THIS IS A DRAFT COPY <u>ONLY</u> 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-77-22-8) FROM S-1 (RANCH OR FARM RESIDENCE) TO R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 7.68-acre property located approximately 40 feet north of the northwest corner of 27th Avenue and Harvest Groves Lane in a portion of Section 35, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "S-1" (Ranch or Farm Residence) 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. All building elevations shall contain architectural features that reflect modern farmhouse architecture including, but not limited to, detailing such as pitched roofs, variation in window size, overhang canopies and exterior accent materials such as board and batten siding, stone, brick veneer, and upgraded garage doors, as approved by the Planning and Development Department.

   a. All street facing elevations shall have a minimum of 25% exterior accent materials, not including stucco, as noted above.

   b. All rear facing single-story elevations shall contain at least two of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size and location, and overhang canopies, as approved by the Planning and Development Department.

   c. All rear facing two-story elevations shall contain at least three of the following architectural embellishments and detailing: textural changes, pilasters, offsets, recesses, variation in window size and location, and overhang canopies, as approved by the Planning and Development Department.

   d. All garage doors shall have decorative embellishments such as window panels, added materials surrounding the door, or trellises, as approved by the Planning and Development Department.

2. Each individual front building plane shall have articulation or staggering a minimum of 5 feet in depth as approved by Planning and Development Department.

3. The homes abutting the existing homes to the east (Lots 1 and 33) shall be limited to one story in height and with no more than three adjacent two-story homes.

4. The project shall not exceed 33 lots.

5. The developer shall plat individual lots.

6. A minimum lot width of 50 feet shall be provided, as approved by the Planning and Development Department.

7. A minimum 60-foot-wide open space buffer shall be provided along the south perimeter of the site.

8. The open space buffer along the south perimeter of the site shall be planted with minimum 25% 2-inch caliper and minimum 75% 3-inch caliper large canopy, drought tolerant trees, planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.

9. A minimum 22-foot garage setback for front-loaded garages, measured from the back of sidewalk, shall be provided for each home in the development, as approved by the Planning and Development Department.

10. A minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip between the back of curb and sidewalk shall be provided within the development, planted to the following standards and as approved by the Planning and Development Department.

    a. Minimum 2-inch caliper drought-tolerant, large canopy, single-trunk shade trees planted 20 feet on center or in equivalent groupings.

    b. Drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 75 percent live coverage at maturity.

    Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

11. A total of 65 feet of right-of-way shall be dedicated for the west half of 27th Avenue or as approved by Maricopa County.

12. Street improvements to 27th Avenue are outside of Phoenix City Limits and shall be reviewed and approved by Maricopa County. Documentation of the county review and approval shall be provided prior to Preliminary Site Plan approval.

13. All streets within and adjacent to the development shall be constructed with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department and Maricopa County. All improvements shall comply with all ADA accessibility standards.

14. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.

15. The property owner shall record documents that disclose the operational

characteristics of the existing agricultural and commercial uses adjacent to the site.

16. 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.

17. 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.

18. 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.

19. 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.

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MAYOR

ATTEST:

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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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-77-22-8

THE SOUTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION THIRTY-FIVE (35), TOWNSHIP ONE (1)
NORTH, RANGE TWO (2) EAST OF THE GILA AND SALT RIVER BASE AND
MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 90.00 FEET OF THE EAST 485.00 FEET; AND

