposal of marijuana remnants or by-products, and such material shall not be placed within the dispensary's exterior refuse containers.
14. The operator of the medical marijuana dispensary shall ensure that there is no emission of dust, fumes, vapors, or odors into the environment from the dispensary.
15. The operator of the medical marijuana dispensary shall not allow on-site consumption of medical marijuana.
16. The medical marijuana dispensary shall have only one secure entrance to the dispensary and any other doors required for exiting shall be locked to the outside and have an alarm that sounds when opened from the inside;
17. The medical marijuana dispensary shall have an alarm system with a redundant power supply and circuitry to prevent deactivation.
18. The medical marijuana dispensary shall have a video surveillance system that at all times records all interior areas and the exterior perimeter.
19. The operator of the medical marijuana dispensary shall post and maintain "No Loitering" sign(s) in sufficient quantity, size and location so

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that they are clearly visible by anyone in the immediate vicinity of the entrance or premises.

20. The medical marijuana dispensary shall have adequate exterior security lighting which also complies with Section 4.5 of this ordinance.
21. Entry to the medical marijuana dispensary shall be limited only to those persons who either possess a valid registration card or need access to perform their duties in enforcing local, state or federal laws or regulations. No one under eighteen (18) years of age shall be permitted inside the dispensary, unless such person is a registered qualifying patient and is accompanied by a parent or legal guardian.
22. The operator of the medical marijuana dispensary shall develop and maintain a security plan which demonstrates compliance with all of the minimum standards specified herein.

3.11.29. Non-Chartered Financial Institutions.

Non-chartered financial institutions as defined in Article 8 of this Ordinance are subject to the following regulations:

- A. General Requirements.
 1. An application for the establishment of a non-chartered financial institution must be submitted, reviewed and approved by the Zoning Administrator or their designee prior to the issuance of a Zoning Clearance by the City for the proposed establishment.
 2. A proposed non-chartered financial institution shall not be located within 1,320 horizontal feet as measured in a straight line in any direction from the building in which any other non-chartered financial institution is located.

3.11.30. Outdoor Storage

When allowed as an accessory use, outdoor storage and use areas may be permitted provided:

- A. Permanent outdoor storage and use areas may be permitted as part of an approved site plan.
- B. Outdoor storage of materials and use areas are not permitted in the required setbacks or parking.
- C. Outdoor storage of materials and use areas shall be screened from residential uses and any public right-of-way.
- D. All materials stored outdoors shall be stored below the height of the screening wall.

3.11.31. Places of Worship.

- A. Places of Worship are a Principal Permitted Use in all districts, subject to the requirements of this Section.
- B. A Traffic Impact Analysis Report shall be provided, and any warranted signals shall be installed at applicant's expense and shall meet the City's spacing standards.

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- C. If located within five hundred (500) feet of existing residences, the following shall apply:
 - 1. All building, parking, and security lighting shall be directed down with full cut-off directional light fixtures.
 - 2. All lighting shall be dimmed to fifty (50) percent between 10:00 P.M. and 6:00 A.M.
 - 3. Lights mounted on any wall visible from a residence shall not be placed higher than eight (8) feet above the building foundation.
 - 4. Under-canopy lights shall be screened by the canopy edge, so that the light source is not visible from the property line.
 - 5. Programmed or scheduled outdoor events shall not occur within fifty (50) feet of any existing residence and shall not occur between the hours of 10:00 P.M. and 6:00 A.M.
 - 6. Voices, music, and other sounds by one (1) or more individuals, orchestras, radios, phonographs, music boxes, or sound amplification systems shall not exceed fifty (50) dB(A) between 10:00 P.M. and 7:00 A.M. at the property line of the church.

3.11.32. Product Processing

- A. Use shall be located on a property that is no closer than five hundred (500) feet from any parcel which contains a residential use or two hundred and fifty (250) feet from any parcel which contains a retail commercial use.
- B. In the I-1 District, rendering or refining of fats and oils or dyeing and finishing of textile products shall require a Use Permit.

3.11.33. Residential Assembly, Large

Residential Assembly, Large, shall require approval of a Use Permit and shall comply with the following:

- A. The assembly shall involve more than ten (10) but not more than twenty-five (25) persons at any one time, exclusive of residents of the dwelling.
- B. The dwelling shall remain the primary residence of the property owner or occupant, and the assembly shall remain incidental and accessory to the residential use.
- C. There shall be no buildings or structures other than those otherwise permitted in the zoning district.
- D. Parking shall comply with Article 6 and shall not obstruct public streets, neighboring properties, or create unsafe traffic conditions as determined by the Zoning Administrator or their designee.
- E. Programmed outdoor activities shall not occur within fifty (50) feet of an existing residence.
- F. Outdoor activities shall occur only between 7:00 a.m. and 10:00 p.m.
- G. Noise shall comply with the Noise Regulations in Section 3.1.

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- H. This Section applies only to assemblies conducted within a dwelling as an accessory residential use. Other assemblies that constitute the principal use of the property shall be classified and regulated separately under this Ordinance.

3.11.34. Residential Assembly, Small

Residential Assembly, Small, is permitted as an accessory use to a lawfully occupied dwelling, subject to the following:

- A. The assembly shall involve no more than ten (10) persons at any one time, exclusive of residents of the dwelling.
- B. The assembly shall remain incidental and accessory to the primary residential use and shall not constitute the principal use of the property.
- C. There shall be no buildings or structures other than those otherwise permitted in the zoning district.
- D. All parking shall occur within the driveway or garage serving the dwelling and shall not obstruct public streets or neighboring properties.
- E. Outdoor activities shall occur only between 7:00 a.m. and 10:00 p.m.
- F. This Section applies only to assemblies conducted within a dwelling as an accessory residential use. Other assemblies that constitute the principal use of the property shall be classified and regulated separately under this Ordinance.

3.11.35. Restaurants, Bars/cocktail Lounges, Breweries, Brewpubs, Craft Distilleries and Microbreweries subject to Special Use Permit for Live Music or Entertainment Activities.

- A. Required Information.

Restaurants, bars/cocktail lounges, breweries, brewpubs and microbreweries that are required to obtain a Special Use Permit for live music or entertainment activities shall submit a Special Use Permit application that specifically includes the following:

- 1. Noise study
- 2. Lighting plan
- 3. Floor plan (to identify the areas for the primary use and for ancillary functions)
- 4. Public safety plan, to be reviewed and approved by the Fire and Police Departments
- 5. Parking study
- 6. Traffic analysis (if access to the establishment is from a street other than one classified by the General Plan as minor collector or greater)

- B. General Requirements.

The application shall demonstrate that:

- 1. All patron entrances will be well lit and clearly visible to patrons from the parking lot or a public street.
- 2. All sound resulting from business activities will be contained within the building, except where external speakers are permitted.

