

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-28-22-8) 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 12.85-acre site located at the northwest corner of 23rd Avenue and Baseline Road in a portion of Section 36, Township 1 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. The development shall not exceed a maximum of 55 lots.
2. A minimum of 10% of the gross site area, exclusive of required landscape setbacks, shall be provided as open space, as approved by the Planning and Development Department.
3. A minimum landscape setback of 20 feet shall be provided along 23rd and 24th Avenues. The landscape setback may be reduced to 17 feet for up to 50% of this frontage for the purpose of staggering setbacks for the perimeter theme wall, as approved by the Planning and Development Department.
4. A minimum landscape setback of 50 feet shall be provided along Baseline Road. The landscape setback may be reduced to 47 feet for up to 50% of this frontage for the purpose of staggering the perimeter theme wall and screening utility boxes, as approved by the Planning and Development Department.
5. All required landscape setbacks shall be planted with minimum 75-percent 2-inch caliper and 25-percent 3-inch caliper large canopy drought-tolerant trees, planted 25 feet on center or in equivalent groupings, with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.
6. A minimum of one milkweed shrub, or other native nectar species, shall be planted for every required tree in addition to the required shrubs, and shall be planted in groups of three or more, as approved by the Planning and Development Department.
7. A minimum of 75 percent of the standard building elevations provided shall include a covered front porch in the front yard with a minimum of 60 square feet in area and a minimum depth of 6 feet. No porch shall terminate within the plane of a door or window, as approved by the Planning and Development Department.
8. Fences and walls shall be in general conformance with the wall plan and wall details (wall elevations) date stamped April 1, 2022, as modified by the following stipulations, and approved by the Planning and Development Department:
 - a. Partial view fencing, which may include solid columns up to 24 inches in width, shall be utilized where walls are proposed around open space areas, the partial view fencing shall be a maximum 3-foot solid wall and 3-foot view fencing.

- b. Perimeter walls bounding the rear or side yard property lines of residential lots along 23rd Avenue, 24th Avenue, and Baseline Road shall include minimum three-foot offsets, and material and textural differences, such as stucco, and/or split face or slump block or a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
 - c. The wall layout depicted in the wall details (wall elevations) plan shall be modified where necessary to accommodate site layout changes that avoid conflicts with the Zoning Ordinance or City Code requirements.
- 9. Project entry/exit drives along 23rd and 24th Avenues shall incorporate decorative pavers, stamped or colored concrete, or similar alternative material, as approved by the Planning and Development Department.
- 10. Project entry/exit drives along 23rd and 24th Avenues shall incorporate enhanced landscaping on both sides planted with a variety of at least three plant materials, as approved by the Planning and Development Department. Each landscaped area shall be a minimum of 250-square feet.
- 11. A tot lot with shade equipment shall be provided in the central/primary open space amenity area, as approved by the Planning and Development Department.
- 12. The following shall be provided in each open space amenity area, as approved by the Planning and Development Department: Modify
 - a. One picnic area with a barbeque grill, shade ramada, and a picnic table;
 - b. Two benches or seating features; and
 - c. A minimum of 6 bicycle parking spaces shall be provided through inverted U, and/or artistic racks. The racks shall be shaded by a tree or structure and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department.
- 13. All sidewalks along 23rd Avenue and 24th Avenue shall be a minimum of 5 feet in width and detached with a minimum 5-foot wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk large canopy drought-tolerant shade trees planted to provide a minimum of 75% shade, at maturity.

- b. Drought tolerant vegetation to achieve 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

- 14. All sidewalks along Baseline Road shall be a minimum of 6 feet in width and detached with a minimum 11-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.

- a. Minimum 75% 2-inch caliper single-trunk large canopy drought-tolerant shade trees, and minimum 25% 3-inch caliper single-trunk large canopy drought-tolerant shade trees.

- b. Drought tolerant vegetation to achieve 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

- 15. All sidewalks within the development shall be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb and shall include minimum 2-inch caliper single trunk shade trees planted at a rate of one tree per lot.

- a. Where adjacent to open space areas, trees shall be planted a minimum of 20 feet on center or in equivalent groupings.

- b. Drought tolerant vegetation to achieve 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

- 16. The developer shall dedicate a multi-use trail easement (MUTE) along the north side of Baseline Road and construct a minimum 10-foot-wide multi-use trail (MUT) within the easement in accordance with the MAG supplemental detail, as approved by the Planning and Development Department. The developer shall work with the Site Planning section on an alternate design for this requirement through the technical appeal process.

- 17. The developer shall dedicate a minimum of 30 feet of right-of-way and construct the west side of 23rd Avenue, as approved by the Planning and Development Department.

18. The developer shall dedicate 25 feet of right-of-way for the east side of 24th Avenue, as approved by the Planning and Development Department.
19. The existing irrigation facilities along 23rd Avenue are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and or civil plan review approval.
20. The developer shall connect to 23rd Drive, or dedicate a 50-foot radius cul-de-sac and construct a 45-foot turning radius on site at the termination of 23rd Drive, as modified and approved by the Planning and Development Department.
21. 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.
22. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International Airport (PHX) 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.
23. 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.
24. 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.
25. 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.
26. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims forms. 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.

