

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-36-23-4) FROM C-2 (PENDING C-2 SP) (INTERMEDIATE COMMERCIAL, PENDING INTERMEDIATE COMMERCIAL, SPECIAL PERMIT) TO C-2 SP HGT/WVR (INTERMEDIATE COMMERCIAL, SPECIAL PERMIT, HEIGHT WAIVER).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 2.12-acre property located approximately 225 feet south and 465 feet west of the southwest corner of 43rd Avenue and McDowell Road in a portion of Section 4, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-2 (Pending C-2 SP)" (Intermediate Commercial, Pending Intermediate Commercial, Special Permit) to "C-2 SP HGT/WVR" (Intermediate Commercial, Special Permit, Height Waiver) to allow self-service storage warehouse with underlying C-2 commercial uses and a height waiver.

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit “B.”

SECTION 3. Due to the site’s specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the site plan and elevations date stamped June 1, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. The maximum building height shall be 45 feet.
3. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
4. All pedestrian pathways shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.
5. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
6. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
7. A minimum of one of the required bicycle parking spaces shall include access to a standard electrical receptacle for electric bicycle charging capabilities.
8. Bicycle parking spaces shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as approved by the Planning and Development Department.

9. A minimum of 5% of the required parking spaces shall be EV Ready.
10. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
11. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
12. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. 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 decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 1st day of November, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:

Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-36-23-4

Within a portion of Section 4, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

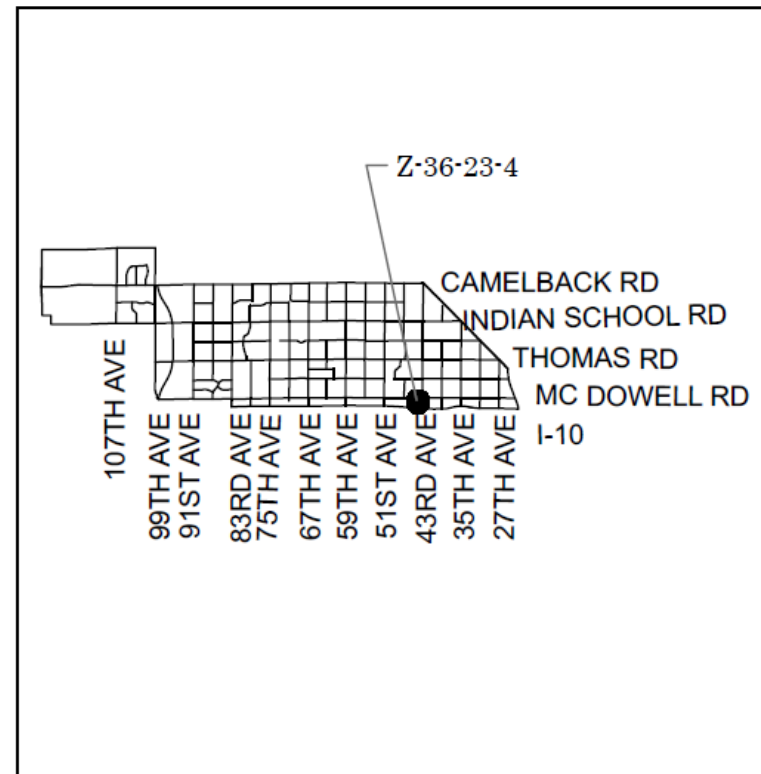
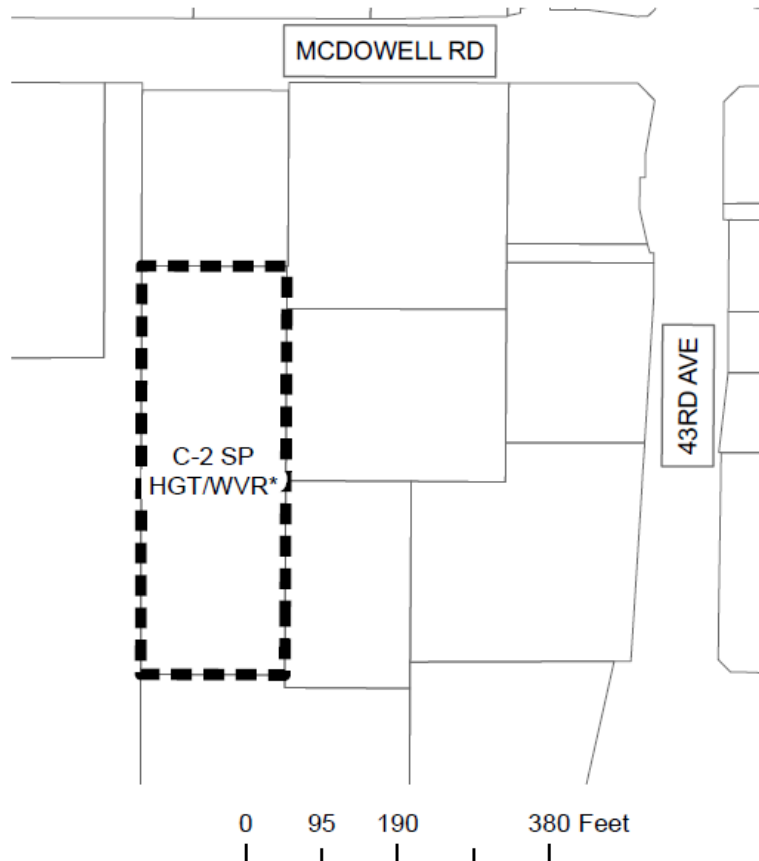
"LOT 1 PER THE FINAL PLAT OF "RUSTY SPUR RANCH", MCR BOOK 628, PAGE 18" AND "LOT 3 PER THE FINAL PLAT OF "RUSTY SPUR RANCH", MCR BOOK 628, PAGE 18"

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-36-23-4
Zoning Overlay: N/A
Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 9/25/2023