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3. The level of service on all streets accessed by the use meets all standards set by the City.

4. All external doors shall be closed but not locked during business hours.

The activity shall be located a minimum of three hundred feet (300') from the property line of any residentially zoned or designated property.

All approved Special Use Permits for such a use are subject to annual review by the City Council.

3.11.36. Self-Service Storage Facilities

This section applies to all self-service storage facilities, where listed as a Principal Permitted Use in a zone with reference to this section.

- A. If located within five hundred (500) feet of a residential zoning district (excluding open space tracts or greenbelts in a developed or platted residential neighborhood) and not separated by a public roadway, canal, or railroad track, the facility shall be closed daily from 10:00 P.M. to 5:00 A.M.
- B. Storage of hazardous or dangerous materials is prohibited.
- C. No storage building shall exceed three (3) stories in height above grade.
- D. Storage building(s) shall be limited to no more than five hundred (500) feet of frontage along any arterial road (including parkways).
- E. Windows, faux windows, and other exterior features shall not be made of materials that cause mirroring, glare, or reflection.
- F. Except for the main public entrance located on the first floor, the interior of the building (including without limitation interior contents, decorations, and storage unit doors, but not including those associated with the main office, staff offices, or lobby) shall not be visible from public roadways or residentially zoned properties.
- G. Sliding gates shall be screened with metal, wrought iron, or equivalent architectural features to shield the interior storage from the public view. PVC, vinyl, or similar slats may not be used as screening material.
- H. Except for the main public entrance on the first floor, all exterior doors shall be painted to match the building.
- I. Storage buildings and canopies shall be set back at least thirty (30) feet from any residential zoning district (excluding open space in a developed or platted residential neighborhood).
- J. An on site landscape buffer of at least twenty (20) feet shall be located between any storage buildings, canopies, on site parking or on-site driveways/drive aisles and any residential zoning district (excluding open space in a developed or platted residential neighborhood).
- K. Auctions, sales, service, or repair activities are prohibited, except for the disposal of abandoned property from renters on site.
- L. The following additional requirements apply in the C-1 Neighborhood Commercial District and the C-2 General Commercial District:
- M. All storage shall be within an enclosed building.

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- N. Land area dedicated to storage shall not exceed:
 - 1. Fifty (50) percent of a commercial center or contiguous area of a commercial zoning district; and
 - 2. Seven and one-half (7.5) acres.
 - 3. If the land area dedicated to storage exceeds the provisions of Sections 3.11.36(N)(1) and 3.11.36(N)(2), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.
- O. Shall not be located within two thousand, six hundred and forty feet (2,640) feet of another self-service storage facility.
 - 1. If a storage unit does not comply with the provisions of Section 3.11.36(N)(3), a Special Use Permit shall be required in conformance with the Procedure and Conditions of Approval described in Section 6.6.
- P. A self-service storage facility shall not be located within three hundred (300) feet of the nearest right-of-way line of the existing or planned intersection of two (2) arterials (including parkways).
- Q. In the I-1 Light Industrial Park district and the I-2 General Industrial Park district, all outdoor storage (including without limitation, the tops of recreational vehicles) shall be screened from the view of public roadways and residentially zoned areas by a solid wall or canopy.

3.11.37. Tattoo Studios and/or Body Piercing Studios.

Tattoo studios, and body piercing studios as defined in Article 8 of this Ordinance are subject to the following regulations:

- A. General Requirements:
 - 1. An application for the establishment of a tattoo studio or body piercing studio must be submitted, reviewed and approved by the Development Services Director or his designee prior to the issuance of a Zoning Permit by the City for the proposed establishment.
 - 2. All tattoo studio or body piercing studio shall adhere to all applicable state and county laws, codes, ordinances, rules, and regulations.
 - 3. A proposed tattoo studio, or body piercing studio shall not be located within one thousand (1,000) feet measured in a straight line in any direction of the lot line from any other tattoo studio, or body piercing studio, or within one thousand (1,000) feet measured in a straight line in any direction of the lot line from any adult business, as defined in Article 8 of the Zoning Ordinance. The separation requirements specified herein shall not preclude a tattoo studio, or body piercing studio from locating within the same building.
 - 4. A proposed tattoo studio, or body piercing studio shall not be located within one thousand (1,000) feet measured in a straight line in any direction of the lot line from a school as defined in Article 8 of the Zoning Ordinance.

3.11.38. Transfer Company/Trucking Terminal

A. Applicability.

This section applies to new facilities and to expansions or intensifications of existing facilities that:

1. Increase building area by more than ten percent (10%); or
2. Increase the number of trailer parking spaces or average daily truck trips by more than ten percent (10%).

B. Site Access.

1. Primary site access for trucks shall be from an arterial.
2. No truck access shall be taken from a local residential street.

C. Sight Visibility.

All driveways shall comply with the City's Sight Visibility Triangle (SVT) requirements and any additional sight distance criteria contained in the Engineering Design Standards & Policies Manual.

D. Residential Interface.

When a site is adjacent to or across a street from a residential zoning district, truck access points shall be designed to minimize truck traffic through or adjacent to residential areas.

E. Setbacks.

Outdoor truck parking, loading, staging, and drive aisles shall be a minimum 50 feet from a residential district which may include the required landscape buffer.

F. Landscape, Walls & Screening.

1. A solid masonry wall a minimum of eight (8) feet in height shall be installed along and interior to any property line abutting a residential zoning district, such that the required landscape buffer is located between the wall and the property line.
2. A landscape buffer not less than twenty (20) feet in width shall be provided between the required wall and any property line abutting a residential zoning district. The buffer shall include a combination of canopy trees, understory trees, and screening shrubs designed to achieve year-round visual mitigation at maturity.
3. Trailer parking and staging areas visible from the public right-of-way shall be screened

G. Additional Requirements.

1. Employee and visitor parking areas shall be signed and physically separated from truck circulation and staging areas.
2. Overnight idling is prohibited except for safety or temperature-controlled cargo compliance.

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3.11.39. Truck Stop/Travel Center

- A. The lot or parcel for a truck stop/travel center use shall be no more than five hundred (500) feet from an interstate or state highway interchange right-of-way and the minimum lot or parcel size shall be twenty (20) acres.
- B. On-site improvements, including but not limited to: 1) turning radius; 2) drive aisle dimensions and; 3) parking stall dimensional standards shall be in compliance with the American Association State Highway and Transportation Officials standards (AASHTO) when not included in the City of Goodyear Engineering Design Standards & Policy Manual.
- C. A masonry sound attenuation wall of at least six (6) feet shall be installed along all property lines that abut or are adjacent to a residential use.
- D. Any fuel dispenser along with underground storage tanks or pumps shall be a minimum of one hundred (100) feet from any residential zoning district and at least forty (40) feet from any property line or public right-of-way line.
- E. Amenities, such as but not limited to, shower and restroom facilities, laundry facilities, driver lounge, and restaurant or food services shall be provided.
- F. No truck stop/travel center is permitted within the Luke Air Force Base and Phoenix Goodyear Airport noise contour areas having a day-night average sound level of 65 decibels or higher.

