

ORDINANCE NO. 14-1292

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GOODYEAR, MARICOPA COUNTY, ARIZONA, ADOPTING “CITY OF GOODYEAR DESIGN GUIDELINES MANUAL” FINAL DRAFT DATED MAY 23, 2014; REPEALING ORDINANCE 2011-1242, PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR SEPARABILITY; PROVIDING FOR PENALTIES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 26, 2001, the Mayor and Council of the City of Goodyear adopted Ordinance No. 2001-739, amending Article 1 of the Zoning Ordinance of the City of Goodyear, Arizona adopted on May 24, 1999 to add Article 1-4, which provided for the adoption of a Design Guidelines Manual; and,

WHEREAS, on February 26, 2001, the Mayor and Council of the City of Goodyear adopted Ordinance No. 2001-735 adopting the City of Goodyear Design Guidelines dated January 17, 2001, which document was made a public record by Resolution No. 2001-754; and,

WHEREAS, on July 11, 2011, the Mayor and Council of the City of Goodyear adopted Ordinance No. 2011-1242, repealing Ordinance No. 2001-735 and adopting the City of Goodyear Design Guidelines dated July 11, 2011, which document was made a public record by Resolution No. 2011-1437; and,

WHEREAS, the City of Goodyear Design Guidelines dated July 11, 2011 has not been revised or updated since its adoption on July 11, 2011; and,

WHEREAS, the City of Goodyear desires to revise and update the Design Guidelines Manual for the purpose of providing clearer, more concise, user-friendly document with added flexibility in the design review process; and,

WHEREAS, the City of Goodyear Design Guidelines Manual – Final Draft dated May 23, 2014, is consistent with goals contained stated in the City of Goodyear General Plan as adopted, such as establishing architectural guidelines for commercial, industrial and residential developments; promoting innovative design of sites and buildings that enhance aesthetics and preserve natural amenities; and encouraging quality design, creativity, and corporate identity in architectural character; and,

WHEREAS, the City Council and the Planning and Zoning Commission reviewed a draft of the proposed design guidelines manual at a joint work session held on March 31, 2014; and

WHEREAS, the Planning and Zoning Commission conducted one public hearing on May 21, 2014 to formally review the proposed design guidelines manual and take comment from the public; and,

WHEREAS, the Planning and Zoning Commission after the public hearing conducted on May 21, 2014 passed a motion to formally recommend to the City Council approval of the proposed design guidelines ; and,

WHEREAS, following the approval of the proposed design guidelines by the Planning and Zoning Commission, a final draft of the proposed design guidelines was prepared in which non-substantive changes were made; and,

WHEREAS, on June 9, 2014, the Mayor and Council of the City of Goodyear conducted a public hearing to review the proposed changes, take comment from the public and formally act upon the recommendation made by the Planning and Zoning Commission to approve the revised and updated Design Guidelines Manual; and,

WHEREAS, the City has complied with the notice requirements of A.R.S. Section 9-462.04;

NOW, THEREFORE BE IT ORDAINED By the Mayor and Council of the City of Goodyear, Arizona that:

Section 1. That certain document known as the “City of Goodyear Design Guidelines Manual – Final Draft dated May 23, 2104,” three copies of which are on file in the office of the City Clerk of the City of Goodyear, Arizona, which document was declared a public record by Resolution 14-1617 of the City of Goodyear, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance.

Section 2. Repeal & Savings Clause. Ordinance No. 2011-1242, which is repealed by this Ordinance, shall remain in force and effect until the effective date of this Ordinance.

Section 3. Separability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Penalties. Violation of any provision of Article 1-4 of the Zoning Code of the City of Goodyear or of any provisions of the City of Goodyear Design Guidelines Manual – Final Draft dated May 23, 2104 are subject to all criminal and civil penalties available as provided in Section 1-2-3 of the Zoning Code of the City of Goodyear.

Section 5. Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED BY the Mayor and City Council of the City of Goodyear, Arizona, this 9th day of June, 2014.

Georgia Lord
Georgia Lord, Mayor

ATTEST:

Maureen Scott
Maureen Scott, City Clerk

APPROVED AS TO FORM:

Roric Massey
Roric Massey, City Attorney

CERTIFICATION OF RECORDING OFFICER

STATE OF ARIZONA)
) ss.
County of Maricopa)

I, the undersigned Maureen Scott, being the duly appointed, qualified and acting City Clerk of the City of Goodyear, Maricopa County, Arizona, certify that the foregoing Ordinance No. 14-1292 is a true, correct and accurate copy of Ordinance No. 14-1292, passed and adopted at a regular meeting of the Council of the City of Goodyear, Maricopa County, Arizona, held on June 9, 2014, at which a quorum was present and, by a 70 vote, 7 voted in favor of said ordinance.

Given under my hand and sealed this 11th day of June, 2014.



Maureen Scott
City Clerk