

**Comments, Questions, and Responses to Draft
City of Goodyear
Proposed Ordinances to Enforce
Water Resource Allocation Policy adopted May 19, 2025
and Related Code Updates**

Goodyear thanks those who submitted both oral and written feedback to the City regarding the proposed draft ordinance changes. Below is a brief summary of comments by topic and City responses related to that feedback:

Q. Why is the City proposing to limit water services in the proposed way?¹

A. The City continues to support smart economic development projects and other types of projects, and believes that demonstrating active and efficient management of the City's water services will provide those coming to Goodyear with more confidence while protecting existing City water users. The City has planned the allocation of water resources throughout its Integrated Water Master Plan ("IWMP"). The IWMP plan will be updated as water supply conditions change. The City anticipates being able to support growth of its water services in Water Planning Areas 2 and 3 as identified in the IWMP, but the proposed ordinance changes are needed to provide fair access to water services in those areas and avoid overcommitment.

It should be noted that the City is not the only water provider serving water customers in Goodyear. The proposed ordinances regarding City water service apply only to City water service areas and customers. Other water providers have their own water service rules.

Q. How can landowners determine the planning allocation for their parcel?

A. Current planning allocations are described in the City's [2024 Integrated Water Master Plan](#) available on the City's website. Landowners and others may contact the [Development Services Department](#) for additional assistance interpreting the plan as applied to specific parcels. The quantities allocated to existing uses and future uses in the IWMP may be updated in the future as water supply conditions change. For example, if anticipated Colorado River shortages appear to be permanent at some level or make a portion of that supply unreliable, then the City may adjust the amount allocated for future uses within the City's IWMP plan, or may leave the planned water allocations the same, but such resources may be fully committed to earlier uses before later parcels develop. Absent an existing development agreement with the City that addresses water services,² the allocation decision processes in the proposed ordinances would apply.

¹ A substantial number of comments were submitted by development interests and can be summarized generally as follows: 1. The proposed policy could send the wrong message and hurt economic development projects. 2. The proposal does not provide enough certainty to developers. 3. The proposal does not provide enough flexibility to developers. 4. The proposal does not provide enough water for my already-approved development. Other comments related to streamlined processes to implement the proposed ordinances and those suggestions are appreciated. City staff are available to discuss any specific property status concerns raised in the comments.

² See Arizona Revised Statutes, Title 9, Chapter 11, Article 1 (protected development rights).

Q. Will the City change the ordinance to be consistent with my development agreement?

A. The City intends to honor the terms of existing development agreements so long as they remain in effect.

Q. Will the City change the proposed ordinances to set allocations based on the size of a water meter?

A. No. Meter sizes are not directly correlated to the average quantity of water resources consumed through the meter. The proposed ordinance focuses on the actual (or estimated) annual quantity of water used as a better management tool.

Q. At what point are water allocations in the IWMP grandfathered to a property?

A. The City does not intend at any time to provide an enforceable water allocation in the nature of a “water right” to either existing or future users of City water resources. All City customers may need to reduce their water consumption even below historic use levels when the City’s drought management plan requires a reduction in water demand to meet drought water supply conditions.

As to the point in time at which the City commits to provide water service, unless otherwise provided in an existing development agreement, the City’s commits to provide City water service to a new water customer at the time a water meter is set and an account is activated (or, for platted subdivisions, when the City has committed to provide water service to the approved uses as indicated by a City signature on a recorded subdivision final plat).

Q. How will a landowner be alerted to any overuse and be potentially penalized until water use levels are corrected?

Please see proposed ordinance section 14-2-10. Large water users will take service pursuant to a water service agreement with the City, and the agreement will contain water usage limits and remedies and other terms that may vary depending on the individual operations and needs. As to City water customers that do not have a large water user agreement in place, and assuming a customer has not applied to the City for increased water service for a change in usage already, the City will monitor City water usage data and may investigate accounts demonstrating significant changes to average water use to determine the nature of the change and follow the appropriate ordinance procedure, if applicable.

