

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 ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-55-20-7) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) TO R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 1.32-acre property located approximately 200 feet north of the northwest corner of 9th Avenue and Minton Street in a portion of Section 31, Township 1 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from “S-1” (Ranch or Farm Residence District) to “R1-8” (Single-Family Residence District).

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. Where residential homes contain front-loaded garages or carports, these elements shall be setback a minimum of 10 feet from the front face of the home along the adjacent public street, as approved by the Planning and Development Department.
2. Residential homes shall include a porch facing the adjacent public street, at a minimum of 60 square feet in area and at a depth of at least 6 feet and enclosed on each side with fencing, as approved by the Planning and Development Department.
3. The developer shall complete the cul-de-sac bulb on Carter Road with curb, gutter, sidewalk and associated right-of-way or sidewalk easement, as approved by the Planning and Development Department.
4. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
5. The developer shall record a Notice of Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property. The form and contents of such documents shall be according to the templates and instructions provided which have been viewed and approved by the City Attorney.
6. The developer shall grant and record an aviation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
7. 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.
8. Prior to final site plan approval, the property owner shall record documents that disclose to purchasers of property within the development the existence and operational characteristics of agricultural uses. The form and content of such documents shall be reviewed and approved by the City Attorney.
9. 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 7th day of April, 2021.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-55-20-7

A PORTION OF FARM UNIT "R" OR LOT 5 OF SECTION 31, TOWNSHIP 1 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 5;

THENCE NORTH 00 DEGREES 30 MINUTES 00 SECONDS WEST, A DISTANCE OF 180.00 FEET ALONG THE WEST LINE OF LOT 5;

THENCE SOUTH 89 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 495.95 FEET ALONG THE NORTH LINE OF THE PARCEL OF LAND DESCRIBED IN DOCKET 3524, PAGE 16, AND EASTERLY AND WESTERLY EXTENSIONS THEREOF TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 32 MINUTES 50 SECONDS EAST, A DISTANCE OF 139.00 FEET TO THE WEST RIGHT OF WAY LINE OF 9TH AVENUE AS DESCRIBED IN DOCKET 7885, PAGE 380, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 00 DEGREES 02 MINUTES 40 SECONDS EAST, A DISTANCE OF 346.66 FEET ALONG THE SAID RIGHT OF WAY TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND DESCRIBED IN DOCKET 5987, PAGE 242, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 89 DEGREES 41 MINUTES 50 SECONDS WEST, A DISTANCE OF 139.00 FEET ALONG THE SOUTH LINE OF SAID PARCEL;

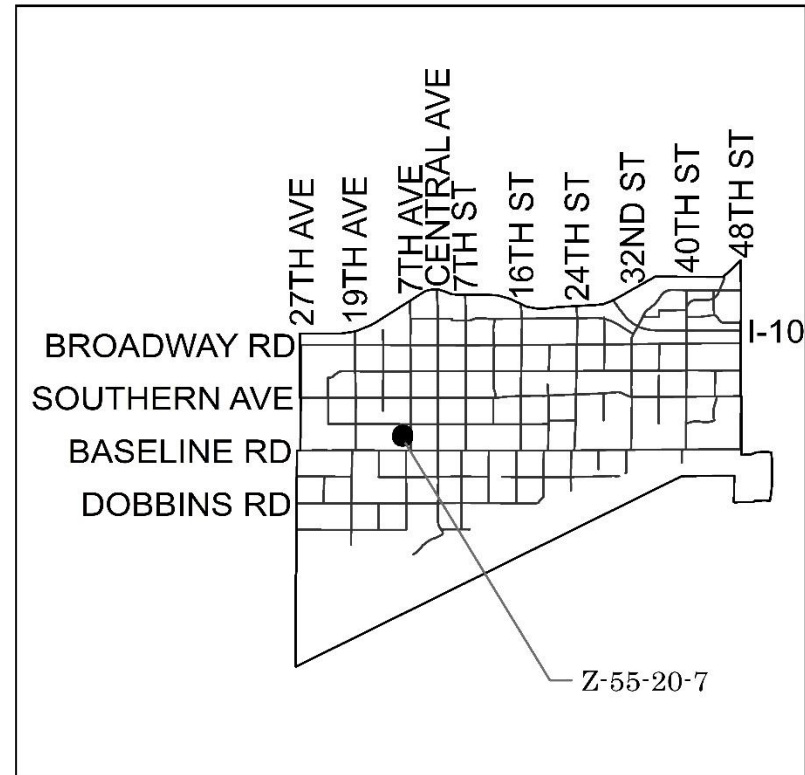
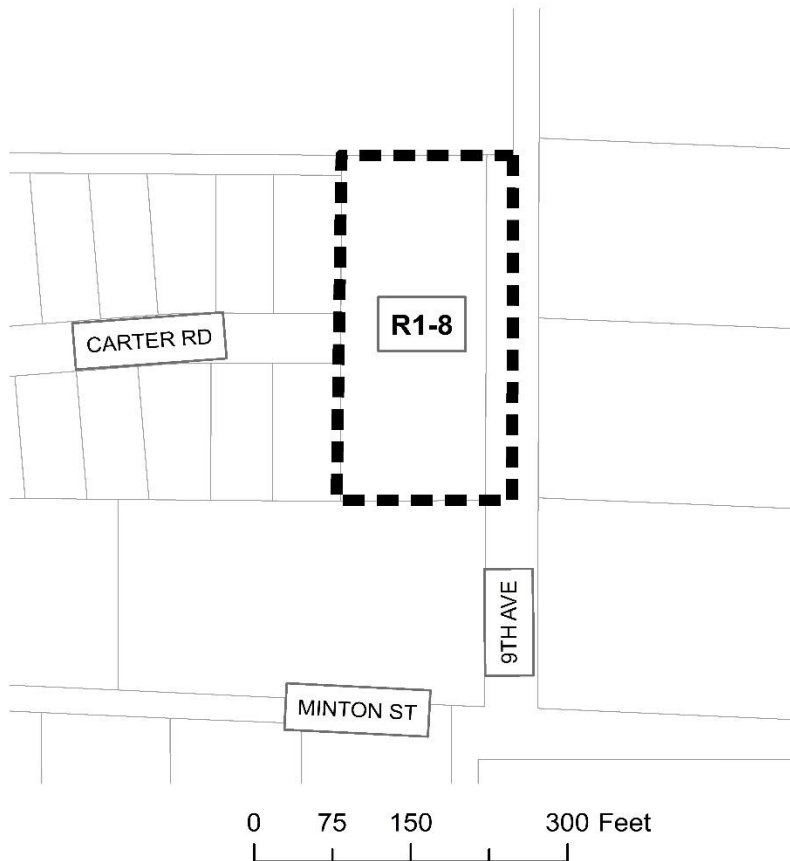
THENCE SOUTH 00 DEGREES 02 MINUTES 40 SECONDS EAST, A DISTANCE OF 346.30 FEET TO THE TRUE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-55-20-7
Zoning Overlay: N/A
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 3/11/2021