3.11.40. Veterinary Clinic

- A. The City may require a report prepared by a qualified acoustical and/or environmental engineer demonstrating that the proposed use will not adversely impact adjacent residential properties, or that any potential impacts can be adequately mitigated through appropriate design measures.
- B. In a multi-tenant building, noise attenuation walls shall be installed between suites to prevent noise transmission above 45dB.
- C. The building construction methods shall incorporate soundproof barriers and be designed to properly eliminate odors, waste, and other contaminants to protect adjacent properties.
- D. Activities shall be located within a fully enclosed soundproof building. No outdoor boarding shall be permitted, except in the case of animal hospital/clinics that service large agricultural animals.
- E. Outdoor uses such as exercise areas shall be a minimum of one hundred (100) feet from any residential use.
- F. Overnight boarding shall be incidental and limited to animals receiving medical treatment and shall be limited to no more than twenty-five (25) percent of the gross area of the clinic.

3.11.41. Veterinary Hospital, Emergency

- A. The City may require a report prepared by a qualified acoustical and/or environmental engineer demonstrating that the proposed use will not adversely impact adjacent residential properties, or that any potential impacts can be adequately mitigated through appropriate design measures. Noise attenuation walls shall be installed between suites to prevent noise transmission above 45dB.

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1. The building construction methods shall incorporate soundproof barriers and be designed to properly eliminate odors, waste, and other contaminants to protect adjacent properties.
- B. Activities shall be located within a fully enclosed soundproof building. No outdoor boarding shall be permitted, except in the case of animal hospital/clinics that service large agricultural animals.
- C. Outdoor uses such as exercise areas shall be a minimum of one hundred (100) feet from any residential use.
- D. Emergency veterinary hospitals may operate twenty-four (24) hours per day.
- E. Where located within one hundred (100) feet of a residential use, additional noise mitigation measures may be required to address after-hours operations.

3.11.42. Warehouse, wholesale, or distribution facility

- A. Within the Business Park District, loading docks are only permitted on one side of each building (cross-dock buildings are prohibited); truck courts and truck parking to support adjacent industrial use is prohibited.
- B. Trailer Parking and Storage. For buildings containing more than twelve (12) dock doors or providing more than five (5) trailer parking or storage spaces, trailer parking and storage areas shall comply with the following:
 1. Trailer parking or storage shall not be located between the principal building and a public street.
 2. Trailer parking and storage areas shall not encroach into required landscape setbacks.
 3. Long-term trailer storage shall occur only within designated areas shown on an approved Site Plan.
- C. Screening. Trailer parking and loading areas visible from a public street or residential zoning district shall be screened by a minimum eight (8) foot solid wall, berm, or equivalent opaque screening.

3.11.43. Wireless Communications Facilities (Commercial).

Wireless communications facilities, as herein defined, require specified, additional conditions and design criteria other than those used only for non-commercial, non-business fixed wireless communications, such as television and satellite reception antennae or amateur radio antennae which are exempt.

- A. Required Provisions.
 1. The following wireless communications facilities may be approved administratively by the Development Services Director or their designee after review by the Development Review Committee:
 - a. Panel antennae mounted on or attached to an existing structure that do not extend more than ten (10) feet above the highest point of the structure;
 - b. Antennae attached to a utility transmission tower or pole that do not increase the overall height by more than fifteen (15) feet;

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- c. Antennae attached to an existing conforming wireless communications tower that do not increase the height of such tower by more than fifteen (15) feet.
 - d. Modifications that qualify as an eligible facilities request as defined by federal law shall be reviewed administratively and shall not require a Special Use Permit.
 - 2. A new freestanding wireless communications tower proposed within five hundred (500) feet of property zoned for residential use shall require approval of a Special Use Permit in accordance with Section 6.6.
 - 3. New freestanding wireless communications towers located more than five hundred (500) feet from property zoned for residential use shall require Site Plan approval only.
 - 4. The Special Use Permit requirement shall not apply to collocation on existing structures or towers, nor to Eligible Facilities Requests as defined by federal law.
- B. Required Information.
- Site Plan approval is required for all wireless communications facilities. For a wireless communication facility that requires approval as a Special Use as specified herein, the required Site Plan shall be the preliminary development plan for the Special Use as required by Section 6.6, and the review and approval of the Special Use and preliminary development plan shall constitute Site Plan approval. All applications for Site Plan or Special Use approval shall contain the following additional materials:
- 1. A current map, or update to an existing map on file, showing locations of applicant's antenna(e) and facilities and all other known existing and proposed wireless communications facilities within a one (1) mile radius of the proposed facility.
 - 2. A report from a structural engineer registered in the State of Arizona showing the facility antenna capacity by type and number, and a certification that the proposed facility is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.
 - 3. Complete names and addresses of the owners of all antennae and equipment to be located at the site as of the date of application.
 - 4. Written authorization for the use from the property owner.
 - 5. A one-year plan identifying other needed or planned wireless communication facilities in the City. This allows the City to coordinate tower locations with other applicants.
 - 6. A minimum of two photographic simulations of the proposed wireless communication facility.
 - 7. Documentation demonstrating that reasonable efforts have been made to collocate on existing facilities where technically and commercially feasible.
 - 8. A written agreement that:

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- a. The wireless communication facility shall be removed within one hundred eighty (180) days of cessation of use, and to return the area to its condition prior to the construction of the facility;
- b. The facility shall comply with all applicable health, nuisance, fire, building, and safety codes. Violations shall be subject to enforcement pursuant to this Ordinance.

C. Design Criteria.

1. To the extent possible, the materials, colors, textures and landscaping of all wireless communications facilities shall be designed to blend in with the surrounding setting. All facilities shall be finished or painted so as to minimize visual obtrusiveness and shall not be illuminated unless otherwise required by state or federal regulations. Panel antennae and their associated cables and hardware mounted on or against an existing structure shall be painted to match the existing facade or be otherwise camouflaged to reduce their visual impact as determined by the Zoning Administrator.
2. Equipment shelters for a wireless communications facility shall be designed in accordance with the City of Goodyear Design Guidelines for commercial buildings or the prevailing design standards for the property.
3. No commercial signage shall be allowed on an antenna or wireless communications facility.
4. New freestanding wireless communications towers shall comply with the setback requirements of the underlying zoning district. Increased setbacks may be required where necessary to ensure structural safety, provided such requirement does not prohibit or effectively prohibit the provision of wireless service.
5. No new wireless communications facilities shall be located within one thousand three hundred twenty (1,320) feet of an existing wireless communication facility unless the existing facility does not meet the structural specifications or technical requirements necessary for additional antenna co-location, or a colocation agreement could not be obtained at commercial reasonable terms and conditions, including price. Wireless communications facilities that can be reviewed and approved administratively in accordance with Section 3.11.43(A) shall be exempt from this requirement.

