

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-53-20-1) FROM S-1 (FARM OR RANCH 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 15.52-acre site located on the northeast corner of 31st Avenue and Pinnacle Vista Drive in a portion of Section 35, Township 5 North, Range 2 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. Lots within 33 feet of the north property line of the development shall be limited to one story and 24 feet in height, as approved by the Planning and Development Department.
2. The conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to single-family design review approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Building materials and colors shall express a desert character and shall blend with, rather than strongly contrast with the desert environment.
 - b. All elevations of the building shall contain three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.
 - c. Covered porches a minimum of 60 square feet in area at a depth of at least six feet, courtyard areas with low surrounding walls a minimum of 60 square feet in area or homes with livable space a minimum of 3-feet in front of the front line of the garage, shall be provided in the front façades of a minimum of 50 percent of the elevations offered within the subdivision.
 - d. Decorative garage treatments, including but not limited to, windows, raised or recessed panels, architectural trim, and/or single garage doors.
3. All sidewalks adjacent to rights-of-way shall be detached with a minimum five-foot-wide landscaped area located between the sidewalk and back of curb and shall include minimum 2-inch caliper large canopy shade trees planted a minimum of 20 feet on center or equivalent groupings, except where utility and engineering constraints exist, and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department.
4. All landscape plant material shall comply with the approved plant species list in Appendix A in the North Black Canyon Overlay District, as approved by the Planning and Development Department.
5. A minimum of 20 percent of the gross project area shall be retained as open space with a minimum of 5 percent improved as active/useable open space, exclusive of landscape setbacks, washes and hillside preserve area, as approved by the Planning and Development Department.

6. A minimum building setback of 114 feet for residential structures shall be required along the eastern property line, as approved by the Planning and Development Department.
7. Interior walls and privacy fencing, excluding walls located between lots, shall be integral in color or painted to blend with the natural desert environment, as approved by the Planning and Development Department.
8. Perimeter walls shall incorporate stone veneer, stonework, varying types of CMU block, split face or faux stone, as approved by the Planning and Development Department.
9. The developer shall coordinate with ADOT and provide a perpendicular connection and associated right-of-way dedications at the intersection of Pinnacle Vista Drive and the Interstate 17 frontage road, as approved by the Planning and Development Department.
10. 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.
11. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
12. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
13. 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.
14. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property as approved by the Aviation Department.
15. The developer shall provide documentation to the City prior to final site plan approval that Form 7460-1 has been filed for the development and that the development received a "No Hazard Determination" from the FAA. If temporary equipment used during construction exceeds the height of the FAA and a "NO Hazard Determination" obtained prior to the construction start date.

16. The developer shall grant and record an avigation easement to the City of Phoenix Aviation Department for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
17. 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 3rd day of March 2021.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-53-20-1

The North half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, gas and other minerals as reserved in Patent from the United States of America.

PARCEL NO. 1 (205-01-002A)

The South half of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT all coal, gas and other minerals as reserved in Patent from the United States of America.

PARCEL NO. 2 (205-01-004A)

The South half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT any portion thereof lying within the right-of-way of Black Canyon Highway; and

EXCEPT all minerals as reserved in the Patent; and

EXCEPTING that portion conveyed to the State of Arizona.

PARCEL NO. 3 (205-01-008)

The North half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 35, Township 5 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT any portion thereof lying within the right-of-way of Black Canyon Highway; and

EXCEPTING that portion conveyed to the State of Arizona in Docket 4493, Page 89;

EXCEPT all coal, oil, gas, minerals and all uranium, thorium, or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, whether or not of commercial value, as reserved in Patent from United States of America.