EXCEPT THE SOUTH 172.00 FEET OF THE EAST 286.50 FEET; AND

EXCEPT THE EAST 33.00 FEET ROAD.
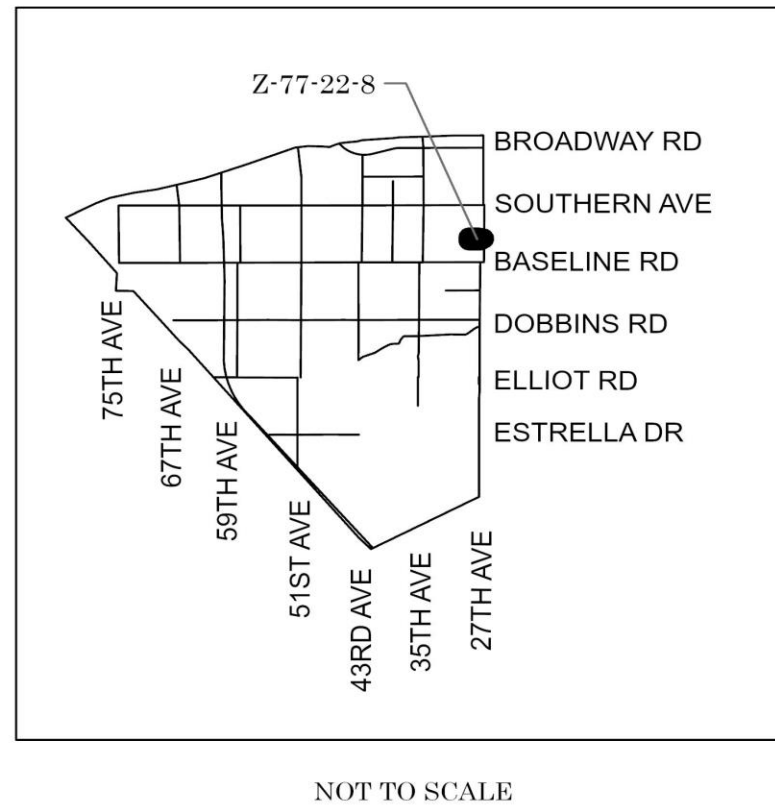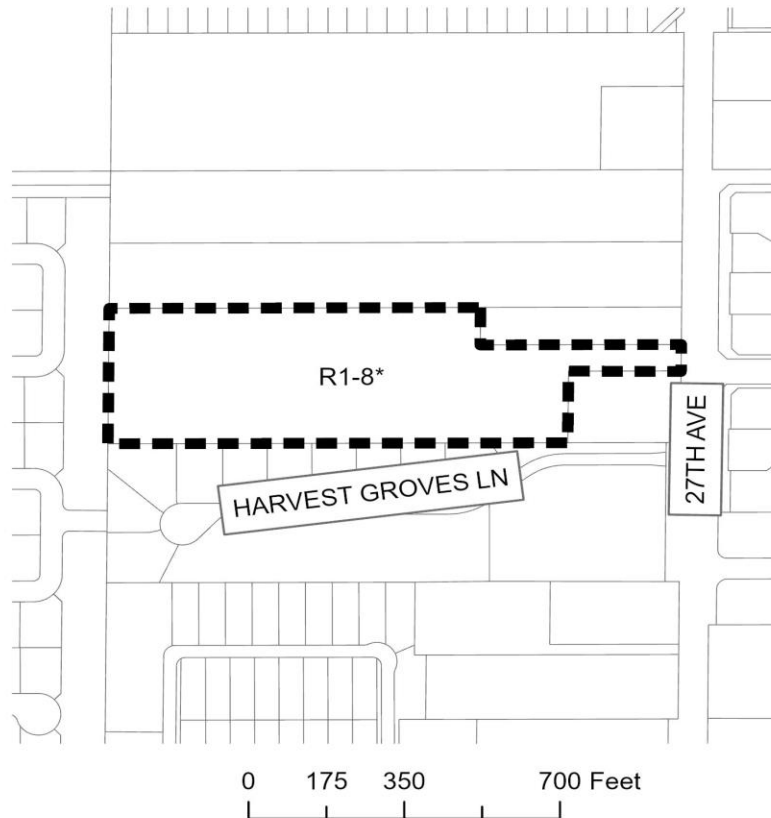
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ▪ ▬ ▬ ▪ ▬

Zoning Case Number: Z-77-22-8
Zoning Overlay: N/A
Planning Village: Laveen

R1-8*

HARVEST GROVES LN

27TH AVE

0   175   350   700 Feet

Z-77-22-8

BROADWAY RD
SOUTHERN AVE
BASELINE RD
DOBBINS RD
ELLIOT RD
ESTRELLA DR

75TH AVE
67TH AVE
59TH AVE
51ST AVE
43RD AVE
35TH AVE
27TH AVE

NOT TO SCALE

N

Drawn Date: 9/25/2023