D. Replacement and/or Rebuilding of Wireless Communications Facilities and Towers.

Pre-existing non-conforming wireless communications facilities and towers which have been destroyed or structurally damaged shall be replaced with facilities meeting the requirements as provided in this Article, except that they may be rebuilt to their original height and in their original location, regardless of setback requirements. Reconstruction or modification that qualifies as an Eligible Facilities Request under federal law shall be approved administratively.

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- E. Non-commercial, non-business wireless communications equipment shall be considered a permitted accessory use in all Districts when it complies with the following conditions:
1. Equipment is used to provide fixed wireless communications service(s) to, and is located on the same property as, a single structure or group of structures under common ownership used for substantially the same purpose.
 2. Equipment mounted on the roof of the served structure does not extend more than five (5) feet above the roofline.
 3. Equipment mounted on an exterior wall of the served structure does not extend more than twelve (12) inches from the mounting wall.
 4. Equipment mounted on a pedestal, foundation, or on the ground in rear or side yards does not extend above the height of a solid, screening wall and/or vegetation provided and maintained on the subject property.
 5. Equipment is camouflaged and/or screened from view from surrounding properties.
 6. All antennae and towers greater than thirty-five (35) feet measured from grade shall require a Use Permit and shall be located at least one (1) foot from all property lines for every foot of the antenna's or tower's height above grade.

F. Small Wireless Facilities in the Public Right of Way.

Notwithstanding other provisions of this Section, small wireless facilities and associated utility poles located within the public right of way shall be regulated in accordance with A.R.S. § 9 591 et seq., as amended, and the following standards:

1. Height Limitations.
 - a. A new or modified utility pole or wireless support structure in the public right of way shall not exceed the greater of:
 - i. Ten (10) feet taller than the tallest existing utility pole located within five hundred (500) feet in the same right of way; or
 - ii. Fifty (50) feet above ground level.
 - b. A small wireless facility collocated on an existing utility pole shall not extend more than ten (10) feet above the pole's existing height or above the maximum height permitted for a new utility pole under this Section.
2. Antenna Size. Each antenna associated with a small wireless facility shall not exceed six (6) cubic feet in volume.
3. Equipment Size. All other wireless equipment associated with the facility shall not exceed twenty eight (28) cubic feet in total volume, excluding electric meters, concealment elements, grounding equipment, power transfer switches, cut off switches, and other equipment as permitted by state law.

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4. Permit Review Timeline. Applications for small wireless facilities shall be processed in accordance with the statutory review period of seventy five (75) days as required by state law. The review period shall commence upon receipt of a complete application by the City.
 5. Construction Completion. As a condition of approval, the applicant shall provide written confirmation that installation of the approved facility will be completed within one hundred eighty (180) days of permit issuance.
 6. Applicability. Small wireless facilities meeting the requirements of this subsection shall be reviewed administratively and shall not require a Special Use Permit.
- G. Conflict with State or Federal Law. This Section shall be interpreted and applied in a manner consistent with applicable state and federal law, including but not limited to A.R.S. § 9-591 et seq. and the Telecommunications Act of 1996, as amended. In the event of a conflict between the provisions of this Section and applicable state or federal law, the provisions of state or federal law shall control. Any requirement of this Section that is preempted or otherwise determined to be invalid under state or federal law shall not affect the validity of the remaining provisions.

3.12. Accessory Uses, Buildings and Structures

3.12.1. Accessory Uses

- A. All principal uses allowed in a zoning district shall be deemed to include those accessory uses and activities typically associated with the use as described in the principal uses definition provided in Article 8 - Definitions, unless otherwise specified, or specifically prohibited, within this Section.
- B. No accessory use shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are being established simultaneously.
- C. Unless otherwise expressly stated, accessory uses are subject to the same lot, building, and development regulations as apply to principal uses and buildings.
- D. Accessory uses must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.
- E. Accessory uses shall not produce noise, dust, light, odor, or vibration in excess of that produced by the principal use.
- F. If the principal building or use is destroyed, removed or ceases to exist, the utilization of the accessory use shall no longer be allowed.

3.12.2. Accessory Buildings and Structures

Unless specifically expressed herein, accessory buildings and structures shall adhere to the following:

- A. All principal uses allowed in a zoning district shall be deemed to include those accessory buildings, structures, and activities typically associated with the use as described in the principal uses definition provided in Article 8 - Definitions, unless otherwise specified, or specifically prohibited, within this Section.

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- B. No accessory building or structure shall occur or be permitted on any lot or parcel until the principal building or use has been established or erected; unless both principal and accessory buildings and uses are being established simultaneously.
- C. Unless otherwise expressly stated, accessory buildings or structures are subject to the same lot, building, and development regulations as apply to principal uses and buildings.
- D. Accessory buildings or structures must be operated and maintained under the same ownership and located on the same lot as the principal use to which they are accessory, unless otherwise expressly stated.
- E. Accessory buildings or structures shall not produce noise, dust, light, odor, or vibration in excess of that produced by the principal use.
- F. If the principal building or structure is destroyed, removed or ceases to exist, the utilization of the accessory use shall no longer be allowed.
- G. A permit is required if an accessory use, building, or structure meets at least one of the following qualifications:
 - 1. Used as livable space for purposes such as a bedroom, office, game room, etc.
 - 2. Attaches to an existing structure or building.
 - 3. Has an area over two hundred (200) square feet.
 - 4. Has plumbing, mechanical, or electrical.
- H. In all Residential Districts, accessory buildings and structures shall conform to the following restrictions concerning location and design within lots:
 - 1. Front accessory buildings or structures are those located in the front half of the lot and are limited to an attached front porch cover (closed-roof patio), a garage, a porte-cochere, a living area typical of the principal building, such as a bedroom or home office, and may include a bathroom but not kitchen facilities, with all front patios required to be attached to the principal building.
 - 2. Architecture of front accessory buildings or structures must be the same as the principal building. When viewed from the front of the lot, the accessory building or structure should appear as an extension of the principal building.
 - 3. Setback and height requirements for a front accessory building or structure must be the same standards as for the principal building, but shall not exceed the height of the principal building.
 - 4. Exceptions. Subdivisions recorded prior to 1981, which are most commonly located in Historic Goodyear, Parque De Paz Park area, and Canada Village, are allowed to have attached or detached front yard covers. These structures cannot be enclosed or have a wall connecting the pillars that is taller than three (3) feet and they must have paved surface underneath. The structure may not exceed twelve (12) feet in height and has a front setback of three (3) feet from the nearest right of way (sidewalk or street). The side setbacks for the structure must follow the main side setbacks for the property. Both open and closed roofed

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structures are allowed and all front yard covers constructed pursuant to this exception shall be architecturally consistent with the primary dwelling in terms of design, materials, colors, and overall character.

