

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 CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE ANNEXED PARCEL DESCRIBED HEREIN (BROWN ANNEXATION NO. 492) FROM COUNTY RU-43 TO CITY'S S-1 (RANCH OR FARM RESIDENCE).

WHEREAS, on June 19, 2019, via Ordinance S-45829, the City of Phoenix annexed an approximately 1.77-acre property located at 5147 E. Westland Road, in a portion of Section 8, Township 5 North, Range 4 East, as described more specifically in Exhibit "A" and incorporated herein by this reference; and,

WHEREAS, as required by A.R.S. § 9-471.L, the city of Phoenix is required to adopt zoning districts on the subject parcel to permit uses and densities no greater than those allowed by the prior County zoning district; and,

WHEREAS, immediately prior to annexation the zoning applicable to this territory was Maricopa County's RU-43 zoning district; and

WHEREAS, the City's S-1 (Ranch or Farm Residence) zoning district is equivalent to Maricopa County's Rural-43 zoning district;

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

SECTION 1. The approximately 1.77 acre property located at 5147 E. Westland Road, in a portion of Section 8, Township 5 North, Range 4 East, in that part of the Southeast quarter of Section 8, Township 5 North, Range 4 East of the Gila and Salt River Base and Meridian of Maricopa County, Arizona, which is described in Exhibit A and depicted in Exhibit B has been annexed to the City of Phoenix, and the present corporate limits of the City have been extended and increased to include such property.

SECTION 2. Pursuant to A.R.S. §9-471(L), the property depicted in Exhibit B is hereby removed from Maricopa County's Rural-43 zoning district and placed into the City's S-1 (Ranch or Farm Residence) zoning district. This zoning designation shall take effect thirty days after this Ordinance is adopted, without further action by the City Council, and

SECTION 3. The City Clerk shall cause a copy of this Ordinance, together with Exhibits A and B to be filed and recorded in the Records of the Office of the Maricopa County Recorder, and

SECTION 4. 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 5. 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 28th day of August, 2019.

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
ANNEXATION 492

BROWN ANNEXATION
Exhibit A

That part of the Southeast quarter of Section 8, Township 5 North, Range 4 East, G&SRB&M, Maricopa County, Arizona, described as follows:

BEGINNING at the intersection of the West line of said Southeast quarter of Section 8 and the Westerly right of way line of Cave Creek Road, being parallel with and 33 feet Northwesterly of the monument line of said Cave Creek Road and being also a point in the boundary of the area annexed to the City of Phoenix by its Ordinance No. G-4492, recorded in Document No. 2003-0157963, records of Maricopa County, Arizona;

thence Northerly along said West line of the Southeast quarter of said Section 8 to a point in the South line of the North 10 feet of said Southeast quarter of Section 8;

thence Easterly along said South line of the North 10 feet to a point in said South line which lies 167.08 feet West from the Westerly right of way line of Cave Creek Road as defined on Book 3 of maps at page 20;

thence South $00^{\circ} 15' 44''$ West a distance of 30.00 feet to the South line of the North 40.00 feet of said Southeast quarter of Section 8;

thence North $89^{\circ} 44' 16''$ East along said South line, a distance of 86.70 feet;

thence South $31^{\circ} 00' 32''$ East a distance of 41.52 feet to a point in a line 33.00 feet Northwest of and parallel with the centerline of said Cave Creek Road;

thence Southwesterly along said Westerly right of way line of Cave Creek Road, being also said boundary of the area annexed to the City of Phoenix by its Ordinance No. G-4492, recorded in Document No. 2003-0157963, records of Maricopa County, to the POINT OF BEGINNING.