27. Building elevations shall be presented for review and comment to the South Mountain Village Planning Committee prior to final site plan approval.
28. The developer shall work with the neighborhood and the Street Transportation Department to pursue traffic mitigation on 23rd Avenue, prior to final site plan approval, as modified and approved by the Street Transportation Department.

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 12th day of October, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

PARCEL 1:

THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE SOUTH 33 FEET THEREOF;

EXCEPT THAT PORTION AS SET FORTH IN FINAL ORDER OF CONDEMNATION BY MARICOPA COUNTY RECORDED JULY 15, 2002 AS DOCUMENT NO. 2002-716983; AND

EXCEPT THAT PORTION CONVEYED TO THE UNITED STATES OF AMERICA IN DEED RECORDED IN BOOK 297 OF DEEDS, PAGE 84.

PARCEL 2:

THE NORTH ONE THIRD (1/3) OF THE FOLLOWING DESCRIBED PROPERTY:

THE WEST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 2 EAST OF GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE SOUTH 239.50 FEET THEREOF.

ORDINANCE LOCATION MAP

EXHIBIT B

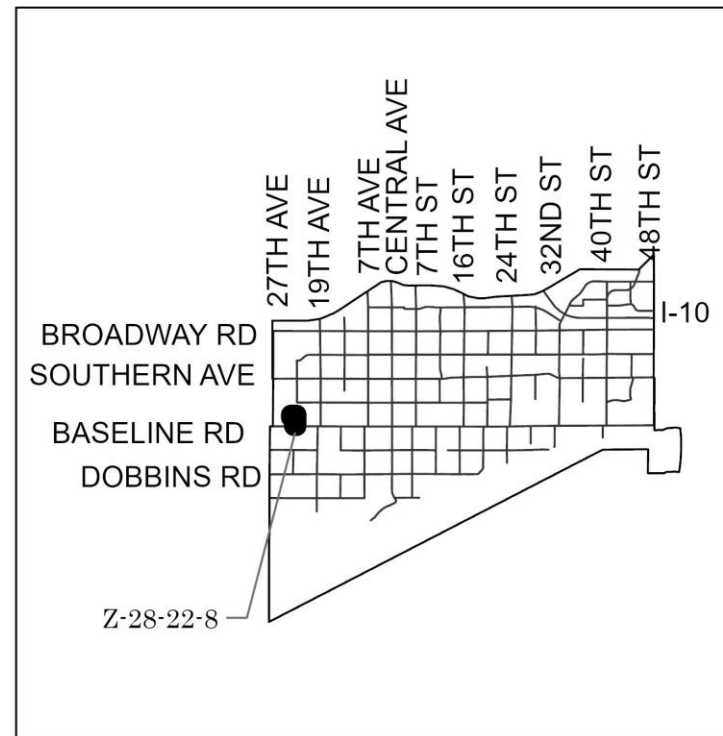
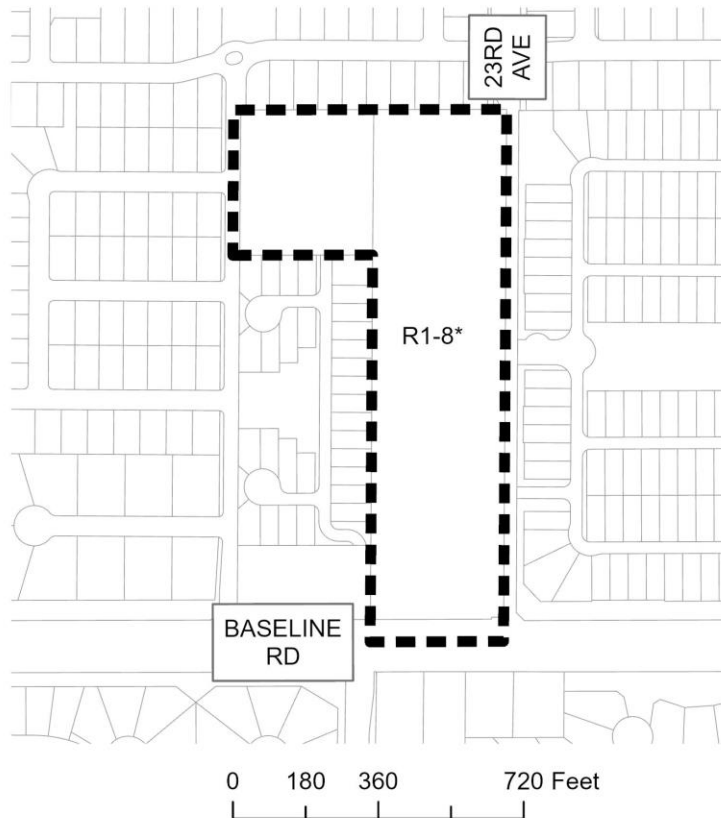
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-28-22-8

Zoning Overlay: N/A

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 9/12/2022