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ORDINANCE LOCATION MAP

EXHIBIT B

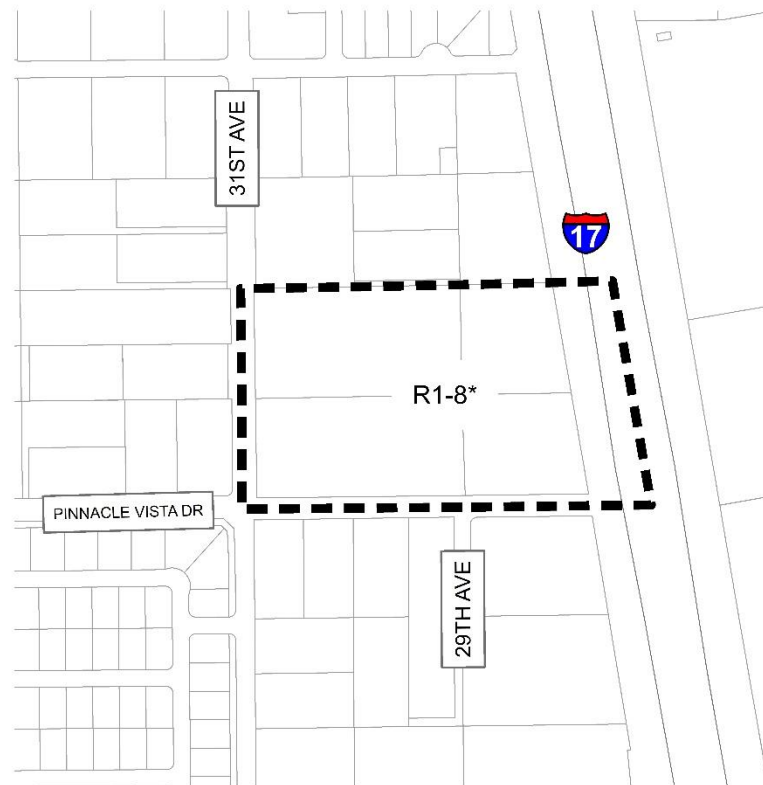
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

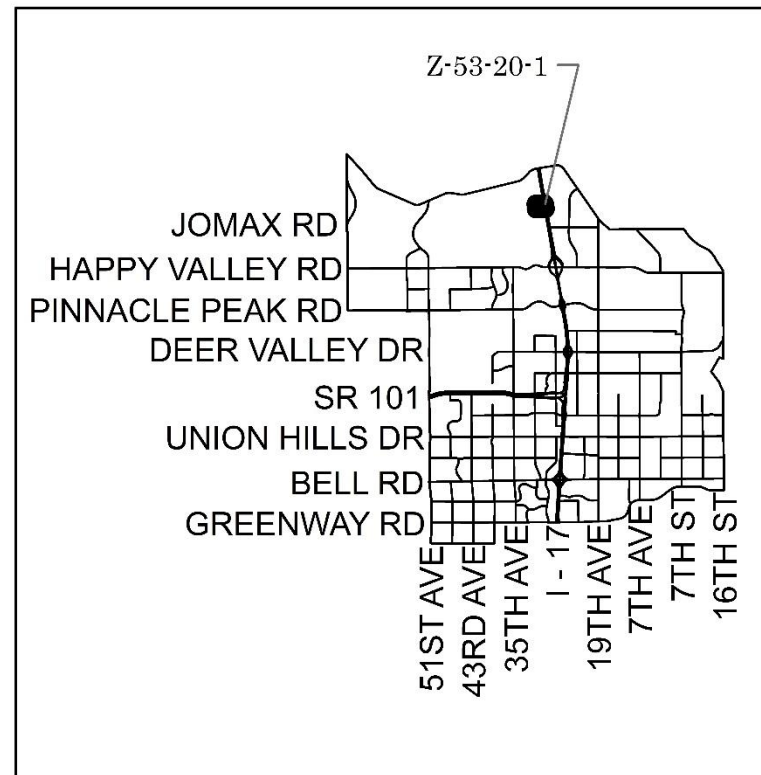
Zoning Case Number: Z-53-20-1

Zoning Overlay: N/A

Planning Deer Valley



0 235 470 940 Feet



NOT TO SCALE



Drawn Date: 2/4/2021