Q. Are multifamily residential accounts currently considered to be commercial accounts?

A. Yes. This update to the definition of commercial account will not change existing City treatment of multifamily accounts.

Q. Is the term “redevelopment” defined elsewhere in the City Code?

A. Yes. “Redevelopment” is defined elsewhere in the City’s ordinances for different purposes, such as economic development projects. Per the introductory phrase to section 14-1-1, the definition of Redevelopment in section 14-1-1 is made for the purposes of Chapter 14 (Water).

Q. Will the City delete or change the language in the proposed ordinance indicating that a transfer of water service can be denied? A transfer of a water service account should not be denied.

A. The City will retain the water service account transfer application requirement in the current ordinance. The proposed ordinance changes are not intended to change the City’s water service account transfer practices for an active water meter and the same use already served by the City. For such account transfers, the City requires certain new customer information and a deposit, fees, and/or letter of credit to activate water service to a new customer. The City has a simple online application form for this purpose at: <https://apps.goodyearaz.gov/utilityform>

Q. Will the City change the language in proposed section 14-2-4 that requires a new water service application for “reactivation of inactive uses that have been inactive for more than one year” to avoid a potential “forfeiture of water allocation?”

A. The City does not provide water rights to City water customers, so there would be no forfeiture. To address the concern about the reference to “inactive uses” in the draft, however, the City updated the provision to refer instead to “reactivation of inactive service lines.” “Inactive service lines” is now defined as “...City water service lines connecting to properties with or without City meters that have not maintained active accounts with the City for water services, and have not received water from the City under such accounts for twelve consecutive months.” This change will allow an interested party to retain active water customer status by continuing to pay the City’s monthly charges even if there is no active water use for twelve months.

Q. Will the City change the timeframe in the appeal processes to allow at least 30 business days for an appeal?

A. The City has changed the appeal timeframes to 30 calendar days.

Q. Will the City change the language in 14-5-7 relating to the ban on new non-functional turf to make clear that grass planted in an area intended for recreational use can qualify for the exception even if there is no “recreational equipment or facilities such as sports courts, fields, buildings, or other structures.”

A. Yes. The proposed language in section 14-5-7 has been updated to clarify that active recreational areas “are typically improved...” with such equipment or facilities, but may also include areas that contain none.

Q. Will the City clarify in the proposed ordinance how landowner-provided Type 1 Rights or Ag-to-Urban credits might work?

A. The proposed ordinance addresses allocation of City water resources and services. If a landowner provides a landowner-acquired water resource to the City in exchange for City water services, then in general that additional quantity of usable water resource would be available to support water services to the landowner. Such transactions are unique and will likely require a separate agreement between the landowner and City.

Type 1 Rights are individual groundwater withdrawal permits usable only for self service by the landowner in the manner allowed by law (this is not City water service), so Type 1 Rights are not addressed in the proposed ordinance.

Q. Will the City consider changing the proposal to allow landowners to transfer allocations to other parcels and/or establish an allocation bank?

A. The City is not willing to allow transfer of any portion of planned allocations from one parcel to another, and proposes relying instead on the process in the ordinance for requests to increase City water services for a parcel. The City planned a reasonable level of water service so that as many of the parcels in the planning areas identified in the IWMP might be developed reasonably in accordance with their planned use. The City has also assumed that not all uses will consistently use the full planned amount such that “extra” will be available to the City to assist the City to respond to shortage conditions and natural fluctuations in demand from year to year.

Shifting allocations from parcel-to-parcel to concentrate development could result in less desirable parcels that would not have the opportunity for a reasonable level of water service, and could also result in less resilience in the City’s ability to manage shortages and demand fluctuations.

There may be circumstances where the City would enter into a development agreement consistent with the City’s water resource management goals that could provide more flexibility to landowners to shift allocated amounts within a larger, cohesive development plan.

Q. May I have a copy of the City’s current water service agreement?

A. The City is in the process of drafting an updated water service agreement form.

Q. Will the City acquire new water resources to supplement its services?

A. The City has evaluated water supply augmentation options from time-to-time for cost and reliability, including ongoing participation in the study of the Bartlett Dam proposal.