- I. Rear accessory buildings or structures are defined as attached or detached buildings or structures located in the rear half of the lot. Their use is limited to standard uses that are allowed in the principal building, with the exception of a kitchen.
 1. Setback requirements for rear accessory buildings and structures are modified to allow encroachment into the required side and rear yard as follows:
 - a. Accessory buildings or structures up to six (6) feet in height, unless otherwise specified herein, shall maintain a minimum setback of three (3) feet to the side and five (5) feet to the rear property lines.
 - b. For each foot over six (6) feet in height, the side and rear setbacks for accessory buildings and structures shall be increased by one (1) foot, beyond the three (3) foot side and five (5) foot rear minimums listed in the section above, up to a maximum of the principal building setback requirements, unless otherwise specified herein
 - c. Through lot. The accessory building shall not be located closer to the rear property lines than the distance required for front yard setback.
 - d. Corner lot. The accessory building shall not be located closer to the street or side property line than the setback required for the main building.
 - e. Corner lot contiguous to key lot. No detached rear accessory building shall be located closer to the street side of a corner lot than the front yard required on the key lot, except such setback need not be greater than one-half (1/2) the width of the corner lot.
 - f. Detached carports located in the rear yard and accessed from an alley shall be permitted as accessory structures and shall comply with the setback, height, and measurement requirements of this Section. Detached carports shall be open on at least two (2) sides.
 - g. Exceptions. Movable and/or manufactured structures such as children's play equipment, trash enclosures, tool / storage sheds, and pet shelters smaller than 200 square feet in area and less than six (6) feet in height may be placed within a required rear or side yard setback, and behind a property screen wall or behind the nearest front plane of the principal building where such a wall does not exist. In no event shall the roof of said structures be designed to allow water to drain onto adjacent property.
 2. No accessory building (e.g. garage, pool house, etc.) shall be located within six (6) feet if fire rated and ten (10) feet if not fire rated of the site's

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principal building. If attached by any part of a common wall or closed roof to the principal building, said building shall be deemed a part of the principal building and shall conform to the development standards of the principal building.

3. Accessory structures (e.g. fence, deck, trellis, sun shade, etc.) may be attached or detached from the principal building. All required separation for applicable building and fire codes shall also be met.
 4. No building or structure, which is accessory to any residential building, shall be erected to a height greater than twelve (12) feet unless it is within the same setback requirements as the principal building, but may not exceed the height of the principal building.
 5. Accessory buildings that contain sleeping facilities or are designed or used as a dwelling unit or habitable living space shall comply with the same setback requirements as the principal building. Accessory structures containing only non-habitable space, such as storage areas, pool equipment rooms, restrooms without cooking facilities, or similar incidental uses, may comply with the reduced setback standards applicable to accessory structures.
 6. Detached accessory buildings and structures shall be permanently affixed to the ground by anchoring or slab attachment.
 7. Accessory buildings or closed roof structures shall count towards lot coverage requirements.
- J. Measurement. For purposes of this Section, required setbacks for detached accessory buildings and structures, including but not limited to patio covers, ramadas, storage sheds, and detached garages, shall be measured from the property line to the furthest horizontal projection of the structure, including roof overhangs or other projections, and not to the supporting wall or post.
- K. Accessory structures not expressly identified or regulated in this Section shall be subject to administrative review and approval by the Zoning Administrator. Such structures shall comply with the general accessory structure standards of this Ordinance unless otherwise approved, and shall not exceed the height, setback, or coverage limitations applicable to accessory structures in the zoning district.

3.12.3. Accessory Dwelling Unit

- A. General Provisions.
1. No more than one (1) attached and one (1) detached Accessory Dwelling Unit shall be permitted on single-family lots.
 2. Accessory Dwelling Units shall not be located on single-family lots on land in the territory in the vicinity of a Military Airport or Ancillary Military Facility as defined in A.R.S. § 28-8461 or land in the territory in the vicinity of a Federal Aviation Administration Commercially Licensed Airport or a General Aviation Airport or on land in the territory in the vicinity of a Public Airport as defined in A.R.S. § 28-8486 and that has a noise level of greater than sixty-five (65) decibels.

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3. Accessory Dwelling Units, whether detached or attached, shall not have an address separated from the principal single-family dwelling on the same lot or parcel.
4. An Accessory Dwelling Unit shall comply with the adopted design guidelines and development standards but may deviate from the exterior design, roof pitch or finishing materials of the single-family dwelling on the same lot or parcel, in conformance with A.R.S. § 9-461.18.
5. The side and rear setbacks for an Accessory Dwelling Unit shall be five (5) feet.
6. The front and street setback, building lot coverage, building frontage, and building height for an Accessory Dwelling Unit shall be the same as that of the principal single-family dwelling on the same lot or parcel.
7. The Accessory Dwelling Units shall be self-contained and include a bedroom, bathroom and may include kitchen (cooking) facilities. The Accessory Dwelling Unit may include, but is not required to have, a parking area or attached garage.
8. The Accessory Dwelling Unit shall be no larger than seventy-five (75) percent of the gross floor area of the principal single-family dwelling on the same lot or parcel or one thousand (1,000) square feet, whichever is less.
9. In addition to the one (1) attached and one (1) detached Accessory Dwelling Unit permitted on single-family lots, an additional one (1) detached Accessory Dwelling Unit is permitted if the lot or parcel is one (1) acre or larger in size and the additional one (1) detached Accessory Dwelling Unit is a Restricted-Affordable Dwelling Unit subject to a Deed Restriction or Development Agreement with the City of Goodyear. Prior to the issuance of any permit for the construction of a Restricted-Affordable Dwelling Unit, the owner of the proposed Restricted-Affordable Dwelling Unit shall execute and deliver an original recorded copy of a deed restriction or development agreement to the City of Goodyear. The deed restriction or development agreement shall be recorded in the Maricopa County Recorder's Office by the owner of the lot or parcel burdened thereby and shall remain a covenant and restriction running with the property for at least thirty (30) years.

