

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 (Z-79-18-7) FROM S-1 (RANCH OR FARM RESIDENCE) 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 11.20-acre property located at the northeast corner of 39th Avenue and Vineyard Road in a portion of Section 34, 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) to allow a single-family subdivision.

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. Building elevations shall meet the following design criteria, as approved by the Planning and Development Department:
 - a. All roof materials shall be flat clay or concrete tile or other similar materials. No asphalt shingles, shakes or metal shingles are allowed.
 - b. All exterior walls of the dwelling units shall utilize stucco, stone and/or masonry. No wood or aluminum sidings are allowed. At least 20% of the total surface area of the street elevation shall consist of stone veneer. Stone shall be natural and the color must mimic a natural desert motif. Synthetic stone can be used as long as the color and textures reflect organic material.
 - c. The developer shall provide 18-inch roof overhangs for each home within the development.
 - d. The street facing sides of the two-story homes shall have enhanced architecture.
2. Trees along the perimeter of the subdivision shall be consistent with existing trees adjacent to subdivisions at the southeast and southwest corners of 39th Avenue and Vineyard Road.
3. All sidewalks shall be detached with a minimum 5-foot-wide landscaped strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
4. The developer shall provide a minimum of 10% open space, as approved by the Planning and Development Department.
5. Right-of-way totaling 30-feet shall be dedicated for the north half of Vineyard Road for the entire length of the property, as approved by the Planning and Development Department.
6. Right-of-way totaling 40-feet shall be dedicated for the east half of 39th Avenue for the entire length of the property, as approved by the Planning and Development Department.
7. A 15-foot by 15-foot right-of-way triangle shall be dedicated at the northeast corner of 39th Avenue and Vineyard Road, as approved by the Planning and Development Department.

8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. The developer shall provide a minimum 22-foot driveway for each home within the development.
14. Lots on the perimeter of the subdivision shall be limited to one story in height.
15. The conceptual site plan, landscape plan, lighting plan and building elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process for stipulation modification prior to preliminary site plan approval.
16. Minimum lot widths shall be 45 feet.
17. The trees along 39th Avenue shall be a mix of a 50% minimum 2-inch caliper and 50% minimum 3-inch caliper shade trees, planted a minimum of 20 feet on center or equivalent groupings, as approved by the Planning and Development Department.
18. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. 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 May, 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 – Z-79-18-7

Legal Description APN 105-59-004H,P,Q

Parcel No. 1:

The East half of the West two-thirds of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel No. 2:

The West 40 feet of the West one-third of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel No. 3:

The West one-third of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;
EXCEPT the West 40 feet thereof.

Legal Description APN 105-89-004 F

The East one-third of the Southwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Legal Description: APN 105-89-004W

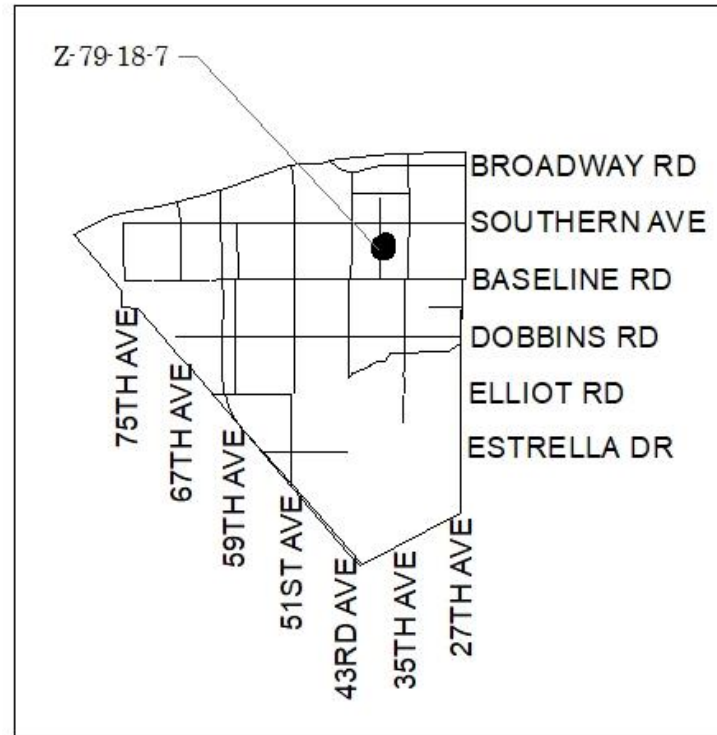
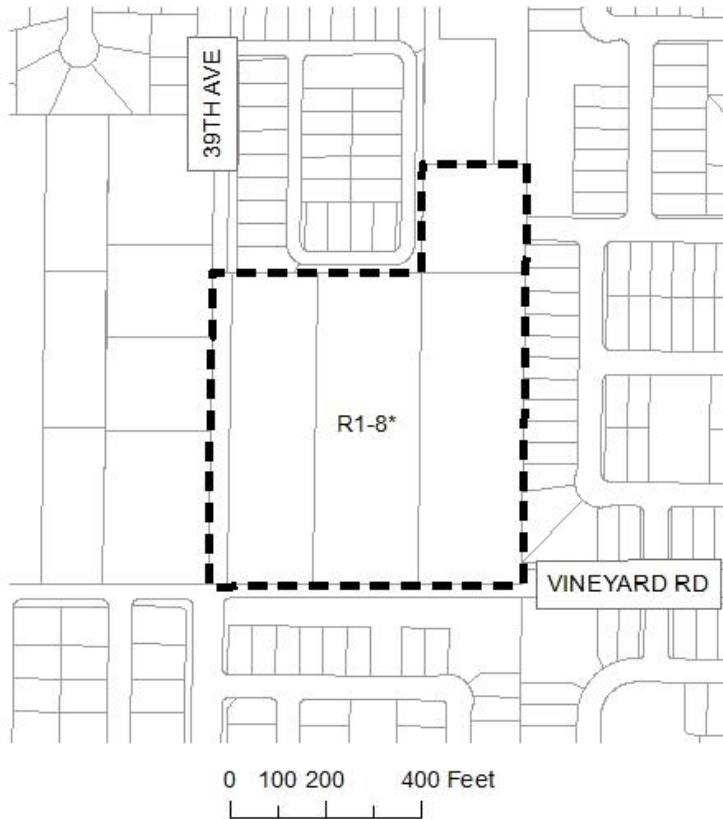
The South 230.00 feet of the East one-third of the Northwest quarter of the Southwest quarter of the Northeast quarter of Section 34, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z 79 18 7
Zoning Overlay: N/A
Planning Village: Laveen



NOT TO SCALE



Drawn Date: 4/10/2019