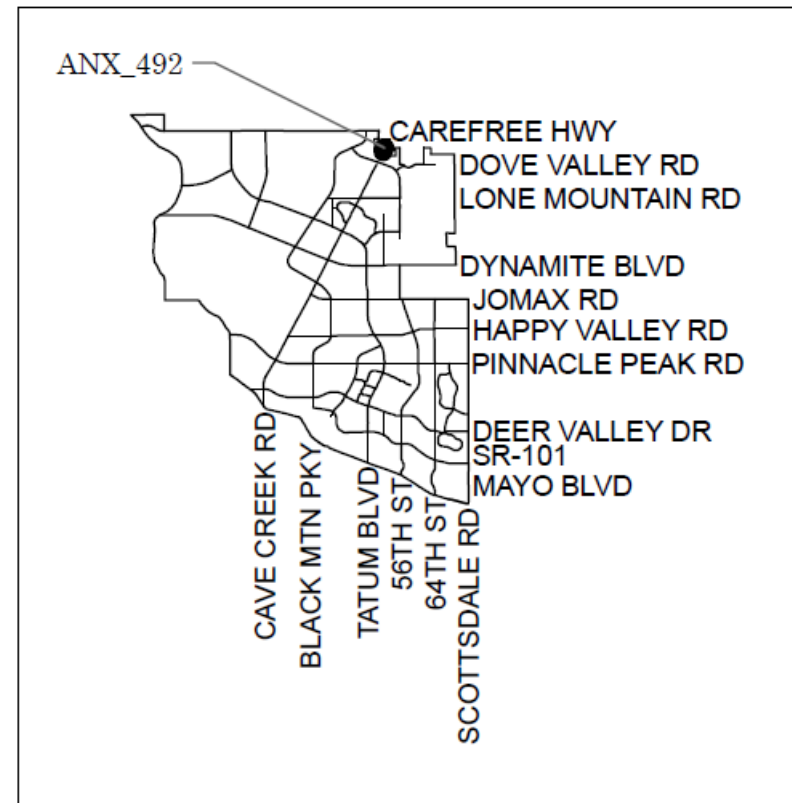
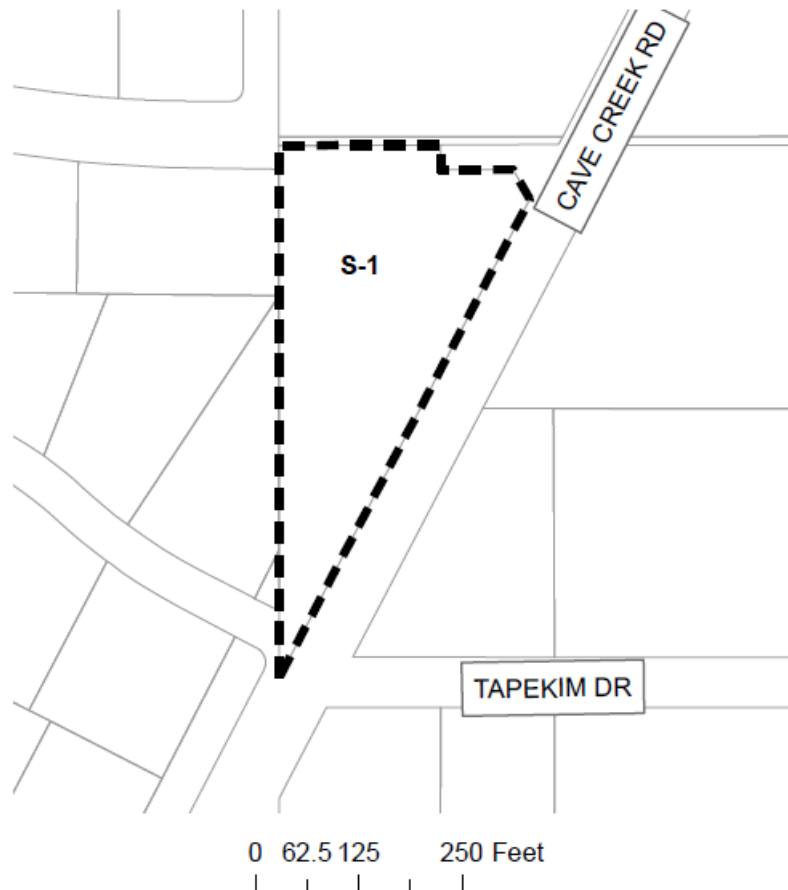
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ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: ANX 492
Zoning Overlay: N/A
Planning Village: Desert View



NOT TO SCALE



Drawn Date: 7/29/2019