3.12.4. Guest House

Guest House shall be restricted to lots having areas of not less than fifteen thousand (15,000) square feet. Guest house, whether detached or attached, shall not have an address separate from the principal residence on the lot or parcel. Where a guest house is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to the main building. Not more than one (1) guest house shall be permitted on any one (1) lot or parcel.

A. General Provisions.

1. A guest house shall be constructed of similar materials, colors and architectural style to the main building.

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2. On lots having principal building and guest house, maximum lot coverage of all buildings shall not exceed sixty that of the underlying zoning district.
 3. A guest house shall have no separate utility services and no entry visible from public right-of-way.
 4. No guest house shall be leased or rented.
 5. A guest house shall have no separate driveway or parking area from that of the principal residence.
 6. The principal residence shall have not less than three (3) enclosed covered parking spaces and paved access to each of the spaces.
 7. No guest house shall be constructed on any lot or parcel until the main building has been fully constructed and ready for occupancy.
- B. Detached guest house is subject to the following additional criteria:
1. Detached guest house may encroach into the required side and rear yard setback of the lot, provided that setbacks of five (5) feet shall be maintained from side and rear property lines.
 2. On a through lot, the detached guest house shall not be located closer to the rear property line than the distance required for the front yard setback.
 3. On any corner lot, the detached guest house shall not be located closer to the street side property line than the setback required for the main building.
 4. No detached guest house shall have floor areas exceeding fifty (50) percent of the main building nor exceed a height of twenty (20) feet.

3.12.5. Ventilation Courts

- A. Ventilation Courts.
1. Rooms in which persons live or sleep, not having at least one wall abutting on a street or alley, or on a yard, shall be supplied natural light and air from a ventilation court conforming to the following:

Number of Stories Above Bottom of Court	Minimum Width of Court in Feet
1	20
2	30
3	40
4 or more	50

3.12.6. Donation Drop-Off Boxes.

In all non-residential zoning districts, Donation Drop-Off Boxes are permitted only in accordance with the following standards and procedures:

- A. Donation Drop-Off Boxes are permitted only as a use accessory to an established and primary permitted use. Donation Drop-Off Boxes are subject to the approval of a Zoning Permit by the Community Development Department, and upon receipt of written authorization by the property owner, or his legal representative.

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- B. Donation Drop-Off Boxes shall not obstruct pedestrian or vehicular circulation, nor be located in public rights-of-way, required building setbacks, landscape areas, drive aisles, required parking spaces, fire lanes, loading zones, or any other location that may cause hazardous conditions, constitute a threat to the public safety, or create a condition detrimental to surrounding land uses and developments.
- C. Each Donation Drop-Off Box shall have a firmly closing lid and shall have a capacity no greater than six (6) cubic yards. No Donation Drop-Off Box shall exceed seven (7) feet in height.
- D. Donation Drop-Off Boxes may be constructed of painted metal, rubber, wood, or plastic and shall be properly maintained in a safe and good condition.
- E. Donation Drop-Off Boxes shall be clearly marked to identify the specific items and materials requested to be left for donation, the name of the operator or owners of the donation container, and a telephone number where the owner, operator or agent of the owner or operator may be reached at any time. The Donation Drop-Off Box shall also display a notice stating that no items or materials shall be left outside of the Donation Drop-Off Box.
- F. Occupation of parking spaces by the Donation Drop-Off Boxes shall not reduce the number of available parking spaces below the minimum number required for the site.
- G. All donated items must be collected and stored in the Donation Drop-Off Box. Donated items or materials shall not be left outside of Donation Drop-Off Boxes, and the area around each Donation Drop-Off Box shall be maintained by the owner or operator, or the property owner, free of litter and any other undesirable materials.
- H. Donation Drop-Off Boxes not located or maintained in compliance with this Article shall be subject to revocation of the Zoning Permit.

3.12.7. Limited Outdoor Display

- A. Purpose.

To allow sales or display of merchandise on the exterior of a building in conjunction with a lawfully established primary business.
- B. Permanent Outdoor Display.
 - 1. Applicability. Permanent Outdoor retail display is a permanent outdoor sales component which is an integral part of a business, including but not limited to, Garden Centers and Auto, Boat, and RV Dealership display lots.
 - 2. General Regulations.
 - a. Must be shown as part of a Site Plan Review with all applicable site improvements.
 - b. If added to an existing site. The use shall obtain Site Plan Review approval with all applicable site improvements.
 - c. Shall comply with parking ratios found in Section 4.4.4(B)(1).

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C. Temporary Outdoor Display.

1. Applicability. Temporary outdoor retail display allows a business or tenant to display an incidental amount of merchandise sold within the business, in proximity to the exterior of a building. Outdoor display is subject to the following:
2. General Regulations.
 - a. Merchandise must be associated with an established business and shall be the same as that sold inside the store;
 - b. When located outside of a multitenant building, an outdoor display shall not extend beyond the tenant frontage of the primary business.
 - c. An outdoor display may not be located within landscape areas, parking lots, drive-aisles, loading zones, or fire lanes;
 - d. Any display must allow for a minimum four (4) foot wide pedestrian pathway across the building frontage and to all building entrances and exits.
 - e. Displays are limited to the normal hours of operation of the business, unless otherwise authorized by condition;
 - f. Sound amplification shall not be used for sales demonstrations; and
 - g. Outdoor display signage shall not exceed a total of three (3) square feet.

3.12.8. Outdoor Dining/Seating

A. Purpose and Applicability.

This Section applies to outdoor seating areas accessory to a restaurant, bar, or similar establishment and does not apply to public plazas or common open space areas..

1. Outdoor dining, patios, and seating areas must be associated to and used in conjunction with a permitted use. For purposes of state liquor license spacing regulations, the outdoor dining, patio, and seating areas shall be considered part of the premises.
2. Outdoor dining/seating shall be limited to locations on private property and may encroach into setbacks up to ten (10) feet but shall be a minimum of five (5) feet from any property line and not within the public right-of-way.
3. Outdoor dining/seating shall not obstruct pedestrian or bicycle traffic or create public health and safety hazards.
4. Roof material covering an outdoor dining or seating area may be fixed, retractable, or removable and shall be opaque. Awnings, canopies, or similar protective shelters shall be fire-treated or constructed of noncombustible materials.
5. Any definable decorative barrier element physically separating the outdoor dining/seating area from adjacent pedestrian traffic provided

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shall be handicapped accessible and not exceed forty (40) inches in height. The design and materials of such barrier element shall complement and be compatible to the architectural design of the primary building façade.

6. Decorative/accent lighting may be incorporated into the outdoor dining/seating area, landscape, awning, or canopy and shall meet all City Code requirements.

3.12.9. Portable Storage Containers

- A. In all Multi-Family, Commercial, and Industrial zoning districts, portable storage containers are permitted only in accordance with the following:
 1. As a temporary use during construction, remodeling, or redevelopment of permanent onsite buildings and facilities, subject to approval of a Zoning Permit by the Development Services Department. Such permit shall specify and limit the number, size, location, and duration of the storage containers. Zoning Permits granted for portable storage containers related to construction shall be permitted for a period of time not to exceed thirty (30) days after the issuance of a Certificate of Occupancy.
 2. As a periodic, intermittent, or recurring use accessory to a primary permitted use, subject to approval of a Zoning Permit by the Development Services Department. In addition to specifying and limiting the number, size, location, and duration of the storage containers, the Zoning Permit may require additional measures, such as increased setbacks, screen walls, landscaping, exterior materials, and colors, to ensure compatibility with adjacent land uses. Zoning Permits granted for portable storage containers in Commercial and Industrial zoning districts shall be permitted for a period of time not to exceed sixty (60) days, with one renewal permitted for a period of time not to exceed thirty (30) days, in a calendar year.
 3. In no case shall storage containers be located in required yards, landscape areas, open space, retention basins, drive aisles, required parking spaces, fire lanes, loading zones, or any other location that may cause hazardous conditions, constitute a threat to the public safety, or create a condition detrimental to surrounding land uses and developments.
- B. In all Single-Family zoning districts, portable storage containers are permitted only for the purpose of loading and unloading household contents for a period of time not to exceed ten (10) days in a calendar year and must be located in the driveway.
- C. In properties zoned AG or AU, portable storage containers may be permitted as a long term accessory use, subject to approval of a Zoning Permit and compliance with the following standards:
 1. Storage containers shall be accessory to a principal permitted use on the property.
 2. On lots less than one (1) acre, no more than one (1) storage container shall be permitted. On lots one (1) acre or greater, no more than two (2) storage containers shall be permitted.

3. Storage containers shall not be stacked and shall not exceed standard commercial container dimensions.
4. Where the property contains a dwelling, storage containers shall be located behind the rear plane of the principal dwelling and shall not be located in a required front yard.
5. Storage containers shall be screened from view of adjacent public streets and residential properties by a minimum six (6) foot solid fence or wall, dense vegetation, or a combination thereof.
6. Storage containers shall not be located within required setbacks and shall not create hazardous conditions.

3.13. Temporary Uses

3.13.1. Purpose

The intent of this Section is to allow for specific temporary uses that may be conducted for specified, limited time periods under special conditions. It is not the intent of this Section to allow for uses otherwise prohibited by the Zoning Ordinance or to allow long term or permanent uses to be established.

3.13.2. General Regulations and Applicability.

- A. Every temporary use shall require a temporary use zoning permit except as provided in paragraph C below or as regulated by Section 3.13.5 (Temporary Uses Not Requiring a Permit)
- B. No temporary use zoning permit shall be issued unless and until the applicant has submitted an application which includes a signed statement that upon cessation of the use or expiration of the permit, whichever occurs first, the premises will be promptly cleaned and restored to substantially the same condition existing prior to commencement of such use.
- C. Any temporary use that requires a special event license shall not require a temporary use zoning permit in addition to the special event license; however the special event license will be reviewed for conformance with this Section.
- D. A temporary use may be considered in any zoning district unless otherwise noted, but an application for a temporary use zoning permit may be denied if the proposed temporary use is not compatible with surrounding land uses or is in close proximity to residences.

3.13.3. Application Process.

- A. Submittal Requirements.

Temporary use zoning permits shall be reviewed and approved in accordance with Section 6.4 (Zoning Permits). The following additional information shall accompany temporary use zoning permit applications:

1. A narrative describing the proposed temporary use including the location, hours of operation, date the temporary use will start and end, proposed signage, scope and nature of the temporary use. The type of equipment and materials being displayed, stored, or sold shall be called out. The narrative shall include the request for any outdoor music, live entertainment, speakers, or amplifiers if applicable.

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2. A site plan showing the location of all structures, carts, tents, signs, displayed materials, stored materials, parking, fencing or similar obstructions, both temporary and permanent, including the setbacks of such structures from property lines and each other.
3. An aerial photo or context plan that depicts all structures and uses within five-hundred (500) feet of the subject property.
4. The site plan and narrative shall describe the traffic circulation and parking that is associated with the temporary use. Any permanent parking spaces being used by the temporary use shall be described and depicted on the site plan.
5. Authorization of the temporary use in writing from the property owner.

3.13.4. Permitted Temporary Uses.

Temporary uses are limited to the uses and time limits listed below.

Use	Time Limit (days)	Frequency of Use (calendar year)	Interval Between Uses (days) ⁵
Carnival or Circus	3	4x/year	30
Crop Maze	30	1x/year	30
Food Vendors ¹	3	4x/year	30
Haunted House	30	1x/year	30
Outdoor Fair or Festival	30	1x/year	30
Outdoor Assembly ²	3	4x/year	30
Seasonal Sales ³	30	1x/year	30
Sport Tournament	3	4x/year	30
Parking Lot Sales ⁴	10	3x/year	30

¹ Food vendors are those vendors that use a portable stand for the retail sale of food and beverages including food carts, such as hot dog stands, but not including food sales that take place primarily in a vehicle, such as an ice cream truck, or that are operated in compliance with Section 3.13.5.

² Outdoor assembly includes, but is not limited to concerts, tent revivals, religious events, and fund raisers.

³ Seasonal sales refer to the outdoor sale of goods that are related to a particular seasonal or cultural activity including, Christmas tree lots and pumpkin patch sales.

⁴ Parking lot sales include any outdoor retail sale that takes place on a parking lot.

⁵ The interval between temporary uses shall be calculated based on the number of calendar days between temporary uses regardless of the use category.

3.13.5. Temporary Uses Not Requiring a Permit.

A temporary use does not require a temporary use permit so long as it meets all of the following criteria:

- A. The duration does not exceed 3 days per event and a special event permit is obtained.
- B. The use does not obstruct or impede required pedestrian and/or ADA access.
- C. The activity is not visible from a public street.

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- D. The activity has been authorized by the property owner and is accessory to a permanent existing use.
- E. The activity occurs entirely under an arcade or permanent awning attached to the building.
- F. The activity is located within twenty (20) feet of the entrance of said permanent existing use.

3.13.6. Development Standards.

- A. A temporary use shall be set back a minimum of one-hundred (100) feet from a residential use.
- B. Tents and canopies may be allowed under the following conditions:
 - 1. Tents that are over 400 square feet may be permitted for temporary uses whose duration is ten (10) days or less.
 - 2. Canopies that are over 700 square feet may be permitted for temporary uses whose duration is ten (10) days or less.
 - 3. Tents, canopies, and other structures, permanent or temporary, are subject to all applicable city codes and ordinances, including the building and fire code regulations.
 - 4. The use of trucks, RVs or similar vehicles for temporary uses is prohibited, except for RVs used solely by a watchman or caretaker, as approved by the Zoning Administrator.
 - 5. All signage shall comply with Section 4.6 (Signage). Signs for a temporary use shall be requested in conjunction with the temporary use permit application.
 - 6. All lighting shall comply with Section 4.5 (Outdoor Lighting Standards).
 - 7. All surfaces used for the temporary use shall be paved or dust-controlled as approved by the City Engineer or their designee.
 - 8. All surfaces used for parking for the temporary use shall be paved.
 - 9. No temporary use shall locate within a landscape area, required pedestrian access ways, or public rights-of-way. No temporary use shall locate within a common area unless the temporary use has been approved by the homeowner's association or property owner's association if applicable.
 - 10. The temporary use shall not impede or cause to be impeded, vehicular or pedestrian circulation, fire access lanes, accessibility, vehicular or pedestrian ingress or egress into businesses, or traffic visibility.
 - 11. Only one temporary use may operate on a single parcel or lot at any given time and there shall be thirty (30) days between any temporary use of the property.

3.14. Mobile Food Vendors & Businesses

3.14.1. Mobile Food Vendor

- A. General Standards

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1. Mobile Food Vendors shall comply with all applicable state health and licensing laws. Vendors are required to obtain a City business license and any other permits required by this Code, but the City shall not require additional health permits beyond those authorized by Arizona law.
 2. The mobile food unit and its customers shall not obstruct the movement of pedestrians or other vehicles using the sidewalk, street, alley, or other public right- of-way.
 3. All associated activities shall occur on a dustproof surface, except for mobile food vendors serving active construction sites.
 4. Hours of operation shall exclude the hours between 10:00 p.m. and 6:00 a.m. unless a Special Event permit has been issued and specifically expands the hours of operation.
 5. Mobile food vendors shall comply with all applicable City of Goodyear sign regulations.
 6. A mobile food unit shall have adequate lighting to ensure customer safety in the vending area. Lighting shall be directed downwards and away from rights-of-way and adjacent properties.
 7. The mobile food unit and the surrounding vending area shall be maintained in a safe and clean manner at all times.
 8. The site shall be kept free of refuse, trash, and litter, which shall be removed from the site daily.
 9. Temporary restrooms shall be prohibited.
 10. Permanent modifications to the site shall be prohibited.
- B. Operation on Private Property
1. Mobile Food Vendors may operate on property with the permission of the property owner, subject to the following:
 - a. The vendor shall not obstruct required parking spaces, fire lanes, drive aisles, or accessible routes.
 - b. The vendor shall comply with applicable fire safety regulations.
 - c. Waste and refuse shall be properly contained and removed daily.
 - d. The vendor shall not connect to utilities without authorization.
 - e. Operations shall not create a public nuisance.
- C. Location Restrictions
1. Private Property
 - a. A mobile food vendor shall obtain written permission to use any private property where a mobile food unit is operating and shall provide proof of such written permission upon request by the City.
 - b. Notwithstanding the permission of a person owning or having lawful control of private real property, a mobile food unit shall

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not remain in one location on private property for longer than ninety-six (96) consecutive hours, unless the City grants permission for a permitted event greater than four (4) days. "One location" within this subsection means a location within a parcel of land and includes movements from different parked positions within the same parcel.

2. Public Property

- a. Mobile Food Vendors shall not operate within the public right-of-way unless within a legal parking space, authorized by an encroachment permit or special event permit.

3. Residentially Zoned Property. A mobile food vendor shall not operate in an area zoned for residential use or within two hundred fifty (250) feet of an area zoned for residential use, except:

- a. A mobile food vendor selling only ice cream or similar confections intended to be sold in a manner that requires limited-duration stops may operate on public rights-of-way in areas zoned for residential use; or
- b. Subject to applicable laws and the City Code, a mobile food vendor may operate on private property in a residential area if the mobile food vendor obtains a separate agreement with the property owner to operate a mobile food unit for a maximum of six (6) hours within a twenty-four (24) hour period on the private property.
- c. A mobile food vendor may operate within the public right-of-way in connection with a private residential event or a homeowners' association-sponsored event for a period not to exceed six (6) hours within a twenty-four (24) hour period, provided any required City permits or right-of-way authorizations are obtained. Such operation shall not occur more than one (1) time per calendar month at the same location.
- d. Mobile food vendors serving active construction sites shall be permitted to operate a mobile food unit for a maximum of three (3) hours within a twenty-four (24) hour period on the private property.

D. Noise

1. A mobile food vendor shall not use, play, or caused to be used or played any loudspeaker, microphone, amplified music, or other amplified instrument or device used for the production of sound in a vending area when the motor vehicle or mobile food unit from which mobile food vendor is vending is stationary or mobile upon any right-of-way, park or other public place. For the purposes of this subsection, the factors for determining whether a sound is amplified include, but are not limited to, the following:

- a. The proximity of the sound to sleeping facilities, whether residential or commercial;

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- b. The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
- c. The time of day or night when the sound occurs; it shall be presumed that any amplified noise between 10:00 p.m. and 6:00 a.m. is reasonably disturbing;
- d. The duration of the sound; and
- e. Whether the sound is recurrent, intermittent, or constant.

3.14.2. Mobile Businesses

- A. General Standards
 - 1. Mobile Businesses shall comply with all applicable state licensing requirements.
- B. Location
 - 1. Mobile Businesses may operate on private property with the consent of the property owner.
 - 2. Operations shall not occur within required landscape setbacks, fire lanes, or public right-of-way.
 - 3. Mobile Businesses shall not park overnight in residential districts except at the operator's residence.
- C. Operational Standards
 - 1. No exterior display of merchandise.
 - 2. No exterior lighting beyond that provided on the vehicle.
 - 3. No amplified sound.
 - 4. No discharge of wastewater except in compliance with applicable health regulations.
 - 5. No generator operation between 10 p.m. and 10 a.m. within 250 feet of residential use.

3.15. Hazardous Materials

- 1. Storage of hazardous materials in any District will be subject to Fire Department review.
- 2. If any such storage becomes obnoxious, offensive by reasons of emission of odor, smoke, gas fumes or refuse, or places the public at risk, materials shall be removed by order of the Fire Chief.
- 3. Uses or operations of products within the I-2 District shall be permitted unless such uses are or may become obnoxious or offensive by reason of the emission of odor, dust, smoke, noise, gas fumes, cinders, vibrations, glare, refuse, or air or water pollution.
- 4. Explosive or hazardous processes require approval by the Goodyear Fire Department that all manufacturing, storage and water processes meet all safety and environmental standards administered by said department.